



AGENDA
COMMUNITY DEVELOPMENT BOARD MEETING
DECEMBER 13, 2023 AT 6:00 PM
116 FIRST STREET
NEPTUNE BEACH, FL 32266

1. Call to Order and roll call.
2. Pledge of Allegiance.
3. DP23-02/SE23-02: DP 23-02 Application for Preliminary Development Plan as outlined in Chapter 27 Article III Division 2 of the Unified Land Development Code of Neptune Beach for Marsh Point Properties for the properties at 2301, 2303, 2305, and 2307 Marsh Point Rd (RE# 173422-0000). The applicants are requesting to establish Immerse Spa. The property is in the C-2 zoning district. SE23-02 Application for Special Exception as outlined in Chapter 27 Article III Division 9 of the Unified Land Development Code of Neptune Beach for Marsh Point Properties for the properties at 2301, 2303, 2305, and 2307 Marsh Point Rd (RE# 173422-0000). The applicants are requesting a special exception for ten (10) off-site parking spaces in accordance with Sec. 27-540 Parking requirements (e) "Offsite Parking" for a Spa.
4. Open Discussion.
5. Adjourn.

Residents and Board Members attending public meetings can validate their parking at no cost by using the parking code

1LWE

After 5:30 on the date of the meeting, follow these steps:

- Make sure you are parked in a North Beaches public parking space – we can't validate valet parking or parking in private lots.
- • To use a kiosk: Press the Start button and then select 2 to enter your plate and the validation code.
- • To use the Flowbird app: Tap the nearest yellow balloon and tap "Park here." From the payment screen, select "Redeem a code" at the top. Confirm your information and tap "Purchase" – the price will show "Free."

CITY OF NEPTUNE BEACH – COMMUNITY DEVELOPMENT DEPARTMENT



STAFF REPORT

MEETING DATE: December 13, 2023
BOARD/COMMITTEE: Community Development Board
APPLICATION NUMBER: DP23-02/SE23-02

TO: Community Development Board
FROM: Heather Whitmore, AICP, Community Development Director
DATE: December 7, 2023

SUBJECT:

DP23-02: Application for Preliminary Development Plan as outlined in Chapter 27 Article III Division 2 of the Unified Land Development Code of Neptune Beach for Marsh Point Properties for the properties at 2301, 2303, 2305, and 2307 Marsh Point Rd (RE# 173422-0000). The applicants are requesting to establish Immerse Spa. The property is in the Commerical-2/Neighborhood Commercial Overlay zoning district. The site has a Commercial I Comprehensive Plan Land Use.

Special Exception SE23-02 in accordance with 27-540 (e) “Parking Requirements” “Off-site parking” to permit ten off-site parking spaces. The parking is also located in the Commerical-2 zoning district, with a Commercial I Comprehensive Plan Land Use.

- I. BACKGROUND:** A preliminary development application to permit a Spa has been submitted for the properties at 2301, 2303, 2305, and 2307 Marsh Point Rd (RE# 173422-0000).

DP23-02 requires a concurrent review of associated Special Exception SE23-02 for off-site parking in accordance with 27-540 (e) “Parking Requirements” “Off-site parking” to permit ten off-site parking spaces.

II. DISCUSSION:

Chapter 27 Article III Administrative and Enforcement Procedures Division 2 Development Review of the Unified Land Development Code of Neptune Beach requires a preliminary and final development plan (development order) approval

when “Changing or expanding any use of a site so that the need for off-street parking is increased.”

Section 27-76 states that “all development in non-residential districts” requires a development order. *Section 27-80* regarding exceptions to the requirement for a development order states that an exception to the requirement may only be granted “so long as no change is made to its gross floor area, its use, its number of dwelling units, or the amount of impervious surface on the site.”

The applicant is requesting to change the use of a portion of the existing commercial building from storage/office to spa. This change of use requires an increase in the required off-street parking. In addition to the change of use, the applicant proposes to add an additional 20’ by 60’ parking area to the rear (east side) of the building. The property has a Comprehensive Plan Commercial II Land Use designation and is zoned Commercial-2 (C-2) in the Neighborhood Commercial (NC) zoning district. Spa’s are a permitted use in this district.



Figure 1: 2301, 2303, 2305, and 2307 Marsh Point Rd, Neptune Beach, FL

The existing 4,000 square foot building is located at the intersection of Kings Circle South and Marsh Point Road. The building’s east side borders a public alley and office building. The building is broken into four 1,000 square foot storage/ office tenant spaces.

The applicant proposes a change of use to establish Immerse Spa in the two northern tenant spaces. The Immerse Spa will be a total indoor area of 2,000 square feet. The applicant also proposes to establish an 1,800 square foot (31' x 60') grassed outdoor lounge and yoga area to the north of the building. The total combined indoor and outdoor spa is 3,800 square feet. The southern two 1,000 square foot tenant spaces will remain office/storage use.

