

# A | R | B | H

## ABERNATHY ROEDER BOYD HULLETT

EST. 1876

Robert H. Roeder  
[roeder@abernathy-law.com](mailto:roeder@abernathy-law.com)

1700 Redbud Boulevard, Suite 300 | McKinney, Texas 75069  
Main: 214.544.4000 | Fax: 214.544.4044

October 26, 2022

City of McKinney  
Planning Department  
221 N. Tennessee Street  
McKinney, Texas 75069

Re: Revised Letter of Intent supporting request for a SUP for 14.076 acres of land with address of 2601 N. Central Expressway, situated at Lot 2R, Block A, Wilmeth Central Addition, City of McKinney, Collin County, Texas

Dear Planners:

This revised letter of intent supplements the application for a specific use permit (“SUP”) submitted by me on behalf of HAG RE CDT, LLC, a North Carolina limited liability company, the owner of the subject property on June 27, 2022 and incorporates the information contained therein which is recited again as follows:

1. The acreage of the property for which the SUP is requested is 14.076 acres as described on Exhibit A (the “Metes and Bounds”) attached hereto.

2. The existing zoning on the subject property is C-Planned Center, and is designated as Corridor Commercial Overlay District – High Rise under Ordinance No. 1574 and Ordinance No. 1328.

3. The purpose of this application is obtain a specific use permit to allow for an automotive facility dedicated to the sale of new and used cars, maintenance and repair, as shown on the exhibit attached hereto as Exhibit B (the “Specific Use Permit Plan”, that has been revised to address staff comments made heretofore.

4. The Specific Use Permit Plan shows overhead doors in two (2) locations set forth below, both of which require a variance from the provisions of Section 146-132(3)(g):

a. overhead doors on the eastern side of the service portal located on the south side of the building that face the southbound service road of U.S. 75, which are more than 310 feet from such closest travel lanes right-of-way and are effectively screened from view by the proposed grouping of canopy trees along

October 26, 2022

Page 2

the property boundary, as well as shrubbery located in adjacent parking areas shown in the Landscape Plan attached hereto as Exhibit C; and

b. overhead doors in two locations on the northern side of the building that face the east bound lanes of Wilmeth Road, which are located more than 265 feet from such closest travel lanes and are effectively screened from view by the proposed grouping of canopy trees along the property boundary, as well as shrubbery located in adjacent parking areas, as shown on the Landscape Plan.

The variances requested allow the building to operate in an efficient manner comparable with other buildings of similar use within McKinney, will have no adverse impact on current or future development, will have a minimal impact, if any, on the surrounding land uses and no adverse impact of the public health, safety and general welfare.

5. Approval of an SUP is required for automobile dealerships under the ordinance governing C-Planned Center. The subject property is appropriate for use as an auto dealership given its location adjacent to U.S. Highway 75. Further, this proposed use is located within a parent tract of 53.435 acres, all zoned C-Planned Center; and because of the significant amount of existing retail in the immediate area, the parent tract is unlikely to develop as a major commercial center. Given that reality, this use represents the highest and best use for this segment of the parent tract.

6. The granting of this SUP would not be injurious to any of the neighboring properties.

7. Other than the variances identified above, there are no other special considerations requested or required.

8. 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.

Very truly yours,



Robert H. Roeder

3876182v2

cc: Gene Cocchi, Hendricks Automotive Group

EXHIBIT A  
(Metes and Bounds)

Escrow File No.: 21-576992-MM

EXHIBIT "A"

BEING a 162,561 Square Foot (3.732 Acre) tract of land situated in the City of McKinney, Lot 1, Block B as evidenced by Plat of HUFFINES AUTO DEALERSHIP ADDITION, recorded in Instrument Number 20070702010002210, Official Public Records, Collin County, Texas (O.P.R.C.C.T.), same being that certain tract of land conveyed to McKINNEY WHITE/HUNT, LTD by Deed recorded Instrument Number 20040018541, Deed Records, Collin County, Texas (D.R.C.C.T.), and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with purple cap stamped "RPLS 6451" set for the northeasterly corner of the herein described tract of land, same being the intersection of the south right-of-way line of Bois D'Arc Road (60' right-of-way) and the west right-of-way of U.S. Highway 75 (variable width right-of-way), further being the northwesterly corner of an existing right-of-way dedication as evidence by Plat recorded in Instrument Number 20101007001084210, O.P.R.C.C.T.;

