Robert H. Roeder rroeder@abernathy-law.com

1700 Redbud Boulevard, Suite 300 | McKinney, Texas 75069 Main: 214.544.4000 | Fax: 214.544.4044

February 28, 2022

City of McKinney Planning Department 221 N. Tennessee Street McKinney, Texas 75069

Re: Letter of Intent supporting request for a SUP for 3.732 acres of land located at 751 N. Central Expressway, City of McKinney, Collin County, Texas

Dear Planners:

This letter of intent accompanies the application for a specific use permit ("<u>SUP</u>") submitted by me on behalf of Dorsa Properties, LLC, a Texas limited liability company, the owner of the subject property on February 28, 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 3.732 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 Suburban.
- 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", including the Exterior Elevations, Floor Plan, and Landscape Planting Plan).
- 4. 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 and its separation for adjacent uses to the north and south by roadways and from the west by the heavily-wooded area of Jeans Creek. Given the surrounding uses, that granting of this SUP would not be injurious to any of the neighboring properties.
- 5. The applicant is wholly-owned by the same individual who owns and operates the Best Price Auto dealership located at the northwest corner of Virginia and McDonald

Streets. As a condition to the granting of this SUP, that individual is willing to enter into an agreement with the City, reasonably acceptable to both parties, terminating the automotive uses at such northwest corner of Virginia and McDonald Streets upon the earlier of (i) two years from the date of approval of the SUP as requested herein or (ii) the date of receipt of a certificate of occupancy for the location made the subject of this SUP application.

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.

Very truly yours,

Robert H. Roede

3644129

cc: Sia Mousawi

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.);

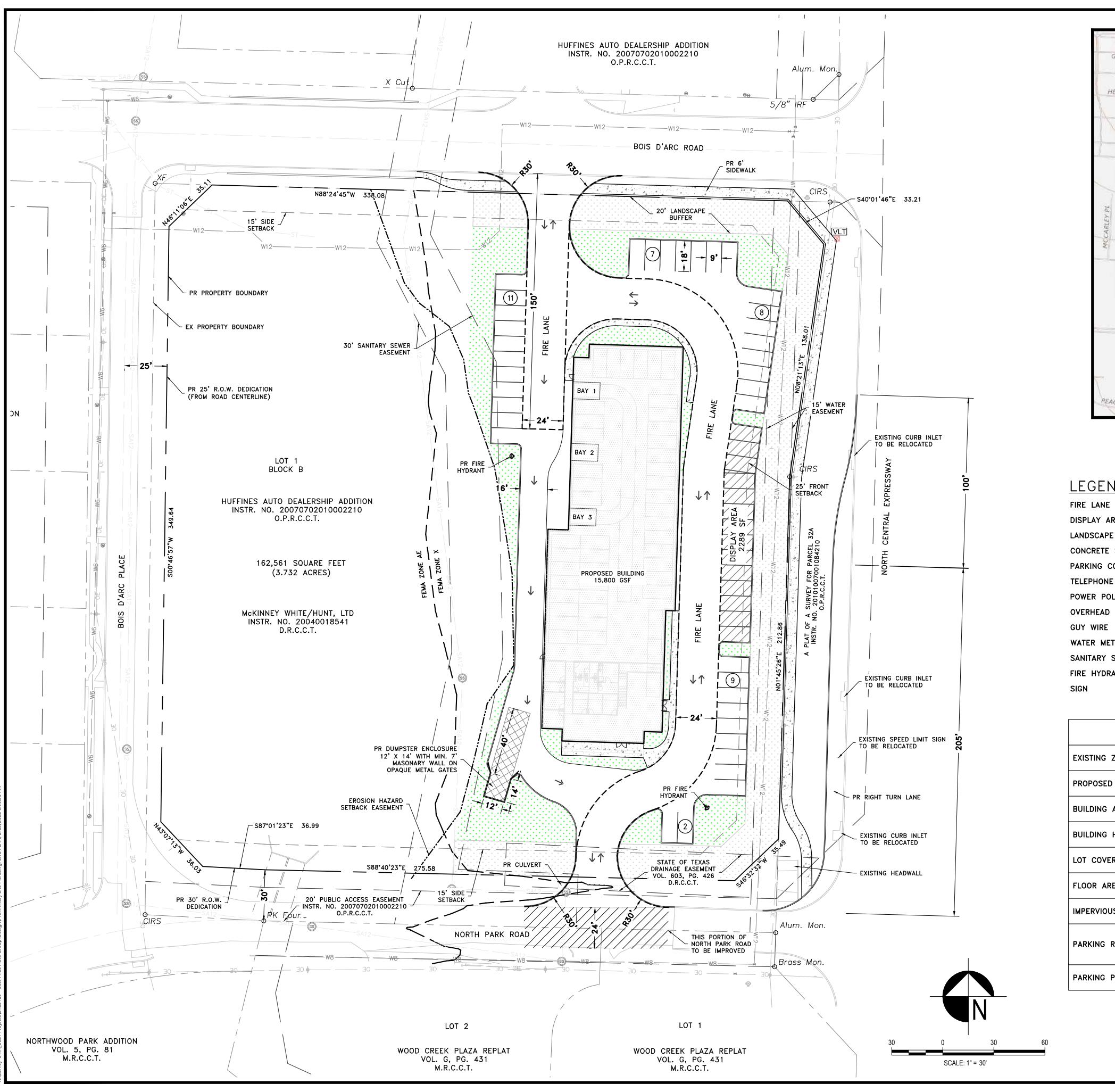
THENCE North 00 degrees 46 minutes 57 seconds East, departing said North Park Drive right-of-way, along said east right-of-way line, for a distance of 429.46 feet to an X cut found for the intersection of said east right-of-way line of Bois D'Arc Road as recorded in Volume 5, Page 81 and the aforementioned south right-of-way line of Bois D'Arc Road as recorded in Instrument Number 20070702010002210;

