



February 4, 2020

***Via e-mail***

City of Dallas Plan Commission Members  
c/o Yolanda Hernandez  
City of Dallas Plan Commission Secretary  
[yolanda.hernandez@dallascityhall.com](mailto:yolanda.hernandez@dallascityhall.com)

Re: 6028/6024 Lewis Street

Dear Members:

The City has notified Steven King, representative of CPG Savannah Development, LLC, that City of Dallas SDC Engineering has deferred the 92 LF improvement of the substandard 6” CI water main fronting their proposed development located at 6024 and 6028 Lewis Street. (Exhibit A.) This makes any issue of an exaction moot. See *Heckman v. Williamson County*, 369 S.W.3d 137, 162 (Tex. 2012) (finding “if, since the time of filing, there has ceased to exist a justiciable controversy between the parties—that is, if the issues presented are no longer ‘live,’ or if the parties lack a legally cognizable interest in the outcome” the issue is moot.)

Sincerely,

Sonia T. Syed  
Assistant City Attorney  
Dallas City Attorney’s Office  
[Sonia.Syed@dallascityhall.com](mailto:Sonia.Syed@dallascityhall.com)

Christopher C. Gunter  
Senior Assistant City Attorney  
Dallas City Attorney’s Office  
[Christopher.Gunter@dallascityhall.com](mailto:Christopher.Gunter@dallascityhall.com)  
Attorneys for the City

cc:  
CPG Savannah Development, LLC  
Steve King  
Timothy Bauman  
Peyman Horri  
15660 Dallas North Tollway, #110  
Dallas, Texas 75248  
[steve@savannahdevelopers.com](mailto:steve@savannahdevelopers.com)  
[horri@sbcglobal.net](mailto:horri@sbcglobal.net)

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**From:** Lam, David

**Sent:** Monday, February 03, 2020 4:40 PM

**To:** steve@savannahdevelopers.com

**Cc:** Denman, Lloyd <lloyd.denman@dallascityhall.com>; Dean, Neva <neva.dean@dallascityhall.com>; Fay, Michael <michael.fay@dallascityhall.com>; Sweckard, Kris <Kris.Sweckard@dallascityhall.com>; Cossum, David T <david.cossum@dallascityhall.com>

**Subject:** 6024 & 6028 Lewis Street

Mr. King,

City of Dallas SDC Engineering has deferred the 92 LF improvement of the substandard 6" CI water main fronting your proposed development located at 6024 and 6028 Lewis Street. As such, we are

**Exhibit A**

withdrawing the P-contract requirement and are in support of the refund of the CPC application fee with the withdrawal of the appeal, since the exaction is now a moot point. If you could please acknowledge this notification with a response similar to the correspondence sent to Lloyd Denman, in the below email chain.

Your connection now qualifies to be approved through our non- P-Contract process which requires an updated utilities plans showing a connection of services to the existing main (with a note that "Contractor may be required to replace up to two (2) pipe length based on field conditions as determined by the DWU inspector"). Please have your engineer submit these updated plans (2-sets) to my attention so that I may facilitate the expedited review.

Please also provide a letter to Michael Fay, executed by both you and your utility contractor (Moss Utilities) that mutually consents to the cancellation of the P-Contract 19-473/474-P.

Thank you,



**David M. Lam, P.E. (HI, TX)**

*Sr. Program Manager - Water/Wastewater Engineering*

**City of Dallas | DallasCityNews.net**

Sustainable Development & Construction

320 E. Jefferson Blvd. Room 200

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**\*\*\*We have transitioned to an online electronic plan submittal and review using the Avolve software, [ProjectDox](#). ALL projects must be submitted via ProjectDox. You can create an account and access the website at <https://plansubmittal.dallascityhall.com/>. Please see our Engineering Forms website since (link) below for our quick reference guide in [creating an account, submitting an application and managing your projects](#) \*\*\***

helpful Links: [Development Guide](#) [Engineering Forms](#) [DWU Standards](#)

*\*\*OPEN RECORDS NOTICE: This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.\*\**

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**From:** Steve King <[steve@savannahdevelopers.com](mailto:steve@savannahdevelopers.com)>

**Sent:** Wednesday, November 06, 2019 3:36 PM

**To:** Denman, Lloyd <[lloyd.denman@dallascityhall.com](mailto:lloyd.denman@dallascityhall.com)>

**Cc:** Sweckard, Kris <[Kris.Sweckard@dallascityhall.com](mailto:Kris.Sweckard@dallascityhall.com)>; Cossum, David T <[david.cossum@dallascityhall.com](mailto:david.cossum@dallascityhall.com)>; Lam, David <[david.lam@dallascityhall.com](mailto:david.lam@dallascityhall.com)>; Wagner, Richard V <[richard.wagner@dallascityhall.com](mailto:richard.wagner@dallascityhall.com)>; Penk, Matthew <[matthew.penk@dallascityhall.com](mailto:matthew.penk@dallascityhall.com)>; Dean, Neva <[neva.dean@dallascityhall.com](mailto:neva.dean@dallascityhall.com)>; Syed, Sonia <[sonia.syed@dallascityhall.com](mailto:sonia.syed@dallascityhall.com)>; Gunter, Christopher <[christopher.gunter@dallascityhall.com](mailto:christopher.gunter@dallascityhall.com)>

**Subject:** 6017 Hudson

**External Email!**

Mr. Denman,

On Thursday October 24th, David Lam notified me that the 8" waterline replacement would no longer be required as part of the development of the 6017 Hudson permit. Then on October 28<sup>th</sup> Sonia Syed provided the City Plan Commission with a letter stating that the City's position is that the exaction for 6017 Hudson is moot.

With this background and in consideration of our conversations I have had with you, appellant CPG Savannah Development, LLC would be willing to support a city staff recommendation for withdrawal of the exaction appeal from the Thursday November 7<sup>th</sup> CPC agenda.

Sincerely,

*Steve King*

Savannah Developers

PO Box 2109

Addison, TX 75001-2109

Cell: 972-965-9282

[steve@savannahdevelopers.com](mailto:steve@savannahdevelopers.com)



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