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**HIGH SPRINGS PLAN BOARD
COMMISSION CHAMBER
AGENDA**

November 20, 2023

6:30 P.M.

CALL BOARD TO ORDER:	BOARD CHAIR- DONALD ALDERMAN
PLEDGE OF ALLEGIANCE:	BOARD CHAIR- DONALD ALDERMAN
ROLL CALL:	PLANNING TECHNICIAN – KRISTYN ADKINS
APPROVAL OF MINUTES:	October 16, 2023

NEW BUSINESS:

- 1. SWEAR IN NEW PLAN BOARD MEMBER(S)**
- 2. APPOINT A CHAIR AND VICE CHAIR OF THE PLAN BOARD**

AJOURN

PLEASE NOTE: PURSUANT TO SECTION 286.015, FLORIDA STATUTES, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE PLAN BOARD WITH RESPECT TO ANY MATTER CONSIDERED DURING THIS MEETING, HE OR SHE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. IN ACCORDANCE WITH THE AMERICAN WITH DISABILITIES ACT, A PERSON WITH DISABILITIES NEEDING ANY SPECIAL ACCOMODATIONS TO PARTICIPATE IN CITY MEETING SHOULD CONTACT THE OFFICE OF THE CITY CLERK, 23718 W US HWY 27 HIGH SPRINGS, FLORIDA 32643. TELEPHONE (386) 454-1416 EXT 7237

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**HIGH SPRINGS
PLAN BOARD
MEETING MINUTES
October 16, 2023**

Meeting called to order by Chair Alderman at 6:31PM.
Pledge of Allegiance: Chair Alderman

ROLL CALL PLAN BOARD:

Chair Donald Alderman – Present

Vice-Chair Bradley Riddle – Present

Member Tim Bolliger – Present

Member Hector Tapanes – Present

Member Mark Bertocci – Present

STAFF PRESENT:

Ashley Stathatos, City Manager
Scott Walker, City Attorney
Kristyn Adkins, Planning Technician
Kevin Mangan, Public Information Officer

**Motion Member Riddle to approve the minutes from the September 18, 2023 meeting.
Seconded by Member Tapanes. Motion passed 5-0.**

Member Bolliger motioned to add SIP23-000006 Amendment to Life Springs Church Site Plan to the agenda. Seconded by Member Tapanes. Motion passed 5-0.

UNFINISHED BUSINESS:

**1. RESOLUTION NO. PB/CUP 23-02 – REQUEST FOR CONDITIONAL USE PERMIT
FOR TOBACCO/VAPE SHOP (AASHI INC.)**

City Staff gave stated it's the same item they saw last meeting that was tabled, except there is one new sheet submitted by the applicant that gave more details and corrected some information.

The City Attorney swore in those who wished to speak on the quasi-judicial items. The City Attorney asked the plan board if they had any ex parte communications. They had none.

The store owner, Mr. Patel spoke on the item, and his experience with convenience stores.

Chair Alderman asked if they sell tobacco as well. Mr. Patel stated yes, they sell tobacco, vape, cigarettes, hemp, etc.

Member Bertocci asked where it was located. Mr. Patel stated it was next to the grooming salon, suite 60. Member Bertocci asked him the name of the store. Mr. Patel answered it is 'The Great Smoke Shop'.

Member Riddle asked what the main reason to open the store was. Mr. Patel spoke of helping people slow down/quit smoking. Member Bolliger stated that hemp doesn't have anything to do with quitting. Chair Alderman spoke of the other application for a vape shop that did not include tobacco. Chair Alderman spoke of the nearby pet store and the daycare.

Member Tapanes asked about the 'novelties' being sold. Mr. Patel stated it was things like glass products, mugs, lighters, keychains. Member Tapanes asked if the pipes were for hemp. Mr. Patel stated they were not just for hemp. Chair Alderman asked if he sold bong/pipes. Mr. Patel stated yes, for tobacco, and must be 21+ to enter the establishment.

Chair Alderman asked if marijuana is legalized in the future would he be allowed to sell it there. Ashley Stathatos, City Manager, said that was up to the State. Mr. Patel spoke of the licenses from the state for products. The City Attorney spoke of the option to place restrictions during the conditional use process. Member Bolliger spoke of the glass pipes, and how even if it is stated they are for a specific use, they can still be used to smoke a different product. Mr. Patel showed the board a photo from his shop that shows the pipes.

Member Riddle spoke on criteria #8, the scientific articles he had printed, and how vaping is not a CDC approved way to quit smoking. Mr. Patel spoke of nicotine gum, patches, etc. Member Riddle spoke of the younger children that vape, and how it leads to other nicotine products down the road.

Member Bolliger asked regarding the other items they would sell. Mr. Patel explained the variety of products they would sell, and the quality. Member Bolliger asked whether CVS or Walgreens sold the same products as a convenience store. Member Tapanes answered that not all CVS do, and it depended on if it was independently owned.