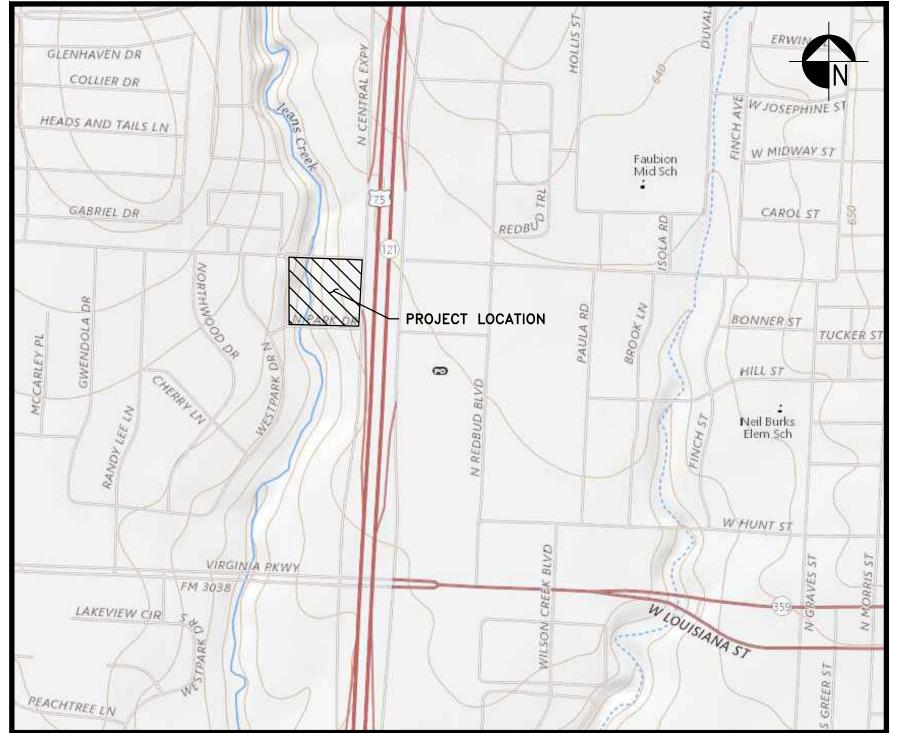
THENCE South 88 degrees 24 minutes 45 seconds East, departing said east right-of-way line, along said south right-of-way line, for a distance of 396.57 feet to the POINT OF BEGINNING, containing 162,561 square feet or 3.732 acres of land more or less.



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

EXHIBIT B (Specific Use Permit Plan)





PROJECT VICINITY MAP

N.T.S.

LEGEND:

_____ DISPLAY AREA LANDSCAPE AREA CONCRETE SIDEWALK PARKING COUNT TELEPHONE PEDESTAL POWER POLE OVERHEAD ELECTRIC WATER METER SANITARY SEWER MANHOLE FIRE HYDRANT

STANDARD NOTATIONS:

- 1. SANITATON CONTAINER SCREENING WALLS WILL BE BRICK MASONRY, STONE, MASONRY, OR OTHER ARCHITECTURAL MASONRY FINISH, INCLUDING A METAL GATE, PRIMED AND PAINTED, AND THE SANITATON CONTAINER SCREENINGWALLS, GATE, AND PAD SITE WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY'S DESIGN SPECIFIATONS.
- 2. MECHANICAL AND HEATNG AND AIR CONDITONING EQUIPMENT IN NON-RESIDENTAL USES SHALL BE SCREENED FROM VIEW FROM THE PUBLIC RIGHT-OF-WAY AND FROM ADJACENT RESIDENTAL PROPERTES.
- 3. LIGHTNG FOR THE SUBJECT PROPERTY WILL BE CONSTRUCTED IN CONFORM-ANCE WITH CHAPTER 58 OF THE CITY OF MCKINNEY CODE OF ORDINANCES.
- 4. ADA RAMPS WILL BE INSTALLED AT ALL PEDESTRIAN CROSSINGS PER CITY OF MCKINNEY STANDARDS.

