



THERE WILL BE A Special MEETING OF THE MARINELAND TOWN COMMISSION ON THURSDAY, March 24, 2021 AT 5:30 PM IN THE COASTAL POLICY CENTER IN THE MAIN CONFERENCE ROOM.

IN ACCORDANCE WITH THE GUIDELINES FROM THE CENTER FOR DISEASE CONTROL AND PREVENTION REGARDING THE ONGOING COVID-19 PANDEMIC, PLEASE WEAR A MASK AND PRACTICE PHYSICAL DISTANCING AT ALL TIMES WHILE INSIDE THE BUILDING.

Agenda

1. Call to order: Pledge of Allegiance
2. General Business
 - a. Review of Conditional Use Permit Application
 - i. Ragga Surf Cafe
3. Next Town Meeting April 15, 2021 6:00 pm
4. Adjournment

Section 286.0105, Florida Statutes states that if a person decides to appeal any decision made by a board agency, or commission with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he 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.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in this meeting should contact the (386) 232 - 8060 at least 48 hours prior to the meeting.



TO: Town Commission

FROM: Janis K. Fleet, AICP, Town Planner

DATE: March 20, 2021

SUBJECT: Conditional Use Plan –Ragga Surf Cafe Food Truck

APPLICANT:

Ragga Surf Cafe
Katelyn and Jim Powell
37 Armand Beach Drive
Palm Coast, FL 32137

OWNER:

JDI Marineland LLC
8200 Roberts Drive
Suite 200
Atlanta, GA 30350

PROPERTY LOCATION:

9650 Oceanshore Boulevard

PARCEL NUMBER:

#06-10-31-0000-01010-0100

**FUTURE LAND USE/
LDC DESIGNATION:**

Tourist Commercial – TC Land Use District
A1A Scenic Corridor Overlay District
Water Dependent Use Overlay District

BACKGROUND:

Ragga Surf Cafe would like to create an area for a mobile food truck offering a variety of breakfast and lunch items, coffee, cold drinks (non-alcoholic), locally crafted gourmet popsicles & ice cream to the patrons of Marineland and its neighboring beaches.

The food truck will initially operate 7 days a week, 8 am - 2 pm and will expand its hours for special events and during the summer season. Food and drinks will be provided in eco-friendly drink containers to reduce waste.

A mobile Surf Shop will be located in a second vehicle on the site for beach merchandise. Merchandise will include eco-friendly hats and apparel, a selection of organic cotton beach towels, eco-friendly surf wax and reef-safe sunscreens, a small selection of local and artisan made gifts, and rentals for beach gear.

The applicant will locate up to 7 picnic tables along the eastern edge of the project site. Trash cans and recycle bins will be located near the food truck. The vehicles are equipped with water tanks to supply the Cafe with hand washing and dishwashing capabilities and are powered by a portable generator.

Shade sails will be placed near the mobile food truck and picnic tables. Portable toilets and a mobile hand washing station will be located on site between the parking area and the food truck.

The applicant plans to rope off the area to be used by the public for the Conditional Use activities.

Recommendation

Staff is recommending approval of the Conditional Use for Ragga Surf Cafe to be located at 9650 Oceanshore Boulevard with the following conditions:

1. The approval is for the application submitted, which include 1 food truck, 1 sales vehicle, and 7 picnic tables.
2. A revised site plan needs to be submitted indicating the location of the shade sails near the picnic tables and the location of the sale vehicle.
3. Any expansion of the project site, including the number of food trucks, sales vehicles or picnic tables would require review and approval by the Commission.
4. The applicant shall be responsible for removal of trash on the site at the end of each day.
5. Any signs on the property shall be removed from the site at the end of each day.
6. No loud noises or music shall be played at the site.
7. The applicant shall assure the parking is limited to the parking area identified on the site plan and does not obstruct traffic on Oceanshore Boulevard (A1A).
8. No construction of temporary or permanent structures is allowed on the site.
9. The applicant shall obtain a business license for Ragga Surf Cafe and for Raggamuffin Shop.
10. The applicant shall obtain and comply with all applicable State of Florida and Flagler County permits related the Raga Surf Cafe and Raggamuffin Shop.
11. If any of the approved conditions are not complied with, the Town Commission can revoke the approval and require any operation on the site to cease immediately.

Town of Marineland Application for Conditional Use

This application must filled out in its entirety and submitted with all necessary attachments and the application fee before it will be reviewed. Complete applications, including all supporting information, must be received at least 7 days before a Commission meeting to be included on the agenda.

Fees:

Residential: \$200.00

Nonresidential \$300.00

Credit Card Payments are accepted. Please contact the Town Manager: Suzanne Dixon at Suzanne@townofmarineland.org for more information.

