



**CITY PLAN COMMISSION MEETING
1ST FLOOR CITY COUNCIL CHAMBERS
FEBRUARY 13, 2014
1:30P.M.**

MINUTES

The City Plan Commission met at the above place and date.

The meeting was called to order at 1:30 p.m. Commissioner Wright present and presiding and the following Commissioners answered roll call.

COMMISSIONERS PRESENT:

Commissioner Loweree
Commissioner Grambling
Commissioner Erickson
Commissioner Wright
Commissioner Amoriello
Commissioner Ardovino
Commissioner Madrid

COMMISSIONERS ABSENT:

Commissioner Brannon
Commissioner Schauer

AGENDA

Commissioner Amoriello read the rules into the record. David Coronado, City Development Manager, read the revisions to the agenda into the record.

***ACTION:** Motion made by Commissioner Ardovino, seconded by Commissioner Amoriello, and unanimously carried to **APPROVE** the agenda as amended.

AYES: Commissioner Loweree, Grambling, Erickson, Wright, Amoriello, Ardovino, and Madrid

NAYS:

ABSENT: Commissioner Brannon, and Schauer

Motion passed.

I. CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Plan Commission on any items that are not on the City Plan Commission Agenda and that are within the jurisdiction of the City Plan Commission. No action shall be taken.

No action was taken.

II. CONSENT AGENDA

There were no items on the Consent Agenda.
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III. REGULAR AGENDA - DISCUSSION AND ACTION:

PUBLIC HEARING Rezoning Applications:

1. **PZRZ13-00012:** Lots 3 and 4, Block 2, Medano Heights Subdivision, Replat "A", City of El Paso, El Paso County, Texas
Location: North of Medano Drive and East of Desert North Boulevard
Zoning: R-5/c (Residential/conditions)
Request: From R-5/c (Residential/conditions) to S-D/c (Special Development/conditions)
Existing Use: Vacant
Proposed Use: Apartment Complex
Property Owner: The Housing Authority of the City of El Paso
Representative: SLI Engineering, Inc.
District: 1
Staff Contact: Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov

***ACTION:** Motion made by Commissioner Ardivino, seconded by Commissioner Amoriello, and unanimously carried to **HEAR ITEMS 1, 7, AND 9 TOGETHER.**

Motion passed.

Andrew Salloum, Planner, noted that there is a revised staff report for item one. He presented all three items at the same time since all three are related. He noted that staff received six phone calls in opposition to the rezoning request expressing concerns about increase of traffic and depreciation of property value.

He noted that the Planning Division is recommending approval of the condition release request provided that the condition is amended to read as follows: **That the maximum height of any building or structure adjacent to any residential zone district or use be limited to one (1) story.**

George Halloul with SLI Engineering representing the owner concurred with staff's comments.

Commissioner Wright asked if there was anyone in the public who wished to speak in favor or against this request.

Rischer Gilbert, representing the owner/developer of the Red Rock Shopping Center, expressed concern about the access to and from the development and wants to make sure traffic will not be cutting through the shopping center.

Roy Lopez with Investment Builders noted that about 30% to 40% are market rate units and the rest will be affordable housing.

ACTION: Motion made by Commissioner Ardivino, seconded by Commissioner Madrid, and unanimously carried to **APPROVE PZRZ13-00012, PZDS24-00022, AND PZCR13-00005. DELETING CONDITIONS 2 AND 5, AND ADDING THE CONDITION THAT THE MAXIMUM HEIGHT OF ANY BUILDING OR STRUCTURE ADJACENT TO ANY RESIDENTAIL ZONE DISTRICT OR USE BE LIMITED TO ONE (1) STORY.**

Motion passed.

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2. **PZRZ13-00038:** Portion of Lot 1, Block 1, Miramonte Industrial Park Unit 1, Replat "A", City of El Paso, El Paso County, Texas
Location: **East West** of Doniphan & South of Montoya
Zoning: P-I/sc (Planned Industrial/Special contract)
Request: P-I/sc (Planned Industrial/Special contract) to C-3/sc (Commercial/Special contract)
Existing Use: Vacant
Proposed Use: Automobile Storage
Property Owner: RDG-PDI Center, LLC
Representative: CSA Design Group, Inc
District: 1
Staff Contact: Michael McElroy, (915) 212-1612, mcelroyms@elpasotexas.gov

Gerald Edwards with CSA Design Group noted that they are in agreement with the second condition but requested that the first condition be waived.