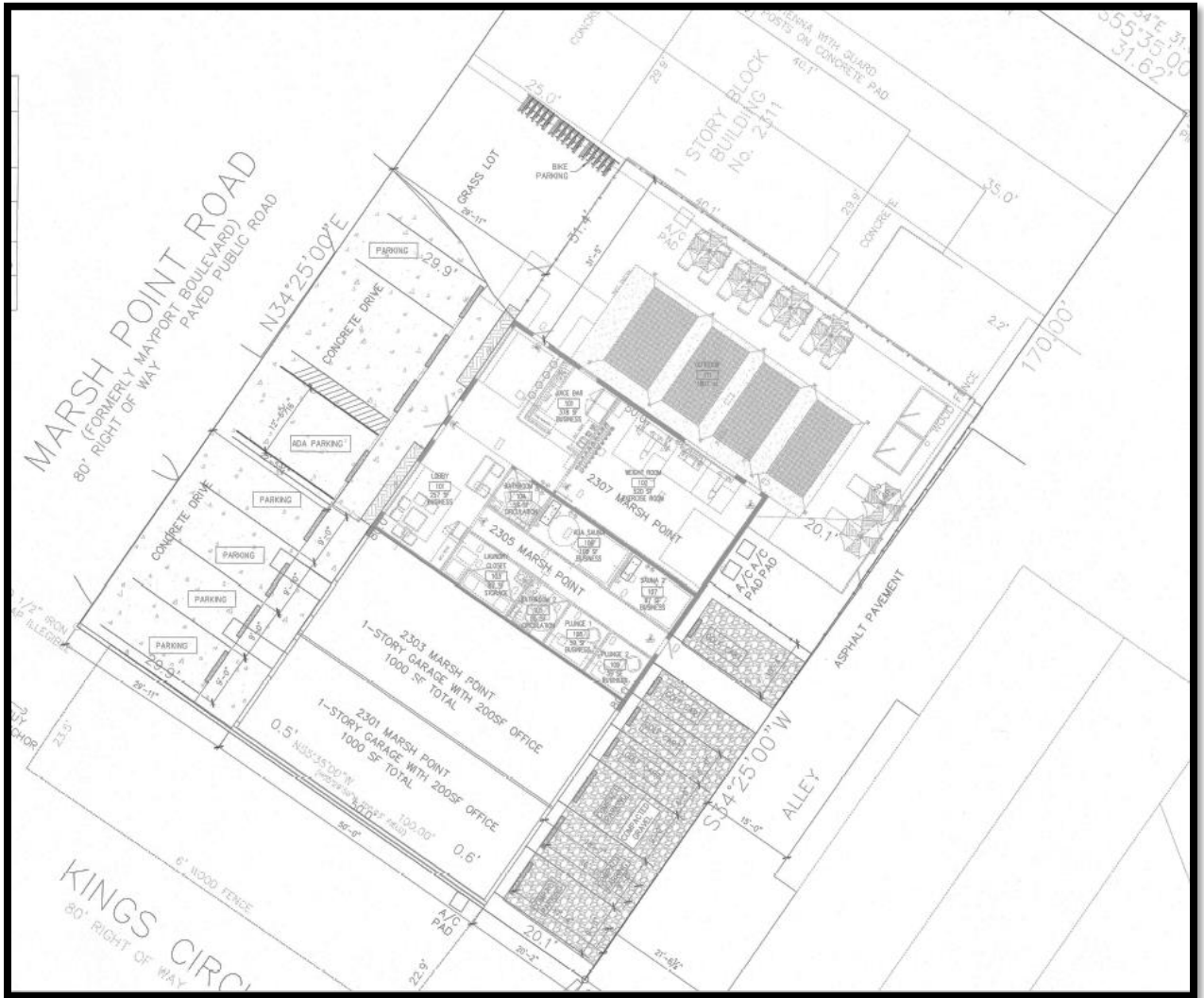


Figure 2: Proposed Immerse Site Plan, 2301, 2303, 2305, and 2307 Marsh Point Rd, Neptune Beach, FL

Parking

27-540 "Parking Requirements" requires one parking space per 300 square feet of spa gross floor area. Therefore, the proposed 3,800 square foot spa requires 13 parking spaces. The existing 2,000 square foot office/storage space requires two (2) parking spaces each, for a total of four (4). Therefore, the entire building requires 13 parking spaces for the spa and four (4) parking spaces for the office/storage, for a total count of 17 required parking spaces.

The existing 4,000 square foot office/storage building requires eight (8) parking spaces. The building currently has approximately six (6) parking spaces in a concrete lot fronting Marsh Point Road, including one handicap.

The applicant proposes to add an additional gravel parking area to the east rear yard of the building to be accessed on the alley. The proposed new gravel parking area will have three (3) compact parking spaces and four (4) golf cart spaces. With the new parking lot, the site will have nine (9) parking spaces overall. The site's nine (9) parking spaces will be eight (8) parking spaces short of the required 17 parking spaces.

The applicant is requesting a Special Exception SE23-02 for off-site parking in accordance with 27-540 (e) "Parking Requirements" "Off-site parking" to permit ten (10) off-site parking spaces. These additional ten (10) off-site parking spaces will provide a total of 19 parking spaces to serve the building. This is two (2) more than required.

The additional parking will be located at the Sky Enterprises office building, west of Immerse Spa building (2301 Marsh Point Rd) across Marsh Point Rd. The ten (10) off-site parking spaces are approximately 150 feet from the Immerse Spa building.

Section 27-540 (e) "off-site parking" outlines the conditions under which an off-site parking special exception may be approved. The proposed ten (10) off-site parking spaces comply with the standards outlined in 27-540 (e), specifically:

1. The spa site has practical difficulty preventing the placement of the required parking spaces on the same lot as the premises they are intended to serve.
2. The off-site parking spaces are located within four hundred (400) feet of the premises they are intended to serve.
3. The off-site parking spaces are located within the same zoning district classification as the premises which the parking spaces will serve, or a classification allowing business or commercial activities.
4. The off-site parking spaces are not located in any residential district.
5. The location of the off-site parking spaces will adequately serve the use for which it is intended.
6. The location of the off-site parking spaces will not create unreasonable:
 - i. Hazards to pedestrians
 - ii. Hazards to vehicular traffic.
 - iii. Traffic congestion
 - iv. Interference with access to other parking spaces in the vicinity
 - v. Detriment to any nearby use.
 - vi. The developer has supplied a written agreement, approved in form by the city attorney, assuring the continued availability of the off-site parking facilities for the use they are intended to serve.

III. SE23-02 FINDINGS:

1. The proposed use is consistent with the comprehensive plan.

- a. **Applicant Response:** “The special exception meets the requirements of 27-540 (e). In addition the owner of 2300 Marsh Point Rd has written agreement per 27-540 (e).”
- b. **Staff Response:** The spa and parking use is consistent with Comprehensive Plan Commercial I Land Use which states that the these areas shall include offices, professional services, retail sales, and light industrial/artisan uses that serve one or more local neighborhoods.

2. The proposed use would be compatible with the general character of the area, considering the population density; the design; density; scale; location, and orientation of existing and permissible structures in the area; property values; and the location of existing similar uses.

- a. **Applicant Response:** “The special exception will allow the redevelopment of a garage/warehouse to a retail use which aligns with the other businesses in the area which includes office buildings and gym.”
- b. **Staff Response:** The spa and existing office parking are compatible with the general area.

3. The proposed use would not have an environmental impact inconsistent with the health, safety, and welfare of the community.

- a. **Applicant Response:** “The special exception would not impact the health safety and welfare of the community. The special exception request is for 10 parking spaces within 150 feet of the proposed development.”
- b. **Staff Response:** There are no environmental impacts generated by the existing off parking. There are no hazardous materials used for this type of use. The use would not have an environmental impact inconsistent with the health, safety, and welfare of the community.

4. The proposed use would not generate or otherwise cause conditions that would have a detrimental effect on vehicular traffic, pedestrian movement, or parking inconsistent with the health, safety and welfare of the community.

- a. **Applicant Response:** “The proposed development at 2307 Marsh Point Rd. is located in a commercial area and is not surrounded by any residences. The peak hours for the development is after 5:00 PM which would not overlap with the surrounding office buildings.”

- b. Staff Response:** The office parking is existing. The proposed spa will not generate more than 50 PM peak additional trips. The additional parking demand is provided by the off-site parking directly adjacent to the spa across Marsh Point Rd. The parking will not have a detrimental effect on vehicular traffic, pedestrian movement, or parking inconsistent with the health, safety and welfare of the community.
- 5. The proposed use would not have a detrimental effect on the future development of the area as allowed in the comprehensive plan.**

 - a. Applicant Response:** “The development involves converting an existing garage slash warehouse building to retail space. We believe the redevelopment of the property from a warehouse to retail would more align with the character of the area since we would be converting an industrial space to a retail space which converges with the current office building directly in front and back of the property.”
 - b. Staff Response:** The proposed use is consistent with other uses in the C-2 District. The parking is existing. The spa and parking is consistent with area and would not have a detrimental effect on the future development as allowed in the comprehensive plan.
- 6. The proposed use would not result in the creation of objectionable or excessive noise, light, vibration, fumes, odors, dust or physical activities inconsistent with existing or permissible uses in the area.**

 - a. Applicant Response:** NA
 - b. Staff Response:** The parking is existing. The parking and spa will not result in the creation of objectionable or excessive noise, light, vibration, fumes, odors, dust or physical activities inconsistent with existing or permissible uses in the area.
- 7. The proposed use would not overburden existing public services and facilities.**

 - a. Applicant Response:** “The proposed development and special exception is proposed on private property, public services would not be impacted.”
 - b. Staff Response:** The parking is existing. The spa is served by existing public utilities.
- 8. The proposed use meets all other requirements as provided for elsewhere in this Code.**

 - a. Applicant Response:** “The proposed use meets all the requirements of Chapter 27 including accessibility parking and bicycle parking except for the total number of required parking spaces.”