	SITE DATA TABLE	
EXISTING ZONING	C - PLANNED CENTER DISTRICT	
PROPOSED USE	AUTOMOBILE SALES (SPECIAL USE)	
BUILDING AREA	3,414 SF - OFFICE 13,087 SF - INDOOR SALES	
BUILDING HEIGHT	29'-6"	
LOT COVERAGE	48,710/162,561 = 30%	
FLOOR AREA RATIO	15,800/162,561 = 9.7%	
IMPERVIOUS AREA	48,710 SF	
PARKING REQUIRED	OFFICE = 1/400 SF INDOOR AUTO SALES = 1/500 SF OUTDOOR DISPLAY = 1/1000 SF	$3,414 \text{ SF} \rightarrow 8 \text{ SPACES}$ $13,087 \text{ SF} \rightarrow 26 \text{ SPACES}$ $2,289 \text{ SF} \rightarrow 2 \text{ SPACES}$ TOTAL (ROUNDED UP) = 37 SPACES
PARKING PROVIDED	37 SPACES	



Call before you dig.

CALL 3 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

STRAND

ROBERT ROEDER ABERNATHY, ROEDER, BOYD & HULLETT, P.C. 1700 REDBUD BLVD. SUITE 300 McKINNEY, TX 75069

OWNER

APPLICANT

SIA MOUSAWI DORSA PROPERTIES, LLC 201 McDONALD ST. FRISCO, TX 75033

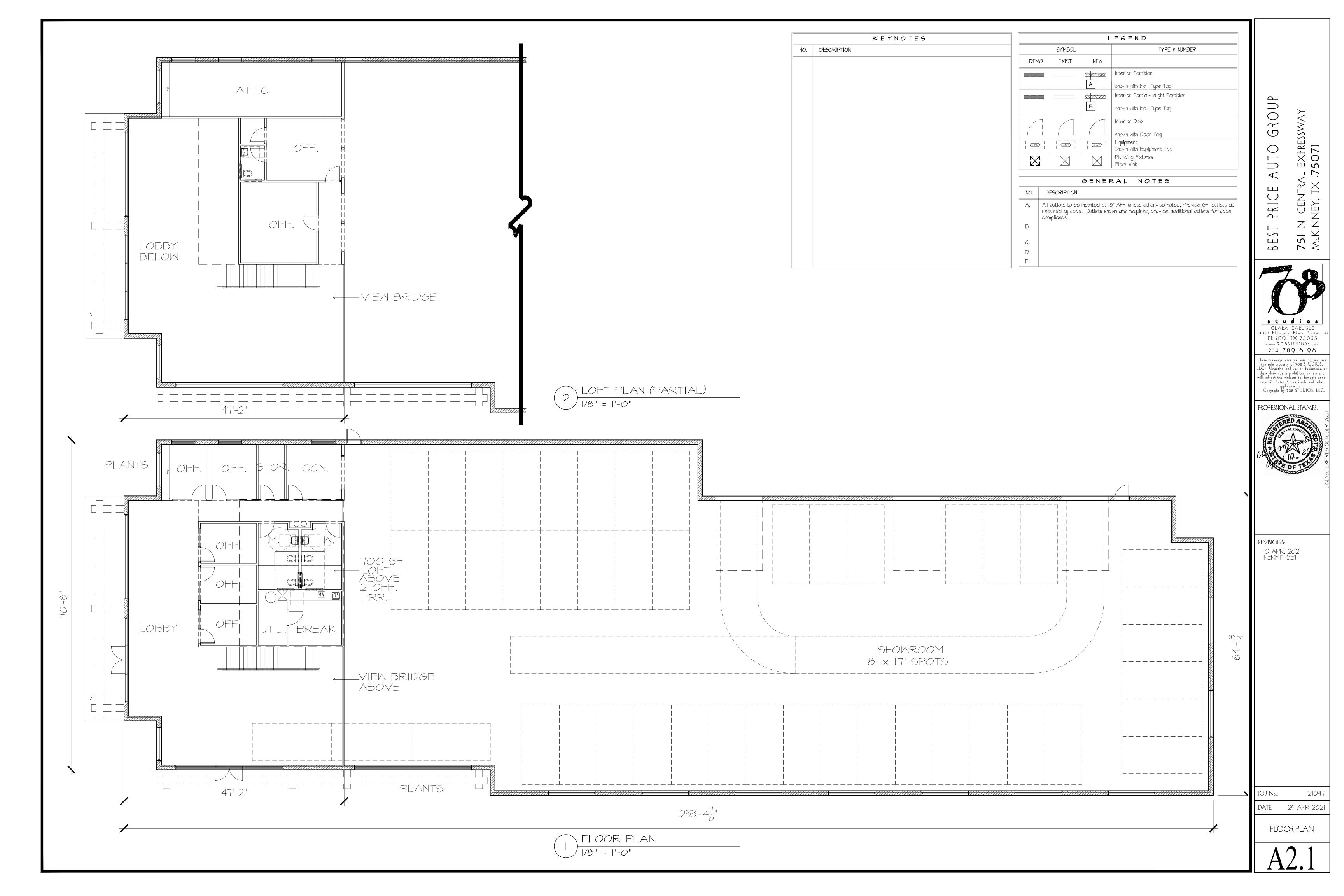
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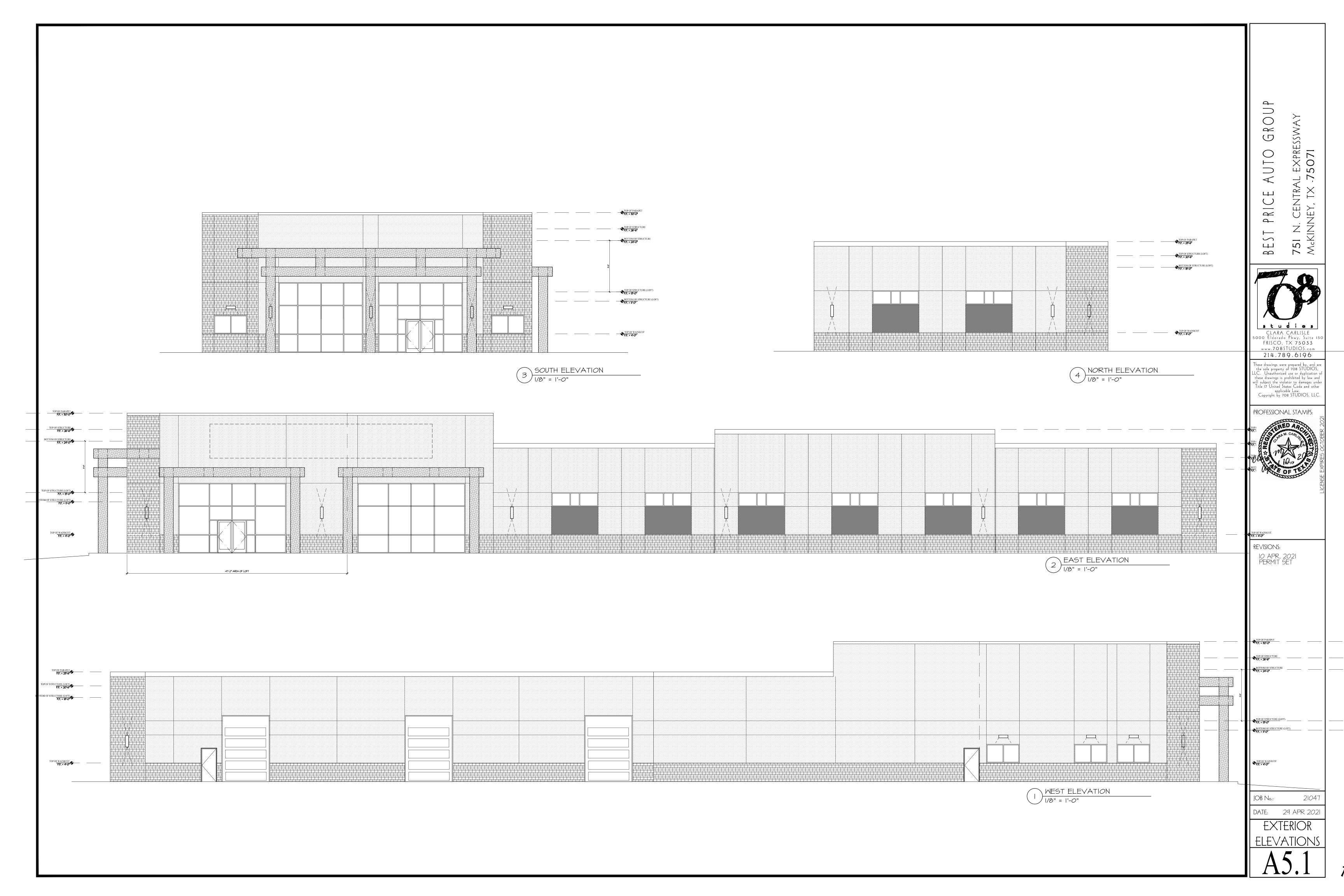
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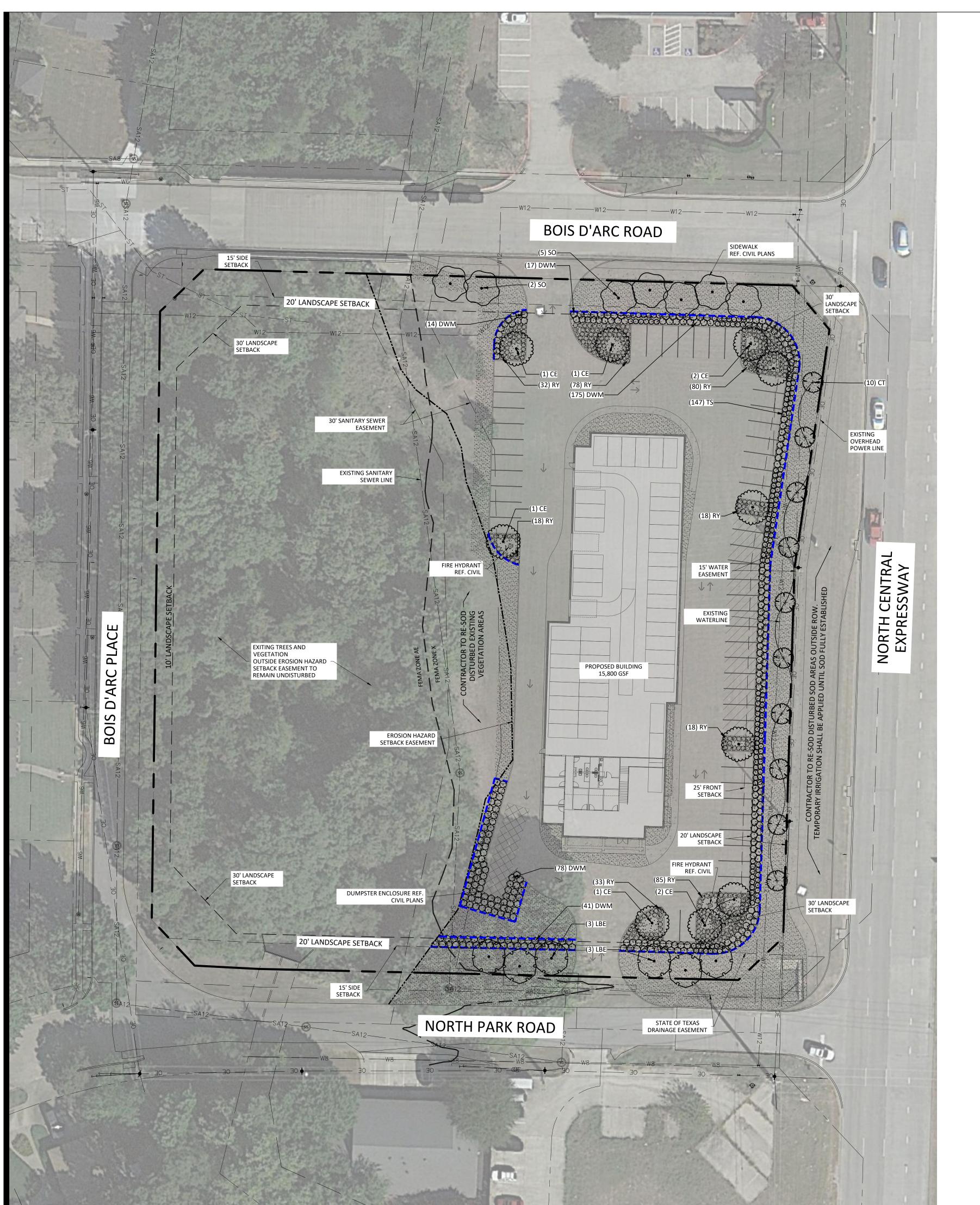
DATE: 2/23/2022 DR'N: GDR CHK'D: CC

