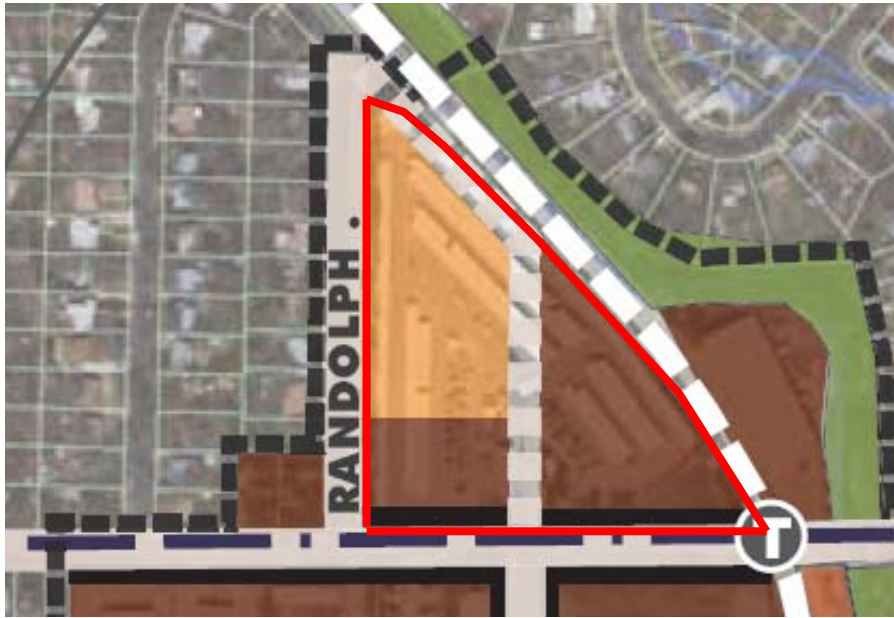


**VALID PETITION IN THE MLK STATION AREA PLAN
2900 MANOR ROAD (A.K.A. VALUE SKY PARK SITE)**

The petition specifies the following:

- The property owner, Hfc 7Ubnrb Duffbyfg objects to partial designation of Medium Density Residential (shown in orange below) as stipulated by Council on first reading in response to a request from the Cherrywood Neighborhood.
 - Wants entire property to be a TOD Mixed Use category (dark brown category) which is most similar to existing CS-MU zoning.
- Hfc 7Ubnrb Duffbyfg also objects to a 200-foot compatibility zone from homes west of Randolph Road (versus the 100-foot originally proposed in the draft plan) as stipulated by Council on first reading in response to a request from the Cherrywood neighborhood. The owner would like to be treated as other property owners are treated in the TOD regarding compatibility.



Council second reading action on Nov. 6, 2008

Aligns with the property owner request specified in the petition:

1. The property shall have a land use subdistrict designation of TOD Mixed Use and height is limited to 40 feet within 100-feet of homes facing Randolph Road.
2. The compatibility standards language approved for the other TODs applies.
3. The public hearing should be re-opened to allow for neighborhood comment.

Cherrywood Neighborhood Association Update

The Cherrywood Neighborhood has met with Toro Canyon Partners and has submitted a letter supporting the property owner petition request (see attached letter). The one change they would like made, which is outlined in the letter, is that the Regulating Plan should specify that in order for compatibility standards within 100 feet of the single family homes on Randolph Road to be waived through a development bonus, approval of a majority of Randolph Rd. homeowners should be required.

Based on what was approved for other Station Area Plans, property owners within 25 feet of the tract requesting the waiver are eligible to weigh-in on whether or not compatibility standards height limits should be waived. Randolph Road is 60 feet in width meaning the Randolph homeowners fall outside the 25 feet. A way to include the Randolph homeowners would be for the Regulating Plan language to state that the 25 feet be calculated excluding any existing street right-of-way.