- b. **Staff Response:** All provisions of this code are met by the proposed parking agreement provided by the applicant.

IV. D23-02 FINDINGS:

Sec. 27-82. - Procedures for applying for and issuing preliminary and final development orders states the community development board shall conduct a quasijudicial public hearing and shall consider the following factors when issuing a development order:

1. Characteristics of the site and surrounding area, including important natural and manmade features, the size and accessibility of the site, and surrounding land uses.

Staff Response: The parking and space use is consistent with the surrounding zoning and uses. The site is surrounded by commercial uses to the north, east, and west side. Residentially zoned property borders the site to the south side across King's Circle S and is screened with a tree buffer.

The building can accommodate the use. Although the site cannot accommodate all the required parking for the spa, additional off-site parking is provided by way of an off-site parking agreement for ten (10) spaces at the adjacent Sky Enterprise office building.

2. Whether the concurrency requirements of article VI of this Code could be met if the development were built.

Staff Response:

Traffic: The proposed redevelopment will NOT generate more than 50 pm peak trips therefore a traffic study is not required.

Water/Sewer: This project area has water and sewer

School: Not applicable

Drainage: New parking spaces will be added. They are required to be pervious pavers to comply with maximum lot coverage.

3. The nature of the proposed development, including land use types and densities; the placement of proposed buildings and other improvements on the site; the location, type and method of maintenance of open space and public use areas; the preservation of natural features; proposed parking areas; internal traffic circulation system, including trails; the approximate total ground coverage of paved areas and structures; and types of water and sewage treatment systems.

Staff Response: The site contains an existing building and parking area. The proposed spa is a change of use from office/storage use to a more intense spa use. The

existing 4,000 square foot office/storage building requires eight (8) parking spaces and the site has six existing (6) parking spaces.

The proposed new gravel parking area will have three (3) compact parking spaces and four (4) golf cart spaces. With the new parking lot, the site will have nine (9) parking spaces overall. The site will be eight (8) parking spaces short of the required 17 parking spaces. Although the site cannot accommodate all the required parking for the spa, additional off-site parking is provided by way of an off-site parking agreement for ten (10) spaces at the adjacent office building.

The maximum lot coverage in the C-2/NC Overlay is 70%. The site's current lot coverage is 60%. The proposed 1,800 square foot outdoor lounge area must remain grass.

The proposed gravel parking area to the east of the building must be revised to be pervious pavers in order to maintain the 70% maximum lot coverage. The proposed gravel lot is not a permitted surface material for four (4) or more commercial parking spaces (*Sec. 27-548. - Parking and loading area design. (b) Design standards. (3) Materials*).

4. Conformity of the proposed development with the comprehensive plan, this Code, and other applicable regulations.

Staff Response: The property has a Comprehensive Plan Commercial I Land Use designation and is zoned Commercial-2 (C-2) in the Neighborhood Commercial (NC). Spa's are a permitted use in this district.

Approval of the proposed Preliminary Development Plan DP23-02 requires concurrent approval of Special Exception SE23-02 in accordance with 27-540 (e) "Parking Requirements" "Off-site parking" to permit ten (10) off-site parking spaces.

See additional staff comments to be addressed prior to final development plan.

5. Applicable regulations, review procedures, and submission requirements.

Staff Response: See additional staff comments to be addressed prior to final development plan.

6. Concerns and desires of surrounding landowners and other persons.

Staff Response: The Development Order request was noticed as required to property owners within 300 feet. A sign was posted on the property according to requirements. Staff has not received any comments from the public.

7. Other applicable factors and criteria prescribed by the comprehensive plan, this Code, or other law.

Staff Response: See additional staff comments to be addressed prior to final development plan.

Staff comments to be addressed prior to final development plan:

Comment 1: New parking area to the west of building must be pavers. Crushed gravel is not permitted in commercial districts. See code references below.

Sec. 27-548. - Parking and loading area design. (b) Design standards. (3) Materials.

- a. Surface requirements for four (4) or more commercial parking spaces. Where a use requires space for four (4) or more motor vehicles, pavement for paved off-street parking or paved off-street loading facilities shall, as a minimum requirement, consist of the minimum state department of transportation requirements, as amended. A substitute surface of an equal or greater strength may be used upon written approval of the city manager or designee. This is also intended to encourage creative combinations of pervious and impervious surface materials when designing a parking facility.
- b. Surface requirements for three (3) or less parking spaces. Where a commercial use requires space for three (3) or less motor vehicles, or any residential use, the off-street parking and loading areas shall be maintained in an even and usable condition. Pavement that minimizes impervious surface area, such as dry-laid pavers and/or gravel is encouraged. Loose surfaces, such as gravel shall be contained at all edges with curbing or other border.

Comment 2: The maximum lot coverage in the C-2/NC Overlay is 70%. New parking area to the west of building must be pervious pavers. Table 27-239. Lounge area must be grass.

Comment 3: All new and existing parking spaces shall include painted lines, wheel stops, or other methods of identifying individual parking stalls and loading areas and distinguishing such spaces from aisles and other circulation features.

Sec. 27-548. - Parking and loading area design.

(a) General Design Standards.

(4) *Identification.* Off-street parking areas with four (4) or more spaces, and off-street loading areas, shall include painted lines, wheel stops, or other methods of identifying individual parking stalls and loading areas and distinguishing such spaces from aisles and other circulation features.

Comment 4: All new and existing parking spaces shall provide sufficient illumination to ensure the security of property.

Sec. 27-499. - Requirements for illumination.

All roads, driveways, sidewalks, bikeways, parking lots and other common areas and facilities in developments shall provide sufficient illumination to ensure the security of property of persons using such roads, driveways, sidewalks, bikeways, parking lots and other common areas.

Comment 5: Show all abutting land, including existing property or right-of-way lines both for private and public property, streets, landscaping, trees, sewers, culverts, and any public or private easements.

Sec. 27-84. - Additional submittal requirements for a preliminary development plan.

(a) Existing conditions: The preliminary development plan shall show the following existing conditions, in the form of a current (dated within thirty (30) days of plan submittal) certified, signed, and sealed survey that is drawn to scale:

(1) The location of existing property or right-of-way lines both for private and public property, streets, railroads, buildings, transmission lines, sewers, bridges, culverts, drainpipes, water mains, fire hydrants, and any public or private easements.

V. STAFF RECOMMENDATION

Staff supports approval of the Special Exception to permit ten (10) off-site parking spaces based on consistency Section 27-540 (e) “off-site parking” requirements.

Staff recommends approval of the application for DP23-02 application for Preliminary Development Plan as outlined in Chapter 27 Article III Division 2 of the Unified Land Development Code of Neptune Beach for Marsh Point Properties for the properties at 2301, 2303, 2305, and 2307 Marsh Point Rd (RE# 173422-0000).

The developer shall submit a Final Development Plan that complies with staff conditions for review by the City Council. The Final Development Plan shall be consistent with the Preliminary Development Plan and staff comments and shall contain no land uses different than those approved in the Preliminary Development Plan.

