

1700 Redbud Boulevard, Suite 300 • P.O. Box 1210 • McKinney, Texas 75070-1210 Metro 214.544.4000 • Fax 214.544.4044

ATTORNEYS AT LAW

ROBERT H. ROEDER Qualified Mediator

rroeder@abernathy-law.com Direct Dial 214.544.4003

June 19, 2013

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

Re:

Revised Letter of Intent supporting request for meritorious exception to architectural standards for a multi-family development contained in Ordinance 2012-07-036 covering approximately 41.63 acres in Craig Ranch, McKinney, Collin County, Texas owned by McKinney Seven 31, LP

Dear Planners:

This letter accompanies the application for a meritorious exception to architectural standards submitted by me on behalf of the developer, Columbus Realty Partners, Ltd. on May 23, 2013.

- 1. The current architectural standards for the multi-family development on the subject tract are contained in the Green Tract Pattern Book (the "Pattern Book"), Ordinance 2012-07-036, which sets forth pictorially the architectural style and characteristics required of buildings (the "Architectural Style") and describes a set of architectural standards for those buildings (the "Architectural Standards"). The Architectural Style and Architectural Standards supersede and replace the architectural standards imposed by Section 146-139 of the City's Comprehensive Zoning Ordinance.
- 2. The Architectural Style of the Pattern Book requires the buildings to be "notable" and "architecturally diverse" through the use of exterior finishes, mixed components (stoops, porches, awnings, overhangs, accents, etc.), building accents at key locations and a wide range of color palettes. The Architectural Standards in the Pattern Book require, among other matters, that the exterior finish of each Building's front façade 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 "Primary Materials"); with EIFS, architectural concrete masonry units (CMU), cementious siding, metal and/or glass curtain wall systems (the

"Other Materials") accounting for no more than 15% of the exterior front façade of buildings fronting on public streets.

- 3. The applicant has designed the buildings for the first phase of development in a manner that conforms to the Architectural Style, which includes the incorporation of contrasting material and technique, as well as color, to achieve a distinct aesthetic to the buildings that conforms to the "notable" and "architecturally diverse" requirements of the ordinance.
- 4. The applicant proposes to use cementious material for panel and board and batten applications and architectural metal to achieve the look and feel of such aesthetic due to their contrast, durability and colorfastness. The applicant would not be able to achieve the desired Architectural Style using the required percentage of Primary Material. The use of these materials on the facades as depicted in the elevations would exceed the 15% percentage limitation on Other Materials imposed by the Architectural Standards.
- 5. The applicant submits that the increased use of the proposed Other Materials significantly furthers the Architectural Style set forth in the Pattern Book by introducing a texture and material contrast to the brick, stone and stucco otherwise incorporated into the buildings, is an appropriate material to use in this application due to its contrast, durability and colorfastness and results in a positive contribution to the visual environment, all of which are compelling reasons for the approval of this meritorious exception request.
- 6. The applicant further submits that the use of this material as requested herein will not have an adverse or negative impact on surrounding property use or property values and is not requested as a cost-savings measure.
- 7. The applicant requests an appearance before the Planning and Zoning Commission at the earliest possible date.

Yours truly.

Robert H. Roeder

628034v2

cc: Robert Shaw