FIRST TEXAS® HOMES

June 2, 2022

Raymond Coffman
City Engineer
City of Mansfield
1200 E. Broad Street
Mansfield, Texas 76063

RE: Birdsong, Phase 2 Final Plat, Rough Proportionality of Howell Road

Mr. Coffman:

In regards to your letter dated February 18, 2022 stating that First Texas Homes is responsible for the payment of 50% of Howell Rd. as well as pay roadway impact fees we have the following comments.

Attached is a revised TIA reviewing Birdsong's proportionality of Howell Rd. It states the 540 lots that make up Birdsong, Phases 1-4 should contribute 10% of the Howell Rd. construction cost.

City of Mansfield Impact Fee Ordinance 153.29 (B) states that a developer "which has paid a perimeter street fee pursuant to the provisions of the city subdivision ordinance shall be exempt from the payment of a roadway impact fee for that development as the City Council has determined that it is appropriate way to give a 100% credit for roadway fee payments to such developments". This is consistent with the Texas Impact Fee Act Section 395.023.
We interpret that this means we are to be credited roadway impact fees for any amount that is escrowed for Howell Rd.

Please review the attached TIA as well as the City's Impact Fee Ordinance and respond as soon as possible.

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In the event the city does not agree that (1) Birdsong's proportionate share of the Howell Rd. construction cost should be 10% and/or (2) Birdsong's contribution to these costs should be credited toward roadway impact fees from the development please consider this letter as an appeal to the city council under Section 212.904 of the Texas Local Government Code.

Sincerely,

Kenny Hafner

Kenny Hafner
Land Development Manager
First Texas Homes

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