



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Agenda

Planning Commission

Monday, January 11, 2021

7:00 PM

Council Chambers

MEMORANDUM TO:

Members of the Planning Commission
City of Jacksonville Beach, Florida

The following Agenda of Business has been prepared for consideration and action at the Regular Meeting of the Planning Commission.

1. **Call to Order**
2. **Roll Call:** Greg Sutton (Chair), Dave Dahl (Vice-Chair), Britton Sanders, Margo Moehring, Jon Scott Walker
Alternates: Colleen White, Justin Lerman
3. **Approval of Minutes:** October 26, 2020
4. **Correspondence:** None
5. **New Business:**
 - (A) **PC# 20-20** 131 North 1st Avenue
Conditional Use Application for a proposed medical marijuana treatment center dispensing facility, in the Central Business District: CBD zoning district, pursuant to Section 34-345(d)(11) of the Jacksonville Beach Land Development Code, for property located at 131 North 1st Avenue. (Applicant – *Cookies, Florida Inc.*)
6. **Planning Department Report:** The next meeting is tentatively scheduled for Monday, January 25, 2021.

NOTICE

Information concerning the hearing process is available online at www.jacksonvillebeach.org/publichearinginfo and a copy is also posted in the City Hall first floor display case. In accordance with Section 286.0114, Florida Statutes, any member of the public can attend the public hearing and can be heard on any matter presented before the Commission. Anyone who wishes to provide live public comment should complete a "Speaker Request Card" and submit it to the recording secretary prior to the beginning of the meeting. These forms are available at the entrance of the City Council Chambers for your convenience. Speakers will be called to address the Commission when specified items are under consideration and will be limited to a maximum of three minutes or less, at the discretion of the presiding officer.

Alternatively, written public comment can be submitted in advance and must include the following: (1) First Name, (2) Last Name, (3) Address, (4) Public Hearing Date, (5) Case Number, and (6) Comments. Written public comments may be submitted by one of the following options: (1) Email to planning@jaxbchfl.net, (2) Postal mail to Planning and Development, Planning Commission - Public Comment, 11 3rd Street North, Jacksonville Beach, FL 32250, or (3) Drop off in-person to Planning and Development at City Hall. Written comments that include all required information and are received 24 hours in advance of the meeting will be distributed to the Commission and attached to the related agenda item before the start of the meeting. All comments received are public record.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (904) 247-6299 no later than one business day before the meeting.

In accordance with Section 286.0105, Florida Statutes, any person desirous of appealing any decision reached at this meeting may need a record of the proceedings. Such person may 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.

**Minutes of Planning Commission Meeting
held Monday, October 26, 2020, at 7:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



Call to Order

The meeting was called to order at 7:02 P.M. by Chairman Greg Sutton.

Roll Call

<i>Chairman:</i>	Greg Sutton		
<i>Vice-Chairman:</i>	David Dahl		
<i>Board Members:</i>	Margo Moehring	Britton Sanders	Jon Scott Walker
<i>Alternates:</i>	Colleen Murphy White	Justin Lerman	

Also present were Senior Planner Heather Ireland and Administrative Assistant Jodilynn Byrd.

Approval of Minutes

It was moved by Mr. Sanders, seconded by Mr. Dahl, and passed unanimously to approve the following minutes:

- September 14, 2020

Correspondence

None.

New Business

(A) PC#19-20 Conditional Use Application

Owner: Daniel Wahby
385 Royal Tern Rd S.
Ponte Vedra Beach, FL 32082

Applicant: Ivy Wolf
617 Pine Street
Neptune Beach, FL 32266

Conditional Use Application to request an amendment to an existing conditional use approval condition for an existing restaurant located in a Residential, multiple-family: RM-2 zoning district, pursuant to Section 34-340(d)(21) of the Jacksonville Beach Land Development Code.

Staff Report:

Ms. Ireland read the following report into the record:

The subject property is located on the north side of 5th Avenue South, west of 1st Street. Historical uses on the property include a bed and breakfast hotel with meal service for guests and a restaurant open to the public, multiple-family residential, and various office uses. Current uses on the property include residential, and a restaurant with both indoor and approved outdoor seating.

The current restaurant tenant, The Ugly Cupcake Muffinry, received approval for opening a restaurant with outdoor seating in conjunction with the reopening of a bed and breakfast. The request was approved

those outdoor tables, Ms. Wolf placed tables in the yard. Ms. Ireland stated there is not a set number of tables allowed in the yard.

Conversation ensued regarding the adjustment of requested evening hours of operation to better suit the residents' needs. Ms. Wolf was advised of her option to postpone the application process to allow for time to adjust the requested hours of operation for dinner. Ms. Wolf stated she did not want to postpone her application.

Motion: In accordance with Section 34-231 Standards applicable to all conditional uses, it was moved by Mr. Dahl and seconded by Ms. Moehring, to approve, with the limit of 8:00 P.M. for Thursday, Friday, and Saturday nights, six months revisit to see if there are any problems with the neighbors and that is in accordance with Section 34-231(2), which talks about consistency of the character and "harmonious development of the zoning district in which it is proposed;" Section 34-231(3), which talks about "minimizes adverse effects," visual impact, adjacent properties, screening and buffering traffic. Section 34-231(4), which is proposed conditional use could "have an adverse effect on the permitted zoning district where it is located;" and Section 34-231(8), which is "ingress" and "egress" traffic.

Mr. Sanders asked for clarification regarding the hours of operation and if the applicant needs to come back for an additional meeting. Mr. Dahl clarified his motion by stating it would allow the request, except the closing time would be 8:00 P.M. on Thursday, Friday, and Saturday, and come back in six months to see if that was acceptable to the neighbors.

Mr. Sutton asked if the motion, as stated, for Sunday through Wednesday, the closing time would be 3:00 P.M. Ms. Ireland confirmed.