THENCE South 08 degrees 21 minutes 13 seconds West, departing said south right-of-way line, along said west right-of-way line, for a distance of 163.01 feet to a 5/8" iron rod with purple cap stamped "RPLS 6451" set for the southerly west corner of said right-of-way dedication, same being on said west right-of-way line;

THENCE South 01 degrees 45 minutes 26 seconds West, continuing along said west right-of-way line, for a distance of 267.87 feet to a TxDOT aluminum monument found on said west right-of-way line of U.S. Highway 75, same being on the center line of North Park Drive (Private Drive);

THENCE North 88 Degrees 40 Minutes 23 Seconds West, departing said west right-of-way line, along said center line, for a distance of 300.79 feet to a PK nail found for the southerly southwest corner of the herein described tract of land, same being on the center line of said North Park Drive right-of-way;

THENCE North 87 Degrees 01 Minutes 23 Seconds West, departing said center line, over and across said North Park Drive, for a distance of 69.77 feet to a 5/8" iron rod with purple cap stamped "RPLS 6451" set on the east right-of-way line of Bois D'Arc Road (37' right-of-way) as evidence by plat recorded in Volume 5 Page 81, Map Records, Collin County, Texas (M.R.C.C.T.);

THENCE North 00 degrees 46 minutes 57 seconds East, departing said North Park Drive right-of-way, along said east right-of-way line, for a distance of 429.46 feet to an X cut found for the intersection of said east right-of-way line of Bois D'Arc Road as recorded in Volume 5, Page 81 and the aforementioned south right-of-way line of Bois D'Arc Road as recorded in Instrument Number 20070702010002210;

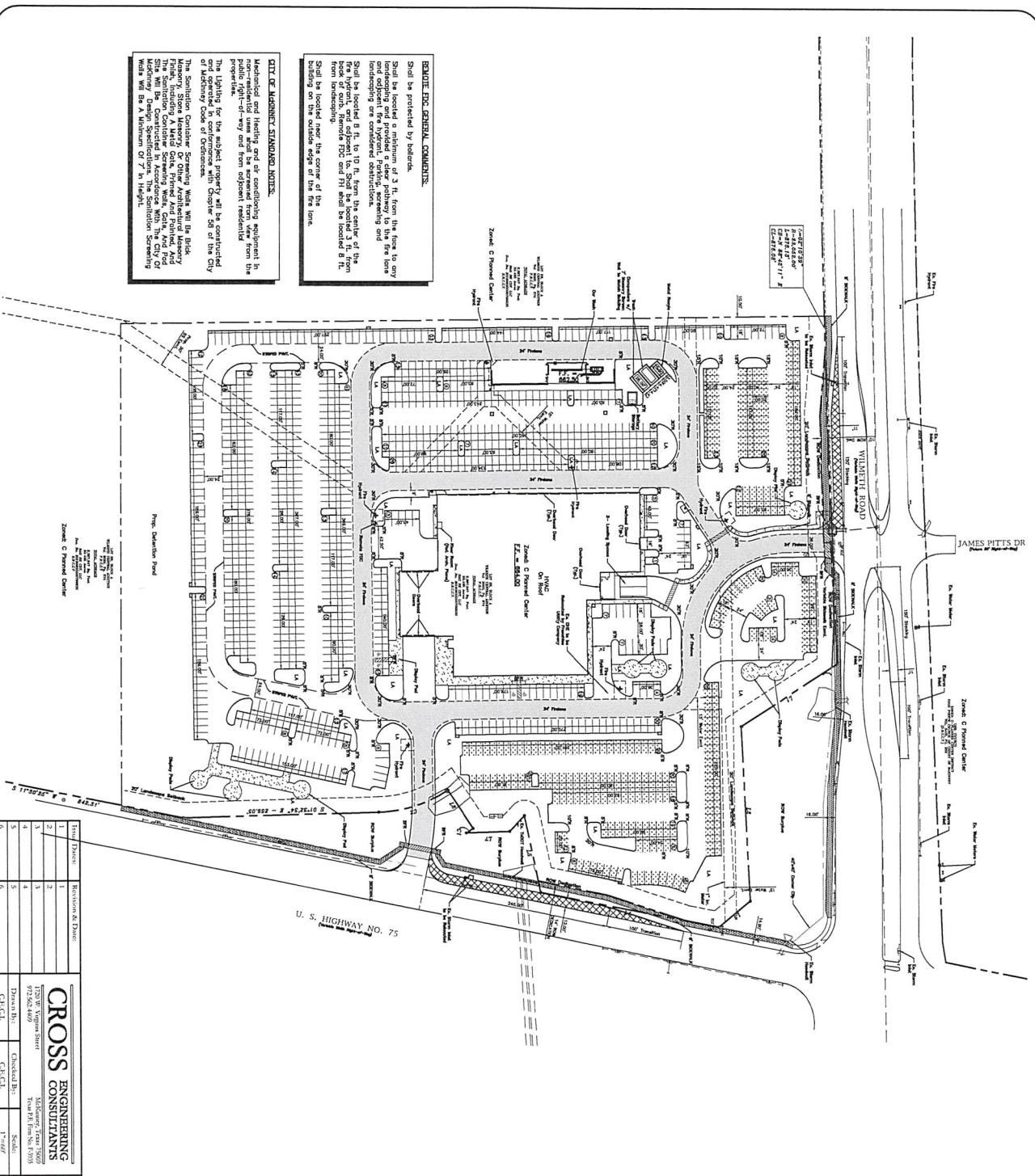
THENCE South 88 degrees 24 minutes 45 seconds East, departing said east right-of-way line, along said south right-of-way line, for a distance of 396.57 feet to the POINT OF BEGINNING, containing 162,561 square feet or 3.732 acres of land more or less.