VI. RECOMMENDED MOTION:

a. I recommend approval of SE23-02 and DP23-02

OR

b. I recommend denial of SE23-02 and DP23-02

APPLICATION FOR DEVELOPMENT PLAN REVIEW



TO THE CITY OF NEPTUNE BEACH BUILDING DEPARTMENT
 116 FIRST STREET
 NEPTUNE BEACH, FLORIDA 32266-6140
 PH: 270-2400 Ext 34 FAX: 270-2432
 CDD@NBFL.US

APPLICATION FEE: \$300 Residentially Zone Property
 \$500 Commercially Zone Property plus \$.005 (1/2 cent) for each square foot of land
 or \$1500 whichever is greater

Date Filed: RECEIVED OCT 11 2010 2:06PM	Name and address of the applicant requesting development review: (NOTE: If the applicant is other than all the legal owners of the property, notarized written consent signed by all the legal owners of the property shall be attached. In the case of corporation ownership, the authorized signature shall be accompanied by a notation of the signer's office in the corporation, and the embossed with the corporate seal). The undersigned hereby applies for a development review as follows.	
Name & Mailing address of Owner of Record: <u>MARSH POINT PROPERTIES LLC</u> <u>2300 MARSH POINT RD # 301</u> Contact phone # <u>407-217,3255</u> e-mail address <u>JEAN@MARSHPOINTPROPERTIES.COM</u>	Property Address: <u>2307, 2305, 2301 Marsh Point Road</u> <u>Neptune Beach FL 32266</u> <u>Neptune Beach, FL 32266</u> Real Estate ID # <u>173422-0000</u> Lot <u>B</u> Block <u>2</u> Subdivision <u>First Replat Of Part of Prado Ferrer</u> Zoning District: <u>NC-2</u>	
Name and Address of Agent/Applicant: _____ _____	Telephone #- _____ Email: _____	
Describe Request being made: <u>Change of Use - Converting an existing warehouse / garage to a Spa / Gym / Retail Space</u>		
<p align="center"><u>PLEASE BE ADVISED THE COMMUNITY DEVELOPMENT BOARD CONDUCTS A PUBLIC HEARING TO CONSIDER CERTAIN FACTORS IN ORDER TO MAKE A RECOMMENDATION TO THE CITY COUNCIL FOR APPROVAL OR DISAPPROVAL OF THE DEVELOPMENT PLAN.</u></p>		

I HEREBY CERTIFY THAT I HAVE READ AND UNDERSTAND THE INFORMATION CONTAINED IN THIS APPLICATION. THAT I AM THE PROPERTY OWNER OR AUTHORIZED AGENT FOR THE OWNER WITH AUTHORITY TO MAKE THIS APPLICATION, AND THAT ALL OF THE INFORMATION CONTAINED IN THIS APPLICATION, INCLUDING THE ATTACHMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I HEREBY APPLY FOR DEVELOPMENT REVIEW AS REQUESTED.

OWNER'S AUTHORIZATION FOR AGENT/AFFIDAVIT OF ASSENT

THIS FORM MUST BE FILLED OUT IN THE CASE THAT THE APPLICANT IS NOT THE OWNER OF THE PREMISES UNDER WHICH THE PARTICULAR APPLICATION IS BEING FILED.

CHRIS SABOURIN is hereby authorized TO ACT ON BEHALF OF MARSHBROOK PROPERTIES, LLC, the owner(s) of those lands described within the attached application, and as described in the attached deed or other such proof of ownership as may be required, in applying to Neptune Beach, Florida, for an application related to a development review:

<input type="checkbox"/> Development Order	<input type="checkbox"/> Special Exception
<input type="checkbox"/> Rezoning	<input type="checkbox"/> Comp Plan Amendment
<input type="checkbox"/> Replat	<input type="checkbox"/> Concurrency
<input type="checkbox"/> Appeal	<input type="checkbox"/> Other/Tree Champion or Heritage Tree Removal

BY:

Signature of Owner

JEAN BARRES FOR APP 2.
Print Name

Signature of Owner

Print Name

State of Florida

County of _____

Signed and sworn before me on this 11th day of Oct., 2023.

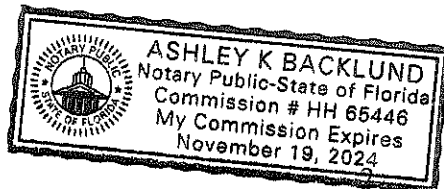
By Jean Barres

Identification verified: Personally known Oath sworn: Yes No

[Signature]

Notary Signature

My Commission expires: NOV 19, 2024



CHECKLIST FOR DEVELOPMENT PLAN REVIEW

For a complete list of requirements see Article III, Chapter 27 of the Code of Ordinances

Commonly required items needed for development reviews.

- Site Plan
- Elevations (all four sides)
- Landscape Plan/Existing Tree Survey
- Impervious Surface Calculations
- Light Plan (exterior only)
- Signage Plan
- Floor Plan
- Survey of property (dated within one year)
For replat must submit existing and propose surveys
- Parking Plan
- Stormwater and drainage plan
- Wetland Buffer
- Utility Plan with existing and/or proposed easements

DISCLAIMER: This helpful guide is not intended to replace any or all of the Unified Land Development Regulations, requirements for application and review procedures required for development orders and certain types of permits. The guide is meant to assist in the facilitation of the review process only.



AERIAL PLAN
2307 2305 2303 2301
MARSH POINT RD
NEPTUNE BEACH

Proposed
Development at
2307 & 2305 Marsh
Point Rd

ARCHITECTURE - INC
 JAA ARCHITECTURE INC.
 1000 UNIVERSITY BLVD, SUITE 200
 JACKSONVILLE, FL 32206
 TEL: 904.251.1234
 WWW.JAAARCHITECTURE.COM