Roll call vote: Ayes – Jon Scott Walker, David Dahl, Margo Moehring, and Greg Sutton
Nays – Britton Sanders
The application was approved by a 4-1 vote.

Planning & Development Director's Report

Ms. Ireland announced the next meeting was tentatively scheduled for Monday, December 14, 2020. Ms. Ireland stated the Commission could choose to cancel the December 28, 2020 meeting due to the holidays.

Motion: It was moved by Mr. Dahl and Seconded by Mr. Sanders to cancel the December 28, 2020, meeting.

Voice Vote: The Motion was unanimously approved.

Ms. Ireland stated there would be no meeting for November 23, 2020, due to no applications being received. Ms. Ireland stated a copy of Robert's Rules of Order cheat sheet was provided to each Board Member.

Adjournment

There being no further business coming before the board, Mr. Sutton adjourned the meeting at 8:05 P.M.

Submitted by: Jodilynn Byrd
Administrative Assistant

Approval:

Chairman

Date

MEMORANDUM



TO: Planning Commission Members

FROM: Heather Ireland, Senior Planner

DATE: January 4, 2021

RE: January 11, 2021 - Planning Commission Staff Report

The following information is provided for your consideration regarding the following agenda items for the upcoming **Monday, January 11, 2021** Planning Commission meeting.

NEW BUSINESS:

PC#20-20 Conditional Use Application

Owner: Jax Beach Town Center, LLC
5150 Belfort Road, Building 100
Jacksonville, FL 32256

Applicant: Cookies Florida, Inc.
4675 McCarthur Court, Floor 15
Newport Beach, CA 92660

Agent: William Gibbs, Esq.
Akerman LLP
50 North Laura Street, Suite 3100
Jacksonville, FL 32202

Location: 131 North 1st Avenue (Applicant – *Cookies Florida, Inc.*)

Request: **Conditional Use Approval** for a proposed medical marijuana treatment center dispensing facility, in the Central Business District: CBD zoning district, pursuant to Section 34-345(d)(11) of the Jacksonville Beach Land Development Code, for property located at 131 North 1st Avenue. (Applicant – *Cookies, Florida Inc.*)

Comments: The subject property is located on the northeast corner of 1st Avenue North and 2nd Street North and currently contains vacant commercial buildings. The property is being redeveloped into a mixed use project with a restaurant, office and retail spaces. The applicant, a tenant in the future redevelopment project, wants to operate a medical marijuana treatment center dispensing facility (retail establishment) at the subject property. The applicant was advised by staff that conditional use approval would be required for the use.

Adjacent uses include a motel to the east, Latham Plaza to the south, commercial uses to the west, and a parking lot to the north. If approved, this would be the second approved dispensing facility located in the downtown area, and at least four other establishments exist within the City currently. Dispensing facilities must comply with strict State of Florida regulations for access and security. Adjacent uses should not be negatively impacted.

In accordance with Section 286.0105, Florida Statutes, any person desirous of appealing any decision reached at this meeting may need a record of the proceedings. Such person may 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.



CONDITIONAL USE APPLICATION

PC No. 20-20
AS/400# 20-100205
HEARING DATE 1/11/21

DEC 11 2020

This form is intended for submittal, along with the required attachments, with all requests for approval of a conditional use in a particular zoning classification as listed in Article 7, Zoning Districts of the City of Jacksonville Beach Land Development Code. An application for approval of a conditional use will be evaluated for sufficiency by the Planning and Development Director within five (5) days of receipt. If the application is found to be complete, it will be scheduled for review, public hearing and a decision by the Jacksonville Beach Planning Commission at their earliest meeting following appropriate public notice of the request. All applications for approval of a conditional use shall be accompanied by a nonrefundable fee of \$500.00.

APPLICANT INFORMATION

Land Owner's Name: JAX BEACH TOWN CENTER, LLC t/k/a 127 1ST AVENUE NORTH, LLC

Mailing Address: 5150 BELFORT ROAD, BLDG. 100, JACKSONVILLE, FL 32256

Telephone: (904) 545-4585

Fax: _____

E-Mail: marc@angelogroup.com

Applicant Name: COOKIES FLORIDA, INC., a Florida Corp (future subtenant/operator)

Mailing Address: 4675 MACARTHUR COURT, FLOOR 15, NEWPORT BEACH, CA 92660

Telephone: (949) 275-0747

Fax: _____

E-Mail: ryan@cookiesre.com

NOTE: Written authorization from the property owner is required if the applicant is not the owner.

Agent Name: Akerman LLP

Mailing Address: Attn: William Gibbs, Esq.,

50 North Laura Street, Suite 3100, Jacksonville, FL 32202

Telephone: (904) 598-8687

Fax: (904) 598-3921

E-Mail: william.gibbs@akerman.com

Please provide the name, address and telephone number for any other land use, environmental, engineering architectural, economic or other professionals assisting in the application on a separate sheet of paper.

PROJECT DATA

Street address of property and/or Real Estate Number: 131 1ST AVE N, Jacksonville Beach, FL 32250 (RE 174018-0000 & 174017-0010)

Legal Description of property (attach copy of deed): See Attached Exhibit 1

Current Zoning Classification: CBD

Future Land Use Map Designation: CBD

An 8 1/2 x 11-inch vicinity map must be attached showing the location of the proposed conditional use. If the proposed conditional use meets the criteria set forth in Section 34-226 (i), a sketch site plan for the development will be required to be submitted with this application.

Code section(s) applicable to the requested conditional use: Section 34-345(d)(11)

Describe the proposed conditional use and the reason for the request:

The proposed conditional use is for a medical marijuana treatment center dispensing facility, in accordance with Section 34-345(d)(11) of the Code. The Applicant anticipates that the landowner will conduct its own initial construction at the site to deliver a suite shell within the new building for the Applicant to subsequently build-out.

