

3

**AGENDA ITEM
Planning & Zoning**

Meeting

2/15/2024

MEETING DATE

TO: Planning and Zoning Board Members

DATE: January 31, 2024

FROM: Keisha Fink, AICP, Principal Planner

PHONE: 904 209-0598

SUBJECT OR TITLE: SUPMAJ 2023-18 We Rock the Spectrum (St. Augustine)

AGENDA TYPE: Business Item, Ex Parte Communication, Order, Report

PRESENTER: George Casale, Representing the Applicant Jennifer & Mitesh Desai

BACKGROUND INFORMATION:

A request for a Special Use Permit to allow for an indoor sensory kids Gym to provide open play, classes for families, host birthday parties, pursuant to Section 2.03.43 of the Land Development Code to allow for Commercial Recreation in Industrial Warehousing (IW) Zoning. The property is located at 104 Liberty Center Place, off Agricultural Center Drive.

SUGGESTED MOTION/RECOMMENDATION/ACTION:

APPROVE: Motion to approve SUPMAJ 2023-18 We Rock the Spectrum based upon eight (8) findings of fact and eleven (11) conditions as provided in the Staff Report.

DENY: Motion to deny SUPMAJ 2023-18 We Rock the Spectrum based upon seven (7) findings of fact as provided in the Staff Report.



Growth Management Department
Planning Division Report
Application for Special Use Permit
SUPMAJ 2023-18 We Rock the Spectrum (St. Augustine)

To: Planning and Zoning Agency

From: Keisha Fink, AICP, Principal Planner

Date: January 22, 2024

Subject: **SUPMAJ 2023-18 We Rock the Spectrum**, a request for a Special Use Permit to allow for an indoor sensory kids Gym to provide open play, classes for families, host birthday parties, pursuant to Section 2.03.43 of the Land Development Code to allow for Commercial Recreation in Industrial Warehousing (IW) Zoning.

Applicant: Jennifer & Mitesh Desai

Owner: Inesmar, LLC

Hearing Dates: Planning and Zoning Agency – February 15, 2024

Commissioner District: District 2 – Sarah S. Arnold

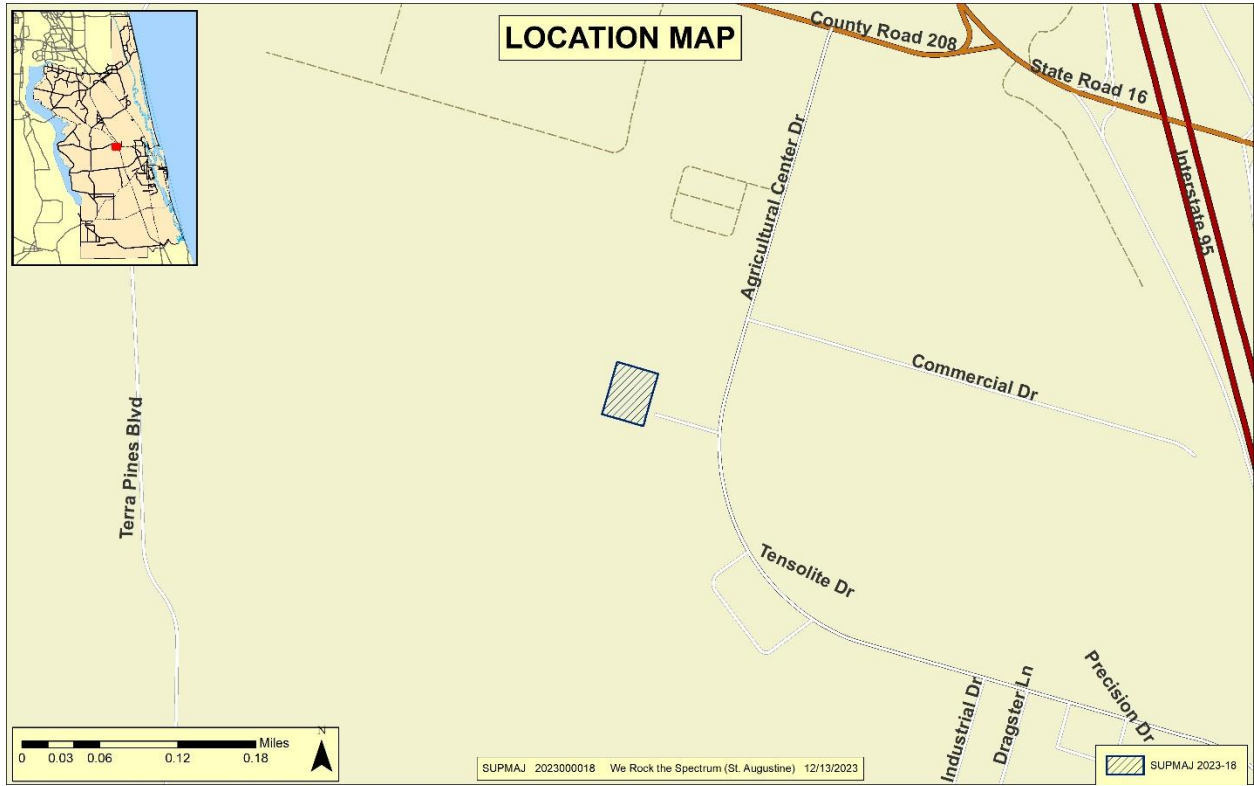
SUGGESTED MOTION/ACTION

APPROVE: Motion to approve **SUPMAJ 2023-18 We Rock the Spectrum** based upon eight (8) findings of fact and eleven (11) conditions as provided in the Staff Report.

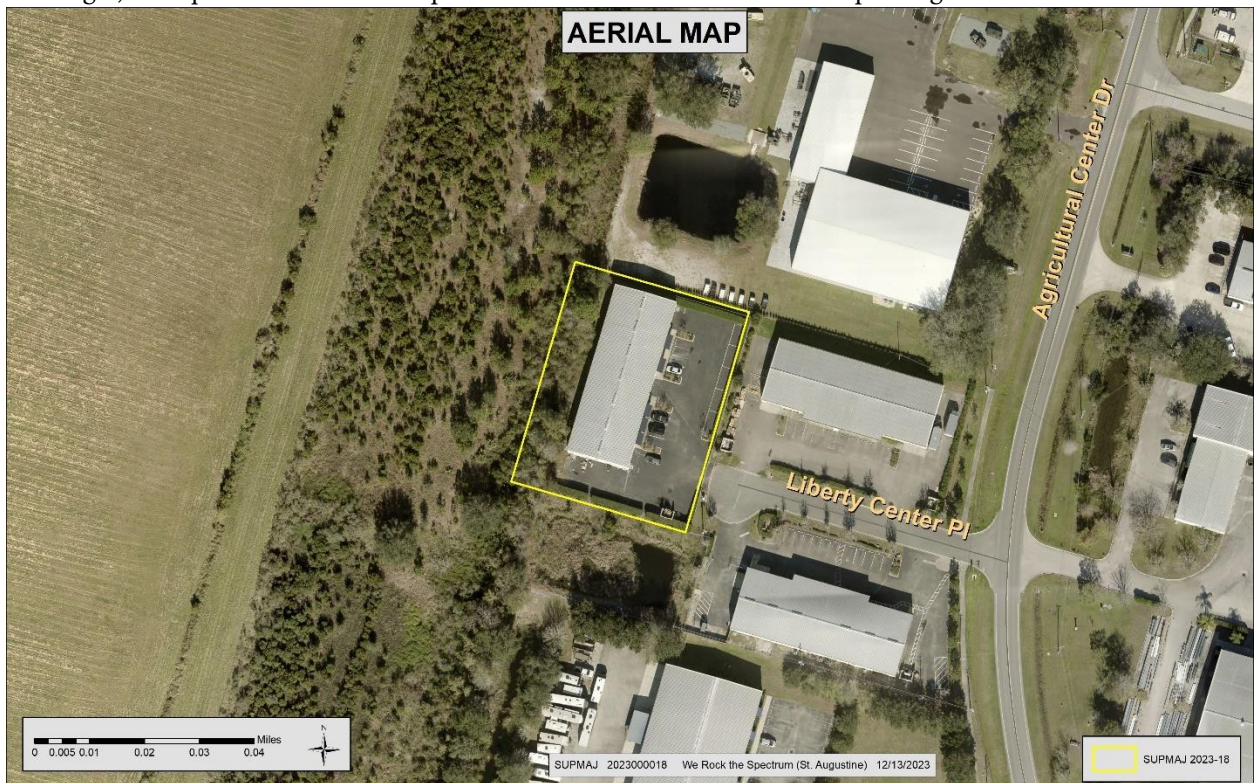
DENY: Motion to deny **SUPMAJ 2023-18 We Rock the Spectrum** based upon seven (7) findings of fact as provided in the Staff Report.