STRAND 2125489

0003 TECHNOLOGY BLVD. WEST OALLAS, TX 75220 972-620-8204 REGISTRATION NO: F-1629







	LAN	IDSCAPE REQUIREMEI	NTS	
	S	TREET TREE REQUIREMENT	ГЅ	
STREET FRONTAGE	LINEAR FEET	REQUIREMENTS	REQUIRED	PROVIDED
BOIS D'ARC ROAD	370	1 CANOPY TREE / 40 LF	10	7 PROPOSED TREES PLUS EXISTING TREES
NORTH CENTRAL EXPRESSWAY	387	1 CANOPY TREE / 40 LF	10	10
NORTH PARK ROAD	350	1 CANOPY TREE / 40 LF	9	6 PROPOSED TREES PLUS EXISTING TREES
BOIS D'ARC PLACE	383	1 CANOPY TREE / 40 LF	10	EXISTING TREES
	STREET YARD LANDSC	CAPE AND LANDSCAPE SET	BACK REQUIREMENTS	
LOCATION	STREET YARD	STREET YARD LANDSCAPE	LANDSCAPE SETBACK	LANDSCAPE SETBACK

LOCATION	STREET YARD	STREET YARD LANDSCAPE PROVIDED	LANDSCAPE SETBACK REQUIRED	LANDSCAPE SETBACK PROVIDED
BOIS D'ARC ROAD	15' SETBACK	96%	20 FT	20 FT
NORTH CENTRAL EXPRESSWAY	25' SETBACK	82%	20 FT	20 FT
NORTH PARK ROAD	15' SETBACK	96%	20 FT	20 FT
BOIS D'ARC PLACE	15' SETBACK	100%	10 FT	10 FT
ROW CORNER CLIP			30 FT	30 FT
	DARKINI	C LOT LANDSCADE BEOLUB	ENAENITS	

	PARKING LOT LANDSCAPE REQUIR	REIVIENTS	
PARKING LANDSCAPE	REQUIREMENTS	REQUIRED	PROVIDED
ISLAND	ONE ISLAND / TERMINUS PARKING ROW	10	10
PARKING TREE	ONE TREE / 10 SPACES ONE CANOPY TREE / PARKING ISLAND; ONE TREE 65' WITHIN EVERY PARKING	10	10
LANDSCAPE IN ISLAND	MINIMUM 50% LIVING PLANT MATE MAXIMUM 50% MULCH OR DECOMPOSE	,	YES

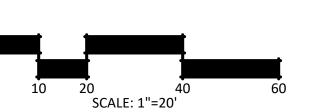
Sec.146-135(e)(4):

No tree shall be planted closer than four feet to a right-of-way line nor closer than eight feet to a public utility line-water or sewer.

CANOPY TREE	CODE	QTY	BOTANICAL / COMMON NAME	SIZE	HEIGHT	SPREAD	REMARKS
$\overline{\mathbf{\cdot}}$	so	7	QUERCUS SHUMARDII SHUMARD RED OAK	100GAL. 4"CAL.	12`-14`	8`-10`	CONTAINER-GROWN; FULL HEAD; BRANCHING AT +/- 6`; MATCHED.
£	CE	10	ULMUS CRASSIFOLIA CEDAR ELM	100GAL. 4"CAL.	12`-14`	8`-10`	CONTAINER-GROWN; FULL HEAD; MATCHED.
	LBE	6	ULMUS PARVIFOLIA LACEBARK ELM	100GAL. 4"CAL.	12`-14`	8`-10`	NURSERY-GROWN; B&B MATCHED.
ORNAMENTAL TREE	CODE	QTY	BOTANICAL / COMMON NAME	SIZE	HEIGHT	SPREAD	REMARKS
(+)	СТ	10	VITEX AGNUS-CASTUS CHASTE TREE	30GAL. 2"CAL.	8`-10`	4`-6`	MULTI-TRUNK; WELL ROOTED
SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	SIZE	HEIGHT	SPREAD	REMARKS
£ \ }	RY	362	HESPERALOE PARVIFLORA RED YUCCA	3G	18"	18"	FULL-TO-GROUND; PLANT 24` O.C.
()	TS	147	LEUCOPHYLLUM CANDIDUM TEXAS SAGE	3G	12"	18"	FULL; PLANT 30" O.C.
\bigcirc	DWM	308	MYRICA PUSILLA DWARF SOUTHERN WAX MYRTLE	5G	24"	24"	TAWAKONI PLANT FARM
MULCH/GRAVEL	CODE	QTY	BOTANICAL / COMMON NAME	-			
	MUL	8,078 SF	SHREDDED HARDWOOD MULCH	-			TREE UNDERSTORY DOUBLE SHREDDED HARDWOOD MULCH. INSTALL MULCH AT 3" DEPTH.
SOD/SEED	CODE	QTY	BOTANICAL / COMMON NAME	-			
	SOD	21,607 SF	CYNODON DACTYLON`TIFWAY 419` `TIFWAY 419` BERMUDA GRASS	-			INSTALL ON 4" OF SCREENED TOPSOIL FREE OF DEBRIS, GRAVEL, AND/OR ROCKS. PLANT GRASS EDGE TO EDGE WITH STAGGERED JOINTS.TOPDRESS WITH SHARP SAND RANKED TO FILL JOINTS. ROLL TO ELIMENATE UNDULATIONS AND PROVIDE COMPLETE SOIL CONTACT.
STEEL EDGING	CODE	QTY	DESCRIPTION			•	
	STEELE	925 LF	INSTALL STEEL EDGING 1/8" X 4" WITH 12" STAKES, GREEN IN COLOR.				

ONLY INSTALL WHERE SHOWN ON PLANS.



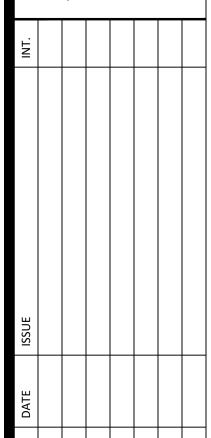


STRAND

10003 TECHNOLOGY BLVD. WEST DALLAS, TX. 75220 972-620-8204 REGISTRATION NO: F-1629

SIA MOUSAWI

DORSA PROPERTIES, LLC. 201 McDONALD ST. FRISCO, TX 75033



THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF PRELIMINARY REVIEW UNDER THE AUTHORITY OF XI Z. BREEDING, PLA, TEXAS REGISTRATION #3842,

DATED 2/24/2022. THIS DOCUMENT IS NOT

INTENDED TO BE USED FOR CONSTRUCTION PURPOSES.

