DALLAS CITY PLAN COMMISSION

IN THE MATTER OF THE APPORTIONMENT OF EXACTIONS APPEAL BY CPG SAVANNAH DEVELOPMENT, LLC

CITY'S BRIEF

TO THE HONORABLE DALLAS CITY PLAN COMMISSION:

The City of Dallas (the "City") submits this brief to assist the Dallas City Plan Commission in reviewing CPG Savannah Development, LLC's (hereafter, "Savannah") appeal of the City's apportionment determination regarding the replacement of a portion of an existing 6" substandard waterline made on November 15, 2019 and would show the Commission as follows:

I. INTRODUCTION

The City requested that Savannah replace a portion of an existing 6" cast iron substandard water main directly in front of its property for its future development. The existing 6" cast iron substandard water main that needs replacement runs a total length of 690 linear square feet. One hundred (100) linear square feet of that is directly in front of Savannah's property located at 6028 and 6022 Lewis Street. The City has previously replaced 8' linear feet out of the 100 linear square feet, leaving 92 linear feet remaining to be replaced by Savannah.

Savannah's development plans propose a 10-unit multifamily development (hereafter, "MFD"), replacing a single-family use. The development contributes to the existing need for a replacement of the substandard water main in order to continue to service the development with adequate domestic and irrigation service while continuing to maintain fire protection for the development and the adjacent properties.

II. <u>FACTS</u>

This appeal involves the property located at 6028 Lewis Street (the "Property") which is west of the intersection of Lewis Street and Skillman Street.

The Property is currently owned by Savannah.²

The area where the Property is located is a former single-family use neighborhood that transitioned to duplex, and is now trending towards multifamily development, including Savannah's property. The existing water main in front of the Property is a 6" cast iron water main that is approximately 89 years old. Savannah is proposing to build a 10-unit MFD on the Property.

The City informed Savannah that in order to obtain approval for its development, the approximately 89-year-old existing 6" cast iron water main in front

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¹ Building Permit No. 7700253793 for re-roofing a single-family structure was issued in 1977 and Electrical Permit No. 8708274003 was issued in 1987 pursuant to the reconstruction of single family structure.

² The record of the entire file is attached to this brief and bates labeled COD 0001 – COD 0032

of the Property would need to be replaced with a new 8" PVC water main. In making the determination, the City relied upon Dallas City Code Sections 49-62 (d) and (f) and the Dallas Water Utilities Water and Wastewater Procedures and Design Manual (the "DWU Manual"). Dallas City Code sections 49-62 (d) and (f) provide, in pertinent part, as follows:

- (d) Existing mains. The developer may utilize any existing main that may be available to adequately serve a proposed development in the design and construction of extensions subject to the payment of the acreage fee described in Subsection (e) of this section, if the director determines that:
 - (1) the existing main is not substandard as to size or condition; and
 - (2) the main is capable of adequately serving the development and not impractical to use for engineering or financial reasons; otherwise, the mains shall not be used or shall be replaced as required in Subsection (f).
- (f) <u>Replacement mains</u>. The developer shall replace every existing substandard main serving the development with a main of adequate size and condition for permanent service, as determined by the director, subject to applicable city participation under this section.

Dallas, Tex., Code § 49-62(d) and (f).

Section 2.3 of the DWU Manual, titled "Evaluation of Water Mains for Replacement," lays out the criteria for determining whether an existing water main needs to be replaced to support increased development. The age of the existing main is one factor, with 40 year or older mains being of particular concern, though age cannot be the lone factor. Another factor is the size of the water main. Typically,

smaller mains (< 8") are inadequate to meet domestic, irrigation, and fire demand for increased developments, such as the multifamily development Savannah has proposed, and/or potential future development.

Based on the type of development Savannah proposed, the Dallas City Code, and the criterium listed in the DWU manual, the decision was made by the City that the existing water main needed to be replaced in order to meet the demands that will be placed upon the system.

The portion of the water main being replaced is the portion that is directly in front of and serves the Property. The length of the watermain that needs to be replaced is 690 linear feet and Savannah's portion directly in front of it is 92 linear feet. That is 13% of the entire 690 linear feet. Cost for replacement of the entire 690 linear feet of the 6" existing substandard main is \$284,000. Savannah's portion of the costs is roughly 13% of the total cost, which equals \$36,538 (\$47,034 developer cost minus the \$10,496 City reimbursement).

Qualifying infrastructure improvements specified in Dallas Code section 49-18.11, including the required 92 linear feet of 8" PVC replacement water main located in front of the Property, are eligible for City participation (reimbursement). However, the City's contribution is limited to the eligible items per the Dallas City Code. Based on the contract amounts provided by Savannah to the City, it is

estimated that Savannah will be entitled to reimbursement by the City in the amount of approximately \$10,500, representing more than 20% of the replacement cost.

When Savannah approached the City about obtaining approval of Savannah's development, the City informed Savannah that the existing water main in front of the Property would need to be replaced as a part of obtaining approval for the multifamily development. Savannah objected to the City's requirement that it replace the existing 6" cast iron water main in front of its property with a new 8" PVC water main. Savannah has since entered into a private development contract to have the existing water main replaced.

The City issued an apportionment determination on November 15, 2019.³ Savannah has appealed the apportionment determination.

III. ARGUMENT AND AUTHORITIES

A. The Texas and U.S. Constitutions

Because Savannah is alleging that the City's request that Savannah replace the existing substandard main located in front of the development with a main of adequate size and condition for permanent service is an illegal exaction, an analysis of the law regarding exactions is necessary.

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³ Attached as document COD 0001-2

Article I, section 17 of the Texas Constitution prohibits the taking of private property for public use without adequate compensation. Tex. Const. art. I, § 17; see Mayhew v. Town of Sunnyvale, 964 S.W.2d 922, 933 (Tex.1998). This provision, and the Just Compensation Clause of the Fifth Amendment to the United States Constitution, were "designed to bar Government from forcing some people alone to bear public burdens which, in all fairness and justice, should be borne by the public as a whole." Armstrong v. United States, 364 U.S. 40, 49 (1960); see U.S. Const. amends. V, XIV.

An exaction occurs if a governmental entity requires an action by a landowner as a condition to obtaining government approval of a requested land development. *Town of Flower Mound v. Stafford Estates Ltd. P'ship*, 71 S.W.3d 18, 30 (Tex. App.—Fort Worth 2002), *aff'd*, *Town of Flower Mound v. Stafford Estates Ltd. P'ship*, 135 S.W.3d 620 (Tex.2004); *City of Carrollton v. RIHR, Inc.*, 308 S.W.3d 444, 449 (Tex. App.—Dallas 2010, pet. denied).

For an exaction to be compensable, the Texas Supreme Court in *Stafford Estates* said it must be a cost that, in fairness and justice, should be borne by the public instead of the individual. To apply this sense of fairness and justice, the Texas Supreme Court has adopted a "rough proportionality" test to determine whether an exaction constitutes a compensable taking:

[C]onditioning government approval of a development of property on some exaction is a compensable taking unless the condition (1) bears

an essential nexus to the substantial advancement of some legitimate government interest and (2) is roughly proportional to the projected impact of the proposed development.

Stafford Estates, 135 S.W.3d at 634.

B. Nollan and Dolan

The law regarding exactions is based on two U.S. Supreme Court cases, *Nollan v. California Coastal Com'n*, 483 U.S. 825 (1987) and *Dolan v. City of Tigard*, 512 U.S. 374, 384–85 (1994). Read together, *Nollan* and *Dolan* first inquire whether the exaction would constitute a taking if done without an application for a permit. If answered affirmatively, courts should then apply the two part "rough proportionality" test: is the exaction proportionate in (1) nature [meaning does it serve a legitimate governmental interest?] and (2) extent [meaning the impact of the proposed development]. *See Nollan v. California Coastal Com'n*, 483 U.S. 825 (1987); *Dolan v. City of Tigard*, 512 U.S. 374, 384–85 (1994).

C. Section 212.904 of the Texas Local Government Code

As a result of *Nollan, Dolan*, and other cases, the Texas Legislature enacted Section 212.904 of the Local Government Code which codified the requirements of *Nollan* and *Dolan* and established procedures regarding a developer who disagrees with a municipality's determination of what is required for a development project. Section 212.904 provides as follows:

Sec. 212.904. APPORTIONMENT OF MUNICIPAL INFRASTRUCTURE COSTS.

- (a) If a municipality requires as a condition of approval for a property development project that the developer bear a portion of the costs of municipal infrastructure improvements by the making of dedications, the payment of fees, or the payment of construction costs, the developer's portion of the costs may not exceed the amount required for infrastructure improvements that are roughly proportionate to the proposed development as approved by a professional engineer who holds a license issued under Chapter 1001, Occupations Code, and is retained by the municipality.
- (b) A developer who disputes the determination made under Subsection (a) may appeal to the governing body of the municipality. At the appeal, the developer may present evidence and testimony under procedures adopted by the governing body. After hearing any testimony and reviewing the evidence, the governing body shall make the applicable determination within 30 days following the final submission of any testimony or evidence by the developer.
- (c) A developer may appeal the determination of the governing body to a county or district court of the county in which the development project is located within 30 days of the final determination by the governing body.
- (d) A municipality may not require a developer to waive the right of appeal authorized by this section as a condition of approval for a development project.
- (e) A developer who prevails in an appeal under this section is entitled to applicable costs and to reasonable attorney's fees, including expert witness fees.
- (f) This section does not diminish the authority or modify the procedures specified by Chapter 395.

Tex. Loc. Gov't Code Ann. § 212.904. (emphasis added)⁴

⁴ Section 51A-1.109 of the Dallas City Code codifies this provision into the Dallas City Code.

This is the provision applicable to this case.