Submit checks payable to the Town of Marineland to:

Town of Marineland
176 Marina Dr.
St. Augustne, FL 32080

Please fill out this form as completely as possible. Questions regarding the application process should be directed to the Town Manager: Suzanne@townofmarineland.org

Email address *

kate@raggamuffinshop.com

Untitled Section

Name of Person Completing this form *

Kathryn Powell

Property Address *

9650 Oceanshore Blvd, Marineland FL

Tax Parcel Number *

06-10-31-000-01010-0100

Current Property Use *

Parking lot

Property Owner Full Name *

JDI Marineland LLC

Property Owner Current Address *

8200 Roberts Drive, Suite 200, Atlanta GA 30350

Property Owner Phone Number *

(904)386-3856

Property Owner Email *

Tenbroeck@gmail.com

Applicant/Agent Current Address

37 Armand Beach Drive, Palm Coast, FL 32137

Applicant/Agent Full Name

Kathryn or Jim Powell

Applicant/Agent Phone Number

4079131667

Applicant/Agent Email

kate@raggamuffinshop.com

Description of Proposed Conditional Use

Description of Proposed Conditional Use Request *

Mobile Food Truck offering coffee, drinks, breakfast, lunch, gourmet popsicles, and ice cream. Mobile Surf Shop offering surf merchandise and beach rentals (ie. Surfboards, umbrellas/tents, etc.).


Attachments

Please Attach Site Plan & Letter of Authorization. If attachments are over 1MB, please email them to marineland.townmanager@gmail.com

* Site Plan (recommend aerial photo) – scaled drawing to include pertinent information such as structures on property, vehicle entrances/exits, parking, loading/unloading area, refuse services area, restroom location, signage, landscaping, screening & buffering and lighting; 8 ½ x 11 or 11 x 17 size.

** Letter of Authorization for Agent is required if any person other than the property owner makes the application and acts on behalf of the property owner.

Please Upload Your Files Here

 Overhead - Marin...

Agreements

I declare under penalty of perjury, that to the best of my knowledge and belief, the responses made herein are true and correct. I certify that the information in the foregoing application is true and correct to the best of my knowledge and belief that I have read, understand, and agree to abide by the rules and regulations governing the Town of Marineland, and I understand that this application is made subject to the rules and regulations established by the Town Council. Applicant agrees to comply with all other requirements of the City, County, State, Federal Government, and any other applicable entity which may pertain to the use of the event venue, the payment of any and all taxes, and the conduct of the event. The City shall not be liable for the payment of any taxes. I further agree that the payment of such taxes shall not reduce any consideration paid to the City pursuant to this permit. I agree to abide by these rules and further certify that I, on behalf of the Host Organization, am also authorized to commit that organization and therefore agree to be financially responsible for any costs and fees that may be incurred by or on behalf of the event to the Town of Marineland.

In consideration of permission to use the property, facilities, staff, equipment and services of any facility owned, leased, rented and/or used by the Town, the BUSINESS, ORGANIZATION and/or INDIVIDUAL (the "Permittee") that is applicant for this Special Event Permit (the "Permit") hereby agrees as follows:

The Permittee agrees to Indemnify and Hold Harmless the Town of Marineland, Florida and its officers, employees, agents, and attorneys (the "Town") from any and all liability, damages, injuries, actions, suits, procedures, claims, demands, disputes, expenses, judgments, fees and costs of whatever kind or character arising from, by reason of, or in connection with the Permit by the Permittee and its members, guests, visitors, spectators, and participants. It is the intention of the Permittee that the Town shall not be liable or in any way responsible for injury, damage, liability, loss or expense resulting, directly or indirectly to the Permittee and those it brings onto the premises due to accidents, mishaps, misconduct, negligence or injuries either in person or property. The Permittee agrees to pay the Town for all damages caused to the facilities resulting from the Permittee's activities here-under. Further, the Permittee expressly agrees to reimburse the Town for any and all costs, attorney's fees, and paralegal fees including pre-litigation and appellate costs, attorney's fees, and paralegal fees incurred by the Town. This indemnification provision shall survive the termination of the Special Use Permit and shall be in full force and effect beyond the term or termination of the Permit. This indemnification provision includes claims made by the entitlement, if any, to immunity under Section 440.11, Florida Statutes. Nothing contained herein shall be construed as a waiver of any immunity or limitation of liability the Town may have under the doctrine of sovereign immunity of Section 768.28, Florida Statutes.

The Permittee expressly assumes and does hereby release, waive, covenant not to sue, and discharge the Town, its elected and appointed officials, and its officers, employees, volunteers, representatives, attorneys and agents from any

and all claims arising from all liability, responsibility, actions, damage, costs and claims for personal injury, accidents, illnesses, death, and property damage and loss, arising from, related to, or any way connected to the use and/or participation in any of the facilities pursuant to this Agreement.

The Permittee represents that the activities pursuant to this Agreement will be supervised by adequately trained personnel, and that user will observe, and cause the participants in the activity to observe, all safety rules for the facility and the activity. The Permittee acknowledges that the Town has no duty to and will not provide supervision during the activity.

THIS RELEASE IS GIVEN AND SIGNED OF MY OWN FREE ACT AND WILL, AND I DO UNDERSTAND AND AGREE TO THE POLICIES OF THE TOWN OF MARINELAND FOR SPECIAL EVENTS. FURTHERMORE, I HEREBY REPRESENT AND WARRANT THAT I HAVE THE AUTHORITY TO BIND.

