

**MINUTES OF THE TOWN OF LADY LAKE
REGULAR PLANNING AND ZONING BOARD MEETING
LADY LAKE, FLORIDA**

**June 10, 2013
6:00 p.m.**

The Planning and Zoning Board Meeting was held in the Town Hall Commission Chambers, 409 Fennell Blvd., Lady Lake, Florida.

CALL TO ORDER: John Gauder, Chairperson

PLEDGE OF ALLEGIANCE: John Gauder, Chairperson

ROLL CALL: William Scott, Member
Mike McKenzie, Member
John Gauder, Chairperson
William Sigurdson, Vice Chairperson/Member
Julius Chirieleison, Member

STAFF MEMBERS PRESENT: Attorney Laura Lightsey, BRS Legal; Thad Carroll, Growth Management Director; Wendy Then, Town Planner; and Julia Wolfe, Staff Assistant to Town Clerk

NEW BUSINESS:

1. Approval of Minutes: April 8, 2013 Planning and Zoning Board Meeting

Chairperson/Member John Gauder asked if anyone had any corrections or deletions to the April 8, 2013 Planning and Zoning Board meeting minutes. There were none.

Upon a motion by Vice Chairperson/Member Sigurdson and a second by Member McKenzie, the Planning and Zoning Board approved the Minutes of the Planning and Zoning Board Meeting of April 8, 2013 as presented. The motion passed by a vote of 5-0.

2. Ordinance No. 2013-05 – J.T. Beahan, IV (Tayand Investments Group, LLC) – Small-Scale Comprehensive Plan Amendment – From Lady Lake Manufactured Home High Density to Lady Lake RET-Commercial General-Retail Sales & Services – 4.24 acres Located Approximately 250 Lineal Ft. North of the NE Corner of Highway 27/441 & Hartsock Sawmill Road (Wendy Then)

Wendy Then, Town Planner, presented the background summary for this agenda item (on file in the Town Clerk's office). She stated the applicant; Agent Greg Beliveau with LPG Urban & Regional Planners, Inc. has filed applications on behalf of J.T. Beahan, IV for property located on the northeast corner of the intersection of Hwy 27/441 and Hartsock Sawmill Road, (Alternate Keys 1771421 & 1699100) currently in the Town of Lady Lake. The applicant has filed the following applications for this property:

- Small Scale Comprehensive Plan Amendment for 4.24± acres of the parent parcel to change from Future Land Use of Lady Lake Mobile Home High Density (MH-HD) to Lady Lake Commercial General (Retail Sales & Services) (RET).

Ms. Then stated the subject property involving approximately 4.24+/- acres lies in Section 28, Township 18, and Range 24 in Lake County, Florida. Appropriate legal descriptions and a survey of the property involved have been included with the submitted applications. She stated the subject property is located just 260 lineal feet on the northeast intersection of U.S. Highway 27/441 and Hartsock Sawmill Road. Ms. Then stated the Future Land Use and Zoning designations of the adjacent properties are as follows:

Future Land Use

Subject Property	Lady Lake – Manufactured Home High Density (MH-HD)
Future Land Use of Adjacent Properties	
West	ROW/Lady Lake General Commercial (Retail Sales & Services)(RET)
East	Lake County- Urban Medium Density (up to 7 du/acre)
North	Lady Lake – Manufactured Home High Density (MH-HD)
South	ROW/Lady Lake – General Commercial (Retail Sales & Services)(RET), Lake County – Urban Medium Density (up to 7 du/acre)

Ms. Then stated the applicant will be proposing that the 8.22-acre parcel be developed as an assisted living campus consisting of a 90 bed independent living facility (ILF), a 40 bed memory care facility, and 22,000 square feet of commercial support uses. She stated these uses will be conducted within the proposed Planned Commercial (CP) zoning district, as depicted by the memorandum of agreement shown as Exhibit “B” under Ordinance 2013-06. A Bubble Plan depicted as Exhibit “C” has also been provided as a conceptual plan for the development.