Applicant Signature: _____

Brandon Johnson, as President of COOKIES FLORIDA, INC.

Date: December 8th, 2020

Section 34-231 STANDARDS APPLICABLE TO ALL CONDITIONAL USES When considering an application for development permit for a conditional use, the planning commission shall consider whether and the extent to which:

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(a) The conditional use is consistent with the goals, objectives and policies of the comprehensive plan, including standards for building and structural intensities and densities, and intensities of use;

Yes, medical marijuana treatment center dispensing facility is a conditional use under the zoning code, and the CBD land use category promotes a diversity of uses, including commercial and retail uses.

(b) The conditional use is consistent with the character of the immediate vicinity of the land proposed for development, and designed so that it is consistent with the harmonious development of the zoning district in which it is proposed;

Yes, the proposed site will be a suite within new anticipated building to replace the prior Campeche Bay Mexican Restaurant and Ruby Beach Brewing. The neighboring businesses include Surfer The Bar, Seawalk Hotel, and Picasso Day Spa and Salon (across 2nd Street N). The proposed use as a medical marijuana treatment center dispensing facility will be an individual suite within the new building anticipated to be built by the landowner and should not have a material effect on the exterior appearance of the site or the harmonious development of the area.

(c) The design of the proposed conditional use minimizes adverse effects, including visual impact, of the proposed use on adjacent properties, and provides adequate screening and buffering;

Yes, the proposed use of a suite as a medical marijuana treatment center dispensing facility within the new/proposed building should not have a material effect on the exterior appearance of the site.

(d) The proposed conditional use will have an adverse effect on the permitted uses of the zoning district where it is located;

No, medical marijuana treatment center dispensing facility is a conditional use under the zoning code.

(e) The proposed conditional use will have an adverse effect on the value of adjacent property;

No, the existing buildings are vacant, and the proposed use of a suite as a medical marijuana treatment center dispensing facility should not have a material effect on the value of adjacent properties, which are well-established commercial properties.

(f) There are adequate public facilities and services pursuant to Article X, Adequate Public Facility Standards;

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Yes, the site is in a well-established commercial district.

(g) The proposed conditional use will require signs or exterior lighting, which will cause glare of adversely impact area traffic safety;

No, the applicant does not anticipate signs or lighting that will be substantially different from the existing/neighboring businesses.

(h) There is adequate ingress and egress to the proposed conditional use, and it is designed so as to minimize traffic congestion on the city's roads;

Yes, the site has a rear alley for deliveries, and there is abundant street/public parking in the area.

(i) The proposed conditional use is consistent with the requirements of the LDC;

Yes, provided that medical marijuana treatment center dispensing facility is a conditional use under the zoning code.

(j) The applicant has the financial and technical capacity to complete the conditional use as proposed, and has made adequate legal provision to guarantee the provision of open space and other improvements associated with the proposed conditional use;

Yes, the applicant operates several marijuana dispensaries around the country, and has the financial capacity to conduct the proposed business. Open space and other improvements associated with the use would not be applicable to this proposed use.

(k) The proposed conditional use complies with all additional standards imposed on it by the particular provision of the comprehensive plan authorizing such use and all other applicable requirement of the LDC.

Yes, the applicant intends to comply with other applicable standards imposed upon the use, including the required distance from any school and the hours of operation as required by Code Section 34-408(a).

EXHIBIT A
Ownership Affidavit

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PC #20-20

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City of Jacksonville Beach
Planning and Development Department
City Hall, First Floor
11 North Third Street
Jacksonville Beach, FL 32250

PLANNING & DEVELOPMENT

**Re: Ownership Affidavit for 131 1st Avenue North, Jacksonville Beach, FL 32250
(RE# 174018-0000 and 174017-0010)**

Ladies and Gentlemen:

I, Marc Angelo, as Manager of **JAX BEACH TOWN CENTER, LLC f/k/a 127 1ST AVENUE NORTH, LLC**, hereby certify that said entity is the owner of the real property described in **Exhibit 1** attached hereto, in connection with one or more applications for conditional use approval and related zoning and land use matters submitted to the Jacksonville Beach Planning and Development Department.

**JAX BEACH TOWN CENTER, LLC f/k/a 127
1ST AVENUE NORTH, LLC**

By: [Signature]
Name: Marc Angelo
Its: Manager

STATE OF FLORIDA
COUNTY OF St Johns

Acknowledged before me by means of (notary must check one box) ☒ physical presence or ☐ online notarization this 2nd day of December, 2020, by Marc Angelo, as Manager of **JAX BEACH TOWN CENTER, LLC f/k/a 127 1ST AVENUE NORTH, LLC**, who is (notary must check one box) ☐ personally known to me or ☒ has produced FDL as identification.

As24 543031210

[Signature]
(Notary Signature)

Commission Expires: 10/30/2023

[NOTARIAL SEAL]

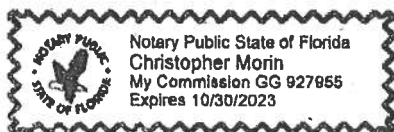


EXHIBIT B
Agent Authorization

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PC #20-20
DEC 11 2020

City of Jacksonville Beach
Planning and Development Department
City Hall, First Floor
11 North Third Street
Jacksonville Beach, FL 32250

PLANNING & DEVELOPMENT

**Re: Agent Authorization for 131 1st Avenue North, Jacksonville Beach, FL 32250
(RE# 174018-0000 and 174017-0010)**

Ladies and Gentlemen:

You are hereby advised that the undersigned, **JAX BEACH TOWN CENTER, LLC f/k/a 127 1ST AVENUE NORTH, LLC**, owner of the property described in **Exhibit 1** attached hereto, hereby authorizes and empowers IAN BACHEIKOV, ESQ and/or WILLIAM GIBBS, ESQ. of AKERMAN LLP to act as agent to file one or more applications for conditional use approvals and related zoning and land use matters, and in connection with such authorization to file such applications, papers, documents, request and other matters necessary for such requested change(s).

