

SUBDIVISION REVIEW SHEET

CASE NO.: C8-2017-0169.0A

PC DATE: June 12, 2018

SUBDIVISION NAME: Resubdivision of a Portion of Lot 22, Block 1, Cresthaven Addition

AREA 0.509 ac

LOT(S): 2

OWNER: MX3 Homes, LLC

AGENT/APPLICANT: Southwest Engineers, Inc. (Gabriel Hovdey)

ADDRESS OF SUBDIVISION: 2000 E.M. Franklin Avenue

WATERSHED: Tannehill Branch

EXISTING ZONING: SF-3-NP

NEIGHBORHOOD PLAN: MLK

PROPOSED LAND USE: Residential

VARIANCES: Applicant requests a variance from LDC 25-4-175(A)(2) in order to resubdivide a lot with a flag lot design. RECOMMENDED; see attached memorandum.

DEPARTMENT COMMENTS: The request is for approval of Resubdivision of a Portion of Lot 22, Block 1, Cresthaven Addition composed of 2 lots on 0.509 acres. There is currently 1 residential structure proposed to be removed.

STAFF RECOMMENDATION: The staff recommends approval of the plat as it meets all applicable State and City of Austin LDC requirements.

PLANNING COMMISSION ACTION:

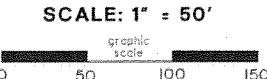
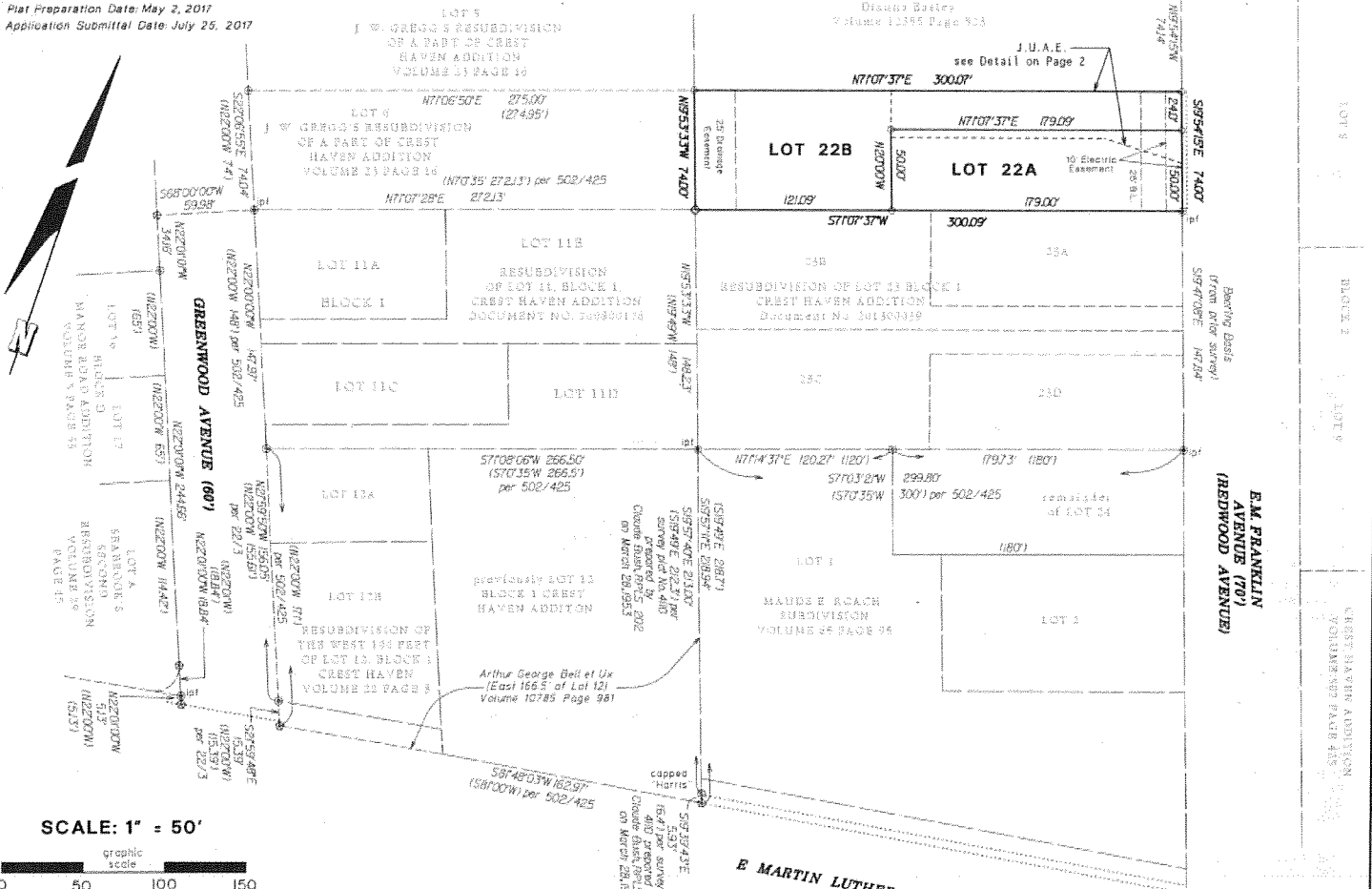
CASE MANAGER: Jeremy Siltala