Filed and Recorded  
Official Public Records  
Stacey Kemp, County Clerk  
Collin County, TEXAS  
01/06/2022 02:31:31 PM  
\$38.00 TBARNETT  
20220106000035220

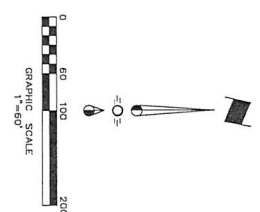
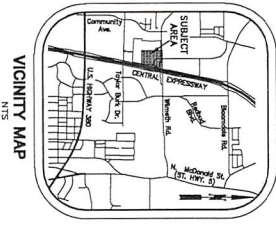
*Stacey Kemp*

EXHIBIT B  
(Specific Use Permit Plan)



**BARRIER FENCE GENERAL COMMENTS:**  
 Shall be protected by barriers. Shall be located on all sides of the building and shall be 3 ft. from the building and 3 ft. from the roadway and adjacent to the building. The barrier shall be 4 ft. high and shall be constructed of chain-link fencing. The barrier shall be 3 ft. from the building and 3 ft. from the roadway and adjacent to the building. The barrier shall be 4 ft. high and shall be constructed of chain-link fencing. The barrier shall be 3 ft. from the building and 3 ft. from the roadway and adjacent to the building. The barrier shall be 4 ft. high and shall be constructed of chain-link fencing.

**CITY OF MCKINNEY STANDARD NOTES:**  
 Mechanical and heating and air conditioning equipment in non-residential areas shall be screened from view from the property and adjacent to the roadway and from adjacent residential areas. The screening shall be in accordance with Chapter 25 of the City of McKinney Code of Ordinances. The lighting for the subject property shall be constructed and operated in accordance with Chapter 25 of the City of McKinney Code of Ordinances. This Ordinance contains provisions with the Block and Lot Ordinance. The Ordinance contains provisions with the Block and Lot Ordinance. The Ordinance contains provisions with the Block and Lot Ordinance. The Ordinance contains provisions with the Block and Lot Ordinance.