**JAX BEACH TOWN CENTER, LLC f/k/a 127
1ST AVENUE NORTH, LLC**

By: [Signature]
Name: Marc Angelo
Its: Manager

STATE OF FLORIDA
COUNTY OF ST. JOHNES

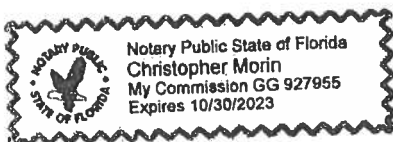
Acknowledged before me by means of (notary must check one box) ☒ physical presence or ☐ online notarization this 2nd day of December, 2020, by Marc Angelo, as Manager of **JAX BEACH TOWN CENTER, LLC f/k/a 127 1ST AVENUE NORTH, LLC**, who is (notary must check one box) ☐ personally known to me or ☒ has produced FLDL as identification.

A5245430310-10

[Signature]
(Notary Signature)

Commission Expires: 10/30/2023

[NOTARIAL SEAL]



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Exhibit 1
Legal Description

LOT 5, AND THE WEST 36 FEET OF LOT 6, BLOCK 22, PABLO BEACH NORTH, AS RECORDED IN PLAT BOOK 3, PAGE 28 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, ASSOCIATED WITH DEVELOPMENT

LESS A PART OF LOT 5, BLOCK 22, PABLO BEACH NORTH, AS RECORDED IN PLAT BOOK 3, PAGE 28 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 5; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LOT 5 A DISTANCE OF 49.55 FEET TO THE WEST FACE OF A CONCRETE BLOCK WALL OF A BUILDING THAT EXISTED ON OCTOBER 1, 1951; THENCE NORTHERLY ALONG THE WEST FACE OF SAID WALL A DISTANCE OF 71.6 FEET; THENCE EASTERLY ALONG THE NORTH FACE OF THE NORTH WALL OF THE SAME BUILDING A DISTANCE OF .70 FEET; THENCE NORTHERLY ALONG THE EAST FACE OF EXISTING BUILDING AND ITS NORTHERLY PROJECTION A DISTANCE OF 53.4 FEET TO THE NORTH LINE OF SAID LOT 5; THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT 5 A DISTANCE OF 50.25 FEET; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID LOT 5 A DISTANCE OF 125 FEET TO THE POINT OF BEGINNING.

AND TOGETHER WITH:

A part of Lot 5, Block 22, PABLO BEACH NORTH, as recorded in Plat Book 3, page 28, of the Current Public Records of Duval County, Florida, more particularly described as follows: For a point of beginning commence at the Southwest corner of said Lot 5, thence Easterly along the South line of said Lot 5, a distance of 49.55 feet to the West face of a concrete block wall of a building that existed on October 1, 1951; thence Northerly along the West face of said wall a distance of 71.6 feet; thence Easterly along the North face of the North wall of the same building a distance of 0.70 feet; thence Northerly along the East face of an existing building and its Northerly projection a distance of 53.4 feet to the North line of said Lot 5; thence Westerly along the North line of said Lot 5, a distance of 50.25 feet; thence Southerly along the West line of said Lot 5, a distance of 125 feet to the point of beginning.

Prepared by and Return to:
Lawrence V. Ansbacher, Esq.
Ansbacher & Schneider, P.A.
5150 Belfort Road, Building 100
Jacksonville, Florida 32256

EX.C

RECEIVED
PC#20-20
DEC 11 2020

PLANNING & DEVELOPMENT

SPECIAL WARRANTY DEED

1. **Grantor's name and address is:**

**SIX BURRITOS, L.C.,
A Florida Limited Liability Company**

127 First Avenue North
Jacksonville Beach, FL 32250

and

**FIVE ENCHILADAS, LLC,
A Florida Limited Liability Company**

127 First Avenue North
Jacksonville Beach, FL 32250

2. **Grantee's name and address is:**

**127 1ST AVENUE NORTH, LLC,
A Florida Limited Liability Company**

1283 Ponte Vedra Boulevard
Ponte Vedra Beach, FL 32082

The terms Grantor and Grantee shall be non-gender specific, singular or plural, as the context permits or requires, and include heirs, personal representatives, successors or assigns where applicable and permitted.

3. **The real property ("Property") conveyed hereby is described as follows:**

**See Exhibit A attached hereto and by reference made a part hereof;
together with all appurtenances belonging to or benefiting such property.**

The Property Appraiser's Parcel Identification Number is 174018-0000.

4. Grantor for good and valuable consideration plus the sum of \$10.00 the receipt whereof is hereby acknowledged, hereby grants, bargains, sells and conveys to Grantee the Property to have and to hold in fee simple forever.
5. Grantor fully warrants title to the Property and will defend the same against the lawful claims of all persons whomsoever claiming by, through or under Grantor, but not otherwise, except for those matters described on Exhibit B attached hereto and made a part hereof by this reference.

Executed as of August 8, 2019

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PC #20-20

DEC 11 2020

1st Witness: [Signature]

Print Name: Suzanne G. McGowan

SIX BURRITOS, L.C.,
A Florida Limited Liability Company

By: [Signature] **PLANNING & DEVELOPMENT**
David L. Boulter, Its Authorized Representative

2nd Witness: Thomas G. Wilson, III

Print Name: Thomas G. Wilson, III

FIVE ENCHILADAS, LLC,
A Florida Limited Liability Company

By: [Signature]
David L. Boulter, Its Authorized Representative

Witnesses as to all signatures

State of Florida
County of Duval

The foregoing instrument was witnessed by and acknowledged before me this 7th day of August, 2019 by David L. Boulter, Authorized Representative of Six Burritos, L.C., a Florida limited liability company, on behalf of such company, and as Authorized Representative of Five Enchiladas, LLC, a Florida limited liability company, on behalf of such company, () who is personally known to me or (X) who has produced _____ (Florida Driver's License) as identification.