Ms. Then stated the permitted land uses include the following: Adult Congregate Living Facilities/Skilled Nursing, offices, personal services, financial services, business services, multi-family dwelling units (gross density not to exceed nine units/acre), banks, medical office/clinic, retail sales and services, adult day care, office complex, office condominium, health/exercise club, massage parlor (therapeutic massage clinic), and café/deli (Wi-Fi café with deli).

Ms. Then stated the applicant has stated that the Town of Lady Lake is the focus of the proposed facility and the evaluation need is addressed to the residents of the Town and the surrounding communities; as there is great need in all forms of private congregate housing, specifically in the areas of Assisted Living (ALF) and Skilled Nursing Home (SNH) facilities.

Ms. Then stated as part of the application, Town staff has received a Trip Generation Analysis for the proposed development. Other concurrency management elements such as sanitary sewer and potable water will be evaluated with more detail at the Site Plan Review Process.

Ms. Then stated notices to inform the surrounding property owners within 150’ of the property of the proposed small scale comprehensive plan amendment were mailed by certified mail return receipt on Friday, May 24, 2013. She stated one certified mail receipt has not been returned; however, the property owner has been informed because both applicants have been present at the

Technical Review Committee meeting. The property was posted also on Tuesday, May 28, 2013. Aerial views of the property and photos of the property and postings were shown.

Ms. Then stated the application meets the requirements of the Town of Lady Lake comprehensive plan amendment requirements for transmission to the Planning and Zoning Board for review and recommendation to the Town Commission. She stated Ordinance No. 2013-05 was reviewed by Town Attorney Derek Schroth on Tuesday, June 10, 2013, and was determined to be correct in form.

Ms. Then stated public hearings were as follows: At the June 4, 2013 meeting of the Technical Review Committee (TRC), the Committee voted 5-0 to forward Ordinance No. 2013-05 to the Planning and Zoning Board for their review. The Local Planning Agency (LPA) meeting which reviews Small-Scale Comprehensive Plan Amendments is scheduled to consider Ordinance No. 2013-05 on Monday, June 17, 2013, at 5:30 p.m. The Town Commission is expected to consider Ordinance No. 2013-05 for first reading at their regular scheduled meeting on Monday, June 17, 2013 at 6:00 p.m., and the second reading is tentatively scheduled for Monday, July 1, 2013 at 6:00 p.m.

Ms. Then stated the applicant was present to answer any questions.

Member Chirieleison stated he noticed some applications are required to go before the Local Planning Agency and some are not. He asked if staff could explain the difference.

Ms. Then replied that a Small Scale Comprehensive Amendment is modifying the Future Land Use Map, and as a result of that process, an additional board other than the Town Commission has to review the application.

Thad Carroll, Growth Management Director, stated the LPA is the same body as the Town Commission. He stated Comprehensive Plan Amendments and Future Land Use changes that include residential impacts will also have a school board representative member sit in on the LPA for those meetings. He stated that will not be the case on this occasion, but they are present when there is an impact on the school system. Mr. Carroll stated the LPA meeting will be held at 5:45 p.m. instead of 5:30 p.m. due to another meeting being held at 5:00 p.m. He stated they will convene as the LPA, take a vote and adjourn, and then come together as the Town Commission and review the amendment again.

Vice Chairperson/Member Sigurdson asked for clarification on the back pages in the packet regarding the dashed areas showing the four acres, and asked if this was part of the property or dividing it on the one which indicates Linden St. in Area 5.

Ms. Then stated the total project for the development is eight acres, however only a portion of the Future Land Use has to be amended.

Chairperson Gauder asked if there was anyone in the audience who wished to speak on this matter.

Mr. Greg Beliveau, the applicant, approached the podium and stated he was there to answer questions if needed.