- LEGEND**
- Proposed Pavement
  - Proposed Turn Lane
  - Display Area
  - Striped Pavement (not firelane)
  - Proposed Wheel Stop Typical
  - Existing Fire Hydrant
  - Proposed Fire Hydrant
  - BR - Barrier Free Ramp

**SYNOPSIS**

Location: US Hwy 75 & Winnehi Road  
 McKinney, Texas  
 Proposed Use: Automobile Dealership  
 Lot Area: 14,076 Acres (61,148 sq ft)  
 Building Area: 70,884 sq ft  
 Loading Space: 2 Spaces  
 Lot Coverage: 8.34% (Total Bldg Area 57,270 sq ft)  
 Floor Area Ratio: .09 : 1  
 Building Height: 28'  
 Required Parking:  
 Display Area 1/1,000 (24,652/10,000) 246 Spaces  
 Repair Shop (47 Bays x 3' x 4' Overnight) 141 Spaces  
 Office Employees 1/400 (66/140) 66 Spaces  
 Office Second Floor (3,925/400) 34 Spaces  
 Second Floor 1/200 (32,281/200) 32 Spaces  
 Silvercom 1/450 (881/450) 88 Spaces  
 Pylon 573 Spaces

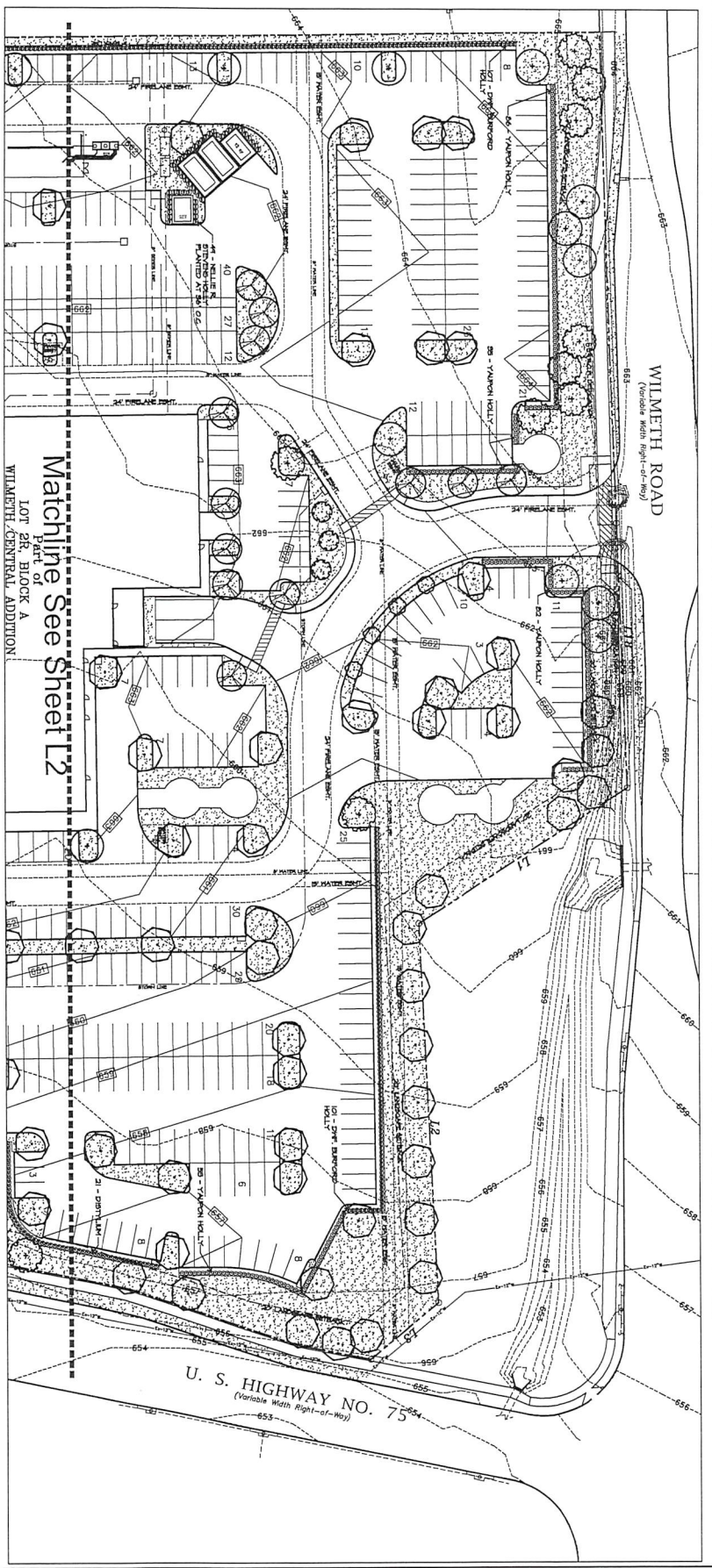
Parking Required Total: 573 Parking Spaces  
 Parking Provided Total: 552 Parking Spaces (4 HO)

