

ABERNATHY
ROEDER &
BOYD
JOPLIN • P.C.

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

January 30, 2012

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

Re: Amended and Revised Letter of Intent supporting request for a zoning change to amend PD Ordinance 96-11-51 covering approximately 48.159 acres

Dear Planners:

This letter amends and revises the Letter of Intent originally submitted in conjunction with the application for a zoning change on November 28, 2011, and incorporates the information contained therein which is recited again as follows:

1. The acreage of the original PD is 131.126 acres and the acreage to which the requested amendments apply is approximately 48.159 acres as shown on the Master Plan attached to the proposed amendments.
2. The existing zoning on the tract is Planned Development, PD Ordinance No. 96-11-51, generally providing for office, office showroom, campus style commercial, office and retail, industrial uses; hotel/motel uses; hospital and medical uses; medical clinic office; retirement/elderly housing, rest home, nursing home, assisted living uses; and Multi-family uses.
3. The requested zoning is to amend, clarify and enhance the development regulations contained in PD No. 96-11-51.
4. The applicant is requesting this rezoning to allow mixed-use urban style multi-family development with pedestrian-oriented streetscapes subject to the amendments to the PD attached hereto as **Exhibit A**. Based upon the determination by the City Attorney communicated to me via email on October 3, 2011, that the enclosed parking standards for multi-family developments enacted by the McKinney City Council in Ordinance No. 2010-05-011 (the "2010 Ordinance") do not apply to multi-family developments covered by this Planned Development ordinance, there are no special considerations requested or required regarding parking other than to clarify that head-in parking along private streets within a multi-family development shall be allowed to satisfy a portion of the

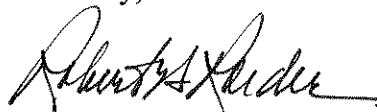
parking requirements for such development. The requirement contained in the 2010 Ordinance to provide and maintain a six (6) foot tall masonry screening wall along all side and rear yards of a Multi-family development is proposed to be waived because the same significantly inhibits the pedestrian-oriented and urban style development proposed by the amendments.

5. The subject property is located generally south of Spur 399, east of Medical Center Drive, west of State Highway 5 and north of Frisco Road within the corporate limits of McKinney, Texas.

6. 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,

A handwritten signature in black ink, appearing to read "Robert H. Roeder", with a long horizontal flourish extending to the right.

Robert H. Roeder

xc: Mr. Jim Williams
Mr. Paris Rutherford