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ABERNATHY ROEDER BOYD HULLETT

EST. 1876

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Main: 214.544.4000 | Fax: 214.544.4044

February 24, 2017

City of McKinney
Planning Department
P.O. Box 517
McKinney, Texas 75069

Re: Revised Letter of Intent supporting request for a zoning change for 22.943 acres of land located south of Henneman Way, west of Alma Road, and north of S.H. 121, City of McKinney, Collin County, Texas (the "Property")

Dear Planners:

This revised letter of intent amends the application for a zoning change submitted by me on behalf of McKinney Seven 31, LP, a Texas limited partnership, the owner of the subject property on December 12, 2016. The amendment applies only to the proposed uses within the subject property and all other information contained in the application is reaffirmed and recited again as follows:

1. The total acreage of the subject property is 22.943 acres as described in the Field Note Descriptions attached to the application and as shown on the Zoning Exhibit attached hereto as Exhibit A (the "Zoning Exhibit").
2. The existing zoning on the subject property is PD – Planned Development under Ordinance No. 2008-06-054 adopted by the City Council on June 8, 2008.
3. The applicant is requesting that the Property be re-zoned in accordance with the categories identified on the Zoning Exhibit to the effect that the portion of the Property shown as Tract A, being approximately 12.214 acres, be rezoned to C3 – Regional Commercial District and that portion of the Property shown as Tract B, being approximately 10.729 acres, be rezoned to PD – Planned Development with the underlying primary zoning classification of C3 - Regional Commercial District. The legal descriptions for Tract A and Tract B are attached hereto as Exhibit B.
4. The applicant further requests that the permitted uses on Tract B include all permitted uses for C3 – Regional Commercial District as provided in Section 146-113 of the City's Code of Ordinances, together with multiple family uses as provided in the Multi-Family Regulations attached hereto as Exhibit C.
5. The applicant requests an appearance before the Planning and Zoning Commission and the City Council at the earliest possible dates.

February 24, 2017

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In the event that any other information is required for this Letter of Intent, please refer to the application previously filed.