D. Rough proportionality standard

In analyzing the first part of the rough proportionality test, the commission must look to see if there is an essential nexus between the condition and the advancement of a legitimate governmental interest. *Town of Flower Mound v. Stafford Estates Ltd. P'ship*, 135 S.W.3d 620, 643 (Tex. 2004). Replacing 89-year-old City waterlines with waterlines that are up to date according to current water line standards is essential to the health, safety, welfare and of the public, including the tenants that will reside at Savannah's development. This ensures that the waterlines will continue to function properly without future breaks. Such replacement will continue to provide adequate water service to Savannah's property and the proposed future development upon it.

The second part of the rough proportionality test requires this Commission to determine whether the extent of the condition is proportionate to the impact of the development. When discussing whether a development's impact can be assessed in relation to all of the streets within the town, the Texas Supreme Court in Town of Flower Mound stated,

"We agree that the Town can take the development's full impact into account and is not limited to considering the impact on Simmons Road. But in so doing, the Town is nonetheless required to measure that impact in a meaningful, though not precisely mathematical, way, and must show how the impact, thus measured, is roughly proportional in nature and extent to the requiredimprovements."

135 S.W.3d 620, 644 (Tex. 2004).

E. The exaction is roughly proportionate to the impact of the development.

The City's requirement that Savannah replace the portion of the water main directly in front of its Property does not amount to an improper exaction because such requirement advances a legitimate State interest in ensuring adequate water mains to meet increased domestic and irrigation service while maintaining adequate fire protection for the development. In addition, the extent of the exaction is roughly proportionate to the development.

The City will also reimburse Savannah approximately \$10,500 for the cost of the construction of the new water main. Without a new water main, the current condition of the water main will continue to deteriorate and will become unable to maintain adequate fire protection and provide domestic and irrigation service. Savannah will benefit from the replacement of the existing 6" cast iron water main with a new 8" PVC water main because the existing water main is inadequate to continue to service Savannah's 10-unit MFD. Savannah and its future tenants are direct beneficiaries of the replacement. Having to fund less than 13% of the entire

needed water main replacement is roughly proportionate to the impact of the proposed development.

1. The replacement of the water main bears an essential nexus to the substantial advancement of a legitimate governmental interest.

The first determination the Commission must make is whether the exaction by the City bears an essential nexus to the substantial advancement of some legitimate governmental interest. The Property previously contained a single-family home. Replacing the single-family use with a new 10-unit MFD will increase the demands being placed on the existing 89-year-old, 6" cast iron water main. This fact is undisputed. The existing water main needs to be replaced so that it can continue to adequately sustain the domestic and irrigation service while maintaining adequate fire protection for the new development.

There is a legitimate governmental interest in ensuring water mains are being improved and replaced as demands on the existing water mains are being increased by new, more intense developments. The consequences of not doing so would be catastrophic if the water main were to fail due to being inadequate to meet existing demand during a fire. An "essential nexus" exists. It is essential in securing the public health, safety, and welfare to proceed with replacement of water mains considered inadequate by current standards.

Here, the exaction required, improvement of the water main is linked to the development of Savannah's Property. It ensures adequate and continuous water services to the Property. Savannah directly benefits from such improvement.

2. The costs borne by the developer is roughly proportionate to the impact of the development.

The second determination this Commission must make is whether the exaction is roughly proportionate to the projected impact of the proposed development.

The water main requested to be replaced in front of Savannah's Property is 13% of the 690 linear square feet of water main that needs to be replaced. Savannah's cost is also less than 13% of the entire cost to replace the 690 linear square feet of water main that needs to be replaced. The City is only asking Savannah to replace the portion that directly benefits its Property.

In addition, the City will also reimburse Savannah approximately \$10,500 for the cost of the construction of the new water main as allowed under the Dallas City Code's allowable reimbursements for reasonable costs. Without a new water main, the current condition of the water main will continue to deteriorate and will become unable to maintain adequate fire protection and provide domestic and irrigation service. Savannah will benefit from the replacement of the existing 6" cast iron water main with a new 8" PVC water main because the existing water main is inadequate to continue to service Savannah's 10-unit MFD. Savannah and its future

the entire needed water main replacement is roughly proportionate to the impact of the proposed development. The request that Savannah replace the 92 linear feet of water main located directly in front of its Property is a benefit to its development and is needed to continue to ensure adequate fire protection for its new residents.

IV. CONCLUSION

WHEREFORE, PREMISES CONSIDERED, the City respectfully requests the Dallas City Plan Commission deny Savannah's appeal and affirm the apportionment determination concerning the required replacement of the substandard water main in front of the property.

Respectfully submitted,

City Attorney of the City of Dallas Christopher J. Caso Interim Dallas City Attorney

/s/ Sonia T. Syed
Sonia T. Syed
Assistant City Attorney
Texas Bar No. 24082605
Sonia.Syed@dallascityhall.com

Christopher C. Gunter Assistant City Attorney Texas Bar No. 24025750 christopher.gunter@dallascityhall.com City Attorney's Office 1500 Marilla Street, Room 7D North Dallas, Texas 75201

Telephone: 214-670-3519 Telecopier: 214-670-0622

CERTIFICATE OF SERVICE

This is to certify that on this the 24th day of January, 2020, a true and correct copy of the above and foregoing was served upon counsel for CPG Savannah Development, LLC, and the secretary of the City Plan Commission via e-mail.

/s/ Sonia T. Syed Sonia T. Syed



November 15, 2019

Mr. Kevin Murphree Savannah Developers 15660 N. Dallas Parkway, Suite 110 Dallas, TX 75248

RE: Remand Response of Appeal of Apportionment Determination

6028 Lewis Street

Dear Mr. Murphree:

The City Plan Commission heard your appeal regarding the subject site on Thursday, October 17, 2019. After hearing the appeal, the City Plan Commission remanded the matter back to the Director with the finding of fact that the proposed water line is in part to serve future development.

The following information is provided in response to the remand request:

The City of Dallas has determined that the existing water main that serves 6022 and 6028 Lewis Street is insufficient to serve the proposed development based on the City's engineering analysis and in accordance with Table 2.3 Water Main Replacement Criteria of the 2015 Dallas Water Utilities Water and Wastewater Procedures and Design Manual.

The water flow through the existing 6-inch main is not sufficient to provide fire protection through two fire hydrants as required by the Dallas Fire Department in the event of a fire at your site. The linear distance of existing 6-inch water main along Lewis Street to the next fire hydrant is approximately 690 linear feet. The City's estimated cost to replace 690 linear feet of water main to standard is \$284,000.00. The City is requiring the developer to replace only 92 linear feet of the 690 linear feet distance to the next fire hydrant, or 13% of the total length which is roughly proportionate to the developer's frontage length. The projected cost to the developer for their portion of the water main as proportioned above is \$36,538 (\$47,034 developer cost minus the \$10,496 City reimbursement) of the \$284,000 projected total cost, or 13% of the total cost. This is roughly proportionate to the developer's portion of the main which is necessary to serve the proposed development.

Please note that the City of Dallas already constructed 8 linear feet of a standard 8" diameter water main in front of the subject property so that only 92 linear feet of the 100 linear feet of frontage remain to be constructed by the developer to serve this development. Furthermore, as outlined in the City's letter of August 17, 2019 and in accordance with Texas Local Government Code 212.072(b)(1), the City of Dallas has agreed to participate financially in the amount of \$10,496.00 toward the developer's submitted cost of \$47,034.00, or 22.32% of the cost of the main replacement necessary for this development.

A developer may appeal the director's apportionment determination to the city plan commission by filing written notice with the director within 30 days after the date of the determination. If an appeal is filed, the city plan commission shall hear the appeal within 60 days after the date of its filing.

Please contact Lloyd Denman at 214 948-4354 if there are any questions regarding the deadline dates or the apportionment. You are encouraged to contact Assistant City Attorney Kanesia Williams at 214 670-3429 if you have any questions regarding the appeal processes or other related matters.

Respectfully,

Lloyd Denman, P.E.

Assistant Director of Engineering

Sustainable Development and Construction

December 10, 2019

Kris Sweckard, Director Sustainable Development and Construction, City of Dallas 1500 Marilla Street, Rm 5DN Dallas, TX 75201

Re:

Notice of 2nd Appeal to CPC of Apportionment for 6022/6028 Lewis Street

Contract No. 19-473/474-P

Per Section 212.904(b) of the Texas Local Governments Code, a developer who disputes a municipality's apportionment determination may appeal to the governing body of the municipality.

For the above referenced properties, on November 13, 2019 Savannah appealed the City Plan Commission's ruling of October 17, 2019 to the City Council. Savannah expects this appeal to be heard in a timely manner.

However, the City of Dallas in conflicting opinions is repeatedly directing any future appeal to be of Mr. Denman's second apportionment determination of November 15th and made only to the City Plan Commission (CPC). This has created significant ambiguity in the state of the procedural rules for administrative apportionment appeals.

Because Savannah fears that the City will not honor state law and will not schedule a hearing for the City Council appeal, Savannah feels it has no choice but to submit an appeal to the CPC or be denied the right to an administrative appeal. Therefore, Savannah, under protest, is hereby submitting an appeal of Mr. Denman's second apportionment determination to the CPC.

For the purpose of scheduling the hearing date, the date of this letter will serve as the date of filing for the appeal.

We continue our objection to the need for any apportionment and the disproportionate nature of exactions being imposed on our building permit. Applicant is appealing under Sec. 51A-1.109 of the Dallas City Code, Section 212.904 of the Texas Local Government Code and the law as interpreted by the United States Supreme Court.

Please provide us with the date of the public hearing for the appeal.