TENANT IMPROVEMENT
IMMERSE STUDIO
 2307 MARSH POINT RD
 JACKSONVILLE, FL 32266

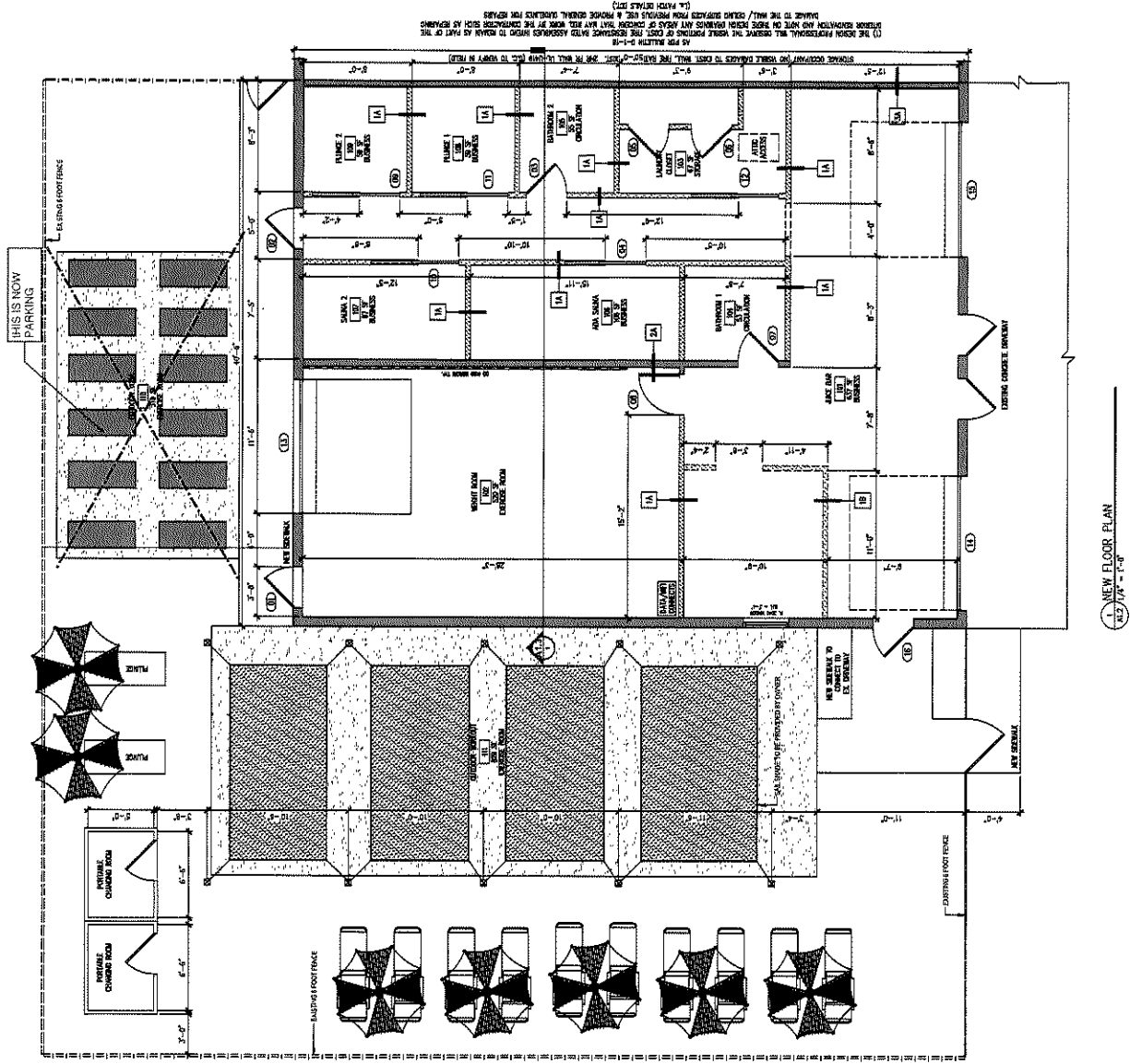
NO.	DATE	REVISIONS
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THIS SET AND ALL CONTRACT DOCUMENTS SHALL BE SUBJECT TO THE STANDARD CONDITIONS OF CONTRACT FOR COMMERCIAL BUILDING PROJECTS AS SET FORTH IN THE STANDARD CONDITIONS OF CONTRACT FOR COMMERCIAL BUILDING PROJECTS, WHICH ARE INCORPORATED BY REFERENCE INTO THIS CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.

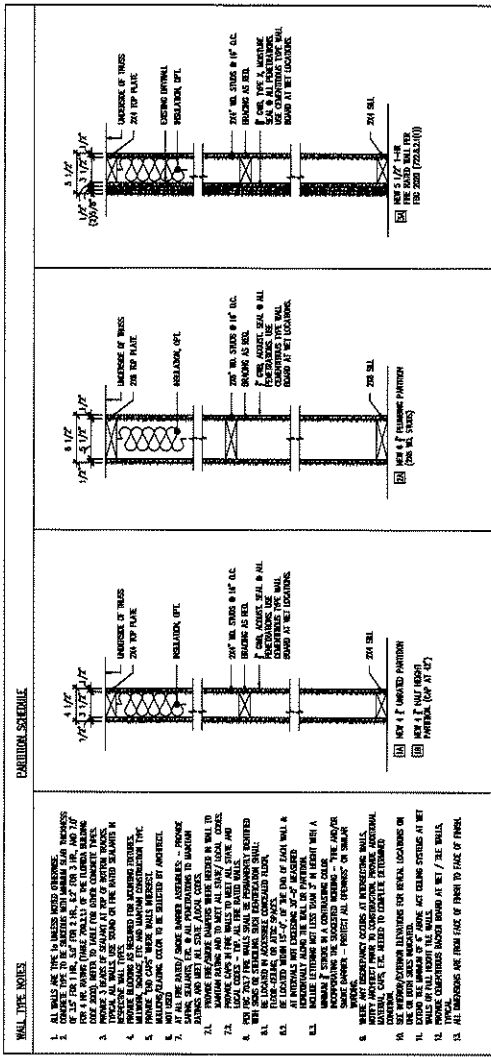
DATE: 7/28/2025
 PROJECT #: 23-03193X
 SHEET

A1.2
 PERMIT

PARTITION LEGEND	
	EXIST. WALL TO REMAIN
	WALL TO BE CONSTRUCTED
	NEW WALL



NEW FLOOR PLAN
 1/8" = 1'-0"



DOOR HARDWARE NOTES

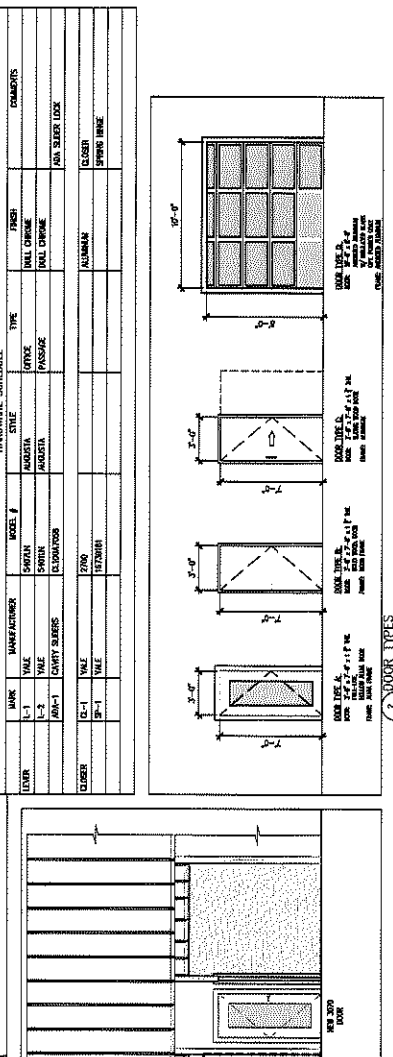
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DOOR SCHEDULE