[Signature]
Notary Public, State of Florida
My Commission Expires:

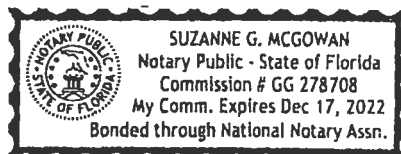


Exhibit A

LOT 5, AND THE WEST 36 FEET OF LOT 6, BLOCK 22, PABLO BEACH NORTH, AS RECORDED IN PLAT BOOK 3, PAGE 28 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

LESS A PART OF LOT 5, BLOCK 22, PABLO BEACH NORTH, AS RECORDED IN PLAT BOOK 3, PAGE 28 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 5; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LOT 5 A DISTANCE OF 49.55 FEET TO THE WEST FACE OF A CONCRETE BLOCK WALL OF A BUILDING THAT EXISTED ON OCTOBER 1, 1951; THENCE NORTHERLY ALONG THE WEST FACE OF SAID WALL A DISTANCE OF 71.6 FEET; THENCE EASTERLY ALONG THE NORTH FACE OF THE NORTH WALL OF THE SAME BUILDING A DISTANCE OF .70 FEET; THENCE NORTHERLY ALONG THE EAST FACE OF EXISTING BUILDING AND ITS NORTHERLY PROJECTION A DISTANCE OF 53.4 FEET TO THE NORTH LINE OF SAID LOT 5; THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT 5 A DISTANCE OF 50.25 FEET; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID LOT 5 A DISTANCE OF 125 FEET TO THE POINT OF BEGINNING.

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PLANNING & DEVELOPMENT

EXHIBIT B

1. Taxes and assessments for the year 2019 and subsequent years, which are not yet due and payable.
2. Terms and Conditions set forth in Use of Right of Way Permit as recorded in Official Records Book 9086, Page 2050.
3. Facts, matters and things that would be disclosed by an accurate survey of the Property.

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pc #20-20
DEC 11 2020

PLANNING & DEVELOPMENT

Prepared by and Return to:
Lawrence V. Ansbacher, Esq.
Ansbacher & Schneider, P.A.
5150 Belfort Road, Building 100
Jacksonville, Florida 32256

EX. D

RECEIVED
PC#20-20
DEC 11 2020

SPECIAL WARRANTY DEED

PLANNING & DEVELOPMENT

1. **Grantor's name and address is:**

**OUR FAMILY INVESTMENTS, INC.,
A Florida Corporation**

P. O Box 330046
Atlantic Beach, FL 32233

2. **Grantee's name and address is:**

**127 1ST AVENUE NORTH, LLC,
A Florida Limited Liability Company**

1283 Ponte Vedra Boulevard
Ponte Vedra Beach, FL 32082

The terms Grantor and Grantee shall be non-gender specific, singular or plural, as the context permits or requires, and include heirs, personal representatives, successors or assigns where applicable and permitted.

3. **The real property ("Property") conveyed hereby is described as follows:**

**See Exhibit A attached hereto and by reference made a part hereof;
together with all appurtenances belonging to or benefiting such property.**

The Property Appraiser's Parcel Identification Number is 174017-0010.

4. Grantor for good and valuable consideration plus the sum of \$10.00 the receipt whereof is hereby acknowledged, hereby grants, bargains, sells and conveys to Grantee the Property to have and to hold in fee simple forever.
5. Grantor fully warrants title to the Property and will defend the same against the lawful claims of all persons whomsoever claiming by, through or under Grantor, but not otherwise, except for those matters described on Exhibit B attached hereto and made a part hereof by this reference.

Executed as of January 9, 2020

1st Witness: [Signature]
Print Name: Stefani Zerna

OUR FAMILY INVESTMENTS, INC.,
A Florida Corporation

By: [Signature]
Chris Hionides, Its President

RECEIVED

PC#20-20

DEC 11 2020

2nd Witness: [Signature]

Print Name: Glen TROTTER

PLANNING & DEVELOPMENT

Witnesses as to Grantor

STATE OF FLORIDA
COUNTY OF Duval

The foregoing instrument was witnessed and acknowledged before me by means of ☒ physical presence or () online notarization this 9 day of January, 2020 by Chris Hionides, President of Our Family Investments, Inc., a Florida corporation, on behalf of said entity ☒ who is/are all personally known to me or () who have produced _____ (Florida Driver's License) as identification.

[Signature]
Notary Public, State of Florida
My Commission Expires 5-11-2023

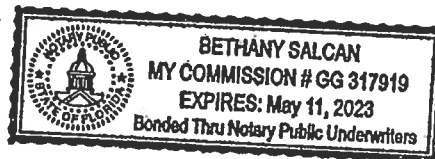


EXHIBIT A

A part of Lot 5, Block 22, PABLO BEACH NORTH, as recorded in Plat Book 3, page 28, of the Current Public Records of Duval County, Florida, more particularly described as follows: For a point of beginning commence at the Southwest corner of said Lot 5, thence Easterly along the South line of said Lot 5, a distance of 49.55 feet to the West face of a concrete block wall of a building that existed on October 1, 1951; thence Northerly along the West face of said wall a distance of 71.6 feet; thence Easterly along the North face of the North wall of the same building a distance of 0.70 feet; thence Northerly along the East face of an existing building and its Northerly projection a distance of 53.4 feet to the North line of said Lot 5; thence Westerly along the North line of said Lot 5, a distance of 50.25 feet; thence Southerly along the West line of said Lot 5, a distance of 125 feet to the point of beginning.

