



**March 17, 2016**

City of McKinney  
Planning Department  
Attn: Kathy Wright  
221 N. Tennessee Street  
McKinney, TX 75069

Re: Lake Forest Estates (Case # 16-041PF)

Dear Ms. Wright,

We would respectfully request the City of McKinney accept this Letter of Intent for a Tree Waiver Request.

**Size:** ± 25.6 Acres

**Location:** 1020 North Lake Forest Drive (Property Tax Parcel No. 2619453) – in Abstract A0450 William Hunt Survey, Block 2, Tract 73. The site is located on the east side of Lake Forest Drive, between Virginia Parkway and University Drive (380).

**Phase of Development:** 1<sup>st</sup> Phase (This is currently the only phase for the project)

**Proposed Development:** 40 SF-5 Lots; 6 Common Area Lots

**Reasons for Common Areas:** Aesthetic appeal for the community and drainage purposes.

**Special Considerations:** We respectfully request a partial waiver for Section 146-136(f)(3)(b) *Floodplain* (see details in the "Variance" section below).

**Type of Request:** Tree Waiver Request

**Variance:**

As you know, we have been working with the City of McKinney Staff, Planning and Zoning Commission, and City Council on the ± 25.6 acre tract located in the William H Hunt Survey, Abstract A0450, Block 2, Tract 73. On December 1, 2015, our request to rezone the site to SF-5 was approved by City Council.

Now that zoning has been approved, we would like to respectfully request a partial waiver for Section 146-136(f)(3)(b) *Floodplain*, which requires 70% of quality trees in the 100-year floodplain that are six inches DBH or greater to be preserved. As denoted on the attached Tree Preservation Plan, the

proposed development will preserve 24% of the quality trees that are six inches DBH or greater. We request that the 24% tree preservation be sufficient with respect to this Section.

Based on our understanding of the City's ordinance regarding such waiver requests, the following four (4) factors that the Tree Board and City Council considers in determining whether a waiver should be granted are listed below along with our responses to each factor (Section 146-136(e)(2)(c) *Waivers*):

**1. The literal enforcement cannot be accomplished**

- Due to the large amount of pecan trees planted by Orvis L'Roy in 1973, and due to the floodplain and elevation constraints of the property, it would be impossible to develop the property in accordance with the recently approved SF-5 zoning. This fact was stated in the Council meeting at which our zoning was approved.

**2. The extent to which the application meets other standards of this section**

- As stated on the Tree Preservation Plan, we will fully comply with the tree replacement criteria (Section 146-136(g)(1)(a)(1)) and will comply with all other standards set forth in Section 146-136.
- Thus, other than the request to lower the quality tree preservation percentage in the 100-year floodplain from 70% to 24%, no other waiver or variance is being requested.

**3. The positive or negative impact of the proposed project on surrounding properties**

- Not only will the proposed development benefit the City with high-quality housing and increased ad valorem tax base, but it will also provide necessary access to the adjacent landowner to the east (Carlisle Grace, Ltd). During the zoning process, the City received a letter of support from Bill Carlisle for our proposed development. Currently, the Carlisle Grace, Ltd property is landlocked and undevelopable. If this variance is approved, we can move forward with our development and provide access to the Carlisle Grace, Ltd tract so it can be developed in the future as well.

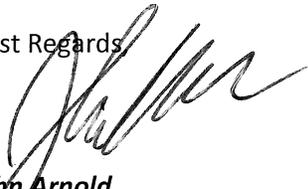
**4. The extent to which the waiver would be mitigated by other proposed or existing landscaping**

- In accordance with the City's landscaping ordinance, the developer will fulfill the tree replacement requirement (as mentioned in Paragraph 2 above and set forth in Section 146-136(g)(1)(a)(1)). As required by the subdivision ordinance, the developer will require the builder to plant two (2) 4" caliper trees per unit.

Based on the above factors, we believe our request for a partial waiver for Section 146-136(f)(3)(b) *Floodplain*, to lower the required percentage of quality trees to be preserved in the 100-year floodplain from 70% to 24%, is appropriate and meets the criteria contained in the City's ordinance.

We look forward to working with the City of McKinney on this project.

Best Regards



**John Arnold**  
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