Regards,

Steve King

CPG Savannah Development, LLC

DEC 12 2019

By Manquillians



Via Certified Mail: 70111150000003807435

December 23, 2019

Mr. Steve King Savannah Developers 15660 N. Dallas Parkway, Suite 110 Dallas, Texas 75248

RE:

2nd Appeal of Apportionment Determination

6022/6028 Lewis Street

Dear Mr. King:

We have received your correspondence appealing the director's apportionment determination associated with an exaction imposed during the issuance of a building permit for the development at 6028 Lewis Street, Dallas, Texas. Please be advised that the City Plan Commission hearing for <u>this appeal is scheduled for Thursday, February 6, 2020</u> during the public hearing scheduled to begin no earlier than 1:30 p.m. in the City Council Chambers at Dallas City Hall, 1500 Marilla Street.

The appeal of the decision of the Director regarding the apportionment determination is a quasi-judicial action. No communication with City Plan Commission members may occur outside the hearing of February 6, 2020.

The Dallas Development Code, Section 51A-1.109(a) provides the standard applicable to this appeal. For your convenience, I have enclosed a copy of the appeal procedures.

Included with this letter is the request of appeal submitted and received on December 12, 2019. Should you wish to provide the City Plan Commission with any documentary evidence on the matter, please submit a copy to me at Dallas City Hall, 1500 Marilla Street, Room 5BN, Dallas, TX, 75201 or to yolanda.hernandez@dallascityhall.com by end of the day Friday, January 24, 2020. I will then distribute the copies of your documentary evidence to the City Plan Commission. I will also send you a copy of any documentary evidence by Sonia Syed, Assistant City Attorney for the Director.

Please contact Lloyd Denman at 214-948-4354 if there are any questions regarding the deadline dates. You are encouraged to contact Assistant City Attorney Kanesia Williams at 214-670-3429 if you have any questions regarding the format of the City Plan Commission hearing or other related matters.

Respectfully

Volanda Pesina

City Plan Commission Secretary

Sustainable Development and Construction

cc: Kris Sweckard, Director, Current Planning
Lloyd Denman, Assistant Director, Engineering
David Cossum, Development Service Administrator, Building Inspection
Neva Dean, Assistant Director, Current Planning
Casey Burgess, Assistant City Attorney
Sonia Syed, Assistant City Attorney
Kanesia Williams, Assistant City Attorney



August 7, 2019

CPG Savannah Development LLC Steve King 15660 Dallas N Tollway #110 Dallas, Texas 75248

Re: 6028 Lewis Street *
Contract No: 19-473/474-P

Gentlemen:

Below is an estimated breakdown of payments to the developer for mains to be constructed and fees due the City on the referenced contract.

PAYMENTS TO DEVELOPERS

FEES DUE TO CITY

Payments at completion

Acreage Fees

Water:

\$10,496.00

Water:

\$0.00

Sewer

\$0.00

Sewer:

\$0.00

Misc. Charges:

\$0.00

Payments On Connection Basis 20 Year Limitation

Water:

\$0.00

Sewer:

\$0.00

Total Pay:

\$10,496.00

Total Fees:

\$0.00

Net Pay to Dev:

\$10,496.00

Net Due to City:

\$0.00

Payments will be adjusted based on actual construction quantities upon acceptance of construction by the City. Payments on a connection basis must be requested by you in writing on a semi-annual basis. For each connection, you must provide the street address and lot and block number.

In order to receive the payments listed above, you must:

1) register as a vendor at https://dallascityhall.bonfirehub.com/login and then
2) look up your vendor ID at https://vendors.dallascityhall.com
For vendor support questions contact CODVendorRegistrations@dallascityhall.com

Please email the Vendor ID to michael fay@dallascityhall.com. If you have any questions, please call Michael Fay, Contract Coordinator, at 214-948-4591.

Lloyd Denman, P.E. Assistant Director

19219F

Sustainable Development and Construction Department
Engineering Services 320 E. Jefferson, Room 200 Dallas, Texas 75203 214 / 948-4205

TAX CERTIFICATE



JOHN R. AMES, CTA DALLAS COUNTY TAX ASSESSOR/COLLECTOR 1201 Elm Street, Suite 2600 Dallas, Texas 75270

Issued To:

CPG SAVANAH DEVELOPEMENT OWNER PO BOX 670452 DALLAS, TX 75367-0452 Legal Description

HUGHES H G BLK A/1877 W 50 FT LT 2 LEWIS ST

INT201800224612 DD08132018 CO-DC 1877 000 00200 1001877 000

Parcel Address: 6028 LEWIS ST, DA

Legal Acres: .0000

<- - -

Account Number: 000-001-825-93000000

Certificate No: 95152

£10.0

\$10.00

Print Date:

09/05/2019 01:55:42 PM

Paid Date: Issue Date: Operator ID: 09/05/2019

09/05/2019 SANDRA_LOPEZ

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 AND 11.43(i) OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2018. ALL TAXES ARE PAID IN FULL

CREDIT

\$0.00

Exemptions:

Certificate Fee:

Certified Owner:

CPG SAVANAH DEVELOPEMENT OWNER PO BOX 670452 DALLAS , TX 75367-0452

 2018 Value:
 240,500

 2018 Levy:
 \$6,842.79

 2018 Levy Balance:
 \$0.00

 Prior Year Levy Balance:
 \$0.00

 Total Levy Due:
 \$0.00

 P&I + Attorney Fee:
 \$0.00

Certified Tax Unit(s):
1002 DALLAS COUNTY

1021 PARKLAND HOSPITAL 1031 DALLAS COUNTY COMMUNITY COLI 1041 SCHOOL EQUALIZATION

1102 DALLAS ISD

1208 CITY OF DALLAS

Reference (GF) No: N/A
Issued By:
JOHN R. AMES, CTA

Total Amount Due:

DALLAS COUNTY TAX ASSESSOR/COLLECTOR





September 5, 2019

ADDRESS: 6028 Lewis

DCAD: 00000182593000000

No information was found responsive to your request for identification of City liens in the records

of Special Collections. This response does not constitute legal advice regarding the status of the real property 6028 Lewis.

Central there may be additional liens of record in the County Clerk's office. This response is made to your request for public information and constitutes neither estoppel against the City of Dallas nor relinquishment, waiver, release, or other change in any lien interest of record.

Should you have any further questions please contact Tesfaye Assefa at 214-670-8012

Sincerely.)

Special Collections Division

Dallas Water Utilities



June 20, 2019

The Guarantee Co of North America USA One Town Square, Suite 1470 Southfield, MI 48076

Re: 6028 Lewis Street

Gentlemen:

The City of Dallas, a Texas municipal corporation, has recently received the following construction contract:

CONTRACTOR Moss Utilities, LLC

Contract No. 19-473/474

Work

Mains to serve 6028 Lewis Street # 75175578 Amount \$47,034.00

Performance and payment bonds in accordance with Article 5160 of the Texas Statutes have been executed as required by the contract, by the following representative of your company, under authority of a Power of Attorney filed with this office.

William D. Birdsong

This correspondence constitutes your official notice of the foregoing fact, as well as notice of the outstanding bond obligations. Any questions should be directed to this office. Bond inquires should be directed to Development Services Department, 320 East Jefferson, Room 200, Dallas, Texas 75203 Attention Mr. Michael Fay.

For

Lloyd Denman, P.E. Assistant Director

c: File

19171F



CITY OF DALLAS **EARLY START CONSTRUCTION REQUEST**

Michael Fay City of Dallas Sustainable Development and Construction 320 E. Jefferson Blvd., Room 200 Dallas, Texas 75203

Project Name:	6028	LEWIS		Plat Number: <u>\$178 -256</u>
Contract Number:	19-	473/474	P	
prior to the recording for all construction; as	of its plat; and nd we unders ot be issued	d, for the grantin tand that the abo	ng of such permove mentioned	d wastewater mains in the subject subdivision nission, we hereby assume all responsibility project will not be accepted by the City and ved by the Sustainable Development and
houses in subject sub	division, until	said subdivision	n plat has been	old building permits for any buildings or filed for record, and applicable right-of-way een granted and acquired; and,
buildings or houses c	onstructed in	subject subdivis	ion, until water	thhold certificates of occupancy of any r and wastewater mains constructed (both on- dequately served by water and wastewater
Date: 5 1	6/2019		Date:	5/16/2019
Owner: CP6	I SAVAN	INAH MENTUC	Contractor:	MOSS UTILITIES LLC
Address: 156	GO DALLA	S N TOLLUB	Address:	3300 ROCK TSLAND
並110			,	GRAND PRAIRIE TX 75060
DAU	DS, TX			
Phone #: (214)	3215-7	1960	Phone #:	(469) 569-7610
Ву:	Thra		By:	100
Title:	MY		Title:	VP
Approved by Sustaina	able Developr	ment and Constr	uction Departm	nent:
Ву:			Date:	

Sustainable Development and Construction 320 E. Jefferson, Room 200 - Dallas, Texas 75203 - 214/948-4205 - Fax 214/948-4211 A City Utility Providing Regional Water and Wastewater Services Vital to Public Health and Safety.

02-11.13 Early Start Construction Request.doc

Revised 9-6-12

STATE OF TEXAS)
COUNTY OF DALLAS)

Contract No. 19-473/474-P

PRIVATE DEVELOPMENT CONTRACT
THIS AGREEMENT is entered into pursuant to the provisions of Section 49-60(f) of the Dallas City Code between CPG SAVANAH DESCRIPTION (hereinafter called "Owner") and MCS UTILITIES LUC (hereinafter called "Contractor"), for the purpose of constructing water/wastewater utility facilities in order to serve a real estate subdivision in the City and County of Dallas, Texas. The terms of this Agreement are as follows:
1.
Contractor agrees to furnish all labor, materials and equipment necessary to construct and install WATER * WASTERATER
II.
The Work under this Agreement shall commence not later than ASAP days from the date of execution of this Agreement, and shall be completed within ASAP days thereafter.
III.
The Work shall be done fully in accordance with the layouts, plans and specifications approved by the City of Dallas for the
Owner and Contractor each have the above-referenced documents in their personal
11.14 Standard Private Contract.doc
Page 1 of 4 Revised 9-6-12

possession. The City of Dallas will perform construction inspection during the course of construction in accordance with Section 49-61(c) of the Dallas City Code; Contractor understands that the City of Dallas has the right under the Dallas City Code to direct that the Work be performed in accordance with the contract specifications.