Commissioner Wright asked if there was anyone in the public who wished to speak in favor or against this request.

Skip Rosenthal expressed concerns about future developments, and property value. He requested that the conditions not be removed.

Carlos Gallinar, Deputy Director for City Development, noted that staff would recommend keeping the conditions on both one and two.

Commissioner Ardovino asked if part of the conditions could be that the commission adopt a pole sign ban on this site.

Karla Nieman, Assistant City Attorney, noted that they would not recommend to place this condition at this time.

ACTION: Motion made by Commissioner Loweree, seconded by Commissioner Madrid and unanimously carried to **APPROVE PZRZ13-00038 WITH THE FOLLOWING CONDITIONS.**

1. **THE FOLLOWING USES SHALL BE PROHIBITED.**
 - a. **CONTRACTOR'S YARD**
 - b. **INDUSTRIAL AND COMMERCIAL EQUIPMENT REPAIR**
 - c. **MATERIAL SALES (BUILDING AND CONSTRUCTION)**
2. **A 10' LANDSCAPE BUFFER WITH TREES EVERY 30' SHALL BE PROVIDED BETWEEN THE PROPERTY AND ABUTTING RESIDENTIAL PROPERTY AND THE MONTOYA CANAL.**

Motion passed.

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3. **PZRZ13-00041:** The South 24 feet of Lot 13, and all of Lots 14, 15, and 16, Block 163, Alexander Addition, an addition to the City of El Paso, El Paso County, Texas
Location: 2208 N. Oregon
Zoning: S-D (Special Development)
Request: S-D (Special Development) to GMU (General Mixed Use)
Existing Use: Bank / Tea House
Proposed Use: Bank / Tea House
Property Owner: Margaret Pon
Representative: Sergio Castillo

District: 1
Staff Contact: Michael McElroy, (915) 212-1612, mcelroyms@elpasotexas.gov

Sergio Castillo concurred with staff's comments.

Commissioner Wright asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

ACTION: Motion made by Commissioner Ardivino, seconded by Commissioner Madrid, and unanimously carried to **APPROVE PZRZ13-00041**.

Motion passed.

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4. **PZRZ13-00044:** Lots 4 thru 10, Block 114, Campbell Addition, City of El Paso, El Paso County, Texas
Location: 501, 503, 505, 511, 513, 515, 517, and 523 S. Campbell Street
Zoning: A-3 (Apartment)
Request: From A-3 (Apartment) to G-MU (General Mixed Use)
Existing Use: Single & Multi-family dwellings
Proposed Use: Commercial and Multi-family Mixed Use
Property Owners: Eduardo & Josefina Soto
Representative: EXIGO
District: 8
Staff Contact: Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov

***ACTION:** Motion made by Commissioner Ardivino, seconded by Commissioner Amoriello, and unanimously carried to **DELETE PZRZ13-00044**.

Motion passed.

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5. **PZRZ13-00046:** Lots 1 and 2, Block 30, Alexander Addition, City of El Paso, El Paso County, Texas
Location: 1401 N. Kansas Street
Zoning: A-2 (Apartment)
Request: From A-2 (Apartment) to S-D (Special Development)
Existing Use: Single-family dwelling
Proposed Use: Office
Property Owner: Terry W. Hammond
Representative: Morris Brown
District: 8
Staff Contact: Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov

Andrew Salloum, Planner, noted that there is a revised staff report for this item. Staff received two phone calls and one letter in opposition to the rezoning request stating that general office use would affect the character of the neighborhood and an increase in traffic. Staff also received a letter in support to this rezoning request.

Terry Hammond, property owner, concurred with staff's comments.

Commissioner Wright asked if there was anyone in the public who wished to speak in favor or against this request.

Martha Berry asked if this rezoning request will affect her property and if the request is only for the property located at 1401 N. Kansas.

Lola Rodriguez expressed concern about parking issues.

Joselyn Guerry asked that if the rezoning request was approved if this would raise her property taxes. She also expressed concern about parking. She requested that the commission not approve the rezoning request.

Carlos Galinar, Deputy Director for City Development, noted that per the Transportation Department, the actual traffic count is 4500 trips per day. He also noted that the commission can impose a condition that any time there is a change in land use, a detailed site plan come back to the commission for review.