SCALE: AS SHOWN DRWN: CHKD:

SHEET TITLE

LANDSCAPE **PLANTING PLAN**

SHEET NO. LP1.01

STRAND 2125489

GENERAL LANDSCAPE CONSTRUCTION NOTES

LANDSCAPE PLANTING NOTES

- 1. All proposed landscaping to be installed as per local city ordinances and codes.
- 2. Contractor shall be responsible for becoming aware of related existing conditions, utilities, pipes, and structures, etc. prior to building and construction. The contractor shall be held responsible for contracting all utility companies for field location of all underground utility lines, including depths, prior to any excavation. The contractor shall notify the Owner's Representative of apparent conflicts with construction and utilities so that adjustments can be planned prior to installation. Contractor shall take sole responsibility for any and all cost or other liabilities incurred due to damage of said utilities/structures/etc.
- 3. The contractor shall not willfully proceed with construction as designed when it is apparent that unknown obstructions and /or grade differences exist that may not have been known during design. Such conditions shall be immediately brought to the attention of the Owner's Representative for clarification. The Contractor shall assume full responsibility for all liabilities, including necessary revisions due to failure to give such notification.
- 4. Contractor shall be responsible for coordination with subcontractors and other contractors of related trades as required to accomplish the planting and replaced operations.
- 5. The acceptable tolerances for this project are minimal and specific layout is required as shown on the layout, planting and other plans. Final location and staking of all plant materials shall be accepted by the Owner's Representative in advance of plantings.
- Coordinate installation of all plant material with installation or all adjacent irrigation, pavements, curb, and related structures Any damage to existing improvements is the responsibility of the Contractor.
- 7. Contractor shall notify Owner's Representative 5 business days prior to commencement of work to coordinate project inspection schedules.
- 8. The Contractor shall take all necessary scheduling and other precautions to avoid climatic damage to plants. Preliminary approved planting dates include Spring time, March 20-June 20. Or Fall time September 22- December 21. A "planting" of specific calendar days is required to be submitted by the Contractor for approval and planting operations should occur per this approved schedule.
- 9. If conflicts arise between size of areas and plans, Contractor is required to contact Owner's Representative for resolution, Failure to make such conflicts known to the Owner's Representative will result in Contractor's liability to relocate the materials.
- 10.Plant names may be abbreviated on the drawings. See plant legend for symbols, abbreviations, botanical/common names, sizes, estimated quantities (if given) and other remarks.
- 11. Where provided, area takeoffs and plant quantity estimates in plant list are for information only. Contractor is responsible to do their own quantity Take-offs for all plant materials and sizes shown on plans. In case of any discrepancies, plans take precedence over call-outs and/or the plant list(s).
- 12.It is the Contractor's responsibility to furnish all plant materials free of pests or plant diseases Pre-selected or "tagged" material must be inspected by the Contractor and certified pest and disease free It is the Contractor's obligation to maintain and warranty all plant materials per the specifications. All plants shall be subject to Owner's approval prior to installation.
- 13. Contractor shall provide "per-unit costs" for every size of plant material, and by type, as called out on Planting Plans in the Bid Proposal. Unit cost to include the plant material itself and installation, including all labor, amendments, fertilizers, warranty, etc., as detailed and specified for each size, "complete in place".
- 14. The Contractor is responsible to restore all areas or the site, or adjacent areas, where disturbed by operations of or related to the Contractor's work. Sod areas disturbed shall be restored with new sod. Native areas disturbed, if not already improved to meet other requirements of this contract, shall be restored consistent with type, rates, and species of existing condition, or as specified.
- 15. All plants shall be nursery grown, Grade I plants meeting American Nursery and Landscape Association (ANLA) standards set forth in the "American Standard for Nursery Stock" (ANSI Z60. I-200"1). Plants are to be typical in shape and size for species. Plants shall not be root-bound or loose in their containers Handle all plants with care in transporting, planting and maintenance until inspection and final acceptance. Plants shall be installed to present their best side facing the viewer.
- 16.Required landscape areas shall be maintained free of debris and litter. Required landscape material that dies shall be replaced at the minimum standard required by the city.
- 17. Contractor to provide separate line item for a one(1) year maintenance package. Warranty:

 Provide a one-year replacement warranty for all plant materials. Warranty shall cover plants which have died or partially died (thereby ruining their natural shape), but shall not include damage by hail, abnormal freezes, drought, or negligence by the Owner. The Warranty is intended to cover Contractor negligence, infestations, disease and damage or shock to planes. Plants replaced under Warranty will be warranted for one year following replacement
- 18. Container grown trees to be planted as specified in the specifications Section 329300. If specified, planting of b&b trees is allowed only from October 1st till march 31st. from April 1st till September 31.