NO. ZONING	REVISIONS & DATE
1	
2	
3	
4	
5	
6	

**CROSS ENGINEERING CONSULTANTS**  
 11000 West Loop West  
 Suite 1000  
 Houston, Texas 77042  
 Phone: (713) 865-4000  
 Fax: (713) 865-4001

**DESIGNED BY:** C.A.C.H.L.  
**CHECKED BY:** C.A.C.H.L.  
**SCALE:** 1"=60'

EXHIBIT C  
(Landscape Plan)



QUANTITY	SYMBOL	COMMON NAME	SCIENTIFIC NAME	SIZE AND CONDITION
200	⊙	YAVONIA HOLLY	<i>Yavonia holly</i>	3' diameter, 10' tall, specimen
41	⊙	HILLI & STIMPSON	<i>Hilli &amp; Stimpson</i>	4' diameter, 10' tall, specimen
4423	⊙	SPRING DARTWOOD	<i>Spring Dartwood</i>	2' diameter, 10' tall, specimen
271	⊙	BLAZE OAKLEAF	<i>Blaze Oakleaf</i>	2' diameter, 10' tall, specimen

QUANTITY	SYMBOL	COMMON NAME	SCIENTIFIC NAME	SIZE AND CONDITION
10	⊙	MAHOGANY	<i>Mahogany</i>	6' diameter, 10' tall, specimen
10	⊙	CHERRY BENTLE	<i>Cherry Bentle</i>	6' diameter, 10' tall, specimen
10	⊙	YVICK	<i>Yvick</i>	6' diameter, 10' tall, specimen

QUANTITY	SYMBOL	COMMON NAME	SCIENTIFIC NAME	SIZE AND CONDITION
10	⊙	TRIALS RED OAK	<i>Trials Red Oak</i>	6' diameter, 10' tall, specimen
20	⊙	LIVE OAK	<i>Live Oak</i>	6' diameter, 10' tall, specimen
20	⊙	QUERCUS VIVIPARA	<i>Quercus Vivipara</i>	6' diameter, 10' tall, specimen

**REVISION NOTE**  
 ALL REVISIONS TO THIS PLAN SHALL BE INDICATED BY A NUMBERED CIRCLE AND A LETTER. REVISIONS TO THIS PLAN SHALL BE INDICATED BY A NUMBERED CIRCLE AND A LETTER.

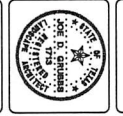
**STREET YARD LANDSCAPE TABULATIONS**  
 STREET YARD LANDSCAPE AREA: 11,200 S.F.  
 STREET YARD AREA: 2,300 S.F.  
 STREET YARD AREA: 4,600 S.F.  
 STREET YARD AREA: 8,600 S.F.  
 STREET YARD AREA: 16,600 S.F.  
 STREET YARD AREA: 34,600 S.F.  
 STREET YARD AREA: 49,600 S.F.