ACTION: Motion made by Commissioner Ardivino, seconded by Commissioner Erickson, and carried to **APPROVE PZRZ13-00046 WITH THE CONDITION THAT A DETAILED SITE PLAN COME BACK TO THE COMMISSION FOR REVIEW ANY TIME THERE IS A CHANGE IN LAND USE.**

AYES: Commissioner Loweree, Grambling, Erickson, Wright, Amoriello, and Ardivino

NAYS: Commissioner Madrid

ABSENT: Commissioner Brannon, and Schauer

Motion passed. (6 to 1 vote.)

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Note: Commissioner Amoriello left the meeting during break.

RECESS:

ACTION: Motion made by Commissioner Ardivino, seconded by Commissioner Wright, and unanimously carried to **RECESS THE CITY PLAN COMMISSION MEETING AT 3:25 P.M.**

Motion passed.

RECONVENE:

ACTION: Motion made by Commissioner Ardivino, seconded by Commissioner Erickson, and unanimously carried to **RECONVENE THE CITY PLAN COMMISSION MEETING AT 3:30 P.M.**

Motion passed.

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PUBLIC HEARING Detailed Site Development Plan Applications:

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| 6. | PZDS13-00020: | Portion of Lot 1, Block 2, Crossroads Subdivision Unit 2, City of El Paso, El Paso County, Texas |
| | Location: | 7955 N. Mesa |
| | Zoning: | C-3/sc (Commercial/Special Contract) |
| | Request: | Detailed Site Plan Review |
| | Existing Use: | Vacant Shell Building |
| | Proposed Use: | Credit Union |
| | Property Owner: | Downstream Partners LP |
| | Representative: | Daniel Vasquez |
| | District: | 8 |
| | Staff Contact: | Michael McElroy, (915) 212-1612, mcelroyms@elpasotexas.gov |

Daniel Vasquez with GECU concurred with staff's comments.

Commissioner Wright asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

ACTION: Motion made by Commissioner Ardivino, seconded by Commissioner Erickson, and carried to **APPROVE PZDS13-00020**.

AYES: Commissioner Loweree, Grambling, Erickson, Wright, Ardivino, and Madrid

ABSENT: Commissioner Brannon, and Schauer

NOT PRESENT FOR THE VOTE: Commissioner Amoriello

Motion passed.

7. **PZDS13-00022:** Lots 3 and 4, Block 2, Medano Heights Subdivision, Replat "A", City of El Paso, County of El Paso, Texas
Location: North of Medano Drive and East of Desert North Boulevard
Zoning: R-5/c (Residential/conditions)
Request: Detailed Site Development Plan Review per Special Development District
Existing Use: Vacant
Proposed Use: Apartment Complex
Property Owner: The Housing Authority of The City of El Paso
Representative: SLI Engineering, Inc.
District: 1
Staff Contact: Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov

***ACTION:** Motion made by Commissioner Ardivino, seconded by Commissioner Amoriello, and unanimously carried to **HEAR ITEMS 1, 7, AND 9 TOGETHER**.

Motion passed.

ACTION: Motion made by Commissioner Ardivino, seconded by Commissioner Madrid, and unanimously carried to **APPROVE PZRZ13-00012, PZDS24-00022, AND PZCR13-00005. DELETING CONDITIONS 2 AND 5, AND ADDING THE CONDITION THAT THE MAXIMUM HEIGHT OF ANY BUILDING OR STRUCTURE ADJACENT TO ANY RESIDENTIAL ZONE DISTRICT OR USE BE LIMITED TO ONE (1) STORY.**

Motion passed.

PUBLIC HEARING Special Permit Application:

8. **PZST13-00024:** Lot 3, Singh Addition, City of El Paso, El Paso County, Texas
Location: 9221 Reno
Zoning: R-4 (Residential)
Request: Infill / Lot Area and Lot Width Reduction
Existing Use: Vacant
Proposed Use: Duplex
Property Owner: Chris Alderete
Representative: Juan Alderete
District: 6
Staff Contact: Michael McElroy, (915) 212-1612, mcelroyms@elpasotexas.gov

Michael McElroy, Planner, noted that staff received one email in opposition to this special permit request.

Chris Alderete, property owner, concurred with staff's comments.

Commissioner Wright asked if there was anyone in the public who wished to speak in favor or against this request.

- Teresa Flores who is Spanish speaking was assisted by David Coronado, City Development Program Manager, translating from English to Spanish. She is representing her son Raul Flores. They are opposing a duplex in that area. She has a list of signatures from neighbors who are also opposed to this project. A letter written from Raul Flores opposing this request was shown on the elmo.
- Elizaldo Flores representing his son Raul Flores asked that the commission analyze, review, and consider his son's letter for this case.