Mr. Patel stated that customers are not allowed to smoke inside the store.

Member Bolliger spoke of the existing spoke shop over by Winn Dixie.

Chair Alderman spoke of the previous vape store that was applied for, and one of the reasons it was denied was its location to a park/kids. He stated this case is similar because it is located next to a daycare.

Members Tapanes and Riddle spoke regarding the criteria for Conditional Uses, specifically #1 and #8, and referenced the commissions decision on the other similar conditional use. Member Bolliger spoke of the location to the daycare and his concerns.

The owner of the plaza, Devang Chaudhari, spoke regarding the tenants of the building and the daycare. He spoke of the option to open a convenience store without a conditional use. He spoke regarding the items sold at the store.

Member Tapanes spoke regarding the previous conditional use to clarify why it had been denied. He spoke regarding the daycare, and health/safety, exposure to children. Mr. Chaudhari spoke of a parent's responsibility for what their kid is exposed to.

Chair Alderman spoke of the amount of comments he had after the previous vape was denied that were positive regarding the denial outcome, and stated that was a sign that the community didn't want it. He spoke of how Plan Board is advisory and gives a recommendation to commission.

Member Bertocci spoke of criteria #1, property values, and the other tenants at the plaza. Mr. Chaudhari stated he spoke to his tenants and they were glad to see it. Member Bertocci asked regarding the listing of the property. Mr. Chaudhari stated he lists it himself, and has a sign up. Member Bertocci spoke of health concerns, and how this increases the availability of products dangerous to health/wellness of the community. He spoke of a decrease in quality of life due to a vape shop. Chair Alderman agreed, and gave the example of how these types of business tend to be together: check cashing, bail bonds, vape and cigarette shops, and a completely different atmosphere. Member Bertocci spoke of how it excludes half the population (under 21). Member Riddle spoke of how all the studies he read state nothing good comes from vaping. Mr. Chaudhari spoke of vaping being better than tobacco, and quitting smoking. Member Riddle spoke of his experience in quitting smoking dip. Chair Alderman spoke on property rights, and property values. Member Bertocci spoke of slippery slopes and the effects approval can have, and how High Springs didn't want to look like Jacksonville.

Chair Alderman asked staff regarding the comments online. Kristyn Adkins, Planning Technician, spoke of the comments received and that while she didn't know the percentage of which comments were for Alice's and which were for this location, there were comments on vape in general as well as the specific location. She spoke regarding the notice sign at Alice's being more visible.

Motion Member Bertocci to deny based on criteria #1 and #8 in code. Seconded by Member Riddle. Motion passed 4-1, Member Tapanes opposed.

NEW BUSINESS:

1. RESOLUTION 2023-T – REQUEST FOR VARIANCE TO BUILDING SETBACK (GARY & PATRICIA GRUNDER)

City Staff presented the project, which is a variance to a building setback, and staff recommended approval. Mrs. Adkins explained the circumstances regarding the closed right of way, the old plat, and why this was being requested. The board members spoke of the adjacent lands, which were other residences, farmland, and a city park. Member Bolliger asked regarding the ROW to the north that wasn't abandoned. Mrs. Adkins stated the portion next to the Grunder's was abandoned at their request, but the other one was never applied for to be abandoned. Member Bolliger spoke about getting it back on the tax roll by abandoning it. Chair Alderman spoke of issues during calls, and you have to back the truck all the way out due to it being a dead-end without a turnaround.

Member Bolliger spoke of the setbacks and lot 18's lines. Mrs. Adkins stated the alternative path to this variance would have been a replat. She spoke regarding that subdivision, in which there were multiple parcels that were made up of different parts of the originally platted lots.

Member Bolliger motion to approve Resolution 2023-T. Seconded by Member Riddle. Motion passed 5-0.

2. AMENDED AGENDA ITEM SIP23-000006 – Life Springs Church Site Plan

The engineer for the project, Josh Highlander, spoke of the requested changes and that they stemmed from construction costs being so high. He stated that the original plan took into account future growth for the church, and they are now scaling that back in order to finish construction. He spoke of the allowances in code for churches when it comes to paved parking. He spoke of the details of the site, the parking spaces, and the landscaping. Member Bertocci spoke of potentially requesting more trees. Member Bolliger spoke of the large buffer the church left in during the first approved site plan. Chair Alderman asked about the stabilized area.

Motion Member Bolliger to approve the revised Life Springs Church Site Plan. Seconded by Member Riddle. Motion passed 5-0.

Mr. Highlander thanked staff for working with him to get on the agenda last minute.

Member Bolliger motion to adjourn. Seconded by Member Bertocci. Meeting adjourned at 7:27PM.