RECORDED
pc #20-20
DEC 11 2020

PLANNING & DEVELOPMENT

EXHIBIT B

1. Taxes and assessments for the year 2020 and subsequent years, which are not yet due and payable.
2. Facts, matters and things that would be disclosed by an accurate survey of the Property.

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PROPERTIES
DUVAL MAPS

Ex. E



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PROPERTIES

DUVAL MAPS

Ex. F



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Ex. G

Division of Corporations

Page 1 of 2

L19000182567

Florida Department of State
Division of Corporations
Electronic Filing Cover Sheet

Note: Please print this page and use it as a cover sheet. Type the fax audit number (shown below) on the top and bottom of all pages of the document.

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MG & DEVELOPMENT

Note: DO NOT hit the REFRESH/RELOAD button on your browser from this page. Doing so will generate another cover sheet.

To:

Division of Corporations
Fax Number : (850) 617-6383

From:

Account Name : ANSBACHER & SCHNEIDER, PA
Account Number : 072647001172
Phone : (904) 296-0100
Fax Number : (904) 296-2842

RLwhite
10/14/20

Enter the email address for this business entity to be used for future annual report mailings. Enter only one email address please.

Email Address: _____

LLC AMND/RESTATE/CORRECT OR M/MG RESIGN
127 1ST AVENUE NORTH, LLC

Certificate of Status	0
Certified Copy	0
Page Count	01
Estimated Charge	\$25.00

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2020 OCT 13 PM 3:24

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ARTICLES OF AMENDMENT TO THE
ARTICLES OF INCORPORATION
OF
127 1st AVENUE NORTH, LLC

Pursuant to the provisions of Chapter 605.0202 of the Florida Statutes, the undersigned limit liability company adopts the following Articles of Amendment to its Articles of Organization.

1. The date of filing the Articles of Organization was July 26, 2019, and Florida document number L19000182567 was assigned to such filing.

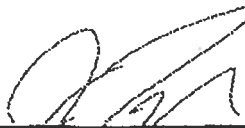
2. Article I of the Articles of Organization is deleted in its entirety and the following substituted in lieu thereof:

"ARTICLE I

The name of this Limited Liability Company is JAX BEACH TOWN CENTER, LLC.

3. In all other respects, except as specifically changed and modified in these Articles of Amendment to the Articles of Organization, all of the provisions contained in the Articles of Organization of 127 1st Avenue North, LLC shall be and remain the same.

Executed by the undersigned this 13th day of October, 2020.



Jason M. Trager
Authorized Representative

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Jason M. Trager, Esq.
Florida Bar No. 0786071
5150 Belfort Rd., Bldg. 100
Jacksonville, Florida 32256
(904) 296-0100 PH
1903812

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EX. H

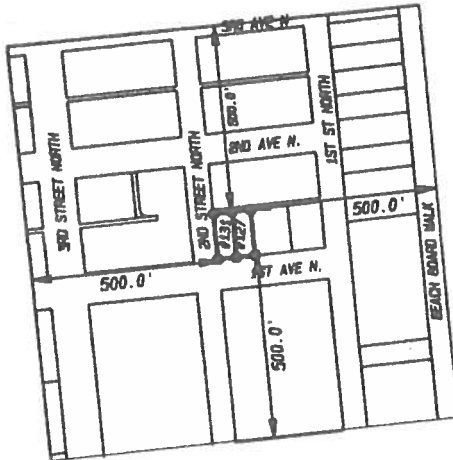
SPECIFIC PURPOSE SURVEY FOR MMTC LICENSE DESCRIPTION:

LOT 5, AND THE WEST 36 FEET OF LOT 6, BLOCK 22, PABLO BEACH NORTH, AS RECORDED IN PLAT BOOK 3, PAGE 28 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.
LESS A PART OF LOT 5, BLOCK 22, PABLO BEACH NORTH, AS RECORDED IN PLAT BOOK 3, PAGE 28 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 5; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LOT 5 A DISTANCE OF 49.55 FEET TO THE WEST FACE OF A CONCRETE BLOCK WALL OF A BUILDING THAT EXISTED ON OCTOBER 1, 1951; THENCE NORTHERLY ALONG THE WEST FACE OF SAID WALL A DISTANCE OF 71.6 FEET; THENCE EASTERLY ALONG THE NORTH FACE OF THE NORTH WALL OF THE SAME BUILDING A DISTANCE OF .70 FEET; THENCE NORTHERLY ALONG THE EAST FACE OF EXISTING BUILDING AND ITS NORTHERLY PROJECTION A DISTANCE OF 53.4 FEET TO THE NORTH LINE OF SAID LOT 5; THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT 5 A DISTANCE OF 50.25 FEET; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID LOT 5 DISTANCE OF 125 FEET TO THE POINT OF BEGINNING.



SCALE: 1" = 500'



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CERTIFIED TO AND FOR THE EXCLUSIVE BENEFIT OF:

COOKIES FLORIDA, INC.

STREET ADDRESS:

127 & 131 1ST AVE. N.
JACKSONVILLE BEACH, FL

REVISED SURVEY TO ADD NEW ADDRESS, FIX ORDINANCE CODE, AND CHANGE CERTIFICATIONS ON 12/09/2020

SURVEY NOTES:

1. SKETCH OF GENERAL LOCATION ONLY. THIS SKETCH IN NO WAY REPRESENTS A BOUNDARY SURVEY.
2. SKETCH PREPARED WITH INFORMATION OBTAINED FROM TAX ASSESSOR'S WEB SITE AND DUVAL COUNTY CLERK OF COURTS WEB SITE AND WITHOUT BENEFIT OF AN ABSTRACT, TITLE SEARCH, TITLE OPINION, OR TITLE INSURANCE.
3. SCALE IS APPROXIMATE.

