

DENTON CREEK LAND CO.

November 27, 2018

Ms. Marcie Diamond
Assistant Director of Planning
City of Coppell
255 Parkway Boulevard
Coppell, Texas 75019

RE: Response of re-submittal of PD-259R-SF-7/9

Dear Ms. Diamond:

We agree with the PD conditions. There is one that we would like to provide an update on, and one that we would like to be amended. There have also been some additional discussions on specific topics that have come up since the last P&Z meeting. Some of those have been addressed below. We thank you for the ongoing cooperation to see this project through, and look forward to seeing Blackberry Farm as a great development for the City of Coppell.

PD Condition G:

Our consultant David Stelly with Stelly Environmental is preparing the revised submittal of the 404 permit to send to the US Army Corps of Engineers. This will be submitted on or before 12-4-18. This will include the updated locations of the erosion protection, along with the Conservation Easement Agreement, layout of the proposed conservation areas including a 5' walkway, and 20' wide access to the creek. The NOI from the land conservatory, and proposed conservation locations are attached to this letter. We will provide you with an update on the permit the week before the December 11th council meeting.

Per the recommendation of the Engineering department we are looking into the possibility of adding stream barbs for additional stabilization.

PD Condition R.b.:

We are requesting that council allow 10% of the lots or a minimum of 4 single home building permits to be issued prior to completion of the development of Lot 2x, Entry, and landscape features. We agree that we would not be allowed to obtain a CO on the homes until the development of Lot 2X, Entry features, and landscaping are complete. In addition we agree that we will already have the permit for the Farm House issued, and construction will be underway before obtaining any home permits. Other municipalities have allowed this on other developments, and it will help us with kickstarting the subdivision.

Secondary access for Phase II:

We have had a discussion with the city about a concerned homeowner in Coppell about a possible secondary access for Phase II of Blackberry Farm in case of emergency. We spoke with Tim Oats at the city and there is a city ordinance in place that does not require a secondary access, or emergency access if there are less than 30 homes which Phase II falls under. He does not see a need for a second exit.

Resident meeting:

Finally, we are in the process of scheduling a meeting within the next week with the Lakewood Estates homeowners to address any concerns they have about the development.

Working Together,

A handwritten signature in blue ink, appearing to read 'David Hayes', with a long horizontal stroke extending to the left.

David Hayes



Mitigation Futures
CONSERVANCY

26 October 2018

Mr. Terry Holmes
The Holmes Builders
225 E Highway 121, Ste. 120
Coppell, Texas 75019

RE: Blackberry Farm Residential Development Conservation Easement – Notice of Intent

Dear Mr. Holmes,

Mitigation Futures Conservancy, LLC (MFC) is pleased to provide this Notice of Intent (NOI) to enter mutually beneficial negotiations toward the acceptance of a conservation easement (CE) along the floodplain of Denton Creek, bisecting the Blackberry Farm Residential Development, Carrollton, Dallas County, Texas. MFC has been working closely with you to define the area that will be included within the CE and the associated acceptable activities. Based on our conversations and data provided by your office and consultants, the proposed CE area would encompass approximately 16.5 acres of Denton Creek floodplain along approximately 4,000 linear feet of Denton Creek.

This area has the potential to provide on-going natural resources benefits directly to the homeowners within the Blackberry Farm Residential Development and indirectly through water quality and wildlife benefits to the Denton Creek watershed. By placing a CE over this floodplain area, a unique opportunity for preservation of a remnant Elm-Hickory bottomland forest, native to North-Central Texas is available. Additionally, through intensive bank stability monitoring and appropriate bank stabilizations methods, if it becomes necessary, water quality into the Denton Creek watershed can be maintained even as development increases.

MFC understands that this area could provide passive recreational opportunities to the immediate adjacent homeowners, but also to others seeking to experience what a native bottomland forest could have appeared prior to intensive development. Almost a mile of Denton Creek frontage with recreational trails affords residents and visitors with active enjoyment of a scenic area that would become an urban oasis for wildlife, connecting larger floodplain areas that are less accessible to the public.

MFC understands that temporary construction activities that would remove understory species would be necessary to complete construction of the northern lots. MFC also understands the desire to improve vegetation species composition and remove more undesirable vegetation species if the opportunity presents itself. As part of the recreational improvements multi-purpose trails for non-motorized activities are planned, but not yet designed. These components (i.e., temporary construction access, trails, invasive species management, revegetation plans, etc.) are still to be addressed through the development of the CE.

610 Elm Street, Suite 300
McKinney, TX 75069
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To recap on our conversations to date regarding the CE, MFC would require the following information and data prior to final execution.

- Baseline Environmental Study of the proposed CE which would include an intensive bank stability initial assessment. The Bank Erosion Hazard Index (BEHI) would require the establishment of permanent bank pin locations to monitor bank conditions over time. The BEHI methodology was developed by Dr. Dave Rosgen, a Professional Hydrologist and Geomorphologist, of Wildland Hydrology, to assess stream bank erosion condition and potential. It is a well respected and commonly used practice to quantify existing stream bank erosion and potential for future bank erosion movements. Additional components of these overall baseline assessment would include vegetation composition and wildlife habitat potential and any observed wildlife species or indicators of species.
- Identification of any temporary construction activities that would need to occur within the proposed CE. Any temporary roads crossings or other temporary construction activities would need to be identified so that appropriate revegetation activities can be monitored.
- Identification of any utility line placements within the proposed CE areas. These easements would need to be excluded from the CE area due to the potential for perpetual maintenance and vegetation clearing. These easement areas must be clearly marked and indicated so that minimal future vegetation removals within the CE area occur.
- Identification of passive recreational activity areas, such as multi-use trails. Any trails would need to be identified prior to the execution of the CE so that future development is limited to only those areas indicated. All recreational activities would be limited to passive activities, no motorized vehicles would be allowed routine access.
- Invasive species management plans must be developed that ensure that the native, desired vegetation is maintained and allowed to naturally move through success.
- Development of educational materials for homeowners to understand what the CE area is and what activities are not permissible, especially for those homeowners directly adjacent to the CE area. Those homeowners directly adjacent need to be informed that the CE area will never be a highly manicured and landscape area, it is meant to preserve a unique natural resource native to North-Central Texas in its "natural" state.
- Financial commitments for the various endowment funds and the baseline study.

MFC appreciates the opportunity to work through this process with you and The Holmes Builders and look forward to the completed process and execution of the final CE.

Sincerely,

Mitigation Futures Conservancy, LLC



Rae Lynn Schneider Reinecke, PMP
Managing Director