Yours truly,

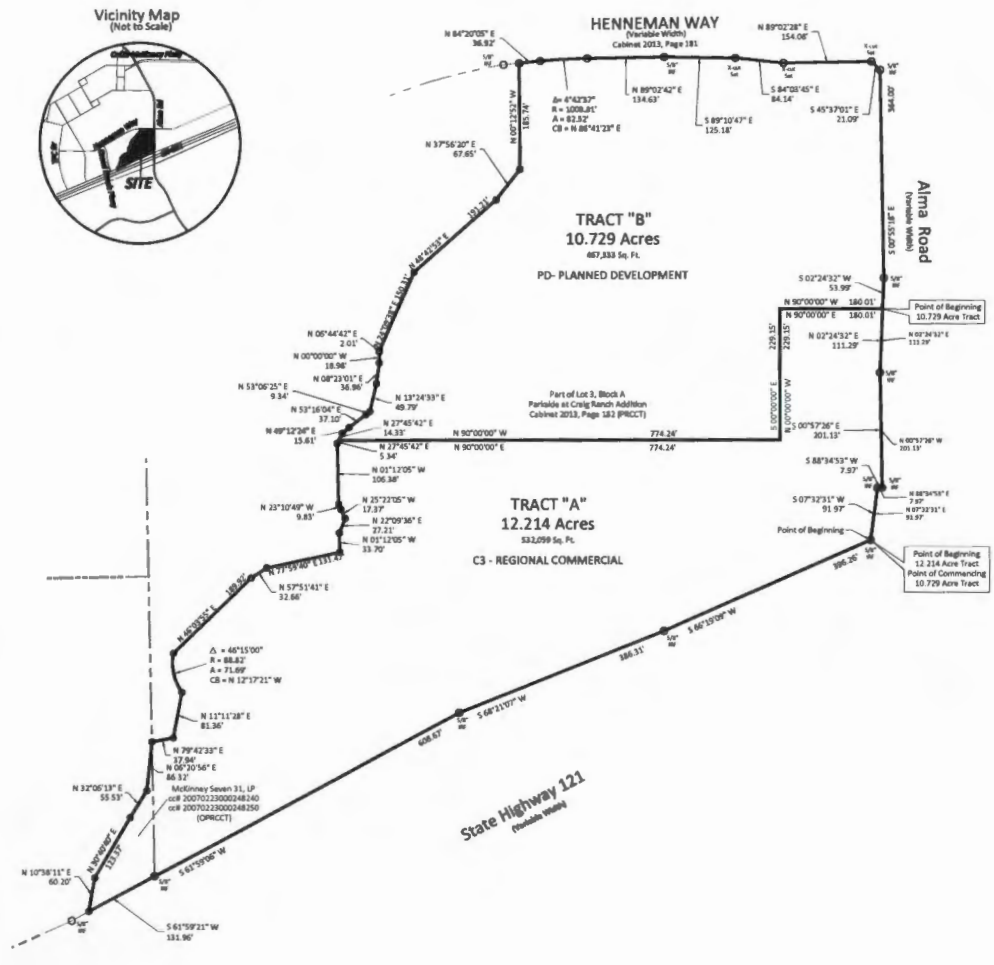


Robert H. Roeder

2090492

cc: Shane Jordan, Fourth Avenue Investments
Larry Masi, Fourth Avenue Investments

EXHIBIT A



TRACT "B"

PD - PLANNED DEVELOPMENT

BEING a 10.729 acre tract of land situated in the Thomas Phillips Survey Abstract No. 717, City of McKinney, Collin County, Texas, being a portion of Lot 3, Block A of Parkside at Craig Ranch Addition an addition to the City of McKinney according to the plat recorded in Cabinet 2013, Page 183 and a tract of land described in a deed to McKinney Seven 31, LP recorded in ccl 20070222000248240, Official Public Records, Collin County, Texas and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found for corner at the intersection of the north line of State Highway 121 (Sam Rayburn Tollway) (variable width right of way) and the west line of Alma Road (variable width right of way);

THENCE along the west line of said Alma Road as follows:
 NORTH 07°32'31" EAST a distance of 91.97 feet to a 5/8 inch iron rod found for corner;

NORTH 88°34'53" EAST a distance of 7.97 feet to a 5/8 inch iron rod found for corner;

NORTH 00°57'26" WEST a distance of 201.13 feet to a 5/8 inch iron rod found for corner;

NORTH 02°34'32" EAST a distance of 111.29 feet to a point for the POINT OF BEGINNING;

THENCE NORTH 90°00'00" WEST a distance of 380.01 feet to a point for corner;

THENCE SOUTH 00°00'00" EAST a distance of 229.15 feet to a point for corner;

THENCE NORTH 90°00'00" WEST a distance of 774.34 feet to a point for corner;

THENCE NORTH 27°45'42" EAST a distance of 54.83 feet to a point for corner;

THENCE NORTH 45°12'24" EAST a distance of 15.61 feet to a point for corner;

THENCE NORTH 53°06'25" EAST a distance of 9.34 feet to a point for corner;

THENCE NORTH 13°24'33" EAST a distance of 49.79 feet to a point for corner;

THENCE NORTH 08°23'01" EAST a distance of 36.96 feet to a point for corner;

THENCE NORTH 00°00'00" WEST a distance of 2.01 feet to a point for corner;

THENCE NORTH 08°44'42" EAST a distance of 150.81 feet to a point for corner;

THENCE NORTH 24°09'38" EAST a distance of 150.81 feet to a point for corner;

THENCE NORTH 48°42'53" EAST a distance of 181.21 feet to a point for corner;

THENCE NORTH 87°56'20" EAST a distance of 67.65 feet to a point for corner in the south line of Henneeman Way a variable width right of way;

THENCE along the south line of said Henneeman Way as follows:
 NORTH 84°20'05" EAST a distance of 36.52 feet to a point for corner and being the beginning of a curve to the right having a radius of 1008.81 feet and a chord bearing of NORTH 86°41'23" EAST;

Along said curve through a central angle of 04°42'27" for an arc length of 82.52 feet to a point for corner;

NORTH 89°02'42" EAST a distance of 134.68 feet to a 5/8 inch iron rod found for corner;

SOUTH 88°30'47" EAST a distance of 125.34 feet to an x-cut in concrete set for corner;

SOUTH 84°08'45" EAST a distance of 84.34 feet to an x-cut in concrete set for corner;

NORTH 89°02'28" EAST a distance of 154.08 feet to an x-cut in concrete set for corner to the north end of a corner cutoff line located at the intersection of the south line of said Henneeman Way and the west line of said Alma Road;

THENCE along said corner cutoff line, SOUTH 45°37'01" EAST a distance of 23.69 feet to a 5/8 inch iron rod found for corner;

THENCE SOUTH 00°54'38" EAST a distance of 364.00 feet to a 5/8 inch iron rod found for corner;

THENCE SOUTH 02°34'32" WEST a distance of 51.99 feet to the POINT OF BEGINNING;

CONTAINING 10.729 acres of 467,849 square feet of land more or less.