ACTION: Motion made by Commissioner Madrid, seconded by Commissioner Loweree, and carried to **APPROVE PZST13-00024.**

AYES: Commissioner Loweree, Grambling, Erickson, Wright, Ardivino, and Madrid

ABSENT: Commissioner Brannon, and Schauer

NOT PRESENT FOR THE VOTE: Commissioner Amoriello

Motion passed.

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PUBLIC HEARING Zoning Condition Release Application:

9. **PZCR13-00005:** Lots 3 and 4, Block 2, Medano Heights Subdivision, Replat "A", City of El Paso, County of El Paso, Texas
- Location: North of Medano Drive and East of Desert North Boulevard
Zoning: R-5/c (Residential/conditions)
Request: Release condition No. 5 in Zoning Condition Ordinance No. 014596, dated August 22, 2000
- Existing Use: Vacant
Proposed Use: Apartment Complex
Property Owner: The Housing Authority of the City of El Paso
Representative: SLI Engineering, Inc.
District: 1
Staff Contact: Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov

***ACTION:** Motion made by Commissioner Ardivino, seconded by Commissioner Amoriello, and unanimously carried to **HEAR ITEMS 1, 7, AND 9 TOGETHER.**

Motion passed.

ACTION: Motion made by Commissioner Ardivino, seconded by Commissioner Madrid, and unanimously carried to **APPROVE PZRZ13-00012, PZDS24-00022, AND PZCR13-00005. DELETING CONDITIONS 2 AND 5, AND ADDING THE CONDITION THAT THE MAXIMUM HEIGHT OF ANY BUILDING OR STRUCTURE ADJACENT TO ANY RESIDENTIAL ZONE DISTRICT OR USE BE LIMITED TO ONE (1) STORY.**

Motion passed.

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Subdivision Applications:

SUBDIVISION MAP APPROVAL:

NOTICE TO THE PUBLIC AND APPLICANTS:

The staff report for an agenda item may include conditions, exceptions, or modifications. The Commission’s motion to approve an item in accordance with the staff report or with all staff comments means that any modifications, waivers, exceptions requested by the applicant and recommended for approval by staff and any staff recommended conditions, have been approved, without necessitating that the Commission restate the modifications, exceptions, waivers, or conditions as part of the motion to approve and that any findings required to be made by the Commission, have been made. If the Commission does not wish to approve an exception or modification, or require a condition, then the Commission’s motion will state which have not been approved, otherwise, the staff report, with all modifications, exceptions and conditions, is approved and the applicant shall comply with all provisions of the staff report.

Major Preliminary:

- 10. **SUSU13-00110:** Pebble Hills Extension – Tract 1C and portion of Tract 1D, Section 39 and portion of Tract 2C, Section 46, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, El Paso County, Texas
 - Location: West of Zaragoza at Pebble Hills
 - Property Owners: River Oaks Properties LTD, Tomly Corporation and Genagra LP
 - Representative: Conde, Inc.
 - District: ETJ
 - Staff Contact: Nelson Ortiz, (915) 212-1606, ortiznx@elpasotexas.gov

***ACTION:** Motion made by Commissioner Ardivino, seconded by Commissioner Amoriello, and unanimously carried to **POSTPONE SUSU13-00110 FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF FEBRUARY 27, 2014.**

Motion passed.

Major Combination:

- 11. **SUSU13-00120:** Sombras Del Sol Unit Seven – A portion of Tract 1A5, Section 45, Block 79, Township 2, Texas and Pacific Railroad Surveys, City of El Paso, El Paso County, Texas
 - Location: East of Joe Battle and North of Pebble Hills
 - Property Owner: JNC Land
 - Representative: Conde, Inc.
 - District: 5
 - Staff Contact: Nelson Ortiz, (915) 212-1606, ortiznx@elpasotexas.gov

Nelson Ortiz, Planner, gave an update on this request and noted that this item had been presented to the commission at the last City Plan Commission meeting but was postponed for two weeks due to a discrepancy in the park fee calculation.

Conrad Conde with Conde, Inc., concurred with staff’s comments.

Commissioner Wright asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

ACTION: Motion made by Commissioner Ardivino, seconded by Commissioner Madrid, and carried to **APPROVE SUSU13-00120.**

AYES: Commissioner Loweree, Grambling, Erickson, Wright, Ardivino, and Madrid

ABSENT: Commissioner Brannon, and Schauer
NOT PRESENT FOR THE VOTE: Commissioner Amoriello

Motion passed.