Upon a motion by Member Scott, and a second by Member McKenzie, the Planning and Zoning Board recommended transmittal and approval of Ordinance No. 2013-05 to the Town Commission for consideration. The motion passed by a vote of 5-0.

3. Ordinance No. 2013-06 – J.T. Beahan, IV – Rezoning – From MH-9 & HC (Heavy Commercial) to Lady Lake Planned Commercial (CP) – 8.22 +/- acres Located Approximately 250 Lineal Ft. North of the NE Corner of Highway 27/441 & Hartsock Sawmill Road (Wendy Then)

Wendy Then, Town Planner, presented the background summary for this agenda item (on file in the Town Clerk's office). She stated the Agent, Greg Beliveau with LPG Urban & Regional Planners, Inc., has filed applications on behalf of J.T. Beahan, IV for property located on the northeast corner of the intersection of U.S. 27/441 and Hartsock Sawmill Road, (Alternate Keys 1771421 & 1699100) currently in the Town of Lady Lake. The applicant has filed the following applications for this property:

- Rezoning of 8.22± acres from Lady Lake MH-9 (Manufactured Homes High Density - 9 dwelling units per acre) & HC (Heavy Commercial) to Lady Lake Planned Commercial (CP)

Ms. Then stated the subject property involving approximately 8.22+/- acres lies in Section 28, Township 18, and Range 24 in Lake County, Florida. Appropriate legal descriptions and a survey of the property involved have been included with the submitted applications. The subject property is located just 260 lineal feet on the northeast intersection of U.S. Highway 27/441 and Hartsock Sawmill Road. She stated the Future Land Use and Zoning designations of the adjacent properties are as follows:

Zoning

Subject Property	Lady Lake –MH-9 Manufactured Homes(9 du/pa)
Zoning of Adjacent Properties	
West	ROW/HC (Heavy Commercial)
East	Lake County –R-1- Rural Residential
North	Lady Lake –MH-9 Manufactured Homes(9 du/pa)
South	ROW/Heavy Commercial, Lake County –R-1- Rural Residential

Ms. Then stated the applicant will be proposing that the 8.22-acre parcel be developed as an assisted living campus consisting of a 90 bed independent living facility (ILF), a 40 bed memory care facility, and 22,000 sq. ft. of commercial support uses. She stated these uses will be conducted within the proposed Planned Commercial (CP) zoning district, as depicted by the memorandum of agreement shown as Exhibit “B” under Ordinance 2013-06. A Bubble Plan depicted as Exhibit “C” has also been provided as a conceptual plan for the development.

Permitted land uses include the following: Adult Congregate Living Facilities/Skilled Nursing, offices, personal services, financial services, business services, multi-family dwelling units (gross density not to exceed nine units/acre), banks, medical office/clinic, retail sales and services, adult day care, office complex, office condominium, health/exercise club, massage parlor (therapeutic massage clinic), and café/deli (Wi-Fi café with deli).

The applicant has stated that the Town of Lady Lake is the focus of the proposed facility and the evaluation need is addressed to the residents of the Town and the surrounding communities, as there is great need in all forms of private congregate housing, specifically in the areas of Assisted Living (ALF) and Skilled Nursing Home (SNH) facilities.

As part of the application, Town staff has received a Trip Generation Analysis for the proposed development. Other concurrency management elements such as sanitary sewer and potable water will be evaluated with more detail at the Site Plan Review Process.

Ms. Then stated notices to inform the surrounding property owners within 150' of the property of the proposed rezoning were mailed by certified mail return receipt on Friday, May 24, 2013. The property was posted on Tuesday, May 28, 2013. Aerial views of the property and photos of the property and postings were shown.

The application meets the requirements of the Town of Lady Lake Land Development Regulations for transmission to the Planning and Zoning Board for review and recommendation to the Town Commission. Ordinance No. 2013-06 was reviewed by Town Attorney Derek Schroth on Tuesday, June 10, 2013, and was determined to be correct in form. Staff recommends approval of this application.