DOOR #	MARK	MANUFACTURER	MODEL #	WIDTH	HEIGHT	THICKNESS	DOOR MATERIAL	FRAME MATERIAL	HARDWARE	COMMENTS
01	A	SWAN	SWAN	7'-0"	7'-0"	1 3/4"	GLAZ./ALUM.	ALUM.	CLOSER	
02	A	SWAN	SWAN	7'-0"	7'-0"	1 3/4"	GLAZ./ALUM.	ALUM.	L-1	
03	B	SWAN	SWAN	7'-0"	7'-0"	1 3/4"	WOOD	WOOD	C-1	
04	B	SWAN	SWAN	7'-0"	7'-0"	1 3/4"	WOOD	WOOD	L-1	
05	B	SWAN	SWAN	7'-0"	7'-0"	1 3/4"	WOOD	WOOD	NO-1	ALL HARDWARE MUST BE FINISHED TO MATCH THE FINISH OF THE SURFACE IT IS MOUNTED ON.
06	B	SWAN	SWAN	7'-0"	7'-0"	1 3/4"	WOOD	WOOD	L-1	
07	B	SWAN	SWAN	7'-0"	7'-0"	1 3/4"	WOOD	WOOD	L-2	
08	B	SWAN	SWAN	7'-0"	7'-0"	1 3/4"	WOOD	WOOD	L-2	
09	C	SWAN	SWAN	7'-0"	7'-0"	1 3/4"	WOOD	WOOD	L-1	
10	C	SWAN	SWAN	7'-0"	7'-0"	1 3/4"	WOOD	WOOD	L-1	
11	C	SWAN	SWAN	7'-0"	7'-0"	1 3/4"	WOOD	WOOD	L-1	
12	C	SWAN	SWAN	7'-0"	7'-0"	1 3/4"	WOOD	WOOD	L-1	
13	D	SWAN	SWAN	7'-0"	7'-0"	1 3/4"	GLAZ./ALUM.	ALUM.	---	CALL OVERHEAD DOOR OR SIMILAR MANUFACTURER.
14	D	SWAN	SWAN	7'-0"	7'-0"	1 3/4"	GLAZ./ALUM.	ALUM.	---	CALL OVERHEAD DOOR OR SIMILAR MANUFACTURER.
15	D	SWAN	SWAN	7'-0"	7'-0"	1 3/4"	GLAZ./ALUM.	ALUM.	---	CALL OVERHEAD DOOR OR SIMILAR MANUFACTURER.
16	A	SWAN	SWAN	7'-0"	7'-0"	1 3/4"	GLAZ./ALUM.	ALUM.	C-1	

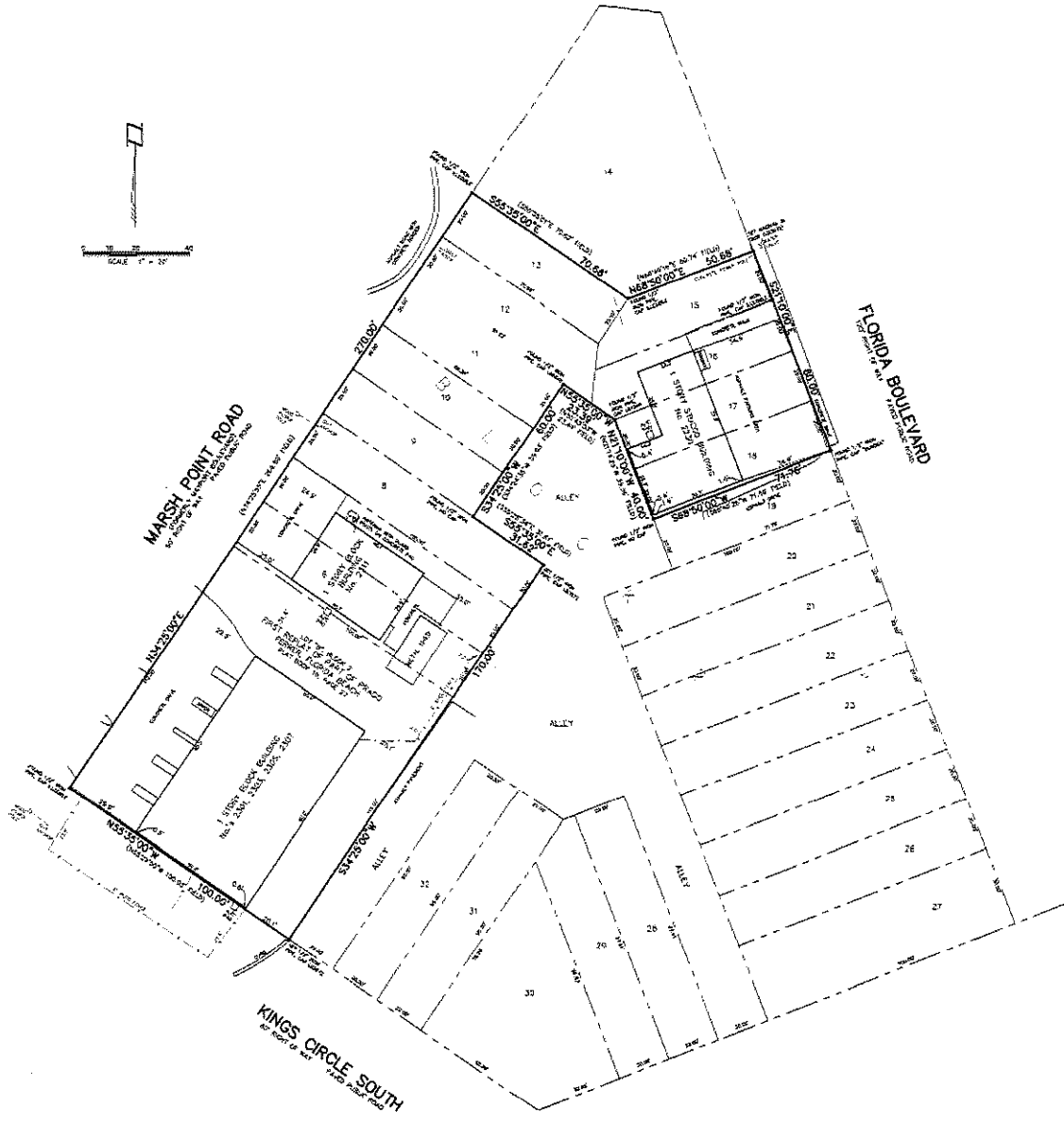
HARDWARE SCHEDULE

MARK	MANUFACTURER	MODEL #	TYPE	COMMENTS
L-1	SWAN	SWAN	DOOR	
L-2	SWAN	SWAN	DOOR	
NO-1	SWAN	SWAN	DOOR	
C-1	SWAN	SWAN	DOOR	
SP-1	SWAN	SWAN	DOOR	



MAP SHOWING SURVEY OF

LOTS 4, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17 and 18, BLOCK 2, PRADO TERRACE BEING A REPLAT OF BLOCKS 1 THROUGH 3 AND 15 THROUGH 31, OF PLAT 2, FLORIDA BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 17, PAGE 61 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA TOGETHER WITH LOT "B", BLOCK 2, FIRST REPLAT OF PART OF PRADO TERRACE, FLORIDA BEACH, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 16, PAGE 27 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



- NOTES
1. THIS IS A BOUNDARY SURVEY.
 2. BEARING AND DISTANCE FROM A LINE FROM THE NORTHEAST CORNER OF LOT 15 TO THE SOUTHWEST CORNER OF LOT 18, BLOCK 2, BEING SOUTH 27°10'00" EAST, AS SET PLAT BOOK 17, PAGE 61.
 3. NO BEARING RECEPTION LINES FOR PLATS.