Cherrywood Neighborhood Association

P.O. Box 4010
Austin, Texas 78765
www.cherrywood.org

Steering Committee

Jeremy Mazur, Chair
Martin Barrera
Michael Bray
Deb Freeman
David Greene
Girard Kinney
Rebecca Kohut
Jack Josey Newman
Robin Peeples
Eve Richter
Mark Schiff
Tom Wald

City of Austin
City Council
301 West 2nd Street
Austin, Texas 78701

Thursday, January 15, 2009

Regarding the following Zoning Ordinances particular to 2900 Manor Road:

C14-2008-0031 - MLK Jr. Blvd. Station Area Plan
NPA-2008-0012.01 - Upper Boggy Creek Neighborhood Plan Amendment

Dear City Council,

The Cherrywood Neighborhood Association (CNA) Steering Committee, acting on a recommendation of its Planning and Zoning Committee, has voted to support the above referenced Zoning Ordinances. CNA supports the goal and the vision of the MLK Jr. Blvd. Station Area Plan and the rezoning of the properties to form a Transit Oriented Development (TOD) zoning district.

Regarding 2900 Manor Road, a property within the MLK Jr. Blvd. Station Area Plan, CNA supports and encourages mixed-use development including commercial, residential, and affordable housing development on all portions of the property excluding the portions of the property adjacent to Randolph Road. CNA's goal for the future development of the portion of the subject property adjacent to Randolph Road is to encourage pedestrian friendly development that is residential in scale and character. CNA offers consent and support to change the previously approved 200' compatibility setback to 100' in order to achieve consistent compatibility setbacks in all TOD zoning districts. CNA's support for the 100' compatibility setback is contingent upon the modification of the compatibility standards to ensure property owners on Randolph have input in any possible development bonuses. The compatibility standards may be modified either by excluding rights of way from the calculation of triggering properties, or by increasing the distance from the subject property to triggering properties from 25' to 75'.

Sincerely yours,



Jeremy Mazur
CNA Steering Committee Chair

Martin Barrera
CNA Planning and Zoning Committee Chair

Toro Canyon Partners, L.P.

712 Congress Avenue, Suite 200
Austin, Texas 78746

February 6, 2009

RE: C14-2008-0031 – MLK Jr. Blvd. Station Area Plan

Dear Mayor and Council:

As the property owner of 2900 Manor Road we met on two different occasions with the Cherrywood Neighborhood Association to discuss proposed land use and restrictions for the property.