PHONE: 512-974-2945

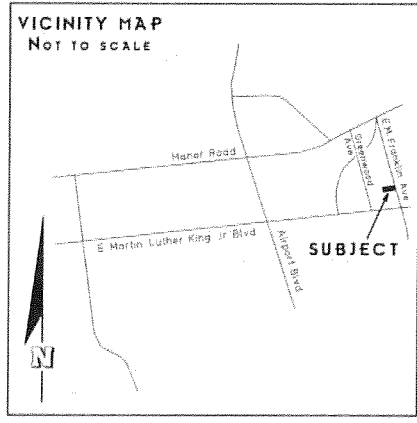
EMAIL: jeremy.siltala@austintexas.gov

RESUBDIVISION OF A PORTION OF LOT 22 BLOCK 1 CREST HAVEN ADDITION

Plat Preparation Date: May 2, 2017
Application Submittal Date: July 25, 2017



- Legend**
- ⊙ 1/2" Iron Rod Found
 - ⊙ 1/2" Iron Pipe Found
 - ⊙ 1/2" Iron Rod Set with plastic cap imprinted with "Holt Corson, Inc."
 - ▲ 60D Nail Found (Record Dimension)
- ETE = Electric and Telecommunications Easement
J.U.A.E. = Joint Use Access Easement



THE STATE OF TEXAS
THE COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS

That, MX3 Homes, LLC acting by and through its Division President, Anthony Gunter, owner of a portion of Lot 22, Block 1, Crest Haven Addition, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 502 Page 425 of the Deed Records of Travis County, Texas, as conveyed to it by Special Warranty Deed recorded in Document No. 2017072435 of the Official Public Records of Travis County, Texas, said subdivision having been approved for resubdivision pursuant to the public notification and hearing provisions of Chapter 212.014 of the Local Government Code, do hereby resubdivide said portion of Lot 22 in accordance with the attached map or plat shown hereon to be known as

RESUBDIVISION OF A PORTION OF LOT 22 BLOCK 1 CREST HAVEN ADDITION

and do hereby dedicate to the Public the use of all streets and easements shown hereon, subject to any easements and/or restrictions heretofore granted, and not released.

WITNESS MY HAND this the _____ day of _____, A.D. 20 _____

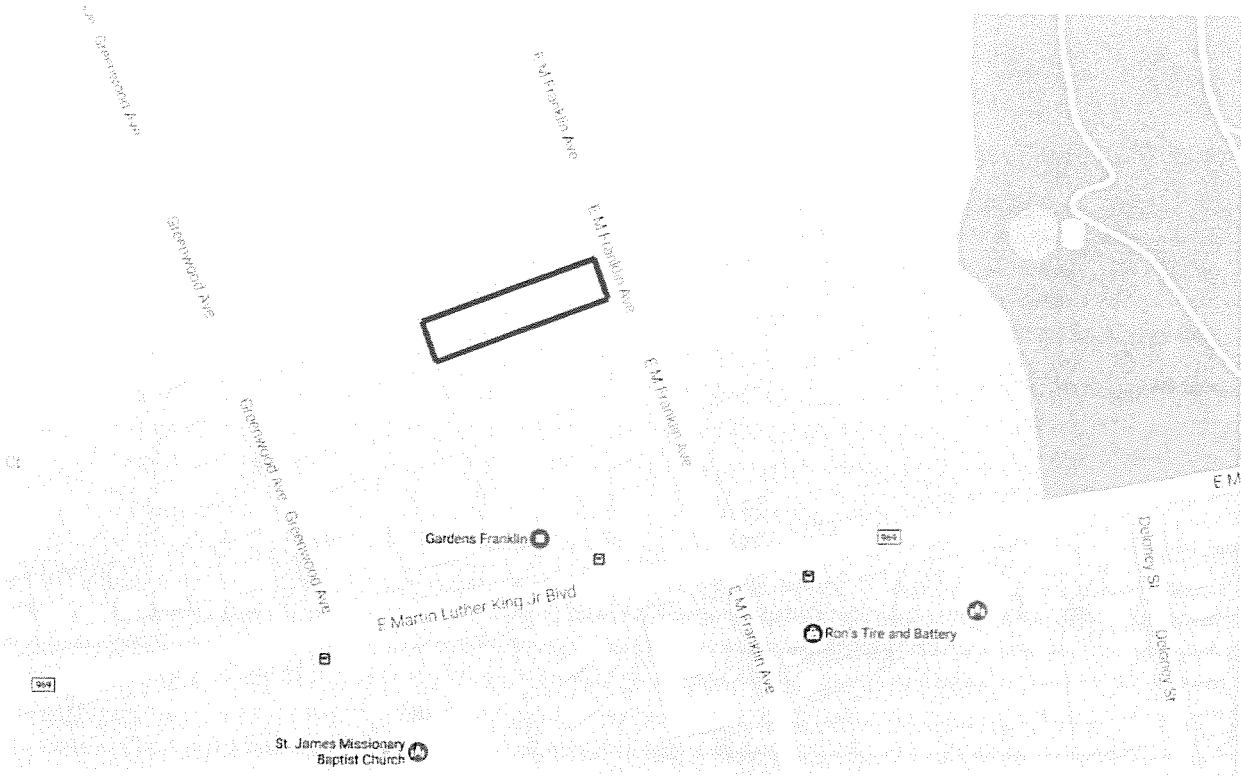
Anthony Gunter Division President of
MX3 Homes, LLC
2610 Manor Road
Austin, Texas 78722