MAP SERIES

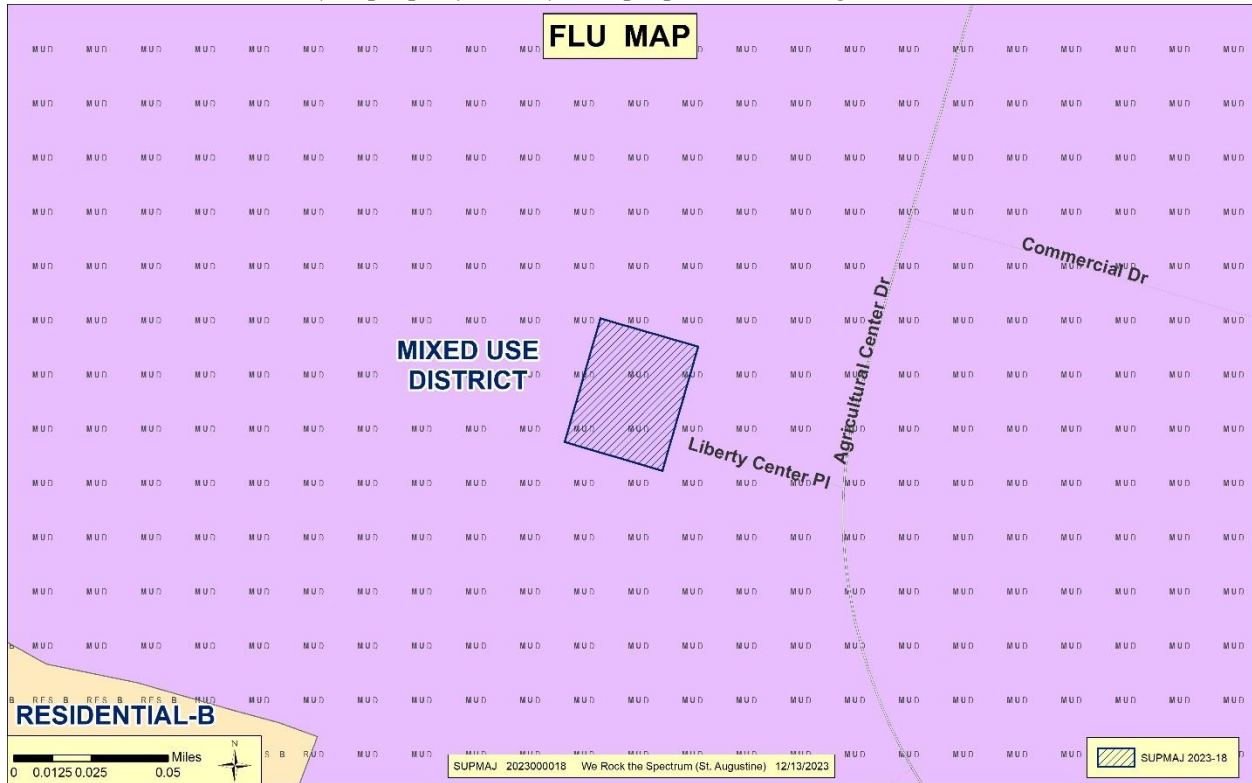
Location: The subject property is located at 104 Liberty Center Place, on the western end of Liberty Center Place, off Agricultural Center Drive, south of CR 208. The building is comprised of a Warehouse-Flex Space structure which the applicant has leased to occupy.



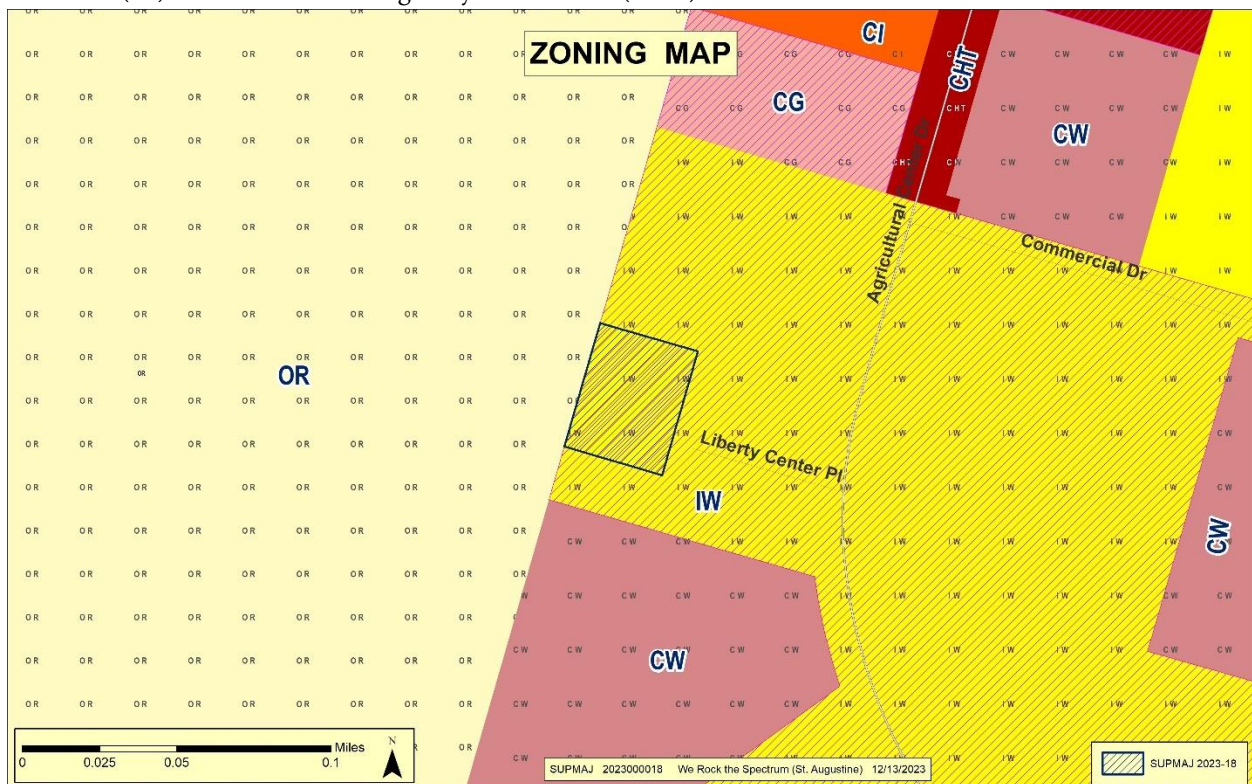
Aerial Imagery: The subject property contains approximately 0.88 acres or 38,332+/-sq. ft. and with an existing 9,900 sq. ft. warehouse flex space structure and associated on-site parking.



Future Land Use: The subject property and adjacent properties are designated Mixed Use District.



Zoning District: The subject property is zoned Industrial Warehouse (IW) with Conditions. Properties in the area are zoned Open Rural (OR), Commercial General (CG), Commercial Warehouse (CW), Commercial Intensive (CI) and Commercial Highway and Tourist (CHT).