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PUBLIC HEARING Right of Way Vacation:

12. **SURW14-00001:** Union Pacific Railroad Vacations - Estrella, Boone, Cebada, Cadwallader, Maple, Birch, Cedar, and Elm Streets, City of El Paso, El Paso County, Texas
- Location: Citywide
Property Owner: City of El Paso
Representative: City of El Paso Engineering and Construction Management
Districts: 2, 3, 7, 8
Staff Contact: Raul Garcia, (915) 212-1608, garcia1@elpasotexas.gov

Raul Garcia, Senior Planner, noted that there is a revised staff report that includes a conditional approval based on PSB comments. He noted that staff received four calls in support and one letter in support of these closures. Staff and DCC are recommending approval of this request subject to the following condition, that a PSB easement be retained for the Cebada and Boone crossings.

Mr. Garcia explained that the quiet zone initiative is a project to close and modify several crossings throughout the city to alleviate the trains that pass through these residential areas and minimize the noise effect that they have on the abutting residents.

Ivan Hernandez, Engineering and Construction Manager, noted that there are two quiet zones in two different areas. The project limits are from Piedras to Rosewood but the train doesn't sound it's horn in that residential area until it reaches Montana after Rosewood. The MCA quiet zone begins at San Marcial and stretches all the way to Cadwallader. Median barriers are proposed for Piedras and Rosewood.

Commissioner Wright asked if there was anyone in the public who wished to speak in favor or against this request.

- George (**last name inaudible**) gave a history of the quiet zone and asked the commission to reconsider the closing of all streets and leave one open. A crossing is needed for pedestrians and motorists in the quiet zone. He noted that when the train is passing by, the traffic on Piedras and Elm are backed up passed Grant. If all these streets are closed, this traffic is going to be diverted to Piedras. At the present time, it takes two to three traffic light changes to get to Montana going south when the train is passing by. Closing all these streets and diverting all the traffic to Piedras is going to be a greater problem than what it is now. He believes that streets do not need to be closed off to have a quiet zone.
- Juan Rodriguez spoke in opposition to the closing of these streets. His concern is that Maple Street is a tunnel for traffic going to Grant and Arizona. This is an easy route for medical or emergency vehicles going down on Alabama towards Beaumont Hospital if these streets are closed then these emergency vehicles will have to re-route adding minutes to them getting to the hospital.
- Felix Cadenas spoke in favor of the closure of these streets but objects to the sounding of the horns from the trains.
- Oscar Chavez with the EPWU Stormwater Division, have the following concerns.
 1. They would like to maintain the two crossings of stormwater going through Cebada and Boone.

2. They would like to be able to maintain and repair them in the future so they would like to get an easement, right-of-way, or some type of agreement from the railroad property to allow them to do that.
3. Where the tracks are leveled, they would like to maintain the runoff where some stormwater crossings go over the tracks. They are proposing to put some crossings like an equalizer on the northside of the railroad tracks south of Grant to be able to divert water across the streets.

Kimberly Forsyth, Lead Planner, noted that the resolution taken by City Council in April specifically reference the seven streets but did not reference Maple. The City Manager was authorized to direct staff to initiate these closures and that's why staff is bringing this forward at this time.

Gilbert Andujo from the Engineering Department, noted that that there were extensive public meetings and at these meetings it was decided to add the closure of Maple Street.

Carlos Gallinar, Deputy Director for City Development, noted that staff will include the commission's comments as part of the motion that will go to City Council. If the commission wants to be very specific about the language, staff will take it to City Council as part of the recommendation.

Kristen Hamilton, Assistant City Attorney, noted that the commission is here to make a recommendation to City Council but the City Council has the authority to approve or reject the vacation.

ACTION: Motion made by Commissioner Ardivino, seconded by Commissioner Erickson, and carried to **APPROVE SURW14-00001 AND THAT IN SUPPORT OF THE QUIET ZONE ANY ACTION ON THE CLOSING OF THESE RAILROADS DOES NOT CUT OFF PEDESTRIAN TRAFFIC TO WHAT SHOULD BE THE ECONOMIC GENERATOR AND PREFERABLY DOES NOT CUT OFF VEHICULAR TRAFFIC BETWEEN ROSEWOOD AND PIEDRAS AND DO IT IN A WAY WHICH RESPECTS THE QUIET ZONE GOALS.**

AYES: Commissioner Loweree, Grambling, Erickson, Wright, Ardivino, and Madrid

ABSENT: Commissioner Brannon, and Schauer

NOT PRESENT FOR THE VOTE: Commissioner Amoriello

Motion passed.