IV.

Owner promises not to reduce the length, size, or functionality of any installation without the prior written consent of the City of Dallas.

٧.

Contractor agrees to furnish Performance and Payment Bonds for the benefit of the Owner and the City of Dallas. The bonds shall be with a corporate surety or sureties authorized to do business in the State of Texas, and otherwise acceptable to the Owner and the City of Dallas. The bonds shall designate a resident agent in Dallas County, Texas for delivery of notice and service of process. The performance bond shall guarantee the completion of the Work in accordance with the terms of this Agreement and, upon acceptance by the City of Dallas, guarantee to repair and/or replace all defects due to faulty materials and/or workmanship that appear within a period of one year from the date of final acceptance of the Work by the City of Dallas. The payment bond shall guarantee the prompt payment of all subcontractors, suppliers, laborers and material men who are used by the Contractor in the performance of the Work under this Agreement.

VI.

Owner agrees, in consideration of the Work performed by Contractor, to pay a sum not-to-exceed <u>FORY SELEN THE COAD THE PAY FOUR</u> DOLLARS (\$ 47,034), to be paid as follows:

Upon completion of the Work, Owner will furnish an affidavit to the City of Dallas, in accordance with Section 49-61 of the Dallas City Code, that he has made final payment to the Contractor. Contractor understands and agrees that nothing in this Agreement shall be construed to render the City of Dallas liable for any payments owed by the Owner to the Contractor, or by the Contractor to any subcontractor, supplier, laborer or material men in the course of the Work done under this Agreement. The City of Dallas is not a party to this Agreement, and nothing contained herein shall make it a party. The Owner and the Contractor mutually agree to defend and indemnify the City of Dallas and hold the City of Dallas harmless from any claims, lawsuits or judgments arising from: (1) a failure of the Owner to pay the Contractor in accordance with the terms of this Agreement; (2) failure of the Contractor to pay any subcontractors, suppliers, laborers or material men; (3) any personal injury (including death) or property damage suffered by Owner, Contractor or

11.14 Standard Private Contract.doc

Page 2 of 4

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third parties that arises from or occurs in the course of performance by the parties to this Agreement; and (4) any liens that are placed upon the facilities as a result of the Work under this Agreement.

VII.

Pursuant to Section 49-61 of the Dallas City Code, upon final acceptance of the Work by the City of Dallas, the Owner will turn over to the City, and the City will accept, the facilities as the property of the City of Dallas, free and clear of any liens and encumbrances.

VIII.

This Agreement is performable in Dallas County, Texas, and exclusive venue for any legal action brought under this Agreement shall be located in Dallas County, Texas.

IX.

This Agreement is binding upon the Owner and the Contractor, and their respective successors, assigns, heirs and representatives for the faithful and full performance of the terms and provisions of this Agreement.

EXECUTED this the	day of	, 20
ATTESTED BY:	OWN	ER: DEVELOPMENT LLC
	BY: _	Ting
	PRINTED NAME:	
	TITLE	:/
	ADDRESS:	15660 Daliss N Tolling # 110
		DALUE TK
		(24) 325-7960
ATTESTED BY:	CON	TRACTOR: MOSS UTILITIES U.C.
View of the second	BY: _	no
	PRINTED NAME:	MICHAEL HOUSIN
	TITLE	:W
	ADDRESS:	3300 ROCK ISLAND
		GRAND PRINCIE TX 75060
		(469)69-7610



August 7, 2019

CPG Savannah Development LLC Steve King 15660 Dallas N Tollway #110 Dallas, Texas 75248

Re: 6028 Lewis Street

Water/Wastewater Contract No: 19-473/474-P

Gentlemen:

The construction plans for the referenced contract have been released to the DWU inspection office. Your contractor may commence construction in accordance with the Dallas City Code AFTER:

- 1.) The contractor's Safety Program is on file with DWU Inspection; and
- 2.) A Request For Inspector form has been completed and sent to DWU Inspection; and
- 3.) Three working days notice of intent to start has been provided to DWU Inspection; and
- 4.) A DWU inspector has been assigned to the project, has held the on-site preconstruction meeting and is present on the job site.

Enclosed is the Request For Inspector form. The contractor's 3 sets of approved construction plans will be delivered by the assigned inspector to the job site at the scheduled preconstruction meeting.

The on-site preconstruction meeting will be coordinated by the assigned DWU inspector and your utility contractor. If you would like to attend this meeting, please coordinate with your utility contractor.

Per Dallas City Code, after completion of the utility construction you must send us an affidavit that you have paid your water and wastewater contractor in full; our fax number is 214-948-4211. The payment affidavit must be provided before the Water Department will accept the construction.

Assistant Director c: Utility Contractor

Engineering Services 320 E. Jefferson, Room 200 Dallas, Texas 75203 214 / 948-4205



August 7, 2019

CPG Savannah Development LLC Steve King 15660 Dallas N Tollway #110 Dallas, Texas 75248

Re: 6028 Lewis Street Contract No: 19-473/474-P

Gentlemen:

Below is an estimated breakdown of payments to the developer for mains to be constructed and fees due the City on the referenced contract.

PAYMENTS TO DEVELOPERS FEES DUE TO CITY
Payments at completion Acreage Fees

Water: \$10,496.00 Water: \$0.00 Sewer \$0.00 Sewer: \$0.00 Misc. Charges: \$0.00

Payments On Connection Basis 20 Year Limitation

Water: \$0.00 Sewer: \$0.00

Total Pay: \$10,496.00 Total Fees: \$0.00

Net Pay to Dev: \$10,496.00 Net Due to City: \$0.00

Payments will be adjusted based on actual construction quantities upon acceptance of construction by the City. Payments on a connection basis must be requested by you in writing on a semi-annual basis. For each connection, you must provide the street address and lot and block number.

In order to receive the payments listed above, you must:
1) register as a vendor at https://dallascityhall.bonfirehub.com/login and then
2) look up your vendor ID at https://vendors.dallascityhall.com
For vendor support questions contact CODVendorRegistrations@dallascityhall.com

Please email the Vendor ID to michael.fay@dallascityhall.com. If you have any questions, please call Michael Fay, Contract Coordinator, at 214-948-4591.

Lloyd Denman, P.F Assistant Director

19219F

Sustainable Development and Construction Department

Engineering Services 320 E. Jefferson, Room 200 Dallas, Texas 75203 214 / 948-4205

Memorandum



DATE August 7, 2019

TO Jiroko Rosales
Economic Development - 5/C/S

SUBJECT Dallas Water Utilities Participation With CPG Savannah Development LLC For 6028 Lewis Street 19-473/474-P

As per City Code, the Dallas Water Utilities will be participating with the developer in the construction of water and wastewater mains for the subject project. This notice is being sent to you to alert you of our participation. Below is a breakdown of the estimated participation by Dallas Water Utilities.

PAYMENTS	TO DEVELOPERS	DUE TO CITY	
Payments at c	ompletion	Acreage Fees	
Water:	\$10,496.00	Water:	\$0.00
Sewer	\$0.00	Sewer:	\$0.00
		Misc. Charges:	\$0.00
Payments On	Connection Basis 20 Year Limitation		
Water:	\$0.00		
Sewer:	\$0.00		
Total Pay:	\$10,496.00	Total Fees:	\$0.00

The contract value of this project is \$47.034.00 If you have any questions please call me at 214-948-4591.

Michael Fay
Sustainable Developme

Sustainable Development and Construction

c: File

Inspection Supervisor: Jaime Arpero

Private Contract No: 19-473/474-P

Project:

6028 Lewis Street

Mapsco:

36-X

Council District:

14

Plan Number

Sheet Number

411Q-3028

58

CPG Savannah Development LLC

Developer:

Steve King

15660 Dallas N Tollway #110

Dallas, Texas 75248

Developers Contact:

Steve King 972-248-2147

M

Moss Utilities, LLC

Contractor:

Michael Holleman

469-569-7610

3300 Rock Island Road

Irving, Texas 75060

Surety:

The Guarantee Co of North America USA

Surety Attorney:

William D. Birdsong

Resident Agent:

Pitts Birdsong Bonds & Associates

12770 Coit Road, Suite 1220

Dallas, Texas 75251

Insurance Expiration:

6/21/2019

There are refundable mains on this contract: please provide as-built quantities for offsite/oversize mains.

There are no net fees due to the City on this project

Plans Released:

8/7/2019

Lloyd Denman, P.E., Assistant Director

c:

DWU Inspection

Fire Department

Water Distribution Contractor WW Collection - TV Investigation WW Collection - Operations Support

DDS Contract File

Mapping Capital Services

Meter Repair/Test

Pressure Testing Chlorination

Sheet DISPOSITION OF ASSETS MASS PROPERTY FILE NO. 411Q-3028 sh 58 Contract No. 19-473/474-P

1 of

Forward Completed Form To: Water Dept. 1500 Marilla 5AN

Target T									
1979 and Pre-1979 Date		>>>>	DESI	GN	INSPE				
Contract of Work Order# Estimate Actual the Retirement F.A. Number Amount Dre-1940 92 The Properties of Pre-1940 Pre-194	Description of Asset Baing Batical		Pre-1979 Date		Retired	Contract# or Work	Accol	unting Use Only	
pre-1940	Description of Asset Defined	Contract or Work Order #	Work Order #		Actual	Order# that Performed the Retirement	F.A. Number	Amount	Function
pre-1940									
pre-1940									
	6" Water		pre-1940	92					
			I.						