THE PROPERTY DESCRIBED HEREON LIES IN FLOOD ZONE "X" (AREA OF MINIMAL FLOOD HAZARD) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP NO. 12037-03A(04), EFFECTIVE NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

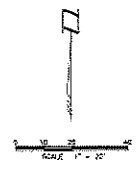
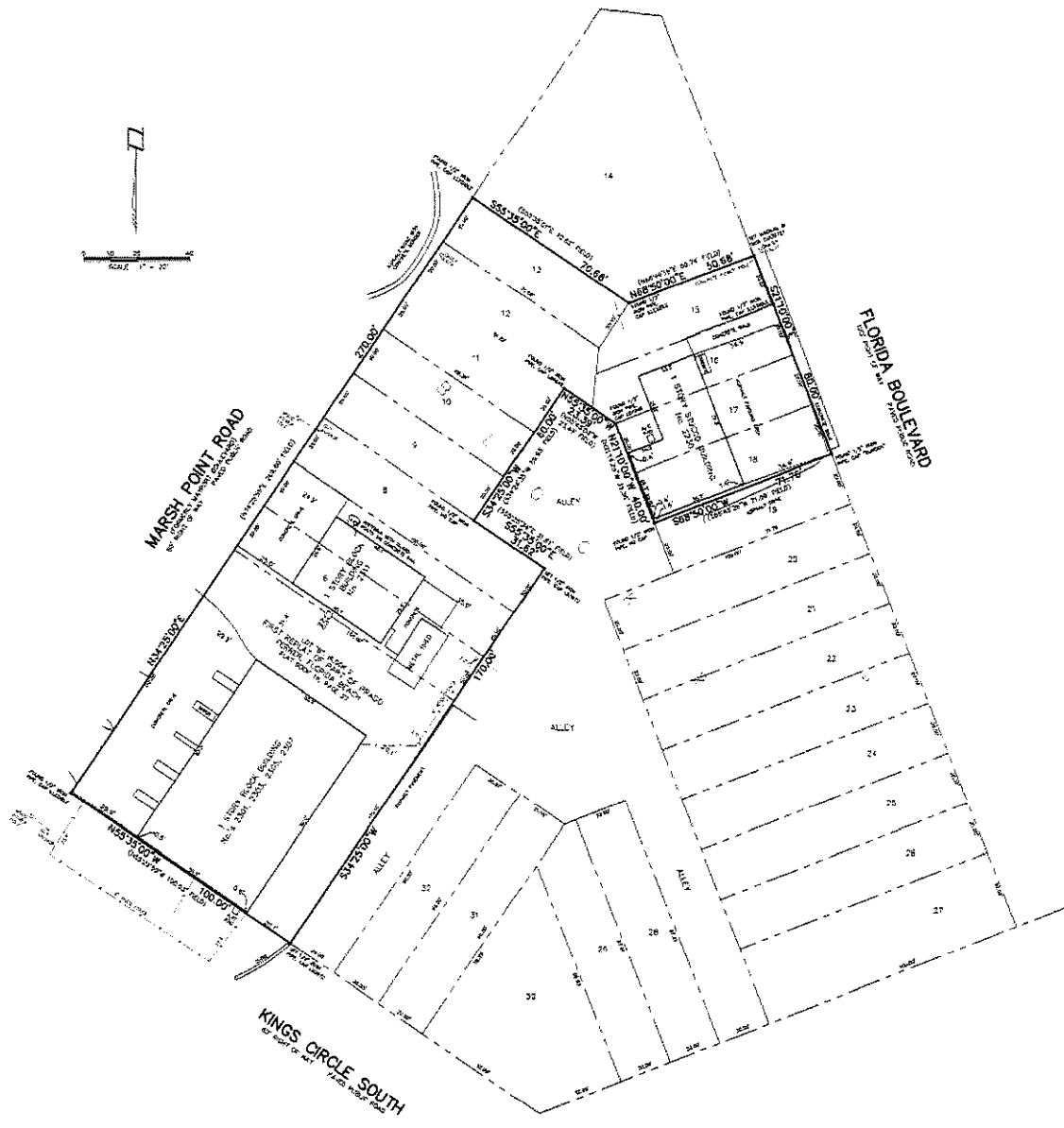
THIS SURVEY WAS MADE FOR THE BENEFIT OF KENNETH R. HORTON, II, THE "HARRY LEE PETERSON REVOCABLE TRUST: MARSHPOINT PROPERTIES TWO LLC, FISHER, TOUSLEY, LEAS & BALL, P.A., OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY



Don W. Boatwright, P.S.M.
 FLA. LIC. SURVEYOR AND MAPPER No. LS 3295
 FLORIDA LICENSED SURVEYING AND MAPPING BUSINESS No. LB 2672

MAP SHOWING SURVEY OF

LOTS 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, BLOCK 2, PRADO TERRACE BEING A REPLAT OF BLOCKS 1 THROUGH 3 AND 15 THROUGH 21, OF PLAT 2 FLDKGA U/LACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 11, PAGE 81 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA TOGETHER WITH LOT 19, BLOCK 2, FIRST REPLAT OF PART OF PRADO TERRACE, FLORIDA BEING ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 16, PAGE 27 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



- NOTES:
1. THIS IS A BOUNDARY SURVEY.
 2. BEARINGS ARE BASED ON A LINE FROM THE NORTHEAST CORNER OF LOT 15 TO THE SOUTHWEST CORNER OF LOT 18, BLOCK 2, BEING SOUTH 0° 00' 00" EAST, AS PER PLAT BOOK 11, PAGE 81.
 3. NO SURVEY INSTRUMENTS WERE USED.

THE PROPERTY DESCRIBED HEREIN LIES IN FLOOD ZONE "X" (AREA OF MINOR FLOOD HAZARD) AS WELL CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP NO. 12337-COASTAL EFFECTIVE NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.



THIS SURVEY WAS MADE FOR THE BENEFIT OF WENETHA R. KURTIN, IS THE "HURRY LEE PETERSON REVOCABLE TRUST" WASHINGTON PROPERTIES TWO LLC, FISHER, TOSSEY, LEAS & BELL, P.A., OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY.

Don W. Boatwright
 DONN W. BOATWRIGHT, P.S.M.
 FLA. LIC. SURVEYOR AND MAPPER No. LS 3295
 FLORIDA LICENSED SURVEYING AND MAPPING BUSINESS No. LS 3612

APPLICATION FOR SPECIAL EXCEPTION

CITY OF NEPTUNE BEACH COMMUNITY DEVELOPMENT DEPARTMENT
 116 FIRST STREET
 NEPTUNE BEACH, FLORIDA 32266-6140
 PH: 270-2400 Ext 34 or CDD@NBFL.US



Application Fee: \$300 Residential / \$500 Commercial

Date Filed:

Name & Address of Property Owner:	Telephone: 904-853-6501
MARSHPOINT PROPERTIES TWO LLC	E-Mail: jean@marshpointproperties.com
2300 MARSH POINT RD NEPTUNE BEACH, FL 32266	Real Estate #: 173422-0000
Property Address (if different from mailing):	Lot B Block: 2
2307, 2305, 2303, 2301 Marsh Point Road Neptune Beach FL 32266	Subdivision: First Replat Of Part of Prado Ferrer
	Zoning District: NC-2

Name and Address of Agent:	Telephone: 904-625-2823
Christopher Sabourin	E-Mail: chris@saboeng.com

Describe Special Exception Request:
We are requesting a special exception for off-site parking per 27-540(e). Specifically we are requesting 10 off-site parking spaces at 2300 Marsh Point Rd with is directly across the street from our development at 2307 Marsh point Rd

The Unified Land Development Code (ULDC) requires that the Community Development Board may not recommend for approval unless it makes a positive finding, based on substantial competent evidence, outlined in Section 27160
1. Based on the required findings needed to issue a special exception in Section 27-160 explain the following (attach additional sheets as necessary):
<p>A. How the proposed is consistent with the comprehensive plan:</p> <p>The special exception meets the requirements of 27-540(e). In addition the owner of the 2300 Marsh Point Rd has supplied a written agreement per 27-540(e)f</p>

B. Indicate how the proposed special exception (use) would be compatible with the general character of the area, considering the population density; the design, density, scale, location, and orientation of existing and permissible structures in the area; property values; and the location of existing similar uses.