Ms. Then stated at the June 4, 2013 meeting of the Technical Review Committee (TRC), the Committee voted 5-0 to transmit Ordinance No. 2013-06 to the Planning and Zoning Board for their review. She stated this application does not go before the Local Planning Agency because it is not a Small Scale or Large Scale amendment to the Future Land Use. The Town Commission is expected to consider Ordinance No. 2013-06 for first reading at their regular scheduled meeting on Monday, June 17, 2013 at 6:00 p.m., and the second reading is tentatively scheduled for Monday, July 1, 2013 at 6:00 p.m.

Ms. Then stated the applicant was present to answer any questions.

Mr. Greg Beliveau clarified that on the concept plan and on the application, the Independent Living Facility (ILF) was noted as a use, but it was not carried over to the Memorandum of Agreement. He stated it needs to be added to the MOA.

Chairperson Gauder asked if there was anyone in the audience who wished to speak on this matter. There was no one, and he called for a motion.

Upon a motion by Vice Chairperson/Member Sigurdson, and a second by Member Chirieleison, the Planning and Zoning Board recommended transmittal and approval of Ordinance No. 2013-06 to the Town Commission for consideration. The motion passed by a vote of 5-0.

4. Ordinance No. 2013-07 – An Ordinance Amending the Town of Lady Lake’s Land Development Regulations (Ordinance No. 94-08) Chapter 8, Entitled Subdivisions and Plats (Wendy Then)

Ms. Then stated in recent months, Growth Management staff has fielded a variety of inquiries regarding residential development, and has also received proposals for new subdivisions. In that process, Town Commission has directed Town staff to identify the need to review and update existing regulations to establish provisions for Activity Based Recreation Areas within subdivision developments. While the Town is seeking to be recognized as a community that focuses on providing its residents with multiple recreation facilities opportunities, Town staff has aimed to maximize all resources to sustain the health, safety, and general welfare of persons residing in subdivision communities and has drafted guidelines under which a portion of the required Open Space Area within a subdivision shall be required to be set aside for an activity-based recreation area. As proposed by these changes, one-fifth (1/5) of the open space required to be dedicated would be specifically designated as Activity Based Recreation Area for the subdivision.

Ms. Then stated another proposed change to Chapter 8 is an amendment to give authority to the Town Manager to approve a Lot Split. A lot split is a simple division of property resulting in the creation of two (2) lots from the original parcel. Given the minimum impacts that result due to the creation of one additional lot, approval of the lot split at the Town Commission level seems inappropriate for this type of application. She stated at present, the Town Manager has administrative authority to approve Minor Modifications which are often more technical in nature than the lot split process. Further, in other jurisdictions, this type of application is often handled at the staff (department) or Town Administrator level. This change would streamline an application process with minimal impacts. On June 4, 2013, Town Attorney Derek Schroth, reviewed Ordinance No. 2013-07 and approved the ordinance as to form as prepared.

The following sections will be amended as a result of the proposed changes to Chapter 8:

Chapter 8, Section 8-4 – Compliance Required; Exemptions

- Lot Splits may be granted for parcels that result in an area less than one acre, as long as the resulting parcel dimensions meet or exceed the minimum requirements of the zoning designation.
- Lot splits may be approved by the Town Manager instead of the Town Commission.
- Language pertaining to the Family Homestead Exemption shall be omitted – (follows the lot split process).

Member Chirieleison questioned the change from one acre to having a minimum of one acre.

Ms. Then stated in looking at some of the tracks of the Town's land regulations established in 1994 and some of the undeveloped areas where access to a road had to be granted through an easement, they may have wanted enough land for someone to do an ingress/egress type of easement to get in and out of the lots.

