

ABERNATHY  
ROEDER  
&  
BOYD  
HULLETT • P.C.

1700 Redbud Boulevard, Suite 300 • P.O. Box 1210 • McKinney, Texas 75070-1210  
Metro 214.544.4000 • Fax 214.544.4040

ATTORNEYS AT LAW

ROBERT H. ROEDER  
Qualified Mediator

roeder@abernathy-law.com  
Direct Dial 214.544.4003

June 16, 2015

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

Re: Item No. 15-083Z  
Second Revised Letter of Intent supporting the request for a zoning change for a 12.099 acre tract of land and an adjoining 3.204 acre tract of land; both located generally at the northwest corner of Chief Spotted Tail and Alma Road, City of McKinney, Collin County, Texas (the "Revised Letter")

Dear Planners:

This Second Revised Letter is provided to identify a requested modification to the REC single family detached standard lot development standards as the same apply to Tract 1 identified in the Revised Letter dated May 26, 2015, and Supplement to Revised Letter dated May 29, 2015.

1. The subject property consists of two (2) tracts, the first being a 12.099 acre tract of land (Tract 1) and the second being a 3.204 acre tract of land (Tract 2), both as described in the Field Note Descriptions attached hereto and as shown on the Revised Zoning Exhibit attached hereto as Exhibit A (the "Revised Zoning Exhibit").

2. The existing zoning on the subject property is PD – Planned Development under Ordinance No. 2001-02-017 adopted by the City Council on February 6, 2001 and PD – Planned Development under Ordinance No. 2013-08-073 adopted by the City Council on August 5, 2013.

3. The applicant proposes to zone Tract 1 for single family uses in accordance with the revised REC future land use plan subject to the development regulations under the REC Overlay District for single family detached standard lots and the exterior architectural standards attached hereto as Exhibit B, and requests the following modification: the maximum lot width be removed.

June 16, 2015

Page 2

4. The applicant proposes to zone Tract 2 for commercial uses according to the provisions of C2 (Local Commercial district) contained in Section 146-112 of the City's Code of Ordinances.

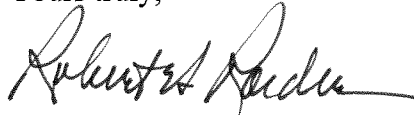
5. The provision for architectural standards relating to the single family development is intended to meet the planned development requirement for exceptional quality.

6. There are no other special considerations requested or required.

7. The applicant requests an appearance before the Planning and Zoning Commission and the City Council at the earliest possible dates.

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

672573

cc: Demian Salmon  
David H. Craig  
Shane Jordan

**Exhibit A**  
**Zoning Exhibit**  
**(with attached field notes)**



## PROPOSED SINGLE-FAMILY ZONING

BEING a tract of land situated in the G. Baccus Survey Abstract No. 95, the George F. Lucas Survey Abstract No. 540, the City of McKinney, Collin County, Texas, being a portion of the land described in a deed to McKinney Seven 17, LP recorded in Instrument No. 2005-0058770, Official Public Records Collin County, Texas (OPRCCT), being a portion of the land described in a deed to VCIM Partners LP recorded in county clerks file number 20060130000121010 (OPRCCT) and being more particularly described as follows:

BEGINNING at a point on the east line of Rowlett Creek Way, a 52 feet wide right of way, said point being SOUTH 00°33'47"EAST, 272.93 feet from a 5/8 inch iron rod on the south line of Stacy Road (F.M. 720) a variable width right of way;

THENCE NORTH 89°58'07" EAST a distance of 506.16 feet;

THENCE SOUTH 00°02'07" EAST a distance of 18.43 feet;

THENCE NORTH 89°56'55" EAST a distance of 142.18 feet;

THENCE SOUTH 56°36'58" EAST a distance of 67.23 feet to the beginning of a non-tangent curve to the left having a radius of 2156.00 feet a chord bearing of SOUTH 05°21'36" EAST, and a chord length of 164.04 feet;

THENCE along said curve through a central angle of 04°21'38", an arc length of 164.08 feet to the beginning of a non-tangent curve to the left having a radius of 55.50 feet a chord bearing of SOUTH 50°32'47" EAST, and a chord length of 75.71 feet;