TRACT "A"

C3 - REGIONAL COMMERCIAL

BEING a 12.214 acre tract of land situated in the Thomas Phillips Survey Abstract No. 717, City of McKinney, Collin County, Texas, being a portion of Lot 3, Block A of Parkside at Craig Ranch Addition an addition to the City of McKinney according to the plat recorded in Cabinet 2013, Page 183 and a tract of land described in a deed to McKinney Seven 31, LP recorded in ccl 20070222000248240, Official Public Records, Collin County, Texas and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found for corner at the intersection of the north line of State Highway 121 (Sam Rayburn Tollway) (variable width right of way) and the west line of Alma Road (variable width right of way);

THENCE along the north line of said State Highway 121 (Sam Rayburn Tollway) as follows:
 SOUTH 88°19'00" WEST a distance of 396.28 feet to a 5/8 inch iron rod found for corner;

SOUTH 88°11'07" WEST a distance of 348.31 feet to a 5/8 inch iron rod found for corner;

SOUTH 61°59'00" WEST a distance of 608.67 feet to a 5/8 inch iron rod found for corner;

SOUTH 41°59'31" WEST a distance of 111.96 feet to a 5/8 inch iron rod set for the southwest corner of said Lot 2 and the southeast corner of Common Area A-1 of said Block A;

THENCE along the common line of said Lot 2 and Common Area A-1 as follows:
 NORTH 10°38'11" EAST a distance of 80.30 feet to a 5/8 inch iron rod set for corner;

NORTH 30°40'40" EAST a distance of 123.37 feet to a 5/8 inch iron rod set for corner;

NORTH 52°04'13" EAST a distance of 58.53 feet to a 5/8 inch iron rod set for corner;

NORTH 09°20'56" EAST a distance of 84.32 feet to a 5/8 inch iron rod set for corner;

NORTH 78°42'38" EAST a distance of 37.04 feet to a 5/8 inch iron rod set for corner;

NORTH 11°11'28" EAST a distance of 81.36 feet to a 5/8 inch iron rod set for the beginning of a curve to the right having a radius of 88.82 feet and a chord bearing of NORTH 12°17'31" WEST;

Along said curve to the right through a central angle of 48°15'00" for an arc length of 71.89 feet to a 5/8 inch iron rod set for corner;

NORTH 48°03'55" EAST a distance of 149.92 feet to a 5/8 inch iron rod set for corner;

NORTH 57°51'41" EAST a distance of 32.66 feet to a 5/8 inch iron rod set for corner;

NORTH 30°40'40" EAST a distance of 131.47 feet to a 5/8 inch iron rod set for corner;

NORTH 01°12'03" WEST a distance of 33.70 feet to a 5/8 inch iron rod set for corner;

NORTH 22°08'36" EAST a distance of 27.21 feet to a 5/8 inch iron rod set for corner;

NORTH 25°22'08" WEST a distance of 17.37 feet to a 5/8 inch iron rod set for corner;

NORTH 23°10'48" WEST a distance of 8.83 feet to a 5/8 inch iron rod set for corner;

NORTH 01°12'05" WEST a distance of 108.34 feet to a 5/8 inch iron rod set for corner;

THENCE NORTH 27°45'42" EAST a distance of 5.34 feet to a point for corner in the south line of Henneeman Way a variable width right of way;

THENCE NORTH 80°00'00" EAST a distance of 774.34 feet to a point for corner;

THENCE NORTH 00°00'00" WEST a distance of 229.15 feet to a point for corner in the west line of said Alma Road;

THENCE SOUTH 02°34'32" WEST a distance of 111.29 feet to a 5/8 inch iron rod found for corner;

THENCE NORTH 00°57'26" EAST a distance of 201.13 feet to a 5/8 inch iron rod found for corner;

THENCE NORTH 88°34'53" WEST a distance of 7.97 feet to a 5/8 inch iron rod found for corner;

THENCE SOUTH 07°32'31" WEST a distance of 91.97 feet to the POINT OF BEGINNING;

CONTAINING 12.214 acres or 532,099 square feet of land more or less.