Preparer Signature

Inspector Signature

Accounting Staff Signature

Date

Jaime Arpero

19-473/474-P

6028 Lewis

411Q-3028 sh 58

Offsite 8" Water main in Lewis St from W Plat Line to 8" at Mecca (replace 6")

		Estimated		E	Eval Cost					
Item Nc Item Desc.		Quantity	Units	p	er 27355	EC Total		ι	Jnit Bid	Total Bid
180C	8" Water	92	LF	\$	43.00	\$	3,956.00	\$	110.00	\$ 10,120.00
510C	8" Valve	1	EA	\$	1,200.00	\$	1,200.00	\$	-	\$ -
508A	Reconnect Ex Service	2	EA	\$	1,170.00	\$	2,340.00	\$1	,500.00	\$ 3,000.00
765A	Asph. Pav.	30	SY	\$	100.00	\$	3,000.00	\$	108.00	\$ 3,240.00
	Pay on Completion Offsit	e Water Mains	3:			\$	10,496.00			\$ 16,360.00

30% of Contract:

\$ 47,034.00 x 0.3= \$ 14,110.20

Maximum amount allowed by City Code



Staff Use - Project No.

WATER/WASTEWATER ENGINEERING APPLICATION FOR REVIEW OF WATER & WASTEWATER DESIGN PLANS

	· · · · · · · · · · · · · · · · · · ·
1.:	Name of Project: 6078 Lewis Street
2.	Project Description: 5-unit townhours on each lot
3.	Project Location (w/Lot & Blk): Lot 1 + 24 Rlock A/1877 DCAD Mapsco No. 36-X
4.	Engineering Firm: Claywoose Engineering
	Mailing Address: 1963 Central Drive, Suite 406
	City: Rolford State: TX Zip: 76021 Telephone: (817) - 281-0572
	Contact Person: Matt Moore Email: Matte Chymooreens.com
5.	Engineering Firm's printing company to be notified for the pick-up, printing, & delivery of plans after
	design acceptance. (if not located in the metroplex, you should make arrangements with local printer)
	Name: Digital Print Solutions
	Mailing Address: 2410 Minn: 5 D. Telephone: (817) - 616-0290
6.	Owner/Developer: Savanah Developers
	Mailing Address: 15660 N Dallos Parkway
	City: Dallas State: TX Zip: 75248 Telephone: (977) 248 - 2147
	Contact Person: Steve King Email (Reg'd): Steve & Savanahdevelopurs.com
7.	Has the water/wastewater layout for this project been discussed with staff or Pre-Development? (Y)/ N)
	With whom: Daulie Lan Date: October 2018
8.	Submittals REQUIRED: (incomplete submittals will be rejected. N/A must have written justification)
	Water/Wastewater Plan(s)/Profile(s) (2 Sets)
	Plat (ex. recorded plat if no proposed plat) - City Plan File Number: $\frac{178-256}{}$
	Plan Review Check List filled out and signed
	Landscape Plan
	Paying, Drainage, AND Grading plans (If submitted to P&D Engineering) (1 copy)
	Review Fee (check one)\$1500, or\$500 if less than 100 LF of pipe
ΔΡ	PLICANT'S SIGNATURE: DATE: 121218
/ N	5/12/

Sustainable Development and Construction 320 E. Jefferson Blvd., Room 200 Dallas, TX 75203 Ph: (214) 948-4607

Ver. 12/17



CITY OF DALLAS

WATER/WASTEWATER ENGINEERING DESIGN CHECKLIST

Project Name: 6028 Lewis Street MAPSCO#: 36-X
Date: 12/12/18 Plat #: 5 178-256
REFERENCE
DFT - Drafting Standards for Water / Wastewater Pipeline Projects
MNL - Water & Wastewater Procedures & Design Manual
SDC - Development Design Procedure and Design Manual
DWG - Standard Drawings for Water & Wastewater Construction
Design & Construction Standards may be found online at www.DallasCityHall.com > Departments > Sustainable
Development and Construction> Engineering> Engineering/Survey Forms, Procedures and Checklists
GENERAL Application for Review of Water/Wastewater Design Plans (SDC Form 11.38) (1st submittal only).
Plans and profile are clear and easy to read (1"=6' Vertical scale for profile).
Title block: Signature Block:
REVISIONS REV. NO. DATE DESCRIPTION BY CONSULTING ENGINEERING FIRM TRADE FIRM REC. NO. SD&C PID: XXXX CITY FILE NO.: SXXXX-XXX Engineering Firm: [Name of Engineering Firm & TBPE Registration Number] Design By: [Printed Name] Date:
PROJECT TITLE LOCATION LIMITS Accepted for: Date:
DALLAS WATER UTILITIES CITY OF DALLAS, TEXAS Contract No:
DRAWN DATE FILE NUMBER SHEET CONTRACTOR
City File Number: SXXX-XXX (To Match Most Current Effective Plat).
SDC signature line of Signature Bloc has sufficient space for our signature.
Preliminary Disclaimer Block (DFT 3-8), OR seal & signature, AND TBPE Firm Registration Number
Correct Scale, MAPSCO pages, and Location Map (in upper right corner of plans).
As-built water and wastewater map numbers are labeled on plans (Referenced from GIS or Water Vault
320 E Jefferson Room 215).
Two Benchmarks per design sheet (One benchmark must be an approved DWU benchmark) (DFT 3-9).
North arrow, Caution notes (including Texas one Call 1-800-245-4545).
General Notes labeled on plans per SDC Form (Residential or Commercial).
Property and Easement alignments and bearing & distance shown on Plat must match the design plans
BOW width and owner information labeled.
Vabel Lot and Block Numbers, Lot dimensions, Street names.
Existing utilities in area (gas, electric, cable, etc.) must be labeled and be dimensioned to PL or easement.
Existing pavement material is labeled for all streets.

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Total proposed number of laterals & deadheads are labeled in design plan and in the General Notes.
       Proposed mains extend 5-feet past paving limits for future stub connections.
       Pavement saw-cuts should be clearly labeled and must comply with PW&T Manual.
        Mains and easements are aligned so that on-street and on-site parking spaces do not encroach.
        Existing and proposed grades and ground lines are shown and labeled in profile.
       Label (FB, 4110, 685W, 4210), install date, material, size, and direction of flow for all ex. city utilities.
        Stationing, ties to ROW/centerline, and/or Northing/Easting callouts.
       Mains are no closer than 3 feet from the edge of ROW without an easement.
        Minimum 20' spacing from building footprint to water; 10' for wastewater main.
       Sections of parallel mains and large utilities are shown in profile with distance in feet right or left of
        proposed pipe in profile.
        Stations at PI, PC, and PT of proposed water mains and curve data labeled.
    Min. easement width for 8"-12" main up to 8' depth is 20' (MNL 1.8.3).
        Proposed off-site mains on private property or proposed on-site mains on a lot that is not being platted
        require easements to be dedicated by separate instrument. **NOTE: failure to start the process
        immediately may result in the delay of your project schedule. Notify your developer/surveyor
        immediately. It is the developer's responsibility to manage the project's schedule and plan accordingly.
        Minimum Vertical Clearance for buildings over mains is 25' (MNL 1.8.4).
    [] Identify any potential environmental issues including possible soil or groundwater contamination and
        refer to DWU Soil Manual (MNL 1.9.3).
       Are improvements proposed in TXDOT ROW? (MNL 1.14.3);
            ☐ TxDOT Permit number shown on plans (Coordinated by SDC Staff);
            No mains running parallel and under existing or proposed TxDOT pavement;
            ☐ Mains under TxDOT pavement should cross at 90 degrees (if possible) and be encased;
            No appurtenances in TxDOT Pavement.
DART Permit number is shown on plans (Coordinated by SDC Staff) Railroad Crossing shown on plans.
    Proposed building footprint is shown without interior walls.
    Finished floor elevations and proposed flow (GPM) are labeled for each building.
NA 