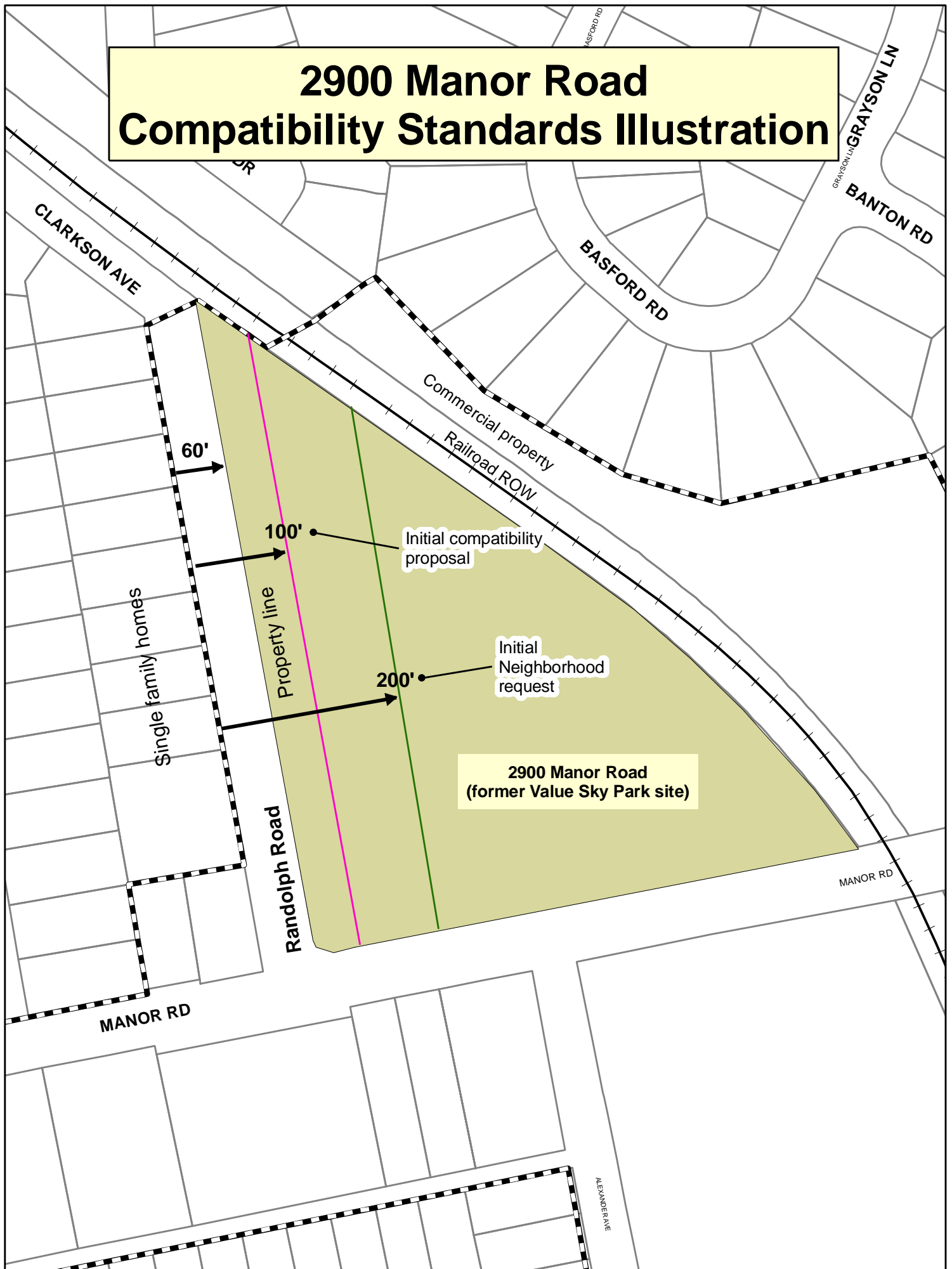
We agree with the Association's position on supporting the zoning change, which includes a TOD Mixed Use designation on the entire property, and agree with the Association's written statement dated January 15, including the request to exclude street right-of-way from the 25-foot calculation so that Randolph homeowners can be involved in the decision regarding waiving the compatibility standards height limit if we seek a height bonus. We are not prepared to down-zone any portion of the property to residential at this time and support the Council's action from Second Reading of the proposed land use.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Musgrove', with a long horizontal line extending to the right.

Jeff Musgrove, Manager
Toro Canyon Partners GP, LLC

2900 Manor Road Compatibility Standards Illustration



PETITION

Case Number:

C14-2008-0031

Date:

Oct. 22, 2008

2900 MANOR RD

Total Area Within 200' of Subject Tract

243,690.74

1	<u>02-1412-0803</u>	<u>TORO CANYON</u>	<u>243,690.74</u>	<u>100.00%</u>
2	<u></u>	<u>PARTNERS LP</u>	<u></u>	<u>0.00%</u>
3	<u></u>	<u></u>	<u></u>	<u>0.00%</u>
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26	<u></u>	<u></u>	<u></u>	<u>0.00%</u>
27	<u></u>	<u></u>	<u></u>	<u>0.00%</u>

Validated By:

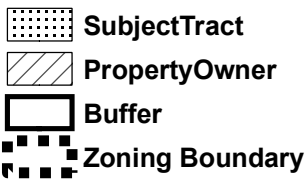
Stacy Meeks

Total Area of Petitioner:

243,690.74

Total %

100.00%



CASE#: C14-2008-0031
ADDRESS: 2900 MANOR RD
GRID: K24
CASE MANAGER: S. LOPEZ



This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

$$1'' = 200'$$