ZONING EXHIBIT

TRACT "A" 12.214 Acres - C3 - REGIONAL COMMERCIAL
TRACT "B" 10.729 Acres - PD - PLANNED DEVELOPMENT

THOMAS PHILLIPS SURVEY, ABSTRACT NO. 717
CITY OF MCKINNEY
COLLIN COUNTY, TEXAS

Owner: MCKINNEY SEVEN 31, LP
 6850 TPC DRIVE, SUITE 210
 MCKINNEY, TEXAS 75070 (972) 528-1371

Owner: VCSM PARTNERS, LP
 6850 TPC DRIVE, SLATE 210
 MCKINNEY, TEXAS 75070 (972) 528-1371

Scale: 1" = 100'
 Date: February 15, 2017
 Technician: Spinning/Etch
 Job No.: 130-178
 Drawn By: Spinning/Etch
 QP No.:

Checked By: A.J. Bedford
 P.C.: Cray/Formatting
 PLO: C. J. [unclear]
 Job No.: 130-178

Site: W. Alma Rd. • Bedford, Texas 75013
 (972) 721-0211 • www.ajbedfordgroup.com • 430.250.0100@ajbg.com

Sheet: 1
 of: 1



TWPS 0000000000

EXHIBIT B

PROPERTY DESCRIPTION

C3 – REGIONAL COMMERCIAL

BEING a 12.214 acre tract of land situated in the Thomas Phillips Survey Abstract No. 717, City of McKinney, Collin County, Texas, being a portion of Lot 3, Block A of Parkside at Craig Ranch Addition an addition to the City of McKinney according to the plat recorded in Cabinet 2013, Page 182 and a tract of land described in a deed to McKinney Seven 31, LP recorded in cc# 20070223000248240, Official Public Records, Collin County, Texas and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found for corner at the intersection of the north line of State Highway 121 (Sam Rayburn Tollway) (variable width right of way) and the west line of Alma Road (variable width right of way);

THENCE along the north line of said State Highway 121 (Sam Rayburn Tollway) as follows:

SOUTH 66°19'09" WEST a distance of 396.26 feet to a 5/8 inch iron rod found for corner;

SOUTH 68°21'07" WEST a distance of 386.31 feet to a 5/8 inch iron rod found for corner;

SOUTH 61°59'06" WEST a distance of 608.67 feet to a 5/8 inch iron rod found for corner;

SOUTH 61°59'21" WEST a distance of 131.96 feet to a 5/8 inch iron rod set for the southwest corner of said Lot 2 and the southeast corner of Common Area A-1 of said Block A;

THENCE along the common line of said Lot 2 and Common Area A-1 as follows:

NORTH 10°38'11" EAST a distance of 60.20 feet to a 5/8 inch iron rod set for corner;

NORTH 30°40'40" EAST a distance of 123.37 feet to a 5/8 inch iron rod set for corner;

NORTH 32°06'13" EAST a distance of 55.53 feet to a 5/8 inch iron rod set for corner;

NORTH 06°20'56" EAST a distance of 86.32 feet to a 5/8 inch iron rod set for corner;

NORTH 79°42'33" EAST a distance of 37.94 feet to a 5/8 inch iron rod set for corner;

NORTH 11°11'28" EAST a distance of 81.36 feet to a 5/8 inch iron rod set for the beginning of a curve to the right having a radius of 88.82 feet and a chord bearing of NORTH 12°17'21" WEST;

Along said curve to the right through a central angle of 46°15'00" for an arc length of 71.69 feet to a 5/8 inch iron rod set for corner;

NORTH 46°03'55" EAST a distance of 189.92 feet to a 5/8 inch iron rod set for corner;

NORTH 57°51'41" EAST a distance of 32.66 feet to a 5/8 inch iron rod set for corner;

NORTH 77°59'40" EAST a distance of 131.47 feet to a 5/8 inch iron rod set for corner;

NORTH 01°12'05" WEST a distance of 33.70 feet to a 5/8 inch iron rod set for corner;

NORTH 22°09'36" EAST a distance of 27.21 feet to a 5/8 inch iron rod set for corner;