4. NO PUBLIC OR PRIVATE SCHOOLS IDENTIFIED WITHIN THE 500' AREA

5. DISTANCES START FROM THE FARTHEST PROPERTY CORNER OF THE PROPERTY WHERE SITE IS LOCATED AND EXTENDED OUT 500' FROM THE POINT.

NOTICE OF LIABILITY: THIS SURVEY IS CERTIFIED TO THOSE INDIVIDUALS SHOWN ON THE FACE THEREOF. ANY OTHER USE, BENEFIT OR RELIANCE BY ANY OTHER PARTY IS STRICTLY PROHIBITED AND RESTRICTED. SURVEYOR IS RESPONSIBLE ONLY TO THOSE CERTIFIED AND HEREBY DISCLAIMS ANY OTHER LIABILITY AND HEREBY RESTRICTS THE RIGHTS OF ANY OTHER INDIVIDUAL OR FIRM TO USE THIS SURVEY, WITHOUT EXPRESS WRITTEN CONSENT OF THE SURVEYOR.

I HEREBY CERTIFY THAT ALL DISTANCE REQUIREMENTS IN ORDINANCE JACKSONVILLE BEACH SEC 34-408 (A) (1), PER JACKSONVILLE BEACH, FLORIDA, CODE OF ORDINANCES, HAVE BEEN MET.

FIRST COAST LAND SURVEYORS, INC.

3181 SAINT JOHN BLUFF ROAD SOUTH, JACKSONVILLE, FL 32246
PHONE (904) 779-2052 FAX (904) 779-7784

PROJECT INFORMATION

ORDER NO: 31821

DRAWN BY: HF

REVIEWED BY: KMP

CHECKED BY: VAN

CLYDE O. VAN KLEECK
REGISTERED SURVEYOR AND MAPPER NO. 2545
NOT VALID WITHOUT THE SIGNATURE
& THE ORIGINAL RAISED SEAL OF A
FLORIDA LICENSED SURVEYOR & MAPPER.

Exhibit I

127 N 1ST AVE

Property Detail

RE #	174018-0000
Tax District	USD2A
Property Use	2192 Restaurant Class 2
# of Buildings	1
Legal Desc.	For full legal description see Land & Legal section below
Subdivision	03176 PABLO BEACH NORTH
Total Area	6448

The sale of this property may result in higher property taxes. For more information go to [Save Our Homes](#) and our [Property Tax Estimator](#). 'In Progress' property values, exemptions and other supporting information on this page are part of the working tax roll and are subject to change. Certified values listed in the Value Summary are those certified in October, but may include any official changes made after certification. [Learn how the Property Appraiser's Office values property.](#)

Value Summary

Value Description	2020 Certified	2021 In Progress
Value Method	Income	Income
Total Building Value	\$0.00	\$0.00
Extra Feature Value	\$0.00	\$0.00
Land Value (Market)	\$343,980.00	\$343,980.00
Land Value (Agric.)	\$0.00	\$0.00
Just (Market) Value	\$1,635,200.00	\$1,635,200.00
Assessed Value	\$1,635,200.00	\$1,635,200.00
Cap Diff/Portability Amt	\$0.00 / \$0.00	\$0.00 / \$0.00
Exemptions	\$0.00	See below
Taxable Value	\$1,635,200.00	See below

Taxable Values and Exemptions – In Progress

If there are no exemptions applicable to a taxing authority, the Taxable Value is the same as the Assessed Value listed above in the Value Summary box.

County/Municipal Taxable Value

No applicable exemptions

SJRWMD/FIND Taxable Value

No applicable exemptions

School Taxable Value

No applicable exemptions

Sales History

Book/Page	Sale Date	Sale Price	Deed Instrument Type Code	Qualified/Unqualified	Vacant/Improved
18895-01249	8/8/2019	\$1,950,000.00	SW - Special Warranty	Qualified	Improved
10205-00979	10/19/2001	\$200,000.00	WD - Warranty Deed	Unqualified	Improved
10205-00963	10/19/2001	\$700,000.00	WD - Warranty Deed	Qualified	Improved
05934-00423	3/25/1985	\$83,000.00	WD - Warranty Deed	Unqualified	Improved
04881-00032	5/10/1979	\$100.00	WD - Warranty Deed	Unqualified	Improved

Extra Features

LN	Feature Code	Feature Description	Bldg.	Length	Width	Total Units	Value
1	SWSC6	Sprinkler Wet System	1	0	0	7,033.00	\$3,545.00
2	PVCC1	Paving Concrete	1	0	0	390.00	\$538.00

Land & Legal

Land

LN	Code	Use Description	Zoning Assessment	Front	Depth	Category	Land Units	Land Type	Land Value
1	1000	COMMERCIAL	JCBD	0.00	0.00	Common	7,644.00	Square Footage	\$343,980.00

Legal

LN	Legal Description
1	3-28 33-2S-29E .175
2	PABLO BEACH NORTH
3	PT LOTS 5,6 RECD
4	O/R 18895-1249 BLK 22

Buildings

Building 1

Building 1 Site Address

127 N 1ST AVE Unit

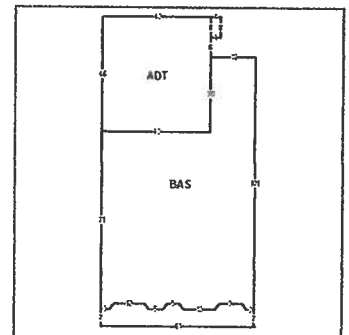
Jacksonville Beach FL 32250

Building Type	2102 - RESTAURANT CLASS II
Year Built	1940
Building Value	\$587,803.00

Type	Gross Area	Heated Area	Effective Area
Addition	1978	1978	1978
Unfinished Storage	32	0	13
Base Area	4807	4807	4807
Canopy	491	0	123
Total	7308	6785	6921