Thad Carroll, Growth Management Director, stated lot splits are traditionally unplatted areas which are broken down metes and bounds from larger parcels. He stated when lots splits are done incrementally in a sequence, you can build a subdivision; and by maintaining the one acre minimum, you cannot construct a subdivision with small lot sizes over time. Mr. Carroll stated the Town has a lot of breaks in unplatted areas, and if someone has a parcel that has two or three acres, they could divide the acre up and break off a half acre from that. He stated today staff has to say you cannot do that because you do not meet the minimum requirement, although all the

lots around them are in the same general character as half acres. He stated if they meet the minimum criteria of the zoning designation that allows them the ability to have minimum septic size and minimum setback size, they can meet all the criteria of the lots surrounding them; so to prohibit them from doing something that is in character with the area, staff felt the one acre could be reduced.

Member Chirieleison clarified that the changes are going to help streamline the process and reduce some of the rejection along the way.

Mr. Carroll stated the applicant would not need to come to the public hearing; they would meet with staff, and staff would look at the criteria, make a recommendation and send a draft letter to the Town Manager, and she could evaluate the specific of the site and the character of the community. He stated the Town Manager has the administrative authority to approve Minor Modifications which are often more technical in nature than the lot split process; therefore, staff felt since she is given the authority to do that, staff would not need to take things that are minor in nature to the Commission. Mr. Carroll stated it is more beneficial to streamline the process and that a lot split is a onetime break on the property.

Chapter 8, Section 8-5- General Design Guidelines

- Language has been added to allow boulevard entrances to satisfy the two points of access requirement (has been granted several times in the past for subdivisions abutting one roadway).
- New language requiring dedication of Activity Based Recreation Area in Open Space Requirement

Chapter 8, Section 8-6- Submitting and Processing Subdivision Applications

- Development Phasing reduced from a forty (40) year period allowance to a twenty (20) year maximum.

The Town of Lady Lake has already established a dedicated land trust fund for the acquisition of Town-owned public parks via the collection of Lady Lake park impact fees as per Ordinance No. 2008-30.

At the May 20, 2013, regular meeting of the Town Commission, it was the consensus of the Commission to move forward with the proposed amendments to the Town of Lady Lake Land Development Regulations, Chapter 8- Subdivisions and Plats, by a vote of 4-0. The Technical Review Committee (TRC) reviewed Ordinance No. 2013-07 at their regular meeting on Tuesday, June 4, 2013, and voted 5-0 to forward it to the Planning and Zoning Board for consideration.

Chairperson Gauder asked if there was anyone in the audience who wished to speak on this matter. There was no one and he called for a motion.

Upon a motion by Vice Chairperson/Member Sigurdson, and a second by Member Scott, the Planning and Zoning Board recommended transmittal and approval of Ordinance No. 2013-07 to the Town Commission for consideration. The motion passed by a vote of 5-0.

Ms. Then stated the first reading before the Town Commission is scheduled for Monday, June 17, 2013, and second reading for Monday, July 1, 2013.

5. Resolution No. 2013-105 – Fred Schweitz #2 LLC – Variance Request for Parking Reduction in the Amount of 60 Parking Spaces – Located at 995 S. Hwy 27/441, NE Corner of Highway 27/441 & Hartsock Sawmill Road (Wendy Then)

Wendy Then, Town Planner, presented the background summary for this agenda item (on file in the Town Clerk's office). She stated the applicant, Fred Schweitz #2 LLC, has filed an application for a variance to the Town of Lady Lake's Land Development Regulations, Chapter 7, Section 7-4, (b), (4), for a reduction of the minimum number of required parking spaces. She stated the property is located at the corner of Hartsock Sawmill Road and S. Hwy 27/441 and includes 3 ± acres of property currently in the Town of Lady Lake. The applicant is requesting a net reduction of 60 parking spaces, and the Land Development Regulations requires a minimum of 158 spaces for the proposed land use. She stated at this time, the applicant is requesting to provide 98 spaces: 80 paved parking spaces and 18 grassed parking spaces. Ms. Then stated this property is just south of the property recently discussed for the Small Scale and Rezoning.