100-year flood limits are shown and labeled on plans.
    Pavement Markings are not shown on Water / Wastewater Plans.
    For new mains, all existing water services & wastewater laterals must be re-connected and called out.
        Water services & wastewater laterals must be at least 1 pipe size smaller than main (MNL 2.4.3 & 4.4.3).
        No trees within 10' of water/wastewater mains and no trees within water / wastewater easements.
       Proposed public Water/Wastewater improvements are illustrated with a BOLD line weight and follow
        DWU drafting standards. Design is the primary focus and should clearly stand out on the page.
       Replace mains if pipe is over 40 years old, sub-standard in size or condition (MNL 2.3 & 4.3).
    If paving over mains, replace pipe if over 40 years-old, sub-standard in size or condition (MNL 2.3 & 4.3)
 WATER
        Buildings more than 120 feet in height require redundant fire flow from two separate mains per DFR
        amendment to 2015 I.F.C. Coordinate with Dallas Fire & Rescue, Room 204.
        Water taps over 16" are not allowed (MNL 2.4.1).
       "Connect to" and "Install" notes are used in labels for water design callouts.
    ≤ 2" Meter Callouts:
                                        INSTALL:
    Example
                                         1-2" DEADHEAD (IRR.) "a"
```

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Revised 1/18 Page 2 of 4

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> 2" Meter Callouts:
                                    INSTALL:
Example
                                    1-8"X4" TEE, 1-4" VALVE, 1-4" PLUG @ 5' FLOWLINE DEPTH.
                                    IN SEPARATE CLOUD:
                                     "NOT THIS CONTRACT"
                                     4" (DOM) METER AND VAULT BY SEPARATE PERMIT.
                                    CONTACT PERMITS AT 320 E. JEFFERSON, ROOM 118
                                     214-948-4500, MON, - FRI, 8:00A - 4:30P
    Proposed main is not closer than 3 feet from existing main (when running parallel).
   Verify that water connections do not cross pressure zones (MNL 2.2.4).
   Minimum water main size is 8" (12" required in CBD & Industrial Areas) (MNL 2.4.4).
   10", 14", and 18" diameter water mains are not allowed, upsize accordingly (MNL 2.4.4).
   Min cover for mains 12" & smaller: Paved w/ curb & gutter 4-feet, otherwise 6-feet (MNL 2.5.2).
    Verify Pipe material & Embedment per table 2.6.3 (special if in CBD or Airport) (MNL 2.6.3).
           ☐ Offsite water without pavement requires "B5" or "modified flowable" embedment
   Verify minimum allowable curve radius for water pipes & label on plans (MNL 2.8.2).
   Water/WW separation: (Horiz 9') preferred or (Horiz 4' / 2' Vertical) (MNL 2.10).
No FH within 9' of WW (includes reclaim water) (30TAC290.44(e)(6) / MNL 2.10.6).
  Crossing utilities need to be shown and elevations labeled at the crossing.
Correct TCEQ protection is referenced at required WW / water crossings.
  Reducer must be on "through" side of a tee connection only (not on branch) (MNL 2.11.1.2).
4-way Cross-type intersecting connections are not allowed; must use 2 tees or Type D (MNL 2.11.1.4.2).
  Gate valves are used for 16" diameter main & smaller (MNL 3.2.1).
Valves should be located at an offset from the street centerline intersection. Projection of property line
    limits along main alignment.
   A tee must have 2 valves (MNL 3.2.2.3).
   Consult with Dallas Fire & Rescue in Room 210 for all fire protection/ hydrant coverage requirements.
   FH required prior to cul-de-sac and dead end mains for 8" main (if 6" use a flush valve) (MNL 2.12.1).
   Dead end main with FH and no services must be less than 100' in length or loop the main to avoid
    stagnant water in dead end main. (Only 1 FH allowed on a dead end main) (MNL 3.3.3).
   Main serving FH must be 8" min. & lead to FH must be 6" diameter (MNL 3.3.1).
   Bollards in traffic areas for vertical facilities (i.e. FH) (DWG 237).
   Only one FH is out of service when a 3-valve section is shut down.
   Fire hydrants should be placed outside of radius of curb.
   Fire hydrants shall be within 2.5'-7.5' of back of curb.
   Must replace FH if over 2-years old and provide callout on plans to "Ex. Fire Hydrant shall be removed,
   salved, and delivered to 2901 Municipal St., Mon - Fri 8a - 4p. Coordinate with DWU - Heavy Repairs
   214-670-8970 or 214-670-8971".
   Minimum of one (1) water service to each lot with no service crossing lot lines (MNL 2.13.1).
   No size on size meters allowed without special approval from DWU Distribution.
   Meter locations must be shown on drawing (MNL 2.12.2) PRV information (MNL 3.12).
   Abandoned mains shall be cut and plugged at the main in the street. (MNL 2.14).
                                  Sustainable Development and Construction
                        320 E. Jefferson, Room 200 · Dallas, Texas 75203 · 214/948-4607
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Salvage valves ove	r 24" in size as requested by	, distrib	nution (MNI 3 14 2 2)	
			alves on 8" and 12" mains. (M	INL 3.6.1).
/			multiple services and meters:	
Trimmian Size of a	1" Deadhead	=	2 - 5/8" or 2-3/4"	
	1-1/2" Deadhead	=	2-1" or 4-3/4"	
	2" Deadhead	=	6-3/4" or 4-1"	
WASTEWATER				
Connect to" and "	Construct" notes are used in	labels	for wastewater design callouts	S.
All proposed mains	profiled with flowline elev	ations a	and utility crossing flowlines &	clearance labeled.
Parallel water main	shall be shown and labeled	on WV	W profile with offset distance a	and direction labeled.
Label existing mair	is to be abandoned. Label m	ust inc	lude the year main was built.	
Small diameter was	tewater mains connecting to	o larger	diameter main shall match at	crown.
Main Min. & Max.	pipe slope designed per Tal	ble 4.4.	4 IF full flow conditions (MN	L 4.4.5).
Min. cover for 12"	& smaller: un-paved 6', hig	hway 6	', paved 4' (MNL 4.5.2).	
Werify Pipe Materia	als and Embedment callouts	(MNL	4.6.3).	
Offsite main withou	it pavement cover requires '	"B5" or	"modified flowable" embedn	nent.
Main is only allowed	ed in the high bank of a cree	k (MN	L 4.7.1).	
Main is straight bet	ween manholes (WWMH) a	and pipe	e material may not be changed	between WWMH.
WWMH required a	t all main connections (not	laterals) (MNL 5.2.1).	
Possible future con	nection requires WWMH w	ith stub	-outs.	
Replace brick vault	s and wastewater manholes	with ap	oplicable standard concrete str	ucture.
WWMH spacing 6'	'-15" (500'), 18"-30" (800')	, 36"-4	8" (1000') (MNL 5.2.4).	
Type S Pressure typ	e WWMHs required in 100	yr floo	odplain and/or special flood ar	ea. (DWG 313).
No WWMHs allow	ed in creeks or drainage are	as. (Mì	NL 5.2.7).	
External Drop MHs	required for ≥24" difference	e betw	een any flow in and flow out (MNL 5.2.9).