THENCE along said curve through a central angle of 86°00'45", an arc length of 83.32 feet to the end of said curve;

THENCE NORTH 86°26'51" EAST a distance of 11.80 feet;

THENCE SOUTH 70°33'45" EAST a distance of 4.48 feet;

HENCE SOUTH 50°14'48" EAST a distance of 17.80 feet to a point on the west line of Alma Road (a 120 feet wide right of way), said point being the beginning of a non-tangent curve to the left having a radius of 1460.00, a chord bearing of SOUTH 20°48'57" EAST and a chord length of 420.42;

THENCE along said curve and with the west right of way of Alma Road, through a central angle of 16°33'23", an arc length of 421.89 feet to an x-cut in concrete set for corner at the north end of a corner clip located at the intersection of the west line of Alma Road and the north line of Chief Spotted Tail Drive a 52 feet wide right of way;

THENCE along said corner clip, SOUTH 15°12'43" WEST, a distance of 21.03 feet to a 5/8 inch iron rod set for corner on the north line of Chief Spotted Tail Drive;

THENCE continuing along the north line of said Chief Spotted Tail Drive, SOUTH 59°23'09" WEST a distance of 71.60 feet to a 5/8 inch iron rod set for the

beginning of a curve to the right having a radius of 276.00 feet a chord bearing of SOUTH 82°29'43" WEST and a chord length of 217.93 feet;

THENCE continuing along said north line and along said curve to the right through a central angle of 46°30'21" for an arc length of 224.02 feet to a 5/8 inch iron rod set for the beginning of a reverse curve to the left having a radius of 2701.00 feet a chord bearing of NORTH 74°18'37" WEST and a chord length of 6.02;

THENCE continuing along said north line through a central angle of 00°07'40" for an arc length of 6.02 feet to an iron rod with cap found for corner at the southeast corner of Lot 16, Block T of The Settlement at Craig Ranch an addition to the City of McKinney according to the plat recorded in Volume Q, Page 587 (OPRCCT);

THENCE along the east line of said Lot 16 NORTH 15°37'14" EAST a distance of 110.00 feet to an iron rod with cap found for corner for the beginning of a curve to the left having a radius of 2810.73 feet a chord bearing of NORTH 82°54'58" WEST and a chord length of 834.48 feet;

THENCE along the north line of said Block T and said curve to the left through a central angle of 17°04'25" for an arc length of 837.57 feet to an iron rod with cap found for corner in the east line of Rowlett Creek Way a 52 feet wide right of way;

THENCE along the east line of said Rowlett Creek Way as follows:

NORTH 01°59'38" WEST a distance of 42.95 feet to an iron rod with cap found for the beginning of a curve to the right having a radius of 274.00 feet a chord bearing of NORTH 18°26'35" EAST and a chord length of 191.35 feet;

Along said curve to the right through a central angle of 40°52'26" for an arc length of 195.47 feet to an iron rod with cap found for the beginning of a reverse curve to the left having a radius of 326.00 feet a chord bearing of NORTH 19°09'31" EAST and a chord length of 220.02 feet;

Along said reverse curve to the left through a central angle of 39°26'35" for an arc length of 224.42 feet to an iron rod with cap found for corner;

NORTH 00°33'47" WEST a distance of 114.05 feet to the POINT OF BEGINNING;

CONTAINING 12.099 acres or 527,018 square feet of land more or less.

This description was prepared by Nathan Maier Consulting Engineers, Inc. for use only in defining a zoning district.

TBPE Reg. No. F-356

TBPLS Reg. No. 100189-00

PROPOSED COMERCIAL PAD SITE

BEING a tract of land situated in the G. Baccus Survey Abstract No. 95, the City of McKinney, Collin County, Texas, being a portion of the land described in a deed to McKinney Seven 17, LP recorded in Instrument No. 2005-0058770, Official Public Records Collin County, Texas (OPRCCT), being a portion of the land described in a deed to VCIM Partners LP recorded in county clerks file number 20060130000121010 (OPRCCT) and being more particularly described as follows:

BEGINNING at a point, being the intersection of the east line of Rowlett Creek Way, a 52 feet wide right of way, with the south line of Stacy Road (F.M. 720) a variable width right of way;

THENCE N 89°28'50" E, along the south line of Stacy Road, a distance of 508.70 feet;

THENCE S 00°02'07" E, a distance of 277.25 feet;

THENCE S 89°58'07" W a distance of 506.16 feet to a point on the said East ROW of Rowlett Creek Way;

THENCE N 00°33'47" W, along the east line of Rowlett Creek Way, a distance of 272.93 feet to the POINT OF BEGINNING;

CONTAINING 3.204 acres or 139,586 square feet of land more or less.