PLANTING GRADING & PREPARATION NOTES

- 1. Contractor shall be responsible for finished grading of the project. The Contractor shall fine grade, rake and be responsible for positive drainage away from all structures and throughout site, with accurately set now lines. No low spots or ponding of surface water will be accepted in the final work. No rocks or debris will be accepted. Final grade tolerances are +/-0.1 foot maximum.
- 2. Prior to preparing Turf Sod, Turf Seed, and Plant Bed areas, eradicate all weeds, briars and vines with pose-emergent herbicide such as "Round-Up" applied by licensed personnel following manufacturers recommendations and caking all necessary precautions After weed eradication and removal and the specified waiting period apply 10 lb. of MicroLife Hummates Plus per 1,000 sq. ft. to restore soil health.
- 3. All topsoil areas shall be raked smooth, removing, and disposing of stones over 1" diameter and fine graded to feather into natural grade.
- 4. The Contractor shall excavate Plant Beds as required to accommodate a full 6" of prepared soil and 3" organic hardwood mulch or rock mulch layer. Clean, native topsoil removed from these beds may be spread on nearby areas to be Sodded or Seeded, Stones larger than 1" diameter shall be removed and disposed of off-site. Following excavation, place prepared soil in plant beds. Prepared planting soil shall consist of 4" topsoil (see specs) and 2" specified Soil Conditioner, thoroughly blended together. This mix shall also be used to backfill planting pits of all pit-planted shrubs and trees, In Bid Proposal furnish a unit price per cubic yard of Prepared Soil placed This unit price will be used in the adjustment or bed areas.

PLANTING LAYOUT & INSTALLATION NOTES

- The Contractor shall be responsible for accurately laying out the planting beds and lawn areas by scaling the Drawings, The Contractor shall provide paint lines/stakes/hose or other means to fully indicate the specific layout geometry of all bed lines for approval by Owner's Representative prior to installation. The Contractor's Base Bid shall anticipate minor adjustments as directed by the Owner's Representative in the field Changes affecting quantities will be covered by unit prices.
- 2. Following the approval of layout, the Contractor shall closely coordinate the installation of the irrigation system to conform to the approved layout. If conflicts arise between landscape planting and landscape irrigation plans, Contractor is required to contact Owner's Representative for resolution. Failure to make such conflicts known to the Owner's Representative will result in Contractor's liability to relocate the materials.
- 3. Install edging following manufacture's installation instructions. Maintain an accurate layout with smooth curves and transitions, free of kinks and abrupt bends. Top of edging is to be 1" above soil level of adjacent turf. In Bid Proposal furnish a unite price per linear foot of edging installed. Bed edges where edging is not specified shall have a "spade edge".
- 4. Provide matching sizes and forms for all species of trees and plants installed on grid or spaced equally in rows as shown on drawings, Adjust spacing (to "equal-equal") as necessary, subject to acceptance by the Owner's Representative.

5. Unless otherwise indicated:

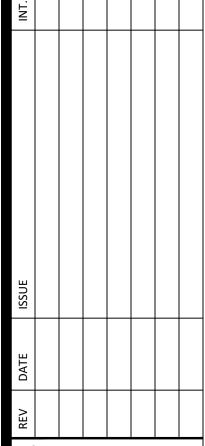
- a. All groupings of groundcover, perennials, ornamental grasses, and annuals shall be triangularly spaced (equal-equal).
- b. All planting areas including sod, seed and planting beds, shall receive soil amendments per the details, notes and specifications.
- c. Sodded lawn shall have been grown between 9 and I 8 months and shall be vigorous, well-rooted and healthy turf. Minimum thatch thickness shall be 3/4 ".
- d. Specific plant bed areas may be called out to receive weed barrier fabric, see plans and details.
- 6. All Plant Beds and pit planted plants shall receive a layer of hardwood mulch as specified on the plans. Reference plans, planting & soil preparation details, and specifications for location and type of mulch used. In Bid Proposal furnish a unit price(s) per cubic yard of mulch(es) placed. This unit price(s) will be used in the adjustment of bed areas.
- 7. Plants shall be installed to present their best side facing the viewer.
- 5. Minimum 3' clear space around all fire hydrants.
- 6. Landscaping will be placed so as not to obstruct vehicular views of streets, drives, or parking aisles.
- 7. Owner's Representative shall have final approval of plant material layout.

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SCALE: AS SHOWN

DATE: 2/24/2022

CHKD: SHEET TITLE

DRWN:

LANDSCAPE
PLANTING NOTES
AND SCHEDULE

LP1.02

SHEET NO.

STRAND 2125489