APPLICATION SUMMARY

The applicant is requesting a Special Use Permit to allow for an indoor kid’s gym and special event space for Birthday parties. The proposed gym and event space will take place within the existing warehouse structure, with no outdoor activities proposed. The site contains approximately 0.88 acres of land, an existing 9,900 sq. ft. warehouse flex space structure built in 2007 and associated onsite parking. The Special Use Permit request the use of the existing warehouse structure as an *“Indoor sensory playground/demonstrations facility designed to be an inclusive environment for all children, children’s retail store and/or family event space together with offices and facilities.”* The hours of operation for the events and venue space will be as follows:

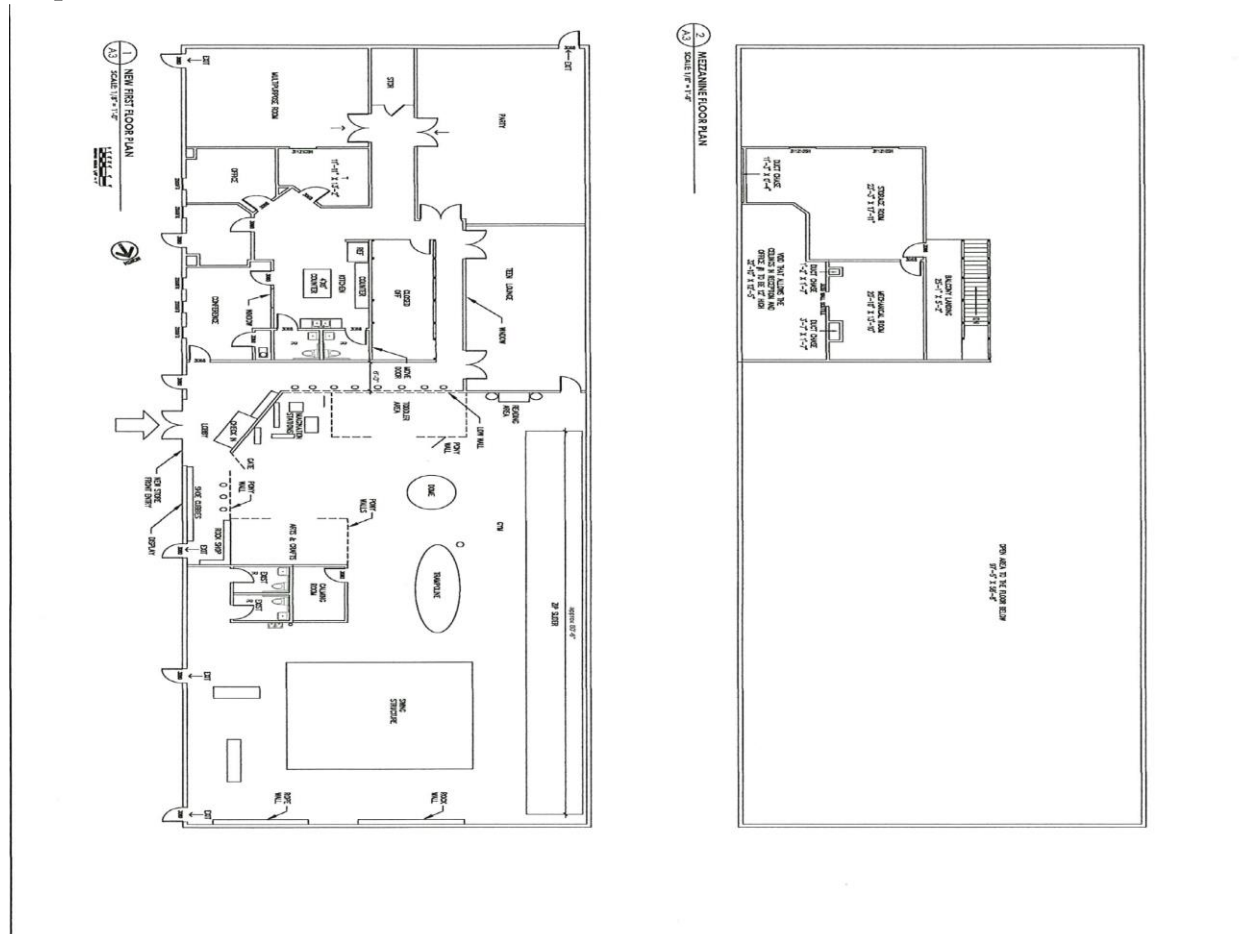
Monday – Sunday (Seven days a week) 9:00 am – 6:00 pm

Private Rentals: Closed to the public (Birthday Parties, Private Play date, Field Trips, etc.)

Drop off: schools out camps, pre-k prep, classes, parent’s night out.

The applicant has stated that all the events will occur indoors during stated business hours. It is also the intent of the applicant to offer Gym equipment for sale from their sensory pop shop, which will be located in the lobby of the building. The gym equipment for sale will not be stored on site, but will be directly shipped from the manufacturer/fabricators to the customers.

Proposed Floor Plan:



A3	PROJECT ROCK THE SPECTRUM 104 LIBERTY CENTER PLACE ST. AUGUSTINE, FL	 ROGERS ARCHITECTS, LLC "A Professional Resource for Asset Management" 14565 Heronwood Court Jacksonville, FL 32258 P: 904.519.8018 F: 904.519.8019 W: www.rockthespectrum.com	REVISIONS NO. DATE DESCRIPTION
	SHEET NO. 20/202311		KEY DESCRIPTION TENANT FINISH-OUT - OPTION 5C NEW FLOOR PLAN

Proposed Building Use Plan:

The proposed building floor plan, provided by the applicant, depicts the location and layout of the of various gym equipment including a trampoline, swing structure, zip slider, dome, rock & rope wall and imagination stations. The space will also be divided to include a conference room, office, multipurpose room, teen lounge, party room and kitchen. The proposed kitchen will be for food prep and storage, no hot food or alcohol of any kind will be served. **Attachment 1 Supporting Documents.**

Background Information: The subject site is part of Ord. 1987-01 and was previously granted a Special Use Permit, SUPMAJ 2011-22 on February 2, 2011 to allow a gymnastics studio as a tenant. As per of the approved order *“The Special Use Permit for Commercial Recreation is granted to the applicant American Plastering of NE Florida doing business at the above location and shall be transferable to any other entity. However, “The special use Permit is granted under the condition of continual use. A Special Use that, once commenced, remains idle, discontinued or unused for a continuous period of one (1) calendar year shall no longer be valid and all rights granted herein shall become null and void.”* Staff research have found that “Hang Time Athletics, LLC” occupied the space from September 2011 to April 2014 and have not used the space as an indoor Gym since. Therefore, the transfer of use from SUPMAJ 2011-22 became void after one (1) calendar year of pervious gym vacating the space. Most recently, Brooking Technologies which supply Emergency Vehicle LED lighting fixtures and equipment was listed as current tenants of the space.

DEPARTMENTAL REVIEW

The Planning and Zoning Division has routed this request to all appropriate reviewing departments. There are no open comments.

Office of the County Attorney Review:

Office of the County Attorney Review: Applicant bears the burden of demonstrating by competent substantial evidence that the request meets the general standards of LDC section 2.03.01 as well as any specific standards required by that special use. The Agency may consider competent substantial evidence that the general or specific standards are not met and is, in fact, adverse to the public interest. Special Uses are uses, if the specific conditions are met, that would be allowable unless there is a determination that the use would adversely affect the public interest. Pursuant to LDC section 2.03.01.F, the Agency may prescribe appropriate conditions to mitigate for any evidenced incompatibility and to assure that potential adverse and negative effects are avoided.

Per LDC 2.03.01.C: A detailed site plan, drawn to scale, shall show the location and dimensions of all existing and proposed structures and other improvements and setbacks of same, signs, and provisions for off-street parking is required. The plan shall become a condition upon which the permits is permitted and any change or addition shall constitute a violation of the special use approval unless such change is submitted to and approved by the Planning and Zoning Agency.

As required by Section 2.03.01.D., the Special Use must be compatible with the adjacent and surrounding land uses. Land uses, as defined in Chapter 163, Part II, Florida Statutes (“Growth Management Act”) include, but are not limited to, permitted Uses, Structures, and activities allowed within the land use category or implementing zoning district. Compatibility means a condition in which land uses or conditions can co-exist in relative proximity to each other in a stable fashion over time such that no Use or condition is unduly negatively impacted directly or indirectly by another Use or condition. The compatibility of land uses is dependent on numerous characteristics which may impact adjacent or surrounding Uses. These include: type of Use, density, intensity, height, general appearance and aesthetics, odors, noise, smoke, dust, vibration,

traffic generation, sanitation, litter, drainage, risk of fire, air quality, protection of Listed Species or Essential Habitat, maintenance of public infrastructure, availability of potable water and other necessary public services, and nuisances.