Sheet Title: **Landscape Plan**

Sheet Number: **1**

of **1.3** Sheets

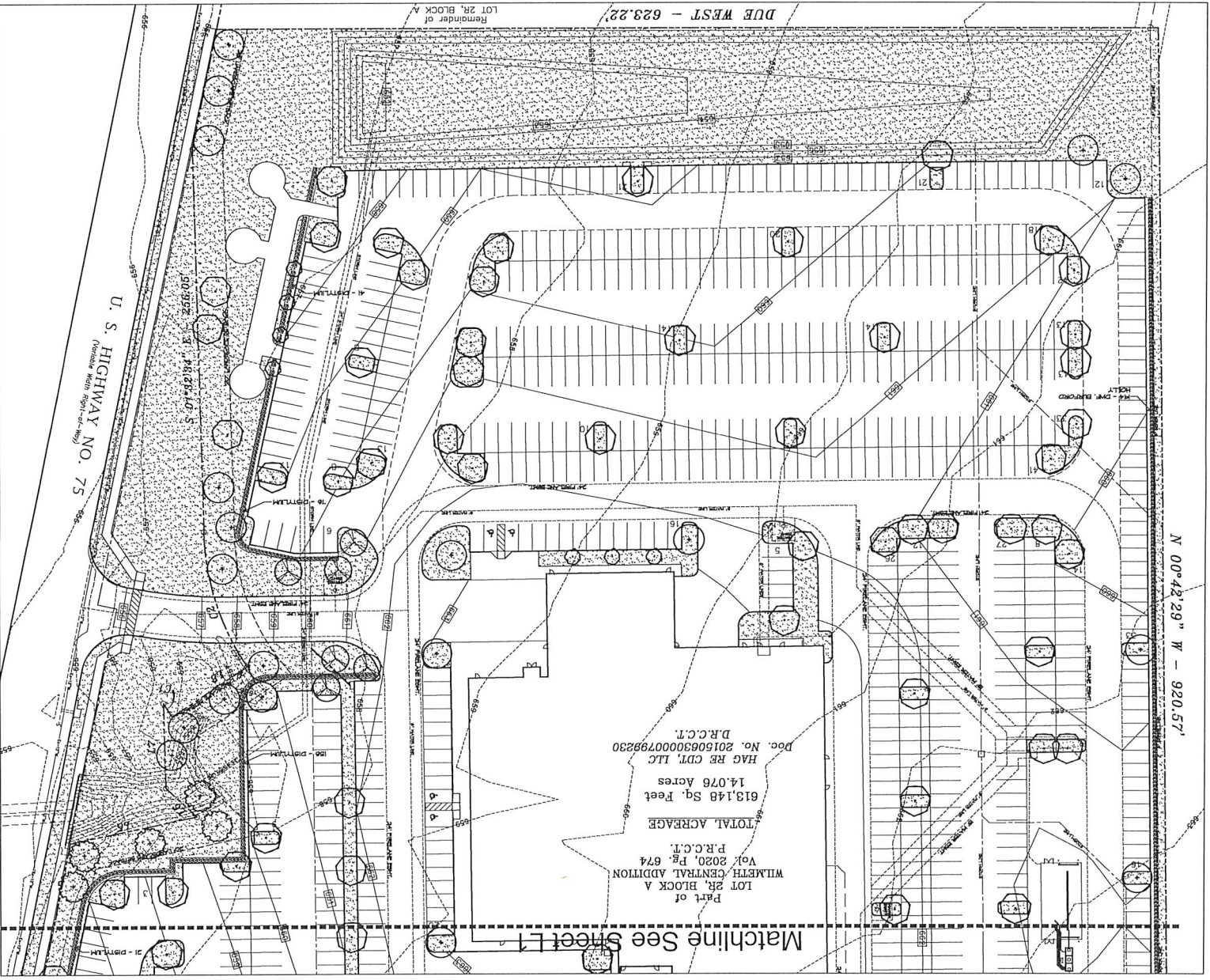


**BMW of McKinney**

McKinney Texas

#	Revisions:	Date:

Prepared For: **CONSTRUCTION**  
 Date: **2/11/14**  
 Scale: **1" = 50'-0"**  
 Drawn By: **JMS**  
 Date: **02-26-2022**



**SHRUBS**

	TURF GRASS
	TREE
	SHRUB
	ORNAMENTAL TREE
	LARGE TREE

**ORNAMENTAL TREES**

	LIVE OAK
	TEXAS RED OAK
	MAGNOLIA
	GRAPE HYACINTH
	YUCCA

**LARGE TREES**

	LIVE OAK
	TEXAS RED OAK
	MAGNOLIA
	GRAPE HYACINTH
	YUCCA

Sheet Title:  
**L2**  
of 13 sheets

# Landscape Plan



# BMW of McKinney

McKinney Texas

Drawn by: JDS  
Date: 10-26-2022  
Scale: 1" = 30'-0"  
Job No.: 22114  
Issued For: CONSTRUCTION