This description was prepared by Nathan D. Maier Consulting Engineers, Inc. for use only in defining a zoning district.

TBPE Reg. No. F-356

TBPLS Reg. No. 100189-00

**Exhibit B**  
**Single Family Exterior Architectural Standards**



## EXHIBIT B

### SINGLE FAMILY RESIDENTIAL ARCHITECTURAL AND SITE STANDARDS

1. Single Family Residential Dwelling Unit Architectural Design Requirements.
  - a. The following exterior finishing materials shall be required:
    - i. Front Elevation. A minimum of 100% of this elevation shall be finished with masonry finishing materials (brick, stone, synthetic stone or stucco); however no more than 50% of this elevation shall be finished with stucco.
    - ii. Side Elevation. A minimum of 75% of this elevation shall be finished with masonry finishing materials; however no more than 50% of this elevation shall be finished with stucco. The remaining 25% may be finished with masonry finishing materials, wood lap siding, cast concrete modular siding, cementitious fiber board (hardi-board or hardi-plank), or EIFS. Sheet siding fabricated to look like wood lap siding is prohibited.
    - iii. Rear Elevation. A minimum of 50% of this elevation shall be finished with masonry finishing materials; however no more than 50% of this elevation may be finished with stucco. The remaining 50% may be finished with masonry finishing materials, wood lap siding, cast concrete modular siding, cementitious fiber board (hardi-board or hardi-plank), or EIFS. Sheet siding fabricated to look like wood lap siding is prohibited.
    - iv. Calculation of Percentages. The percentages set forth above shall be calculated exclusive of doors, windows, and or dormers which are located above a roof line which extends from a hip roof.
    - v. Each building shall have a consistent architectural design on all sides.
  - b. All single family residential units shall be required to provide at least three of the following architectural elements:
    - i. 100 percent of each elevation is finished with a masonry finishing material (excluding stucco);
    - ii. The front facade contains at least two types of complementary masonry finishing materials with each of the

materials being used on at least 25 percent of the front facade;

- iii. A minimum of 10 percent of the unit's front facade features patterned brick work including, but not limited to soldier, herringbone, or sailor coursework; excluding soldier or sailor brickwork provided in association with a door or window;
- iv. No pitched roof plane with a horizontal length of longer than 20 feet exists;
- v. Each home has at least three distinct horizontal façade planes on the front elevation which are separated by at least 5 feet of depth.
- vi. The unit only features one-car garage doors that have a carriage style design. These doors typically feature vertical slats, high windows, antiqued hardware, and additional detailing to give the appearance of swinging or sliding doors;
- vii. The unit's chimney is finished on all sides with 100 percent masonry finishing materials (excluding stucco);
- viii. The unit features an articulated front entrance through the use of lintels, pediments, keystones, pilasters, arches, columns, or other similar architectural elements;
- ix. All windows that are visible from the right-of-way are articulated through the use of lintels, pediments, keystones, pilasters, arches, columns, or other similar architectural elements;
- x. A covered front porch which is at least 100 square feet in area is provided;
- xi. A covered back porch which is at least 200 square feet in area is provided;
- xii. At least one dormer is provided for each roof plane over 500 square feet in area that faces a public street. The dormer must be appropriately scaled for the roof plane and shall not be wider than the windows on the building elevation below;
- xiii. All windows facing a street feature shutters. The shutters provided must be operational or appear operational and must be in scale with the corresponding window; or

- xiv. All ground level mechanical, heating, ventilation, and air conditioning equipment is completely screened by an opaque screening device that is at least six feet tall.