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ABERNATHY ROEDER BOYD HULLETT

EST. 1876

Robert H. Roeder
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

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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.

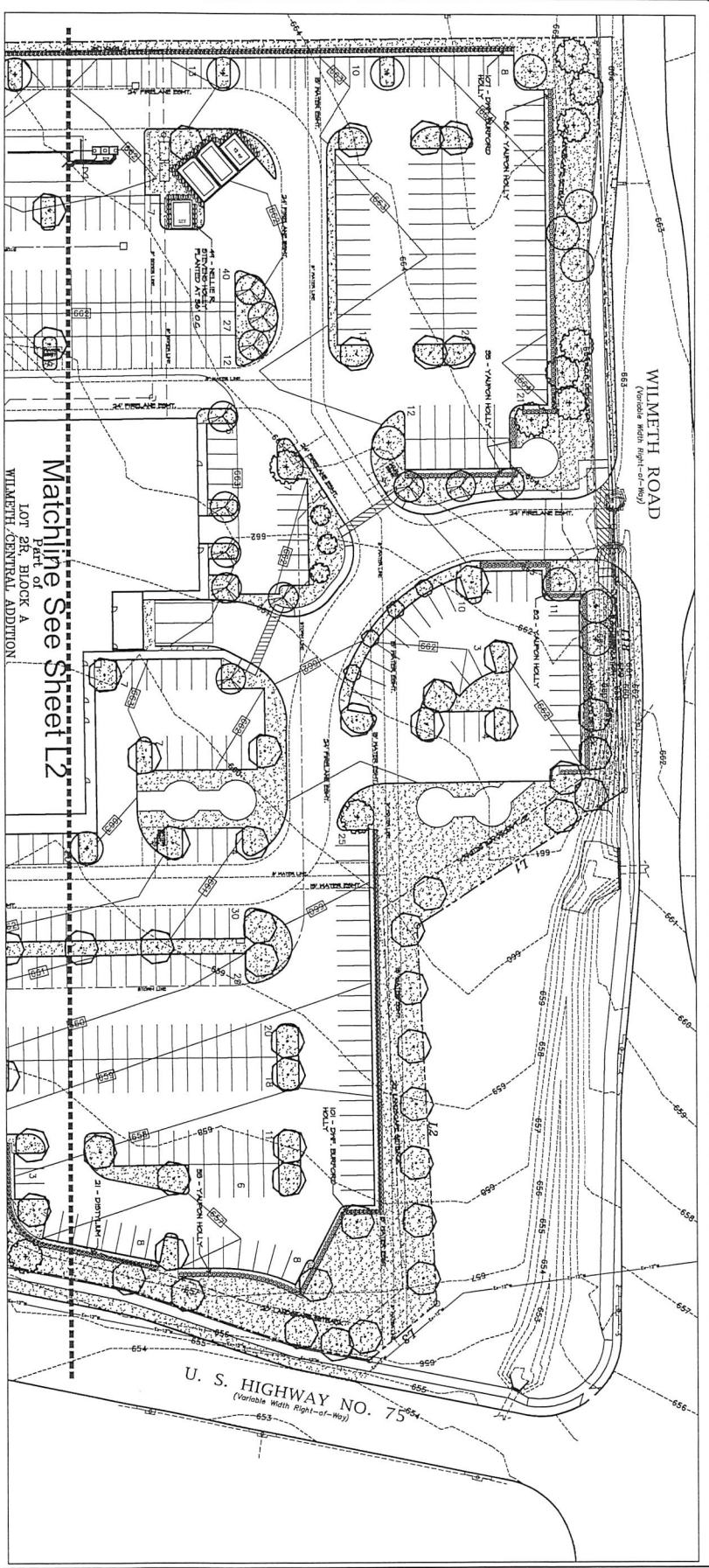


Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
01/06/2022 02:31:31 PM
\$38.00 TBARNETT
20220106000035220

Stacey Kemp

EXHIBIT B
(Specific Use Permit Plan)

EXHIBIT C
(Landscape Plan)



QUANTITY	SYMBOL	COMMON NAME	SCIENTIFIC NAME	SIZE AND CONDITION
200	①	YAWAN HELL	YAWAN HELL	3' height, 12" DBH, specimen
41	②	HELL K STRONG	HELL K STRONG	3' height, 12" DBH, specimen
402	③	SPYR DARTWOOD	SPYR DARTWOOD	3' height, 12" DBH, specimen
271	④	BLAZE CLOAKER	BLAZE CLOAKER	3' height, 12" DBH, specimen
	⑤	SPRITTLE	SPRITTLE	3' height, 12" DBH, specimen

QUANTITY	SYMBOL	COMMON NAME	SCIENTIFIC NAME	SIZE AND CONDITION
10	①	ORANGE	ORANGE	3' height, 12" DBH, specimen
10	②	ORANGE	ORANGE	3' height, 12" DBH, specimen
10	③	ORANGE	ORANGE	3' height, 12" DBH, specimen

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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.