Element	Code	Detail
Exterior Wall	15	15 Concrete Blk
Exterior Wall	17	17 C.B. Stucco
Roof Struct	4	4 Wood Truss
Roofing Cover	4	4 Built Up/T&G
Interior Wall	5	5 Drywall
Interior Wall	4	4 Plywood panel
Int Flooring	15	15 Quar/Hrd Tile
Int Flooring	11	11 Cer Clay Tile
Heating Fuel	4	4 Electric
Heating Type	4	4 Forced-Ducted
Air Cond	3	3 Central
Ceiling Wall Finish	5	5 S Ceil Wall Fin
Comm Htg & AC	1	1 Not Zoned
Comm Frame	3	3 C-Masonry

Element	Code	Detail
Stories	1.000	
Baths	23.000	
Rooms / Units	4.000	
Avg Story Height	12.000	



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Exhibit J

131 N 1ST AVE

Property Detail

RE #	174017-0010
Tax District	USD2A
Property Use	2191 Restaurant Class 1
# of Buildings	1
Legal Desc.	For full legal description see Land & Legal section below
Subdivision	03176 PABLO BEACH NORTH
Total Area	6338

The sale of this property may result in higher property taxes. For more information go to [Save Our Homes](#) and our [Property Tax Estimator](#). 'In Progress' property values, exemptions and other supporting information on this page are part of the working tax roll and are subject to change. Certified values listed in the Value Summary are those certified in October, but may include any official changes made after certification [Learn how the Property Appraiser's Office values property](#).

Value Summary

Value Description	2020 Certified	2021 In Progress
Value Method	Income	Income
Total Building Value	\$0.00	\$0.00
Extra Feature Value	\$0.00	\$0.00
Land Value (Market)	\$280,395.00	\$280,395.00
Land Value (Agric.)	\$0.00	\$0.00
Just (Market) Value	\$1,435,400.00	\$1,435,400.00
Assessed Value	\$964,480.00	\$1,435,400.00
Cap Diff/Portability Amt	\$470,920.00 / \$0.00	\$0.00 / \$0.00
Exemptions	\$0.00	See below
Taxable Value	\$964,480.00	See below

Taxable Values and Exemptions – In Progress

If there are no exemptions applicable to a taxing authority, the Taxable Value is the same as the Assessed Value listed above in the Value Summary box.

County/Municipal Taxable Value
No applicable exemptions

SJRWMD/FIND Taxable Value
No applicable exemptions

School Taxable Value
No applicable exemptions

Sales History

Book/Page	Sale Date	Sale Price	Deed Instrument Type Code	Qualified/Unqualified	Vacant/Improved
19069-02021	1/9/2020	\$1,850,000.00	SW - Special Warranty	Qualified	Improved
11372-00681	8/29/2003	\$950,000.00	WD - Warranty Deed	Qualified	Improved
04680-00604	7/14/1978	\$75,000.00	WD - Warranty Deed	Unqualified	Improved

Extra Features

LN	Feature Code	Feature Description	Bldg.	Length	Width	Total Units	Value
1	SWSC6	Sprinkler Wet System	1	0	0	5,956.00	\$8,755.00

Land & Legal

Land

LN	Code	Use Description	Zoning Assessment	Front	Depth	Category	Land Units	Land Type	Land Value
1	1000	COMMERCIAL	JCBD	0.00	0.00	Common	6,231.00	Square Footage	\$280,395.00

Legal

LN	Legal Description
1	3-28 33-2S-29E .14
2	PABLO BEACH NORTH
3	PT LOT 5 RECD O/R 19069-2021
4	BLK 22

Buildings

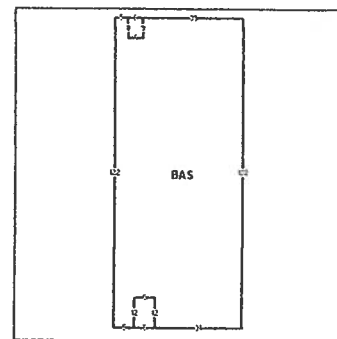
Building 1
Building 1 Site Address
131 N 1ST AVE Unit
Jacksonville Beach FL 32250

Building Type	2101 - RESTAURANT CLASS I
Year Built	1952
Building Value	\$531,453.00

Type	Gross Area	Heated Area	Effective Area
Base Area	5956	5956	5956
Canopy	96	0	24
Canopy	48	0	12
Total	6100	5956	5992

Element	Code	Detail
Exterior Wall	17	17 C.B. Stucco
Roof Struct	4	4 Wood Truss
Roofing Cover	4	4 Built Up/T&G
Interior Wall	5	5 Drywall
Int Flooring	3	3 Concrete Fin
Int Flooring	15	15 Quar/Hrd Tile
Heating Fuel	4	4 Electric
Heating Type	4	4 Forced-Ducted
Air Cond	4	4 Packaged Unit
Ceiling Wall Finish	7	7 NS Cell Wall Unfn
Comm Htg & AC	1	1 Not Zoned
Comm Frame	3	3 C-Masonry

Element	Code	Detail
Stories	1.000	
Baths	10.000	
Rooms / Units	4.000	
Avg Story Height	14.000	



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2020 Notice of Proposed Property Taxes Notice (TRIM Notice)

Taxing District	Assessed Value	Exemptions	Taxable Value	Last Year	Proposed	Rolled-back
Gen Govt Beaches	\$964,480.00	\$0.00	\$964,480.00	\$7,146.97	\$7,861.67	\$7,464.30
Public Schools: By State Law	\$1,435,400.00	\$0.00	\$1,435,400.00	\$3,421.27	\$5,249.26	\$5,400.69
By Local Board	\$1,435,400.00	\$0.00	\$1,435,400.00	\$1,971.05	\$3,226.78	\$3,111.37