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Other Business:

13. Discussion and action of the City Plan Commission Bylaws.

ACTION: Motion made by Commissioner Erickson, seconded by Commissioner Ardivino, and unanimously carried to **POSTPONE THE CITY PLAN COMMISSION BYLAWS FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF FEBRUARY 27, 2014.**

AYES: Commissioner Loweree, Grambling, Erickson, Wright, Ardivino, and Madrid

ABSENT: Commissioner Brannon, and Schauer

NOT PRESENT FOR THE VOTE: Commissioner Amoriello

Motion passed.

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14. Presentation on updated land use assumptions and capital improvements plan as required by Chapter 395 of the Texas Local Government Code, prior to the re-evaluation of the existing impact fee structure for water and wastewater services.
Staff Contact: Mathew McElroy, (915) 212-1550, mcelroymx@elpasotexas.gov
Marcela Navarrete, (915) 594-5614, mnavarrete@EPWU.org
15. Discussion and action to consider, prepare, and file written comments on the proposed amendments to the land use assumptions, capital improvements plan, and impact fee to the City Council.
Staff Contact: Mathew McElroy, (915) 212-1550, mcelroymx@elpasotexas.gov
Marcela Navarrete, (915) 594-5614, mnavarrete@EPWU.org

***ACTION** Motion made by Commissioner Ardivino, seconded by Commissioner Amoriello, and unanimously carried **TO MOVE ITEMS 14 AND 15 TO THE FOREFRONT OF THE AGENDA.**

Motion passed.

David Coronado, City Development Manager, noted that in December 19, 2013, Mr. Mathew McElroy, presented the new updated assumptions that go along with the CIP. Council will decide whether to amend the Impact Fee. The CIP will be presented today and comments received today for the updated LUA and CIP will be presented to City Council on Tuesday.

Marcela Navarrete with EPWU gave an Impact Fee update and noted that this is the five year update. Per the chapter that guides Impact Fees, an update has to be done no less than every five years. She went over the Service Areas, the Capital Improvements Plan, and the Update to the Impact Fees.

There weren't any changes to the service areas that were adopted back in 2009. The only change they are proposing to the CIP in the five years update is the Jonathan Rogers Expansion. The total amount for that expansion is 43 million, they have allocated 15 million to the Northeast and 19.4 million to the eastside. The west side does not get serviced from this plant and she noted that there are no changes to the wastewater CIP.

Rocky Craley with Raftelis, Financial Consultant for EPWU, gave an update regarding the calculation of the Impact Fee and noted that the objective of this analysis is to determine the maximum allowable fee. They recalculated the fees for the 2014 Analysis. Using the CIP and the service units that it serves, they calculate a maximum impact fee. Texas Legislation mandates that you include a credit in this particular process. They have to remove the debt service costs related to the expansion projects and remove that from the impact fees to safe guard the customer from paying twice.

Ms. Navarrete noted that they are seeking comments from the commission for the LUA or the CIP.

Mathew McElroy, Director for City Development, clarified that the commission should provide comments and not make recommendations on some arbitrary approved percentage. Whether the commission has specific comments on the LUA, whether they think they are too high or too low, or the projection method or technical comments on the proposed expansion list, the percentage is a policy call made by the City Council.

Commissioner Wright asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

ACTION: Motion made by Commissioner Wright, seconded by Commissioner Ardivino, and carried to **APPROVE THE LAND USE ASSUMPTIONS, THE CAPITAL IMPROVEMENTS PLAN**

WITH THE AMENDMENTS AND THE UPDATED REVISED FEES FOR THE THREE SERVICE AREAS.

AYES: Commissioner Loweree, Grambling, Wright, Amoriello, Ardovino, and Madrid

ABSTAIN: Commissioner Erickson

ABSENT: Commissioner Brannon, and Schauer

Motion passed. (6-0-1 vote).

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ADJOURNMENT:

Motion made by Commissioner Erickson, seconded by Commissioner Ardovino, and carried to adjourn this meeting at 4:25 p.m.

AYES: Commissioner Loweree, Grambling, Erickson, Wright, Ardovino, and Madrid

ABSENT: Commissioner Brannon, and Schauer

NOT PRESENT FOR THE VOTE: Commissioner Amoriello

Motion passed.

Approved as to form:

Carlos Gallinar, Executive Secretary, City Plan Commission