Technical Division Review:

In the case that the Special Use Permit is approved, all site engineering, drainage, and required infrastructure improvements will be reviewed pursuant to the established Development Review Process to ensure that the Development has met all applicable Federal, State, and local regulations. No construction will be authorized prior to compliance with all applicable regulations and permits.

Fire Services Review:

There is no objection to the gymnasium.

Please acknowledge building plans will be submitted to the Fire Marshal's Office and Building Dept professionally drawn and designed by an architect showing compliance with the Fire and Bldg. Code prior to occupancy of the space or building. (NFPA 1, 1.7.12)

Currently the 7th edition of the Florida Fire Prevention Code is in effect. All site plans and building plans are reviewed under this edition. However, the 8th edition of the Florida Fire Prevention Code is projected to go into effect on December 30, 2023. All site plans and building plans submitted after this date will be required to comply with the 8th edition.

Please pass this information on to your design professional.

Planning and Zoning Division Review:

The subject site is a 0.88 ac parcel 38,332.8 +/- sq. ft. zoned Industrial Warehouse, with conditions, and a Future Land Use of Mixed-Use District which is located south of CR 208, west of I-95 off Agricultural Center Drive with direct access from Liberty Center Place. The project site and existing Warehouse Flex Space building was once granted a Special Use, Permit SUPMAJ 2011-22, for Commercial Recreation use.

Land Development Code Reference and Criteria for Action:

Article XII, Definitions

Special Use: Means a Use that would not be appropriate, generally or without restriction, throughout a zoning division or district but which if controlled as to number, area, location, or in relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or the general welfare. Such Uses may be permissible in a zoning classification or district upon the granting of a Special Use and meeting the requirements of this Code.

LDC, Part 2.03.00 - Allowable and Special Uses (provided in part)

The Special Uses contained in this Part shall be considered and approved, approved with conditions, or denied in accordance with the requirements of this Code Part 9.01.00 for the issuance of Development Permits. The following Special Uses if allowed in a zoning district according to Section 2.02.02 and identified in Section 2.03.01 or allowed in this Part by reference to a zoning district may only be permitted upon demonstration of compliance with all of the requirements of this Part.

It is not possible to list each specific Use allowed by right or through Special Use review. The intent is to provide a sufficient number of illustrative or representative Special Uses and to allow other Special Uses to be assigned to a category as they are proposed in a zoning district. If a Use is proposed that is not specifically listed or described as allowable by right or by Special Use, and is not specifically prohibited, such use may be reviewed

and approved by Special Use Permit to ensure that any adverse impacts can be and are mitigated. Some uses may be allowed by right if very similar to a use listed by right in the corresponding zoning district. However, if such Use is not closely matched to an existing Use, then it must meet at a minimum Section 2.03.01.A in addition to the criteria of the most similar Special Use. This determination will be rendered by the County Administrator and/or designee.

LDC, Sec. 2.03.01.A - General Provisions on Special Uses

A Special Use shall be approved by the Planning and Zoning Agency only upon determination that the application and evidence presented establish that:

1. The Special Use can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the St. Johns County Comprehensive Plan or this Code;

Based on Staff review, it appears the Special Use may be granted without detriment to the public good, based on the application materials provided by the applicant, the size of the property, and the use of the existing structures. It should be noted that that subject site and building was previously granted a Special Use Permit for a similar type use.

2. The Use is compatible with the contiguous and surrounding area and will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent Uses or on community facilities or services; and

Based on Staff review, the subject property is designated Mixed Use District (MD) on the Future Land Use Map and is zoned as Industrial Warehouse with Conditions. The proposed special use is for a kid's gym and indoor special events space. Properties to the immediate west are zoned Open Rural (OR), property to the south, north and east are existing warehouse industrial development zoned Industrial Warehouse (IW) and Commercial Warehouse (CW).

3. If access is provided by a street maintained by the Florida Department of Transportation (FDOT) a copy of the results of a pre-application meeting with FDOT is required unless otherwise deemed not necessary by the County Administrator; and

The property does not have access to a street maintained by the Florida Department of Transportation (FDOT). The property is accessed from County Road 208 to the north to Agricultural Center Drive and currently has existing access driveway on Liberty Center Place.

4. The Use, which is an Unlisted Special Use in the district in which it is proposed to be located, complies with all required regulations and standards of this Article II, unless greater or more stringent regulations are contained or provided in the Comprehensive Plan or elsewhere in this Code for the Special Use.

The request, as submitted, requires Special Use approval. Based on review of the applicant's provided documents, the site will be required to comply with the Special Use requirements provided in LDC Section 2.03.01, other sections of the LDC, and the Comprehensive Plan.

Sec. 2.03.43 Recreation Commercial recreation, gymnasiums, fitness centers, paint ball facilities, aerobics studios and similar Uses that require large open warehouse buildings, may be permitted as a Special Use within districts as defined in Section 2.03.01, subject to the following conditions and limitations:

A. There shall be a site plan submitted with the Special Use Permit that is in compliance with all requirements of the Land Development Code and such site plan shall indicate adequate parking consistent with Section 6.05.00 of this Code and detail existing and allowable Uses.

The applicant has provided a building floor plan denoting the way in which the space will be used as a kid's gym and special event space. On-site parking will be provided in designated marked spaces.

B. Restrictions on Location

1. Commercial recreation Uses within districts as defined by Section 2.03.01 shall only be allowed where a clear separation of incompatible uses exists. The applicant shall identify adjacent uses as part of the Special Use Application.

As provided by the applicant, the uses adjacent to the subject site includes but not limited to, a Warehouse Flex Space by Taylor Training Systems which is used as a Fitness Gym, a Retail space used by Contractors Discount Doors and other warehouse flex space type of uses.

2. Where commercial recreation Uses have been allowed by Special Use, the addition of any allowable Use in IW shall not be cause for discontinuance of the business nor shall such business be considered nonconforming as define in Part 10.03.00 of this Code.

The proposed use of the subject site for a Kids Gym will not cause the discontinuance of existing established business located within close proximity.

C. Restrictions on Hours of Operation

1. In order to ensure compatibility between allowable Uses of IW zoning district and commercial recreation Uses, the operation of the primary recreation activity Use shall be limited to hours of operation opposite of existing Light Industrial Uses (office hours not included).

a. Hours of operation for the proposed recreation use and the existing Uses shall be provided as part of the Special Use Application.

The hours of operation for the events and venue space will be as follows:

Monday – Sunday (Seven days a week) 9:00 am – 6:00 pm

Private Rentals: Closed to the public (Birthday Parties, Private Play date, Field Trips, etc.)

Drop off: schools out camps, pre-k prep, classes, parent's night out.

b. The Site Plan shall include the location of existing businesses and a description of operation activities.

The proposed use will be located in an existing warehouse flex space building with other established warehouse flex space buildings and uses within close proximity.