The special exception will allow the re-development of a garage / warehouse to a retail use which aligns with the other businesses in the area which include office building and a gym.

C. Indicate how the proposed special exception (use) would not have an environmental impact inconsistent with the health, safety and welfare of the community.

The special exception would not impact the health safety and welfare of the community. The special exception requested is for 10 parking spaces within 150 feet of the proposed development

D. Explain how the proposed special exception (use) would not generate or otherwise cause conditions that would have a detrimental effect on vehicular traffic, pedestrian movement, or parking inconsistent with the health, safety and welfare of the community.

The proposed development at 2307 Marsh Point Rd is located in a commercial area and is not surrounded by any residences. The peak hours for the development is after 5:00 which would not overlap with the surrounding office buildings.

E. Explain how the proposed use would not have a detrimental effect on the future development of the area as allowed in the comprehensive plan.

The development involves converting an existing garage / warehouse building to a retail space. We believe that redevelopment of the property from a warehouse to retail would more align with the character of the area since we would be converting an industrial space to a retail space which converges with the current office building directly in front and back of the property

F. Indicate how the proposed use would not overburden existing public services and facilities.

The proposed development and special exception is proposed on private property, public services would not be impacted.

G. Explain how the proposed use meets all other requirements as provided for elsewhere Chapter 27.

The proposed use meets all the requirements of Chap 27 including accessibility parking + bicycle parking except for the total number of required parking spaces.

THE APPLICANT AND SURROUNDING PROPERTIES WILL BE NOTIFIED OF THE PUBLIC HEARING BY MAIL AND POSTING OF THE PROPERTY. THE APPLICANT OR HIS/HER AUTHORIZED AGENT MUST BE PRESENT AT THE MEETINGS.

Per 27-163, If a special exception is granted the use or construction, must be commenced within twelve (12) months following the date the special exception is rendered or the special exception shall expire and be of no further force, validity, or effect.

I HEREBY CERTIFY THAT I HAVE READ AND UNDERSTAND THE INFORMATION CONTAINED IN THIS APPLICATION. THAT I AM THE PROPERTY OWNER WITH AUTHORITY TO MAKE THIS APPLICATION, AND THAT ALL THE INFORMATION CONTAINED IN THIS APPLICATION, INCLUDING ANY ATTACHMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I HEREBY APPLY FOR A SPECIAL EXCEPTION AS REQUESTED.

Jean Bakkes

NAME (S) OF PROPERTY OWNER (S)

NAME OF AUTHORIZED AGENT

Signature

Signature

OWNER'S AUTHORIZATION FOR AGENT/AFFIDAVIT OF ASSENT

THIS FORM MUST BE FILLED OUT IN THE CASE THAT THE APPLICANT IS NOT THE OWNER OF THE PREMISES UNDER WHICH THE PARTICULAR APPLICATION IS BEING FILED.

CARES SAIBO (IMMERSE) is hereby authorized TO ACT ON BEHALF OF MPP TWO LLC, the owner(s) of those lands described within the attached Special Exception application, and as described in the attached deed or other such proof of ownership as may be required, in applying to Neptune Beach, Florida, for an application related to Development Permit or other action pursuant to a:

BY: _____
Signature of Owner
J. Backlund

Print Name

Signature of Owner

Print Name

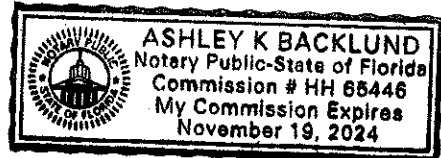
Daytime Telephone Number 407-217-3255 State of Florida
County of _____

Signed and sworn before me on this 15th day of November, 2023.
By Jean Backlund

Identification verified: Personally known Oath sworn: Yes No

Ashley K Backlund
Notary Signature

My Commission expires: Nov, 19, 2024



PARKING LICENSE AGREEMENT

THIS PARKING LICENSE AGREEMENT (this "Agreement") is entered into as of the 14 day of November, 2023, by and between Frontier Property Holdings LLC ("Licensor") and Immerse Studio LLC ("Licensee").

RECITALS:

A. Licensor is the owner of 2300 Marsh Point Rd Suites 101,201,202,203,301 and 302, Neptune Beach, FL 32266

B. Licensee has requested that Licensor grant to Licensee the right to share and use up to 10 parking undesignated of any available spaces within Property at 2300 Marsh Point Rd Neptune Beach, FL 32266 as and when needed on a first come first serve basis and Licensor is willing to do so on the terms herein set forth.

NOW, THEREFORE, for and in consideration of the sum of \$10.00 and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and of the mutual covenants and agreements herein contained, the parties hereto, intending to be legally bound, agree as follows:

1. Parking Spaces. Subject to all of the terms and conditions of this Agreement, including those set forth herein below, Licensee and Licensee's employees shall have a right and license to use up to 10 parking spaces (the "Parking Spaces") in the 2300 Marsh Point parking lot, subject to the following terms and conditions:

a. The Parking Spaces available for Licensee's use will be located within the 2300 Marsh Point Parking Lot

b. The Parking Spaces shall be used by Licensee (and Licensee's employees) on a non-exclusive basis in the common with Licensor and other parties to whom the right to use parking spaces in the 2300 Marsh Point parking lot has been or is hereafter granted. Neither Licensee nor Licensee's employees shall park in any parking spaces that are marked reserved or otherwise designated for the exclusive use of Licensor or third parties.

c. Licensee's (and Licensee's employees') right to use the Parking Spaces shall terminate upon the expiration or earlier termination or cancellation of the Agreement as provided in paragraph 2 below.

d. This Agreement and the lease of the Parking Spaces is personal to the Licensee named herein and may not be assigned to any other party without the prior written consent of Licensor.

e. Licensor reserves the right at all times to determine the nature and extent of all common areas for the Building (including parking facilities for the Building, and shall have exclusive control and management thereof.

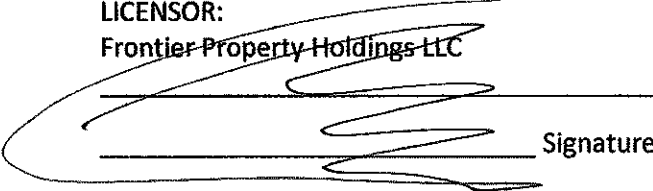
e. If so requested by Licensor, Licensee shall furnish to Licensor or its designated agent the state automobile license numbers assigned to Licensee's vehicles and those of its employees who will use the Parking

Spaces. Following at least one (1) prior written notice of violation, Licensor or Licensor's designated agent shall have the right to bill Licensee a fee of Twenty Five Dollars (\$25.00) per day per vehicle parked in violation of its provision. In addition, Licensor or its designated agent shall have the right to cause such cars parked in violation of this provision to be towed from the Building at the sole cost and expense of Licensee.



LICENSOR:

Frontier Property Holdings LLC



Signature Line

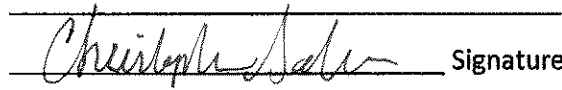
J. BARKER Date: 11/14/2023

Print Name

Print Name

LICENSEE:

Immerse Studio, LLC



Signature Line

Christopher Sabawa Date: 11-14-23

Print Name