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Sheet Title: **Landscape Plan**

Sheet Number: **1**

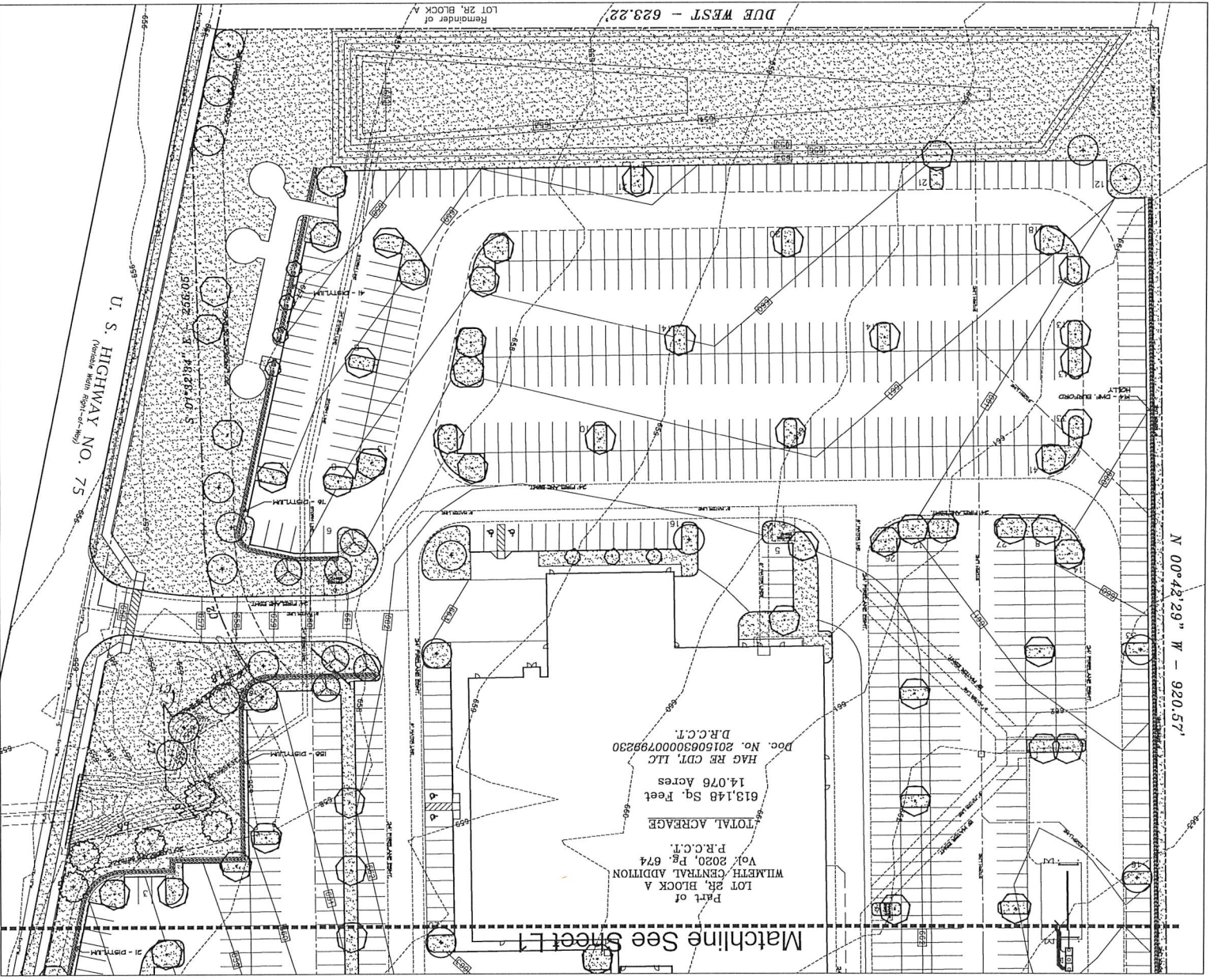
of **13** Sheets



BMW of McKinney
 McKinney Texas

#	Revisions:	Date:

Project Name: **CONSTRUCTION**
 Date: **2/1/14**
 Scale: **1" = 30'-0"**
 Drawn By: **JMS**
 Date: **02-26-2022**



Part of
 LOT 28, BLOCK A
 WILMETH CENTRAL ADDITION
 Vol. 2020, Pg. 674
 P.R.C.T.
 613,148 Sq. Feet
 14.076 Acres
 HAG RE CDT, LLC
 Doc. No. 20150630000799230
 D.R.C.T.

Matchline See Sheet L1

U. S. HIGHWAY NO. 75
 (Number with sign-out-ways)



SHRUBS

[Symbol]	SP. GRASS
[Symbol]	TURF GRASS
[Symbol]	REED-BLUE GRASS
[Symbol]	RAIL CROUCE
[Symbol]	HOLL
[Symbol]	HELL B. GRAPES
[Symbol]	HOLL
[Symbol]	DOGWOOD
[Symbol]	FRANCH HOLL
[Symbol]	SHRUB
[Symbol]	COMMON NAME

ORNAMENTAL TREES

[Symbol]	YUKK
[Symbol]	MAHOGN
[Symbol]	GRAPE HNTLE
[Symbol]	SHRUB
[Symbol]	COMMON NAME

LARGE TREES

[Symbol]	SHRUB
[Symbol]	COMMON NAME
[Symbol]	GREEN BLK
[Symbol]	PRIVACY
[Symbol]	LIVE OAK
[Symbol]	TRIAL RED OAK

Sheet Title:
Landscape Plan

Street Title:
BMW of McKinney



McKinney Texas

Drawn By: JDS
 Date: 10-26-2022
 Scale: 1" = 30'-0"
 Job No.: 22119
 Issued For: CONSTRUCTION

#	REVISIONS	Date