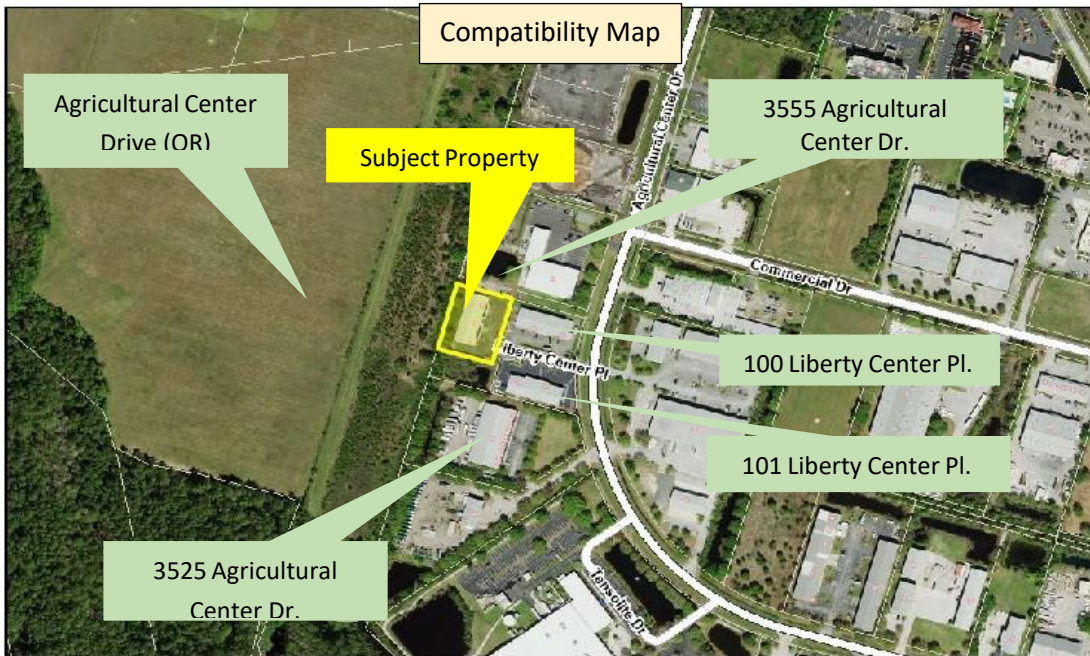
Figure 1 provides a compatibility analysis of adjacent properties. The subject property is surrounded by existing Industrial Warehouse, with Conditions (IW) uses and Open Rural (OR).

Figure 1: Compatibility Analysis

Criteria	Subject Property	North	East	East	South	West
Property / Area	104 Liberty Center Pl. 0.88 acres	3555 Agricultural Center Dr. 3.26 acres	101 Liberty Center Pl 0.79 acres	100 Liberty Center Pl. 0.79 acres	3525 Agricultural Center Dr. 3.13 acres	Agricultural Center Dr. sites 72.54 acres
Zoning	Industrial Warehouse (IW)	Industrial Warehouse (IW)	Industrial Warehouse (IW)	Industrial Warehouse (IW)	Industrial Warehouse (IW)	Open Rural (OR)
FLUM	Mixed Use	Mixed Use	Mixed Use	Mixed Use	Mixed Use	Mixed Use
Current / Proposed Use	Currently Warehouse; Proposed Kids Gym and Special Event Venue	Currently Light Manufacturing Use	Currently Warehousing-Flex Space	Currently Warehouse-Flex Space Use	Currently Warehouse Flex Space Use	Grazing Class 3 Vacant unimproved land

Figure 2 provides a compatibility map of the surrounding properties as listed above in the Compatibility Analysis.

Figure 2: Compatibility Map



As provided above, the subject property is surrounded by existing Industrial Warehouse uses, Open Rural, General Commercial, Warehouse Commercial and vacant Open Rural.

CORRESPONDENCE/PHONE CALLS

As of the writing of this staff report, Staff has received no correspondence or phone calls regarding this request.

ACTION

Staff offers eight (8) findings of fact and eleven (11) conditions to support a motion to approve or seven (7) findings of fact to deny. These findings may be subject to other competent substantial evidence received at the quasi-judicial public hearing.

ATTACHMENTS

1. Application and Supporting Documents
2. Final Draft Orders

SUGGESTED MOTION / FINDINGS / CONDITIONS TO APPROVE REQUEST

Motion to approve **SUPMAJ 2023-18 We Rock the Spectrum (St. Augustine)**, a request for a Special Use Permit to allow for an indoor sensory kids Gym to provide open play, classes for families, host birthday parties, pursuant to Section 2.03.43 of the Land Development Code to allow for Commercial Recreation in Industrial Warehousing, with Conditions (IW) Zoning subject to the following findings and conditions:

SUGGESTED FINDINGS

1. The Special Use can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the St. Johns County Comprehensive Plan or Land Development Code
2. The Use is compatible with the contiguous and surrounding area and will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent uses or on community facilities or services.
3. The Use, which is listed as an Unlisted Use in the Industrial Warehouse zone, complies with all required regulations and standards of Article II of the Land Development Code.
4. The request is in compliance with Section 2.03.01.A and Article XII of the Land Development Code.
5. The request is not in conflict with the Future Land Use Map designation of Mix Use District.
6. The requested Use, although not generally appropriate or without restriction throughout the zoning district, when controlled as to the number, location and relationship to the neighborhood, promotes the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or the general welfare of the residents of the area.
7. The requested Use is not in conflict with the development patterns of the area.
8. The applicant, at the public hearing, has stated no objections to the proposed conditions.

SUGGESTED CONDITIONS

1. The Special Use Permit is granted to We Rock the Spectrum (St. Augustine) doing business at 104 Liberty Center Place, and **shall be non-transferable to any other location or entity**.
2. The Use of the property located at 104 Liberty Center Place is only modified for uses related to special use of Recreation Commercial and special events located at 104 Liberty Center Place.
3. Approval is granted as outlined on the Proposed Floor Plan labeled as **Exhibit B** submitted by the applicant and made a part of this application.
4. The hours of operation for the event venue will be Monday–Sunday (seven days a week) from 9:00 am–6:00 pm, Private Rentals: which will be closed to the public (Birthday Parties, Private Play date, Field Trips, etc.) Drop off: schools out camps, pre-k prep, classes, parent’s night out.
5. Special Use Permit shall be governed by the St. Johns County Noise Ordinance (Ord 2015-19).
6. Applicant agrees that St. Johns County may inspect the site for compliance with the Final Order and all other relevant requirements at any time the Special Use is being exercised.
7. This approval of the Special Use Permit may be revoked by the County Administrator or designee, in his/her sole discretion, upon a determination of violation of the conditions set forth herein or a violation of Federal, State, or Local law or regulation. Appeals of decisions by the County Administrator or designee to revoke the Special Use Permit may be appealed to the Board of County Commissioners.
8. The Special Use Permit shall be commenced within **one (1) year** of the signing of the Final Order;

otherwise, all rights granted herein shall be null and void. Commencement shall be defined as issuance of a Development Permit from the Development Review Division of St. Johns County Growth Management.

9. **The Special Use Permit is granted under the condition of continual use. A Special Use Permit that, once commenced, remains idle, discontinued or unused for a continuous period of one (1) calendar year shall no longer be valid and all rights granted herein shall become null and void.**
10. Approval of the Special Use Permit does not release the project from adherence to all relevant requirements of the St. Johns County Land Development Code, Comprehensive Plan, Florida Building Code, and any other Agency having jurisdiction.
11. The application, supporting documents, conditions and limitations offered within the application and at the public hearing by the applicant (or representative) will be incorporated herein and shall become part of the Final Order, except as may be modified by preceding conditions and limitations.

(Additional conditions may be added as a result of the public hearing)

SUGGESTED MOTION / FINDINGS TO DENY REQUEST

Motion to deny **SUPMAJ 2023-18 We Rock the Spectrum Gym (St. Augustine)**, a request for a Special Use Permit to allow for an indoor sensory kids Gym to provide open play, classes for families, host birthday parties, pursuant to Section 2.03.43 of the Land Development Code to allow for Commercial Recreation in Industrial Warehousing (IW) Zoning, specifically located at 104 Liberty Center Pl; subject to the following findings:

SUGGESTED FINDINGS

1. The Special Use cannot be granted without substantial detriment to the public good and will substantially impair the intent and purpose of the St. Johns County Comprehensive Plan or Land Development Code.
2. The Use is not compatible with the contiguous and surrounding area and will impose an excessive burden or have a substantial negative impact on surrounding or adjacent uses or on community facilities or services.
3. The Use, which is listed as an Unlisted Use in the Industrial Warehouse Zoning District, does not comply with all required regulations and standards of Article II of the Land Development Code.
4. The request is not in compliance with Section 2.03.01.A and Article XII of the Land Development Code.
5. The request is in conflict with the Future Land Use Map designation of Mixed-Use District.
6. The requested Use does not promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or the general welfare of the residents of the area.
7. The requested Use is in conflict with the development patterns of the area.

(The Board may choose any or all of the above Findings or may provide additional Findings to support the motion.)