THE STATE OF TEXAS
THE COUNTY OF TRAVIS

I, the undersigned authority, on this the _____ day of _____, A.D., 20 _____ did personally appear Anthony Gunter, 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 _____

991134.dgn



Location Map

2000 E M Franklin Ave,

Austin, TX 78723

**MEMORANDUM**

TO: Members of the Planning Commission

FROM: Jeremy L. Siltala, Senior Planner
Development Services Department

DATE: June 5, 2018

SUBJECT: Flag Lot Variance Request for Resubdivision of a Portion of Lot 22, Block 1, Cresthaven Addition

The applicant has requested a variance from LDC Section 25-4-175(A)(2) in order to resubdivide with a flag lot design. Staff evaluated the variance request based upon the following criteria:

- 1. The lot has provided accessibility for emergency responders:**
Austin Fire Department review staff have determined that the flag lot configuration proposed will not inhibit accessibility for emergency responders and approved the design.
- 2. The lot has adequate room for required utilities:**
Austin Water and Austin Energy review staff have determined the driveway and utility plan provides adequate space for utility service to both lots and approved the design.
- 3. The design enhances environmental and tree protection:**
The driveway design minimizes impacts to existing trees including preserving a 19" Post Oak and City Arborist staff have approved the design.
- 4. The flag lot is otherwise compatible with the surrounding neighborhood:**
There are existing flag lots within the vicinity (see Surrounding Area Exhibit).
- 5. The applicant provides a copy of any existing private deed restrictions:**
The applicant has determined there are no existing deed restrictions applicable to the subject property.

Based on review of these criteria, staff recommends the variance request to develop the property with a flag lot design as part of this application.

If you have any questions or concerns please contact me directly at 512-974-2945.

Thank you,

Jeremy L. Siltala
Development Services Department

O:\CompanyData\Clients\0556-MX3_Homes\0556-044-17_2000 EM Franklin Ave Exhibits\Surrounding Area Exhibit.dwg Mon, Oct 02, 2017, 2:20pm



PROPOSED NEIGHBORHOOD SURROUNDING FLAG LOTS			EXISTING NEIGHBORHOOD SURROUNDING FLAG LOTS		
PARCEL NO.	ADDRESS	SIZE (AC.)	PARCEL NO.	ADDRESS	SIZE (AC.)
(205481)	2000 EM FRANKLIN AVE 22A	0.198	835262	1916 EM FRANKLIN AVE 23B	0.273
	2000 EM FRANKLIN AVE 22B	0.311	835263	1916 EM FRANKLIN AVE A	0.181
			835264	1916 EM FRANKLIN AVE 23C	0.368
			835265	1916 EM FRANKLIN AVE 23D	0.198

NOTE: THE PROPOSED DEVELOPMENT IS COMPATIBLE WITH THE SURROUNDING NEIGHBORHOOD. THERE ARE EXISTING FLAG LOT SUBDIVISIONS IN THE VICINITY OF THE PROPOSED PROPERTY.

Southwest Engineers Inc.

Civil
Environmental
Planning

TBPE No.: 1909
www.swengineers.com

112 Cimarron Park Lp
Buda, Texas 78610
(512) 312-4336

SURROUNDING AREA EXHIBIT

Resubdivision of A Portion of Lot 22 Block 1 Crest Haven Addition MX3 Homes

Date: 10/02/2017
File: Exhibit
Scale: N.T.S.
Tech: AG
Project No.: 0556-044-17

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: C8-2017-0169_0A
 Contact: Jeremy Siltala, (512) 974-2945 or
 Amelia Watts, 512-974-3103
 Public Hearing: June 12, 2018, Planning Commission

JJAB Investments LLC / Joseph B. Malone
 Your Name (please print)
 I am in favor
 I object

1903 Greenwood Ave. 78723
 Your address(es) affected by this application

Joseph B. Malone
 Signature
6/1/2018
 Date

Daytime Telephone: *512-771-1751*

Comments: _____

If you use this form to comment, it may be returned to:
 City of Austin – Development Services Department / 4th Fl
 Jeremy Siltala
 P. O. Box 1088
 Austin, TX 78767-8810