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May 14, 2015

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

Re: Revised Letter of Intent supporting requests for a façade plan appeal and a variance to the roof top screening requirement in Case No. 14-319SP for Moviehouse & Eatery located in Craig Ranch, McKinney, Collin County, Texas owned by M&E Texas Moviehouse LP (the “Building”)

Dear Planners:

This letter of intent accompanies the application for a site plan heretofore submitted by David Kelley on behalf of the owner, M&E Texas Moviehouse LP, for the above-referenced Building.

1. Façade Plan Appeal. The current architectural standards for the subject Building are controlled by Section 146-139 of the City’s Code of Ordinances, as amended by Ordinance No. 2015-03-013, and more specifically Subsection F.8 (a – f). The applicant appeals the decision of the Director of Planning disapproving the façade plan for the subject Building on the basis that (i) each elevation does not contain at least 50% masonry finishing materials consisting of brick, stone or synthetic stone (Sub-Subsection a.i) and (ii) the parapet roof line does not feature a well-defined cornice treatment or another similar architectural element to visually cap each building elevation (Sub-Subsection e.ii).

a. Masonry Finishing Materials. The subject Building will be constructed as a tilt-wall structure with exterior wall heights ranging from thirty-six (36) feet to forty-two (42) feet. A stone veneer is proposed on each elevation as shown on the Exterior Elevations plan accompanying this letter, to which referenced is made herein (the “Elevation Plan”), which veneer constitutes 38% of the south elevation (front), 40% of the east and west elevations (sides) and 35% of the north elevation (rear). The balance of each elevation consists primarily of tilt wall concrete covered with a painted textured stucco finish, and, in the case

of the north (front) elevation, EIFS, with accents provided by metal panels, all of which are acceptable exterior finishing materials under Sub-Subsection a.ii. The applicant submits that increasing the amount of stone on each elevation would create an undesirable monolithic and sterile look and that the use of the textured stucco finish and EIFS allows the extremely large building to be painted in hues that lessen its visual impact and makes the Building more compatible with the surrounding uses, thereby making a positive contribution to the visual environment.

b. Cornice Treatment of Parapet Cap. The subject Building contains a contrasting painted element along the top of each parapet wall as shown on the Elevation Plan which the applicant submits meets the requirement of an “architectural element to visually cap each building elevation” under Subsection F.8.e.ii. Further, the applicant submits that given the height of each wall, the proposed painted element defines the building cap as well as, or better than, a separately constructed cornice and as such meets the spirit and intent of the architectural standards.

2. Variance. The applicant is also requesting a variance from Section 146-132 (3)(j) of the City’s Code of Ordinances that requires all mechanical and heating and air-conditioning equipment (the “Equipment”) to be screened from public right-of-way and from adjacent residential properties. In the instant case, the applicant proposes to mount such Equipment on the roof of the subject Building, which is a flat roof with a parapet wall on all sides that extends approximately three and one-half (3.5) feet above the roof surface. The top of the parapet wall is between 36 to 42 feet above the ground elevation and the Equipment is situated near the center of the Building. In such configuration, the Equipment, although extending above the height of the parapet, is not visible from the adjacent Sam Rayburn access road and is visible from the adjacent residential development, if at all, only at a distance of over 1,590 feet. The applicant requests a variance from the requirement of Section 146-132(3)(j) on the basis that the same would have no adverse impact on current or future development or on the public health, safety and general welfare.

3. Neither the façade plan appeal nor the variance which are requested herein are based upon any consideration of financial hardship or convenience to the applicant.

4. The applicant requests that these matters be considered in conjunction with the site plan by the Planning and Zoning Commission at the earliest possible date.

Yours truly,



Robert H. Roeder

Attachment: Elevation Plan

cc: Leslie Sloan
Rodney Speaks

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