The subject property is currently vacant, and it is the intent of the applicant to develop the parcel as a health/exercise club complex with the potential of two (2) additional phases to include condominiums and a health food store. The applicant is concurrently seeking approval for the site plan application for a 15,824 sq. ft. health/exercise club building; thus the need for this variance.

As part of the application, a Justification Statement is required to be submitted outlining the reasons and unique challenges of the site that require such variance. Within the Justification Statement, the applicant stated that four other health/exercise club facilities in surrounding municipalities have been successfully completed with reduced parking to preserve more open area by diminishing impervious surface.

Ms. Then stated parking spaces counts have been provided for those facilities:

SPA 1	3643 NE 8 th PL	13,000 sq. ft.	56
SPA 2	2841 SW 20 th St	15,000 sq. ft.	64
SPA 3	5300 SE 110 th St	13,000 sq. ft.	46
SPA 4	2174 W. Dunnellon Rd	13,000 sq. ft.	52
SPA 5	441 at Hartsock /Sawmill Road	16,000 sq. ft.	100

Ms. Then stated in addition, the applicant contends that the proposal adequately addresses parking needs in that many zoning codes often result in many empty spaces rarely used; and that the parking that will be provided for this project will accommodate the proposed uses on the property, as it has been demonstrated with similar developments in Marion County.

Ms. Then stated when reviewing an application for a variance, the Planning and Zoning Board and the Town Commission shall consider the following requirements and criteria according to Chapter 3, Section 14 f) – Review criteria for variances in the Land Development Regulations:

1. No diminution in value of surrounding properties would be suffered.
2. Granting the permit would be of benefit to the public interest.

3. Denial of the permit would result in unnecessary hardship to the owner seeking it.
4. The use must not be contrary to the spirit of this Code.
5. Financial disadvantages and/or inconveniences to the applicant shall not of themselves constitute conclusive evidence of unnecessary and undue hardship and be grounds to justify granting of a variance.
6. Physical hardships such as disabilities of any applicant may be considered grounds to justify granting of a variance at the discretion of the Town Commission.

Ms. Then stated the application has been reviewed and determined to be complete. The applicant has submitted all appropriate material in compliance with the Land Development Regulations (LDRs), and the application is ready for transmittal to the Planning and Zoning Board. Aerial views of the property and photos of the property and postings were shown.

Ms. Then stated the subject property involving approximately 3 ± acres lies in Section 28, Township 18, and Range 24 in Lake County, Florida. Appropriate legal descriptions and a survey of the property involved, along with supplementary material, have been included with the submitted applications. The Future Land Use and Zoning designations of the adjacent properties are as follows:

Future Land Use

Subject Property	Lady Lake – RET-Commercial General-Retail Sales & Services
Future Land Use of Adjacent Properties	
West	ROW/Lady Lake General Commercial (Retail Sales & Services)(RET)
East	Lake County-Urban Low
North	Lady Lake – Manufactured Home High Density
South	ROW/Lady Lake – General Commercial (Retail Sales & Services)(RET), Lake County –Urban Low

Zoning

Subject Property	Lady Lake- HC- Heavy Commercial
Zoning of Adjacent Properties	
West	HC (Heavy Commercial)
East	Lake County –R-1 (Rural Residential)
North	Lady Lake –MH-9 Manufactured Homes(9 du/pa)
South	ROW/Heavy Commercial, Lake County –R-1 (Rural Residential)

- 1.) The applicant will be dedicating fifteen (15) feet of right-of-way along Hartsock Sawmill Road to Lake County.

- 2.) Notices to inform the surrounding property owners within 150' of the property of the proposed variance were mailed by certified mail return receipt on Friday, May 24, 2013. The property was posted on Tuesday, May 28, 2013.

Ms. Then noted that one certified mail receipt had not been returned from Thomas and Geraldine King in Indiana, and before the Town Commission meeting, staff will attempt to reach the property owners again.