ATTACHMENT 1
APPLICATION and
SUPPORTING
DOCUMENTS



St. Johns County Growth Management Department

Application for:

Special Use Permit

Date 1/2/24

Property Tax ID No

087550 0380

Project Name

We Rock the Spectrum - St. Augustine

Property Owner(s)

Inesmar LLC

Phone Number

904-305-1444

Address

104 Liberty Center Place

Fax Number

City

St. Augustine

State

FL

Zip Code

32095

e-mail

eddieschiano@gmail.com

Are there any owners not listed?

No

Yes

If yes please provide information on separate sheet.

Applicant/Representative

Jennifer and Mitesh Desai

Phone Number

847-912-6898

Address

32 Mitad Circle

Fax Number

904-747-2905

City

St. Augustine

State

FL

Zip Code

32095

e-mail

info@werockthespectrumstaugustine.com

Property Location

104 Liberty Center Place St. Augustine, FL 32092

Major Access

SR-16 and 95

Size of Property

10,800 sf

Cleared Acres (if applicable)

Zoning Class

IW

No. of lots (if applicable)

Overlay District (if applicable)

Water & Sewer Provider

St. Augustine City Utility

Future Land Use Designation

Present Use of Property

Warehouse

Proposed Bldg. S.F.

Project Description (use separate sheet if necessary)

Indoor sensory kids gym to provide open play, classes for families, host birthday parties, etc. with the ability to allow families to try out the equipment in the gym prior to purchasing on their own. Equipment will include: spring free trampoline, climbing structures, zip line, etc.

Please list any applications currently under review or recently approved which may assist in the review of this application including the name of the PUD/PRD:

I understand that reasonable inspections of the subject property may be made as part of the application review process. I understand that any material misrepresentations or errors contained in this application or supporting documents may void an approved application, at the reasonable determination of the County considering the Land Development Code, Comprehensive Plan, and other applicable regulations.

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT:

Signature of owner or person authorized to represent this application:

Mitesh Desai Jennifer Desai
SIGNED BY

Printed or typed name(s)

Mitesh Desai and Jennifer Desai

General Summary Statement

We Rock the Spectrum – St. Augustine

Indoor sensory playground/demonstration facility designed to be an inclusive environment for all children, children's retail store, and/or family event space, together with offices and facilities.

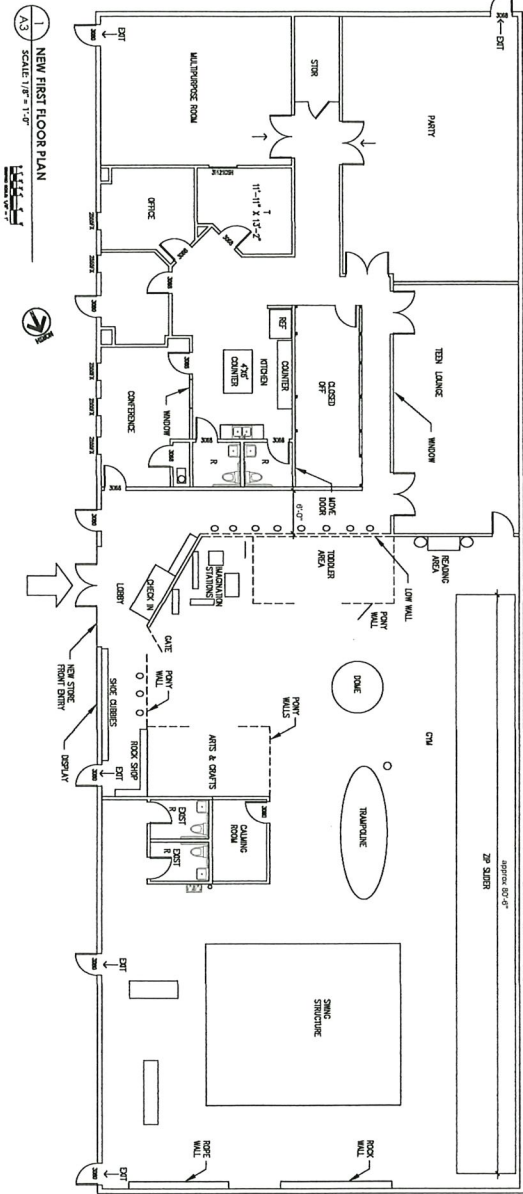
The space is designed to meet the sensory needs of neurodivergent individuals by having a predictable layout, equipment designed for the tactile, proprioceptive, and vestibular systems, while also accommodating for noise sensitivity and general overstimulation

There will be different developmental areas to cater to the needs of infants/toddlers, up through teenage ages.

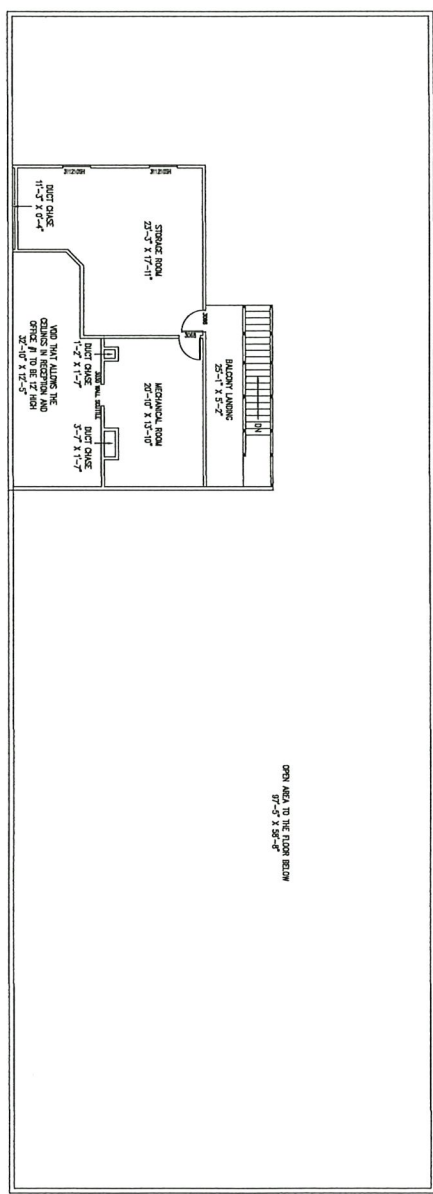
The programming will be flexible and may change week to week, but will always be a mix of open play, drop off, and private rental with anticipated operating hours from 9 am – 6 pm, 7 days a week. No hot food or alcohol of any kind will be served.

- Open Play: children supervised by the adult who brings them
- Private Rentals: closed to the public (birthday parties, private play dates, field trips, etc.)
- Drop off: schools out camps, pre-k prep, classes, parents night out

Floor Plan - Exhibit B



1 NEW FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



2 MEZZANINE FLOOR PLAN
SCALE: 1/8" = 1'-0"

OPEN AREA TO THE FLOOR BELOW
07'-5\"/>

PROJECT	ROCK THE SPECTRUM 104 LIBERTY CENTER PLACE ST. AUGUSTINE, FL		
	DATE	10/20/11	PROJECT NUMBER
DESIGNER	RODERS ARCHITECTS, LLC	SCALE	AS SHOWN
PROJECT NUMBER	RA-23811	DATE	10/20/11
TENANT FINISH-OUT - OPTION 5C NEW FLOOR PLAN			

RA RODGERS ARCHITECTS, LLC
 "A Professional Resource for Asset Management"
 14565 Harewood Court
 Jacksonville, FL 32256
 P: 904.519.8018 F: 904.519.8019
 W: www.rodgersarchitects.net

REVISIONS		
NO.	DATE	DESCRIPTION

CODE AND COMPLIANCE

Applicable Code

Florida Building Code 7th Edition (2020) Building
Florida Building Code 7th Edition (2020) Existing
Florida Building Code 7th Edition Plumbing
2018 NFPA 101 Life Safety Code
2018 NFPA 1: Fire Code
2020 FFPC: Florida fire Prevention Code 7th Edition