NORTH 25°22'05" WEST a distance of 17.37 feet to a 5/8 inch iron rod set for corner;

NORTH 23°10'49" WEST a distance of 9.83 feet to a 5/8 inch iron rod set for corner;

NORTH 01°12'05" WEST a distance of 106.38 feet to a 5/8 inch iron rod set for corner;

THENCE NORTH 27°45'42" EAST a distance of 5.34 feet to a point for corner;

THENCE NORTH 90°00'00" EAST a distance of 774.24 feet to a point for corner;

THENCE NORTH 00°00'00" WEST a distance of 229.15 feet to a point for corner;

THENCE NORTH 90°00'00" EAST a distance of 180.01 feet to a point for corner in the west line of said Alma Road;

THENCE SOUTH 02°24'32" WEST a distance of 111.29 feet to a 5/8 inch iron rod found for corner;

THENCE SOUTH 00°57'26" EAST a distance of 201.13 feet to a 5/8 inch iron rod found for corner;

THENCE SOUTH 88°34'53" WEST a distance of 7.97 feet to a 5/8 inch iron rod found for corner;

THENCE SOUTH 07°32'31" WEST a distance of 91.97 feet to the POINT OF BEGINNING;

CONTAINING 12.214 acres or 532,059 square feet of land more or less.

PROPERTY DESCRIPTION

PD – PLANNED DEVELOPMENT

BEING a 10.729 acre tract of land situated in the Thomas Phillips Survey Abstract No. 717, City of McKinney, Collin County, Texas, being a portion of Lot 3, Block A of Parkside at Craig Ranch Addition an addition to the City of McKinney according to the plat recorded in Cabinet 2013, Page 182 and a tract of land described in a deed to McKinney Seven 31, LP recorded in cc# 20070223000248240, Official Public Records, Collin County, Texas and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found for corner at the intersection of the north line of State Highway 121 (Sam Rayburn Tollway) (variable width right of way) and the west line of Alma Road (variable width right of way);

THENCE along the west line of said Alma Road as follows:

NORTH 07°32'31" EAST a distance of 91.97 feet to a 5/8 inch iron rod found for corner;

NORTH 88°34'53" EAST a distance of 7.97 feet to a 5/8 inch iron rod found for corner;

NORTH 00°57'26" WEST a distance of 201.13 feet to a 5/8 inch iron rod found for corner;

NORTH 02°24'32" EAST a distance of 111.29 feet to a point for the POINT OF BEGINNING;

THENCE NORTH 90°00'00" WEST a distance of 180.01 feet to a point for corner;

THENCE SOUTH 00°00'00" EAST a distance of 229.15 feet to a point for corner;

THENCE NORTH 90°00'00" WEST a distance of 774.24 feet to a point for corner;

THENCE NORTH 27°45'42" EAST a distance of 14.33 feet to a point for corner;

THENCE NORTH 49°12'24" EAST a distance of 15.61 feet to a point for corner;

THENCE NORTH 53°16'04" EAST a distance of 37.10 feet to a point for corner;

THENCE NORTH 53°06'25" EAST a distance of 9.34 feet to a point for corner;

THENCE NORTH 13°24'33" EAST a distance of 49.79 feet to a point for corner;

THENCE NORTH 08°23'01" EAST a distance of 36.96 feet to a point for corner;

THENCE NORTH 00°00'00" WEST a distance of 18.98 feet to a point for corner;

THENCE NORTH 06°44'42" EAST a distance of 2.01 feet to a point for corner;

THENCE NORTH 24°09'38" EAST a distance of 150.31 feet to a point for corner;

THENCE NORTH 48°42'53" EAST a distance of 191.21 feet to a point for corner;

THENCE NORTH 37°56'20" EAST a distance of 67.65 feet to a point for corner;

THENCE NORTH 00°12'52" WEST a distance of 185.74 feet to a point for corner in the south line of Henneman Way a variable width right of way;

THENCE along the south line of said Henneman Way as follows:

NORTH 84°20'05" EAST a distance of 36.92 feet to a point for corner and being the beginning of a curve to the right having a radius of 1003.81 feet and a chord bearing of NORTH 86°41'23" EAST;

Along said curve through a central angle of 04°42'37" for an arc length of 82.52 feet to a point for corner;

NORTH 89°02'42" EAST a distance of 134.63 feet to a 5/8 inch iron rod found for corner;

