



Meeting Minutes
Planning & Zoning Advisory Board

Thursday, January 16, 2025

9:00 AM

City Commission Chambers

1. CALL TO ORDER

Chair Waugh called the meeting to order at 9:01 a.m.

2. ROLL CALL

Present: 6 - Vice Chair Ludos, Board Member Irizarry, Chair Waugh, Board Member Baer, Board Member Bagaev and Board Member Keogh

Absent: 1 - Board Member Patricoski

Also Present:

Planner II Carl Bengé, Assistant City Attorney Kaitlyn Coughlin, City Clerk Heather Faust, Development Services Assistant Director Gabriel Quintes

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Board.

4. PUBLIC COMMENT

There was no public comment.

5. APPROVAL OF MINUTES

[25-1777](#)

Approve the December 5, 2024 and December 19, 2024 Planning and Zoning Advisory Board Meeting Minutes.

Chair Waugh announced the item and requested a motion.

A motion was made by Board Member Baer, seconded by Board Member Ludos, to approve the minutes as presented. The motion carried on the following vote:

Yes: 6 - Vice Chair Ludos, Board Member Irizarry, Chair Waugh, Board Member Baer, Board Member Bagaev and Board Member Keogh

Absent: 1 - Board Member Patricoski

6. PUBLIC HEARING

[DMA-24-093](#)

Consideration of Petition DMA-24-093 Ekos at Arbor Park II

Chair Waugh announced the item, stated this is a quasi-judicial hearing, and called on the City Clerk to swear in those wishing to provide testimony.

Ms. Faust swore in those wishing to provide testimony.

Chair Waugh called for disclosure of ex-parte communications. Board Members Keogh, Baer, and Waugh disclosed site visits.

Ms. Faust stated there were no aggrieved parties.

Jeff Boone, Boone Law Firm, and Eduardo Teran, McDowell Housing Partners, being duly sworn, provided a presentation including overview, modification request, date of filing, Unified Land Development Code (ULDC) regulation, McDowell Housing Partner overview, project details, site location, Phase I and Phase II layouts, Development Master Plan Amendment (DMA) details including unit size and type, residential and commercial targets, amenities, and parking waiver request, photograph renderings, floor plans, timeline, quality design and sustainability, impact on community, completed Arbor Park Phase I photographs, affordable housing component, non-residential component, ULDC requirements, Comprehensive Plan consistencies/inconsistencies, and request for approval.

Mr. Benge, being duly sworn, provided a presentation including overview, staff review, current zoning and future land use, history, elevation design, modification request, highlights, proposed site plan, compliance with Comprehensive Plan and ULDC, future land use element goal 1 and objective 1, future land use element goal 2, future land use element Policy 2.1 Figure 1, Policy 2.25, recreation and open space objective 6, housing element objective 1 and Policies 1.7 and 2.6, ULDC Sections 53-103, 53-106, 53-107, 53-109, 53-110, and 53-113, public notice, and staff recommendation of denial.

Mr. Boone provided a rebuttal including 7800 sq ft of non-residential, affordable housing need, Comprehensive Plan Goals and Objectives, and request for approval.

Mr. Benge provided a rebuttal including Comprehensive Plan Goals regarding sustainability, rezoning to increase commercial base, and request for denial.

There was no public comment.

Board questions and discussion took place regarding concern with amount of affordable housing along West Price Blvd., Comprehensive Plan inconsistencies, and additional commercial sq ft.

Sean Smith, McDowell Housing Partners, being duly sworn, responded to questions regarding rent cost based on Area Median Income (AMI) percentage, and rent increases.

Mr. Quintes, being duly sworn, provided clarification regarding ensuring functional mix of uses.

Mr. Boone spoke to approved DMP in regards to restrictive language.

Staff spoke to information provided in the staff report regarding approval of the original Arbor Park.

Jackson Boone, Boone Law Firm, being duly sworn, spoke to the January 11, 2022 Commission meeting agenda item approval regarding DMP future development.

Board questions and discussion continued regarding Board role, impact of increasing non-residential including units committed for tax credit, parking, and sq ft, consideration

for approval/denial based on code requirements, current affordable housing inventory, location, and lowering residential sq ft to increase non-residential.

Recess was taken from 10:36 a.m. until 10:41 a.m.

Board Members Ludos, Bagaev, and Baer disclosed discussion regarding square footage and affordable housing location but no ex parte communications.

Mr. Jeff Boone stated the applicant accepted the disclosed discussion.

Board questions and discussion continued regarding Future Land Use Goals and Objectives, staff's recommendation based on intent of planned community district and intent of activity centers, percentage of residential/commercial within City, staff policy versus code requirement, increasing work base, and activity center variations.

Mr. Quintes provided closing arguments including staff recommendation, Comprehensive Plan inconsistency, intent of Planned Community Development (PCD) and activity centers, and recommendation of denial.

Mr. Jeff Boone provided closing arguments including staff recommendation, affordable housing, Comprehensive Plan Policies, staff policy versus code requirements, activity center acreage for commercial/industrial, and request for approval.

Chair Waugh closed the public hearing and requested a motion.

A motion was made by Board Member Ludos, seconded by Board Member Keogh, to recommend approval of Petition No. DMA-24-093 as presented to include the following waiver and find that based on the competent substantial evidence, the development master plan complies with the Unified Land Development Code:

Waiver:

1. To provide one lane of travel with parking on both sides in front of Building 1 between the building and W. Price Blvd. in an effort to save a heritage tree and allow additional parking in front of Building 1.

Board member discussion took place regarding need for commercial, petition of presentation, commercial/residential balance, staff recommendation, and project impact on City.

The motion carried on the following vote with Board Member Irizarry and Board Member Baer dissenting:

Yes: 5 - Vice Chair Ludos, Chair Waugh, Board Member Baer, Board Member Bagaev and Board Member Keogh

No: 1 - Board Member Irizarry

Absent: 1 - Board Member Patricoski

7. FUTURE AGENDA ITEMS

Chair Waugh announced the item and queried Board Members regarding items to be placed on a future agenda.

Discussion took place regarding election of Chair and Vice Chair, annual training, annual report, update on number of single-family homes, and update of future affordable housing projects.

8. PUBLIC COMMENT

There was no public comment.

9. ADJOURNMENT

Chair Waugh adjourned the meeting at 11:26 a.m.

By: _____
Linda Waugh, Chair