WWAD at end of n	nain is needed if no future c	onnecti	on is expected (requires 3.5' o	f cover) (MNL 5.4.1)
Each lot must have	a service. Services cannot c	ross lot	t lines (MNL 4.12.1).	
,	minimum horizontal distand allowed on 18" or larger ma		0-feet downstream of water ser NL 4.4.1 & 4.11).	vice (MNL 4.12.2).
WW Lateral sizing	per (MNL 4.12.3); have 2%	6 slope	(1% min.) and 2' cover min. (MNL 4.12.4).
			(Multi-Fam) must be labeled	
Building finished fl	oor elevation must be ≥ 18"	above	Controlling WWMH rim elev-	ation or provide a
recorded Covenant	Agreement for Backflow p	rotectio	on (Forms 11.10 and 11.26). *	*NOTE: failure to
-		-	f your project schedule. It is t	he developer's
responsibility to ma	mage the project's schedule	and pla	an accordingly.	
I. the undersigned, am th	e legal Engineer of Record	d for th	nis project and <u>certify</u> that I l	have read.
,			h in this checklist is not inclu	
standards; and have desi	gned the submitted engine	ering [plans in accordance to ALL (City requirements.
Treal Helmbyer,	* . \ \			1-10
				12/14/10
Printed Name	Signature			Date
	CI		Ne Comment	
TBPE Registered Engine	ering Firm Name: 🔟	ywoo	- the new	

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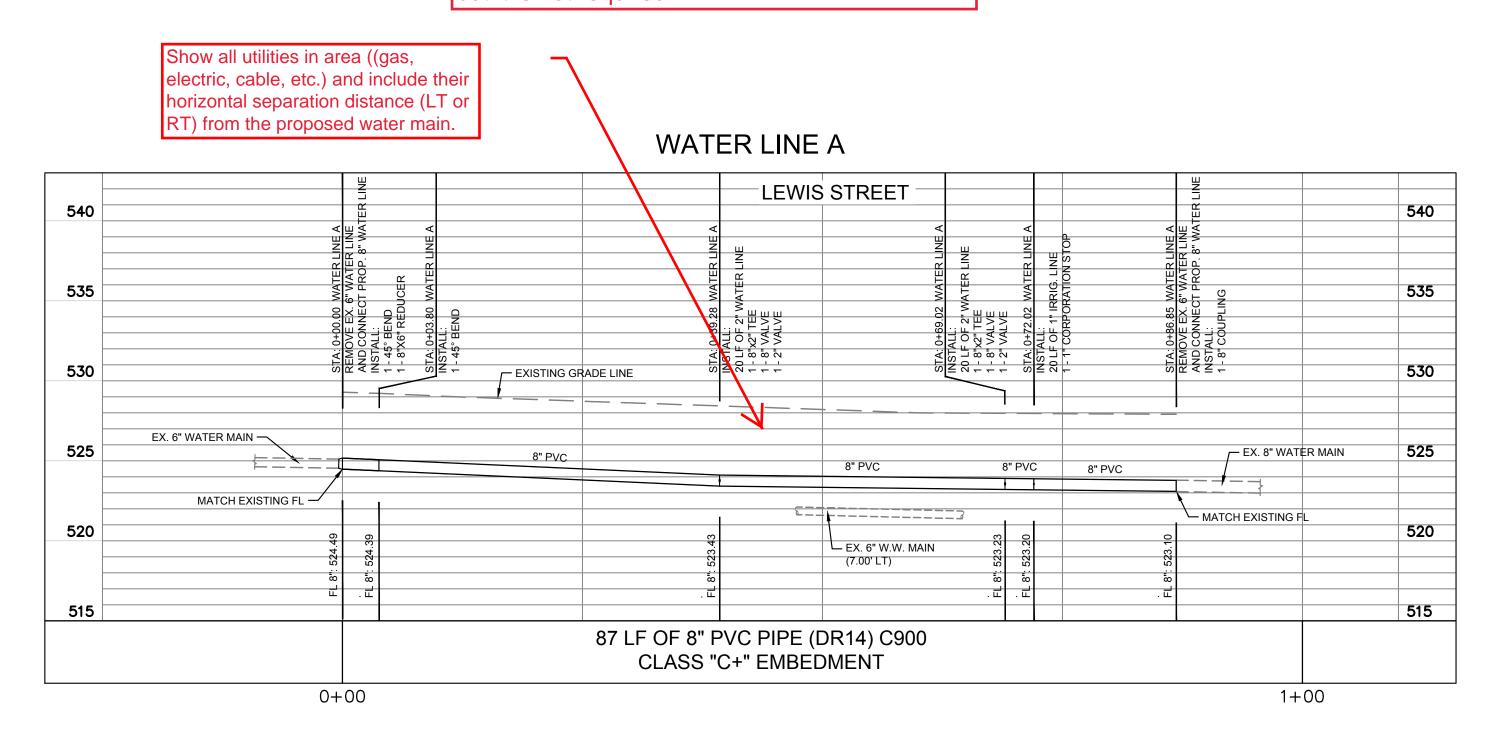
A City Utility Providing Regional Water and Wastewater Services Vital to Public Health and Safety,

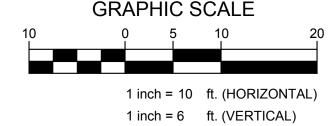
Revised 1/18 Page 4 of 4

NO need to luplicate notes f included in W VW plan.

Sheet has been removed

***Water main profiles are only required for 12" or larger. You are welcome to keep the profile but it is not required.





BENCHMARKS:

- 1. CITY OF DALLAS BENCHMARK: 36-X-3, LA VISTA DRIVE-MECCA STREET, A SQUARE IS CUT ON CONCRETE CURB AT MIDPOINT ON THE SOUTHWEST CORNER OF THE INTERSECTION. ELEVATION = 530.50
- 2. ONSITE BENCHMARK: 3/4" PIPE FND AT THE NORTHWEST CORNER OF THE PROPERTY. ELEVATION = 529.52

PROPOSED WW FLOW

BUILDING 2 480 GPM

GENERAL NOTES - COMMERCIAL DEVELOPMENT:

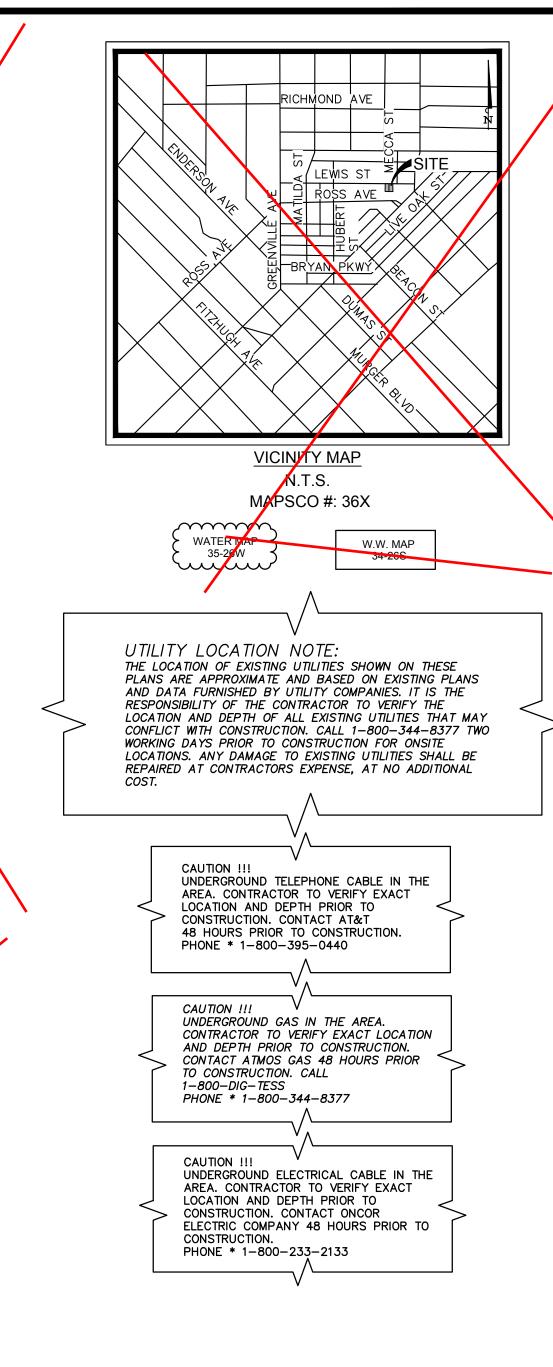
ALL WATER MAINS SHALL BE AWWA C900 (DR-14) PVC WITH POLY WRAP AND FULL BODY FITTINGS UNLESS NOTED OTHERWISE WATER AND WASTEWATER EASEMENTS SHALL ALSO INCLUDE ADDITIONAL AREA OF

WORKING SPACE FOR CONSTRUCTION AND MAINTENANCE OF SYSTEM.

- ALL WATER DEADHEADS SHALL BE TYPE-K COPPER, INSTALLED PER DWU STANDARD DRAWINGS, AND LOCATED NO LESS THAN 2 FT BEYOND PROPOSED CURB OR AS SHOWN, AND REFERENCED AS FOLLOWS: "A" 1-2" (DOM & FIRE), "B" 1-2" (DOM & FIRE), "C" = 1-1" (IRR), TOTAL: 2-2", 1-1". WATER METERS/SERVICES SHALL NOT BE INSTALLED IN DRIVEWAYS. WATER METER CANS AND METERS SHALL BE INSTALLED BY
- SEPARATE PERMIT, ALONG WITH THE CONNECTION TO PRIVATE PLUMBING.
 ALL WASTEWATER LA TERALS SHALL END AT THE EASEMENT OR PROPERTY LINE UNLESS OTHERWISE NOTED ON PLANS. SIZED AND REFERENCED AS FOLLOWS: "P" = 1-6" LAT 'Q" = 1-6" LAT, TOTAL: 2-6". LATERAL CLEANOUT SHALL BE INSTALLED BY PERMIT ALONG WITH THE CONNECTION TO PRIVATE PLUMBING.
- ALL 8" THROUGH 15" PVC WASTEWATER MAINS SHALL BE ASTM 3034 (SDR-35), UNLESS NOTED OTHERWISE. ALL WASTEWATER LATERALS SHALL BE ASTM 3034 (SDR-39), UNLESS NOTED OTHERWISE.
- THE MAXIMUM TRENCH WIDTH IS 32" FOR ALL PIPES DIAMETERS EQUAL TO OR SMALLER
- THAN 12". THE CERTIFICATE OF ACCEPTANCE (COA) WILL NOT BE ISSUED UNTIL ALL OF THE FOLLOWING ITEMS HAVE BEEN COMPLETED:
- ALL WATER AND WASTEWATER APPURTENANCES HAVE BEEN ADJUSTED TO THEIR FINAL POSITION AND A FINAL INSPECTION FOR THE P-CONTRACT HAS BEEN SUCCESSFULLY COMPLETED AND;
- THE FINAL PLAT HAS BEEN FILED WITH THE COUNTY (IF APPLICABLE) AND MATCHES THE DESIGN PLANS AND;
- ALL FEES OWED TO THE CITY HAVE BEEN PAID AND; A PAY AFFIDAVIT SENT TO PRIVATE DEVELOPMENT STATING THAT THE CONTRACTOR HAS BEEN PAID IN FULL.
- FIRE HYDRANTS SHALL BE CONSTRUCTED PER THE CU
- EMBEDMENT FOR WATER MAINS SHALL BE PER THE CVICRENT DWU STANDARD DRAWINGS 10. WATER MAINS SIZED 12" AND UNDER SHALL BE A MIN MUN OF 4-FT UNDER IMPROVED
- SURFACES AND 6-FT UNDER UNIMPROVED SURFACES. STREET AND ALLEY CUTS WILL FOLLOW THE LATEST EDITION OF CITY OF DALLAS DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION "PANEMENT CUT AND REPAIR STANDARDS MANUAL". ALL WATER AND WASTF WATER SERVICE CUTS IN PAVEMENT SHALL HAVE THE DITCH LINE FILLED TO PAVEMENT FASE LINE WITH LOW STRENGTH FAST FIX FLOWABLE FILL.
- 12. CONSTRUCTION SPECIFICATIONS AND APPURTENANCES WILL BE COVERED BY THE CURRENT EDITIONS OF THE FOLLOWING MANUALS: DALLAS WATER UTILITIES "STANDARD DRAWINGS FOR WATER AND WASTEWATER CONSTRUCTION", "STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION STANDARDS", THE "CITY OF DALLAS ADDENDUM TO THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS PUBLIC WORKS CONSTRUCTION STANDARDS".
- 3. CONTRACTOR WILL REMOVE EXISTING WATER METERS NOT USED FOR PROPOSED DEVELOPMENT. REMOVE METERS AND METER LIDS IN A WAY AS TO NOT DAMAGE THE METER NOR LID AND DELIVER ALVAGED METERS TO 2861 MUNICIPAL STREET. CONTACT
- ALEX LAND (214-670-8213) 48 HOURS PRIOR TO METER DELIVERY. CONTRACTOR SHALL KILL EXISTING DEADHEAD SERVICE FOR REMOVED METERS AT THE MAIN LINE. 4. THE CITY OF DALLAS TRANSPORTATION TRAFFIC SAFETY ENGINEERING WILL APPROVI AND/OR DETERMINE THE TRAFFIC CONTROL PLAN AND WORKING HOURS. CONTACT BETH ADAMS AT 214- 670-5896 (EAST), GARY HUGHES
- AT 214-670-5662 (NORTHWEST), ERVIN "ROWDY" HORN AT 214-670-1390 (SOUTHWEST). 5. CONTRACTOR MÀY ØNLY LAY PIPE WHEN TEMPERATURE IS 36 DEGREÈS F AND RISIŃG. AN SPECIAL METHODOLOGY OR PROCEDURES FOR LAYING PIPE AT LESS THAN 36 DEGREES REQUIRES THE APPROVAL OF DWU PIPELINE INSPECTION SUPERINTENDENT.
- 16. LOW-STRENGT FLOWABLE FILL SHALL BE USED AS BACKFLOW MATERIAL AROUND NEW MANHOLES LOCATED WITHIN EXISTING OR NEW PAVEMENT. 7. ALL NEW MANHOLES OR EXISTING MANHOLES AFFECTED BY CONSTRUCTION OF THIS CONTRACT SHALL HAVE THE INTERIOR COATED WITH RAVEN 405 OR APPROVED EQUAL. COATING MUST BE APPLIED BY CERTIFIED APPLICATOR. SPRAY, BRUSH, OR ROLLER APPLICATION TO A MINIMUM OF 200 MIL THICKNESS.

NOTES ON ALL INFRASTRUCTURE PLANS

- ALL MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION FOR NORTH CENTRAL TEXAS, LATEST EDITION, AND THE CITY OF DALLAS DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION ADDENDUM.
- DURING THE CONSTRUCTION OF THESE IMPROVEMENTS, ANY INTERPRETATION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION FOR NORTH CENTRAL TEXAS, AND ANY MATTER WHICH REQUIRES THE APPROVAL OF THE OWNER MUST BE APPROVED BY THE DIRECTOR OF PUBLIC WORKS AND TRANSPORTATION OF HIS DESIGNEE BEFORE ANY CONSTRUCTION INVOLVING THAT DECISION COMMENCES. ASSUMPTIONS ABOUT WHAT THESE DECISIONS MINHT BE WHICH ARE MADE DURING THE BIDDING PHASE WILL HAVE NO BEARING ON THE DECISION.
- FOR ADJUSTMENT OF DALLAS WATER UTILITIES APPURTENANCES OR TO VERIFY LOCATIONS OF EXISTING WATER AND WASTEWATER MAINS IN AREA, CALL (214) 670-1770 AT LEAST (3) THREE WORKING DAYS PRIOR N CONSTRUCTION.