- 3.) The application meets the requirements of the Town of Lady Lake Land Development Regulations for transmission to the Planning and Zoning Board for review and recommendation to the Town Commission. Resolution 2013-105 was reviewed by Town Attorney, Derek Schroth, on Tuesday, June 10, 2013, and determined correct in form.
- 4.) The applicant has agreed to alter future phases of the development to accommodate the required parking spaces that are being requested to be reduced from the site should the demand of more parking spaces become necessary at this facility as discussed in the Technical Review Committee meeting and the changes will be provided to the Town Commission in writing.

The Technical Review Committee reviewed the application at their regular meeting on Tuesday, June 4, 2013, recommending approval to forward to the Planning and Zoning Board by a vote 5-0. The Town Commission is tentatively scheduled to consider Resolution No. 2013-105 for first and final reading at the regular Meeting on Monday, July 1, 2013, at 6:00 p.m. She stated Town staff is trying to have this application go concurrent with the site plan application.

Vice Chairperson/Member Sigurdson asked if reducing the parking spaces will effect other properties that may want to reduce their spaces. He stated there is an example shown in the packet, and asked what it will be like in the future in terms of people wanting to cut parking spaces down. He stated when you look around, you see a lot of empty parking spaces in front of buildings.

Ms. Then stated there have been applications in the past to reduce the amount of parking, which have been justified based on the schedule of a particular development, special medical offices, etc. She stated the applicant has had projects in other towns and he feels that this will be an adequate amount of parking spaces to accommodate demand. Ms. Then stated the variance application is the venue for the applicant to be able to do that, and if more parking spaces are needed, staff will do whatever is needed to correct the situation at that point and time.

Thad Carroll, Growth Management Director, stated specifically that the Summit Medical Plaza on CR 466 utilized that. If applicants come forth with a variance request and can provide the justification, as the applicant has done with this application, staff takes a look, and will make a recommendation. In this case, the applicant has agreed to alter future phases of the development to accommodate the required parking spaces that are being requested to be reduced from the site should the demand for more parking spaces become necessary at this facility, as discussed in the Technical Review Committee meeting. Mr. Carroll stated if items are brought before the Board frequently, and they continue to have the same variance for the same reason, there is probably a flaw in the code rather than in something staff really needs to enforce anymore. He stated at this

point in time, staff is looking at the evidence the applicant has provided and has made a recommendation, but the Board is welcome to make any recommendation they would like to forward to the Town Commission.

Vice Chairperson/Member Sigurdson stated it seems to him that with almost 100 parking spaces, he does not think the applicant will be running into overcrowding of the parking lot.

Member Chirieleison stated if the Town Land Development Regulation requires a minimum of 158 parking spaces, but there are other examples where the parking spaces are not needed, it may be that the minimum is too high and might need to be changed.

Mr. Carroll replied that the studies are produced at the IT Institute of Transportation Engineers, and they do parking generation rates and traffic studies. He stated the data that is used on a National Data set is occasionally a little bit different than our Local Data set. He stated the applicant has stated he knows his programs, and schedules specific exercise programs to limit the amount of people; and that has been found true of all his facilities. Mr. Carroll stated staff will keep track of how many incidences supersede the National Data Set that come out of the ITE, and if there are quite a few, then a code change can be looked at to accommodate the local demographics.

Upon a motion by Member Chirieleison, and a second by Member McKenzie, the Planning and Zoning Board recommended transmittal and approval of Resolution No. 2013-105 to the Town Commission for consideration. The motion passed by a vote of 5-0.

CHAIRPERSON/MEMBERS' REPORT:

There were no comments or reports.

OPEN FORUM:

There were no comments.

ADJOURN:

With nothing further to discuss, the meeting was adjourned at 6:39 p.m.

Julia Wolfe, Staff Assistant to Town Clerk

John Gauder, Chairperson

Minutes transcribed by Julia Wolfe, Staff Assistant to Town Clerk