

PETSCHE & ASSOCIATES, INC.

Professional Engineers • Land Surveyors • Development Consultants

October 15, 2010

CITY OF MCKINNEY PLANNING DEPARTMENT
221 N. Tennessee
McKinney, Texas 75069

Attn: Jennifer Cox, Director of Planning

Re: Letter of Intent - West of Custer
Annexation / Zoning / Development Agreement Revision

Dear Ms. Cox:



Consistent with the pre-application meeting I had with you and John Kessel on Friday, April 2, 2010 at the City offices, we are hereby requesting on behalf of D.R. Horton, Inc., Blue Star Land, L.P., and Centurion American Development Group, the review and approval of our applications for the following:

- I. **Voluntary annexation of one parcel depicted as Planning Area 17 on the Master General Development Plan, Exhibit A-1, containing 238.92 ± acres located on the southeast corner of U.S. 380 and Coit Road, directly north of Planning Area 15. Attached is a revised Master Boundary Plat which depicts the subject lands as Blue Star Land, L.P., Volume 5026, Page 4363 (110.15 acres), and Blue Star Land, L.P., Volume 5132, Page 3914 (128.77 acres). This Master Boundary Plat, as in the past, will be recorded in the Amendment to the Developer Agreement. Please note the co-signature of the application by Centurion American Development Group as they are under contract to purchase 206± acres of the total 238.92 ± acres, and have contractual rights of approval during this process.**
- II. **Simultaneous zoning of above annexed lands to “PD” – Planned Development District under Ordinance 1621 as amended, and as depicted on the attached revised Master General Development Plan, Exhibit A-1, and revised Computed Master Plan Matrix as Planning Area 17. We have included a concept plan depicting the proposed layout of the property with a phase 1 of development indicated. We also request that the side yard setback for Parcel 1705 requested to be zoned as SF-1 be 5’ with a minimum building separation of 10’.**
- III. **Simultaneous approval of Amendment to the First Amended and Restated Development Agreement recorded in 5910 4687 through 5910 4905, to be drafted by the City Attorney and co-signed by D.R. Horton, Inc., Blue Star Land, L.P., and Centurion American Development Group, (please note Centurion is under contract to purchase the aforementioned portion of Planning Area 17, and is included on the application since Agreement will be executed post closing, or simultaneous with closing) to include:**
 - a. **Inclusion of Planning Area 16**
 - b. **Inclusion of Planning Area 17**

III. (Continued)

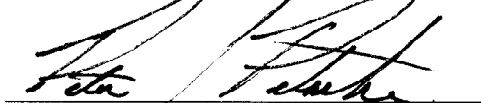
- c. **Inclusion of additional developer obligations as listed on attached exhibit titled, "Additional Improvement Obligation Under Proposed Amendment No. 2", and depicted graphically for ease of review on attached drawing exhibit labeled same. Also attached are revised Developer Agreement Exhibits A-1 through A-4 depicting all the above, together with a revised Master Boundary Plat for use in document.**
- d. **Revision to Impact Fee Credit Pool language to provide for water, sewer, and roadway impact fee credits, in aggregate, for all units provided for on the attached "Computed Master Plan Matrix." The revision requested is similar to the Fourth Amendment to Stonebridge Ranch - East of Custer. We are attaching the proposed Second Amendment which was previously brought before City Council on October 21, 2008 (Item 08-574) with Staff recommendation for approval, and was tabled indefinitely. Please note that our current requested amendment is nearly identical except the "Additional Improvement Obligation List" and "Computed Master Plan Matrix" have been updated to reflect items which have recently been negotiated and agreed to with Staff. We are attaching this document to assist in clarification of our request to the City Attorney.**
- e. **Furthermore, in consideration for the approval of all the above, the Developer has agreed to immediately begin the design and construction of a 90 ± unit phase at the north end of P.A. 17, adjacent to U.S. 380, and is depicted as Phase 1 as described in item II above. A reasonable time frame for which will be negotiated during the approval process.**

You will find enclosed Check in the amount of \$4,483.65 for the application fees listed below:

Annexation:	\$ 325.00
Zoning:	\$3,908.80
Amendment:	\$ 250.00
Total	\$4,483.80

Upon completion of your review please place these items on the next available City Planning and Zoning Commission agenda. Do not hesitate to contact me at this office should you have any questions or require additional information.

Sincerely,
PETSCH & ASSOCIATES, INC.



Peter J. Petsche, PLS
President

CC: David Booth, Joe Hickman,
Mehrdad Moayedi, Mark Houser, A&A File

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