General Requirements

Occupied Area	9,900 SF	
Classification of Building by Occupancy	Group Assembly A3 – Gymnasium	
Construction Classification	Type IIB	
Maximum Occupant Load	Exercise	2,640 SF @ 50 = 52
	Kitchen	648 SF @ 200 = 4
	Office classrooms	485 @ 150 = 24
	Storage	96 sf @ 30 = 1
	Restrooms	4 x 6x8 = 192 1 each = 4
	Total Occupants	85
Egress Capacity Required	85 x 0.2"	17" '=
	Provided	342"
Maximum Travel Distance to exit	60'	
Parking Requirements	Required 1 per 500 SF	20
	Provided	20
Plumbing – FBC/P	Assembly (Gymnasium)	
	Male – Required 1 per 125 = 1	
	Female – Required 1 per 65 = 2	
	Total Provided	4

SHEETS

- A0 Notes, codes, site plan, location Plan
- A1 Site plan and parking
- A2 existing floor plan
- A3 Demolition plan
- A4 New floor Plan
- A5 Reflected ceiling plan
- A6 Roof finish schedule and roof Schedule
- A7 Details
- A8 Details

**BEGIN DOCUMENTS
TO BE RECORDED**



ORDER
ST. JOHNS COUNTY, FLORIDA
PLANNING AND ZONING AGENCY

RE: Jennifer and Mitesh Desai
32 Mitad Circle
St. Augustine, FL 32095

FILE NUMBER: SUPMAJ 2023-18

LEGAL: Exhibit A

FLOOR PLAN: Exhibit B

PARCEL ID: 087550-0380

DATE OF HEARING: February 15, 2024

ORDER GRANTING SPECIAL USE APPROVAL

The above referenced application for a Special Use Permit to allow for an indoor Kids Gym to provide open play, classes for families, host birthday parties, meeting the general special use criteria of Land Development Code Section 2.03.01.A; specifically located at 104 Liberty Center Place; came before the Planning & Zoning Agency for a public hearing on February 15, 2024.

FINDINGS OF FACT

Having considered the application, along with supporting documents; the Staff report prepared by staff; statements by the applicant; and all evidence presented during public hearing, the Agency finds as follows:

1. The Special Use can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the St. Johns County Comprehensive Plan or Land Development Code.
2. The Use is compatible with the contiguous and surrounding area and will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent uses or on community facilities or services.
3. The Use, which is listed as an Industrial Warehouse, with Conditions zoning district, complies with all required regulations and standards of Article II of the Land Development Code.

4. The request is in compliance with Section 2.03.01.A and Article XII of the Land Development Code.
5. The request is not in conflict with the Future Land Use Map designation of Mixed-Use.
6. The requested Use, although not generally appropriate or without restriction throughout the zoning district, when controlled as to the number, location and relationship to the neighborhood, promotes the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or the general welfare of the residents of the area.
7. The requested Use is not in conflict with the development patterns of the area.
8. The applicant, at the public hearing, has stated no objections to the proposed conditions.

NOW THEREFORE, based on the said Findings of Fact, the Agency hereby grants a Special Use Permit to allow for an indoor sensory Kids Gym to provide open play, classes for families, host birthday parties, meeting the general special use criteria of Land Development Code Section 2.03.01.A; specifically located at 104 Liberty Center Place; subject to the following conditions:

1. The Special Use Permit is granted to We Rock the Spectrum (St. Augustine) doing business at 104 Liberty Center Pl, and shall be non-transferable to any other location or entity.
2. Approval is granted as outlined on the Floor Plan labeled as **Exhibit A** submitted by the applicant and made a part of this application.
3. The hours of operation for the event venue will be Monday–Sunday (seven days a week) from 9:00 am – 6:00 pm, Private Rentals: which will be closed to the public (Birthday Parties, Private Play date, Field Trips, etc.) Drop off: schools out camps, pre-k prep, classes, parent’s night out.
4. Special Use Permit shall be governed by the St. Johns County Noise Ordinance (Ord 2015-19).
5. Applicant agrees that St. Johns County may inspect the site for compliance with the Final Order and all other relevant requirements at the time the Special Use is being exercised.
6. This approval of the Special Use Permit may be revoked by the County Administrator or designee, at his/her sole discretion, upon a determination of violation of the conditions set forth herein or a violation of any Federal, State or Local law or regulation. Appeals of decisions by the County Administrator or designee to revoke the Special Use Permit may be appealed to the Board of County Commissioners.
7. The Special Use Permit shall be commenced within **one (1) year** of the signing of the Final Order; otherwise, all rights granted herein shall be null and void. Commencement shall be defined as issuance of a Development Permit from the Development Review Division of St. Johns County Growth Management.
8. The Special Use Permit is granted under the condition of continual use. A Special Use Permit that, once commenced, remains idle, discontinued or unused for a continuous period of one (1) calendar year shall no longer be valid and all rights granted herein shall become null and void.

9. Approval of the Special Use Permit does not release the project from adherence to all relevant requirements of the St. Johns County Land Development Code, Comprehensive Plan, Florida Building Code, and any other Agency having jurisdiction.
10. The application, supporting documents, conditions and limitations offered within the application and at the public hearing by the applicant (or representative) will be incorporated herein and shall become part of the Final Order, except as may be modified by preceding conditions and limitations.

This decision may be appealed to the St. Johns County Board of County Commissioners within thirty (30) days of the signing of this Order, pursuant to Section 9.07.03 of the Land Development Code.

Deed Restrictions, if any, are not affected by the actions of the Agency or this Order.

All applicable state or federal permits must be obtained before commencement of the development. Issuance of a development permit or development order by a county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

DATED THIS _____ DAY OF _____, 2024.

PLANNING AND ZONING AGENCY OF ST. JOHNS COUNTY FLORIDA

Chair/Vice-Chair

The undersigned Clerk to the Planning and Zoning Agency of St. Johns County, Florida certifies that the above Order of the Planning and Zoning Agency is a true and correct rendition of the Order adopted by said Agency as the same appears in the record of the Planning and Zoning Agency minutes.

Clerk, Growth Management Department

Date Filed

EXHIBIT "A"

LEGAL DESCRIPTION

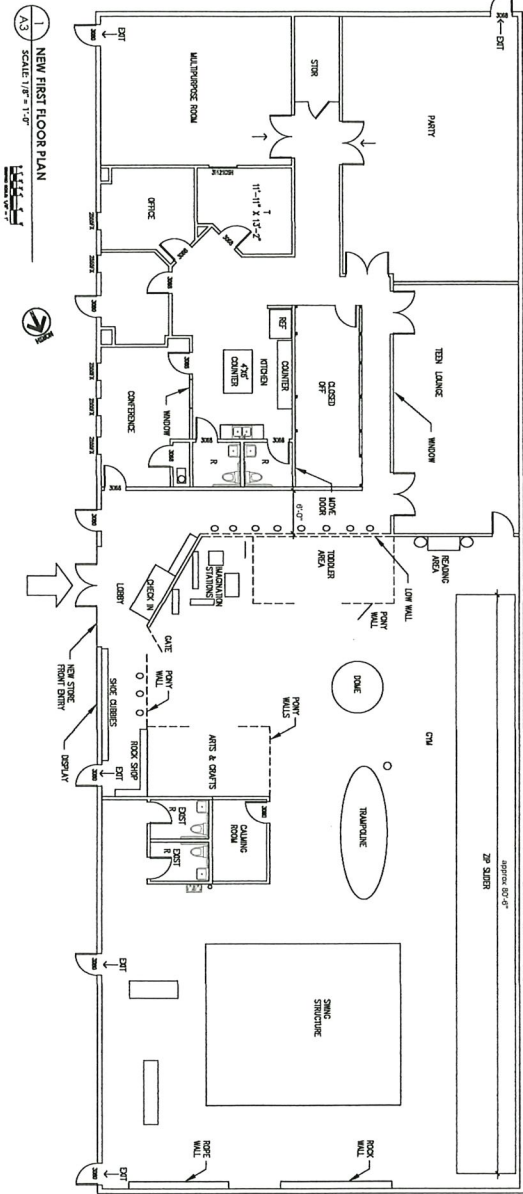
Lot 3, Liberty Industrial Center

A parcel of land in Section 7, Township 7 South, Range 29 East, St. Johns County, Florida, being more fully described as follows:

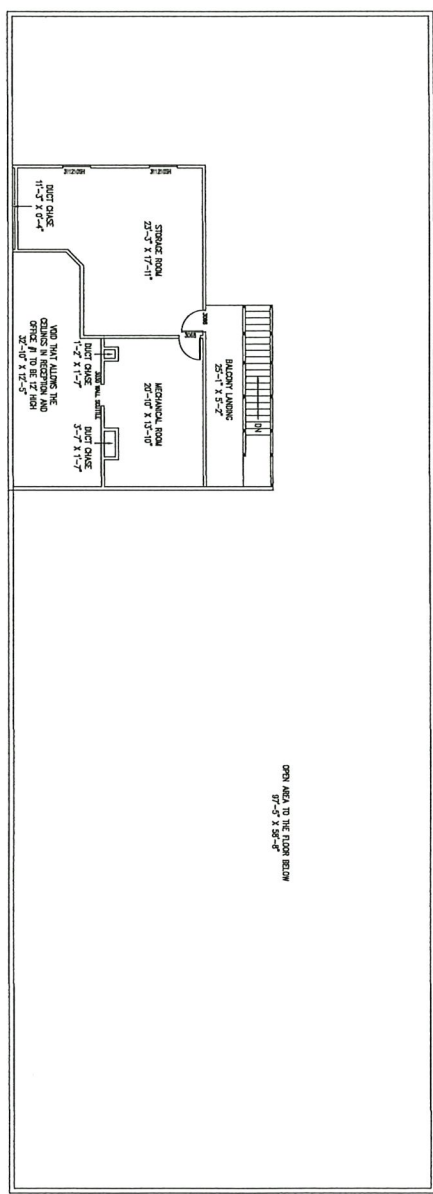
Commencing at the intersection of the centerline of Interstate Route 95 with the centerline of State Road No. 208; thence North 73° 56' 00" West, on said centerline of State Road No. 208, a distance of 1,516.66 feet; thence South 16° 04' 00" West, 50.00 feet to the South right of way line of State Road No. 208; thence continuing South 16° 04' 00" West on the West right of way line of Agricultural Center Drive, a 100 foot width right of way, 1,488.65 feet; thence North 73° 52' 06" West 233.76 feet to the Point of Beginning at the Northeast corner of the herein described parcel of land; thence South 16° 04' 00" West 220.00 feet; thence North 73° degrees 52' 06" West 173.75 feet; thence North 16° 04' 00" East 220.00 feet; thence South 73° 52' 06" East, 173.75 feet to the Point of Beginning.

Together with an undivided 1/3 interest in and to the common property of Liberty Industrial Center as more particularly described in the Declaration of Covenants and Restrictions for Liberty Industrial Center recorded in Official Records Volume 2561, page 576 of the Public Records of St. Johns County, Florida.

Floor Plan - Exhibit B



1 NEW FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



2 MEZZANINE FLOOR PLAN
SCALE: 1/8" = 1'-0"

OPEN AREA TO THE FLOOR BELOW
07'-5\"/>

PROJECT	ROCK THE SPECTRUM 104 LIBERTY CENTER PLACE ST. AUGUSTINE, FL		
	TENANT FINISH-OUT - OPTION 5C NEW FLOOR PLAN		
SHEET NO.	A3	DATE	11/14/14
DESIGNER	RA-2381	CHECKED BY	RA-2381
DRAWN BY	RA-2381	APPROVED BY	RA-2381
PROJECT NUMBER	RA-2381	SCALE	AS SHOWN

RA RODGERS ARCHITECTS, LLC
 "A Professional Resource for Asset Management"
 14565 Harewood Court
 Jacksonville, FL 32256
 P: 904.519.8018 F: 904.519.8019
 W: www.rodgersarchitects.net

REVISIONS		
NO.	DATE	DESCRIPTION

CODE AND COMPLIANCE

Applicable Code

Florida Building Code 7th Edition (2020) Building
Florida Building Code 7th Edition (2020) Existing
Florida Building Code 7th Edition Plumbing
2018 NFPA 101 Life Safety Code
2018 NFPA 1: Fire Code
2020 FFPC: Florida fire Prevention Code 7th Edition

General Requirements

Occupied Area	9,900 SF	
Classification of Building by Occupancy	Group Assembly A3 – Gymnasium	
Construction Classification	Type IIB	
Maximum Occupant Load	Exercise	2,640 SF @ 50 = 52
	Kitchen	648 SF @ 200 = 4
	Office classrooms	485 @ 150 = 24
	Storage	96 sf @ 30 = 1
	Restrooms	4 x 6x8 = 192 1 each = 4
	Total Occupants	85
Egress Capacity Required	85 x 0.2"	17" '=
	Provided	342"
Maximum Travel Distance to exit	60'	
Parking Requirements	Required 1 per 500 SF	20
	Provided	20
Plumbing – FBC/P	Assembly (Gymnasium)	
	Male – Required 1 per 125 = 1	
	Female – Required 1 per 65 – 2	
	Total Provided	4

SHEETS

- A0 Notes, codes, site plan, location Plan
- A1 Site plan and parking
- A2 existing floor plan
- A3 Demolition plan
- A4 New floor Plan
- A5 Reflected ceiling plan
- A6 Roof finish schedule and roof Schedule
- A7 Details
- A8 Details



ORDER
ST. JOHNS COUNTY, FLORIDA
PLANNING AND ZONING AGENCY

RE: Jennifer and Mitesh Desai
32 Mitad Circle
St. Augustine, FL 32095

FILE NUMBER: SUPMAJ 2023-18

LEGAL: Exhibit A

FLOOR PLAN: Exhibit B

PARCEL ID: 087550-0380

DATE OF HEARING: February 15, 2024

ORDER DENYING SPECIAL USE APPROVAL

The above referenced application for a Special Use Permit to allow for an indoor sensory Kids Gym to provide open play, classes for families, host birthday parties, pursuant to Section 2.03.43 of the Land Development Code to allow for Commercial Recreation in Industrial Warehousing, with Conditions (IW) Zoning to the following findings and conditions: came before the Planning & Zoning Agency for a public hearing on February 15, 2024.

FINDINGS OF FACT

Having considered the application, along with supporting documents; the Staff report prepared by staff; statements by the applicant; and all evidence presented during public hearing, the Agency finds as follows:

1. The Special Use cannot be granted without substantial detriment to the public good and will substantially impair the intent and purpose of the St. Johns County Comprehensive Plan or Land Development Code.
2. The Use is not compatible with the contiguous and surrounding area and will impose an excessive burden or have a substantial negative impact on surrounding or adjacent uses or on community facilities or services.
3. The Use, which is listed as Industrial Warehouse zoning district, does not comply with all required regulations and standards of Article II of the Land Development Code.

4. The request is not in compliance with Section 2.03.01.A and Article XII of the Land Development Code.
5. The request is in conflict with the Future Land Use Map designation of Mixed Use District.
6. The requested Use does not promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or the general welfare of the residents of the area.
7. The requested Use is in conflict with the development patterns of the area.

NOW THEREFORE, based on the said Findings of Fact, the Agency hereby **denies** the Special Use Permit for an indoor sensory Kids Gym to provide open play, classes for families, host birthday parties, pursuant to Section 2.03.43 of the Land Development Code to allow for Commercial Recreation in Industrial Warehousing, with Conditions (IW) Zoning.

This decision may be appealed to the St. Johns County Board of County Commissioners within thirty (30) days of the signing of this Order, pursuant to Section 9.07.03 of the Land Development Code.

Deed Restrictions, if any, are not affected by the actions of the Agency or this Order.

DATED THIS _____ DAY OF _____, 2024.

PLANNING AND ZONING AGENCY OF ST. JOHNS COUNTY FLORIDA

Chair/Vice-Chair

The undersigned Clerk to the Planning and Zoning Agency of St. Johns County, Florida certifies that the above Order of the Planning and Zoning Agency is a true and correct rendition of the Order adopted by said Agency as the same appears in the record of the Planning and Zoning Agency minutes.

Clerk, Growth Management Department

Date Filed