- STREETS, ALLEYS, SIDEWALKS, DRIVEWAYS, AND STORM DRAINAGE FACILITIES IN THE PUBLIC RIGHT-OF-WAY SHALL BE CONSTRUCTED IN CONFORMANCE WITH THE CITY OF DALLAS, STANDARD CONSTRUCTION DETAILS, FILE 251D-1, LATEST EDITION.
- ALL CONCRETE FOR PAVEMENT SHALL BE 4000 PSI FOR MACHINE FINISH AND 4500 PSIJE IT IS NECESSARY FOR HAND FINISH.



SIGNATURE BLOCK:



Engineering Firm: CLAYMOORE ENGINEERING, TEXAS REGISTRATION #14199

Date: 12/12/2018 Design By:_ MATT MOORE Engineer of Record Accepted for: Date: Construction Sustainable Development & Construction

Contract No.: Date:

Contractor.:

NOTE: ANY AFFECTED EXISTING SERVICES MUST BE MAINTAINED AND RECONNECTED.

CLAYMOORE ENGINEERING

REV. NO. DATE

CITY FILE NO.: S 178-25 SAVANNAH DEVELOPERS

REVISIONS.

DESCRIPTION

6028 LEWIS STREET, DALLAS, TX LOT 1&2, BLOCK A/1 TBD. Will be DALLAS WATER UTILITIES CITY OF DALLAS, TEXAS

SHEET DESIGNER | DRAWN | DATE | FILE NUMBER 1903 CENTRAL DRIVE, SUITE #406 PHONE: 817.281.0572 WWW.CLAYMOOREENG.COM 12 2018 S178 MBT 256

WW FLOW | WW DFU BUILDING 1 | 480 GPM 135

135

PRELIMINARY FOR REVIEW ONLY Not for construction purposes. **CLAYMOORE ENGINEERING** ENGINEERING AND PLANNING CONSULTANT Engineer MATT MOORE _{P.E. No.} 95813 _{Date} 12/12/2018

BY

TEXAS REGISTRATION #14199

Jared Helmberger

From:

Jared Helmberger

Sent: To: Thursday, January 10, 2019 3:06 PM 'sue.inurrigarro@atmostenergy.com'

Subject:

Facility Request - 6028 Lewis Street, Dallas, TX

Attachments:

C-05.00 DIMENSION CONTROL AND PAVING PLAN.pdf

Sue -

We have a new project in Dallas; located at 6028 Lewis Street.

Could you help provide us information on what facilities Atmos may have in the area? I've attached a site plan for your reference.

Thanks,

Jared H.

Jared Helmberger, PE

ClayMoore Engineering 1903 Central Drive, Suite #406 Bedford, Texas 76021

Office: 817-281-0572 Direct: 817-458-4707

Jared Helmberger

From: Jared Helmberger

Sent: Thursday, January 10, 2019 3:44 PM

To: 'fc2913@att.com'

Subject: Facility Request - 6028 Lewis St, Dallas, TX

Attachments: C-05.00 DIMENSION CONTROL AND PAVING PLAN.pdf

Fred -

We have a new project in Dallas; located at 6028 Lewis Street.

Could you help provide us information on what facilities Att may have in the area? I've attached a site plan for your reference.

Thanks,

Jared H.

Jared Helmberger, PE

ClayMoore Engineering 1903 Central Drive, Suite #406 Bedford, Texas 76021

Office: 817-281-0572 Direct: 817-458-4707

Jared Helmberger

From:

Jared Helmberger

Sent:

Thursday, January 10, 2019 3:45 PM

To:

'cathy.gaona2@oncor.com'

Subject:

Facility Request - 6028 Lewis Street, Dallas, TX

Attachments:

C-05.00 DIMENSION CONTROL AND PAVING PLAN.pdf

Cathy

We have a new project in Dallas; located at 6028 Lewis Street.

Could you help provide us information on what facilities Oncor may have in the area? I've attached a site plan for your reference.

Thanks,

Jared H.

Jared Helmberger, PE

ClayMoore Engineering 1903 Central Drive, Suite #406 Bedford, Texas 76021

Office: 817-281-0572 Direct: 817-458-4707



TRANSMITTAL

Date:	JANUARY	14, 201	9				Job 1	Number:	201	8-132	
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CITY OF DALLAS FIRE COORDINATION CERTIFICATE

Fire hydrant coverage/placement for subdivisions and new development /construction is an integral part of the design for water and wastewater systems and services. Cursory review of the fire hydrant design by SD&C Water & Wastewater Engineering only focuses on appurtenance requirements (valves/service leads) and not fire protection requirements. It is important and required that the consulting engineer/architect or owner/developer coordinate the water plans and building plans with Building Inspection (BI) or in some cases with the Dallas Fire-Rescue(DF-R) Dept. to ensure that the development is in compliance with the fire codes regarding fire hydrant coverage. It is the responsibility of the consultant/developer that existing fire hydrants are correctly shown and to insure that the development complies with the building/fire codes as to the number, accessibility and location of any new fire hydrants that are needed.

Fire prevention coordination shall be completed <u>prior to the second submittal</u> to W/WW Engineering Section. The Fire Prevention Coordinator (320 E. Jefferson, Room 210, Dallas, Texas 75203, (469-323-5980) may be used as a resource for guidance, but is not required for the completion of this certification. Please include Architectural/Civil site plans and the attached checklist if coordinating with DF-R is elected.

THE CONSULTANT ENGINEER, ARCHITECT, OR OWNER CONDUCTING THIS COORDINATION SHALL SIGN THIS CERTIFICATE.

THIS IS TO CERTIFY THAT I HAVE COORDINATED FIRE PROTECTION REQUIREMENTS WITH THE DALLAS FIRE-RESCUE REPRESENTATIVE: Except for signature please print						
Project Name	6028 LEWIS STREET TOWNHOMES	S				
Consulting Engineer CLAYMOORE ENGINEERING						
Architect/Owner/Other	SAVANNAH DEVELOPERS					
Name of Firm	N/A					
Signature	Mttell	Date	01/10/19			

Please complete and return this form to:

Sustainable Development and Construction - Water Engineering Section 320 E Jefferson Blvd., Room 200, Dallas, Texas 75203

Attn (Plan Reviewer):							
FOR CITY SDC STAFF USE ONLY:							
Water Engineering Staff Notes	Project Number	Date Recv'd					
	8473	1.15.19					
Su	stainable Development and Cons	struction					

320 E. Jefferson, Room 200 · Dallas, Texas 75203 · 214-948-4205 · Fax 214-948-4211

A City Utility Providing Regional Water and Wastewater Services Vital to Public Health and Safety.

Fire Coordination Certificate.doc

Page 1 of 2 Revised 10-18



CITY OF DALLAS FIRE COORDINATION CERTIFICATE

In order to properly process the project coordination, the following information must be provided:

1.	Permit or Trace Number if assigned: 8473
	Street address or lot and block number: 6028 LEWIS STREET
	Plat number if assigned: S-178-256
4.	Proposed type of construction: ALL COMBUSTIBLE COMBINATION OTHER
5.	Proposed use of building or structure:
6.	Fire sprinklers provided: √YES □ NO □ PARTIAL □ OTHER
7.	One site plan showing the minimum information:
	A: Plans must be drawn to scale and/or be dimensioned.
	B: Show and identify all existing and proposed structures to be considered for coordination relative to location on defined site and associated setbacks.
	Show and identify all existing and proposed fire hydrants, fire lanes, fire dept. connections and other associated utilities.
	D: Show and identify all existing and proposed building area separation walls and retaining walls/fences.
	E: Show and identify all existing and proposed building square

Sustainable Development and Construction
320 E. Jefferson, Room 200 · Dallas, Texas 75203 · 214-948-4205 · Fax 214-948-4211

A City Utility Providing Regional Water and Wastewater Services Vital to Public Health and Safety.