SOUTH 89°10'47" EAST a distance of 125.18 feet to an x-cut in concrete set for corner;

SOUTH 84°03'45" EAST a distance of 84.14 feet to an x-cut in concrete set for corner;

NORTH 89°02'28" EAST a distance of 154.08 feet to an x-cut in concrete set for corner to the north end of a corner cutoff line located at the intersection of the south line of said Henneman Way and the west line of said Alma Road;

THENCE along said corner cutoff line, SOUTH 45°37'01" EAST a distance of 21.09 feet to a 5/8 inch iron rod found for corner;

THENCE SOUTH 00°55'18" EAST a distance of 364.00 feet to a 5/8 inch iron rod found for corner;

THENCE SOUTH 02°24'32" WEST a distance of 53.99 feet to the POINT OF BEGINNING;

CONTAINING 10.729 acres or 467,333 square feet of land more or less.

EXHIBIT C

EXHIBIT C

The following regulations shall apply to multi-family development within Tract B of the Property:

1. No more than six and one-half (6.5) acres may be developed as multi-family.
2. The minimum density shall be 50 units per acre.
3. The maximum building height shall be five (5) stories.
4. Parking shall be at a ratio of one (1) parking space for each bedroom.
5. Structured garage parking, tuck-under garage parking and surface on-site courtyard parking shall be permitted, provided that no more than 20% of the overall required parking for the multi-family development shall be surface parking.
6. Structured parking facilities may not exceed 70 feet in height.
7. Multi-family buildings shall not be required to meet the architectural requirements of Section 146-139 of the Zoning Ordinance and shall be approved if the following requirements are satisfied:
 - a. Buildings shall generally conform to the range of architectural styles and features contained in the attachments hereto entitled "Building and Finishes", "Palette" and "Components", which correspond to the look and feel of the Parkside at Craig Ranch development immediately north of the Property;
 - b. The exterior of each building's front façade shall feature a minimum of 85% brick, stone, synthetic stone, stucco or any combination thereof, with none of the aforementioned materials, except brick or stone, comprising more than 50% of such façade. The balance of the exterior finishing materials may include EIFS, architectural concrete masonry units (CMU), cementitious siding, metal, treated wood and/or glass curtain wall systems;
 - c. Horizontal building facades longer than 150 feet in width shall be segmented into smaller sections by a structural or ornamental minor façade offset of a minimum four (4) feet deep and ten (10) feet wide. The height of such offsets shall be equal to or greater than 75% of the building's height;
 - d. The architectural character of a building's front façade shall be continued on all facades of the building that are visibly exposed to a public street;
 - e. Primary building entrances shall be articulated through the use of architectural elements such as lintels, pediments, pilasters, columns, porticos, porches, overhangs, railings, balustrades or other appropriate elements;
 - f. Light fixtures attached to the exterior of the building shall be architecturally compatible with the style, materials, colors and details of the building;
 - g. All mechanical, air conditioning units, heating, ventilation and air condition systems, exhaust pipes and stacks, elevator housing and other such equipment shall be completely screened from public street view by walls, fencing, parapet walls, penthouse-type screening devices or landscaping;
 - h. Structured parking facades shall not have frontage on a public street, unless the elevation is masonry and the open areas of the structure contain an architectural design element such as wrought iron.

8. The development shall contain amenities that conform to the requirements of Subsubsection (1)e of Subsection (f) of Section 146-139.
9. The development shall conform to the following landscape requirements:
 - a. One street tree, referred to as Canopy Trees by Section 146-135 (Landscape Requirements) and Appendix A (Approved Plant List) of the Zoning Ordinance, as amended, shall be provided for every 30 linear feet of frontage on a public street or perimeter private drive that functions as a public street. The linear footage of frontage shall be calculated exclusive of the frontage consumed by driveways and sight visibility triangles.
 - b. Required street trees shall be evenly spaced at a ratio of 30 feet on center (+/- 5 feet). Required street trees may be clustered if approved by the Planning and Zoning Commission as part of the site plan approval process in order to facilitate creative design or for some other valid reason.
 - c. With the exception of Subsection (f), Minimum landscaping requirements, all other landscaping requirements of Section 146-135 (Landscape Requirements) of the Zoning Ordinance, as amended and not in conflict herewith shall be applicable to the subject property.

BUILDING AND FINISHES



PALETTE



COMPONENTS