First and Last Name that agrees with above *

Kathryn Powell

Date of agreement above *

MM DD YYYY

03 / 10 / 2021

Title *

Owner

This content is neither created nor endorsed by Google.

Google Forms



GENERATOR
(INSIDE DOG HOUSE)

SURF SHOP

FOOD TRUCK

REMOVABLE
SHADE SAIL

WIND FLAG

TRASH/RECYCLE

PICNIC TABLES

TRASH/RECYCLING

ROPE & POST TO
DISCOURAGE WALKING
NEAR WATER FACILITY

ROPE & POST
TO PROTECT
PRESERVE AREA

PORTA-POTTY
& HANDWASHING
STATION

ROPE & POST TO
PREVENT DRIVE UP
(NOT LOCKED)

ROPE & POST TO
PREVENT CUSTOMER
DRIVE UP (NOT LOCKED)

EST. 20-22 PARKING SPACES

WIND FLAG

DAILY USE, REMOVEABLE -
WIND FLAG



Janis Fleet <jfleet@fleetarchitectsplanners.net>

Conditional Use Permit

4 messages

Janis Fleet <jfleet@fleetarchitectsplanners.net>
To: kate@raggamuffinshop.com
Cc: Janis Fleet <janis@townofmarineland.org>

Fri, Mar 12, 2021 at 9:58 AM

Kate-

Please email me the information we discussed.

Thanks
Janis

Janis K. Fleet, AICP

Fleet & Associates Architects/Planners, Inc.

904-666-7038 (office)

904-476-3220 (cell)

jfleet@fleetarchitectsplanners.net

Kate Powell <kate@raggamuffinshop.com>
To: Janis Fleet <jfleet@fleetarchitectsplanners.net>
Cc: Janis Fleet <janis@townofmarineland.org>, Jim Powell <jim@raggamuffinshop.com>

Fri, Mar 12, 2021 at 11:28

Hi Janis —

Thank you so much for your time and help clarifying our application.

A more thorough description is as follows:

Ragga Surf Cafe is a mobile food truck offering coffee, cold drinks (non-alcoholic), a variety of breakfast items, lunch, locally crafted gourmet popsicles & ice cream to the patrons of Marineland and its neighboring beaches.

In the beginning months, we plan to open to the public 7 days a week, 8 am - 2 pm. We hope to expand hours to serve the community during town special events and seasonal surges - ie. summertime evenings or staying open during special events like surf contests etc. hosted at the neighboring parks. We will provide a selection of eco-friendly drink containers (boxed water, glass bottles for easy recycling) and avoid plastic whenever possible. Our selection of disposables are recyclable items and eco-friendly containers, and compostable plastic utensils. We will use straw-less beverage lids to help reduce waste.

Our secondary vehicle, a Mobile Surf Shop, will offer a small selection of merchandise for beachgoers. We will offer eco-friendly hats and apparel from our established online shop (raggamuffinshop.com), a selection of organic cotton beach towels, eco-friendly surf wax and reef-safe sunscreens, a small selection of local and artisan made gifts, and rentals for common beach gear (surfboards, tents, etc.)

Both vehicles are fully mobile and self-sufficient. We will provide trash cans & removal of trash. The vehicles are equipped with water tanks to supply the Cafe with hand washing and dishwashing capabilities and is powered by a portable generator.

We plan to add shade sails near the mobile food truck and picnic tables to the hilltop location to enhance visitors' experience and offer a cool place to order and escape the sun. We've added rental ports-potties and a mobile hand washing station to our plan to provide bathroom facilities for our customers.

In addition to helping preserve this beautiful oceanfront lot with regular maintenance, our site map includes plans to create a post and rope barrier around critical areas that will reduce foot traffic and trekking across land that local wildlife calls home. We also plan to offer this same post and rope barrier near the attraction's water treatment facility and signage to reduce traffic near this area, while not blocking daily access to the park's maintenance team.



We're working on the landowner agreement and I'll send that as soon as I receive the final copy.

Kate Powell

Brand Manager | Raggamuffinshop

c. +1 407.913.1667
 e. kate@raggamuffinshop.com
 @IamaRaggamuffin | @Iamaraggamuffin
www.Raggamuffinshop.com

[Quoted text hidden]

Janis Fleet <jfleet@fleetarchitectsplanners.net>
 To: Kate Powell <kate@raggamuffinshop.com>
 Cc: Janis Fleet <janis@townofmarineland.org>, Jim Powell <jim@raggamuffinshop.com>

Fri, Mar 12, 2021 at 2:23 PM

Kate-

Thanks for sending this information.

Please email me a copy of the owner's authorization and inspection reports when you get them. Assuming you receive these items, your Conditional Use permit will be heard by the Commission on the 24th.

If you have any questions, please let me know.

Thanks-
 Janis

Janis K. Fleet, AICP

Fleet & Associates Architects/Planners, Inc.

904-666-7038 (office)

904-476-3220 (cell)

jfleet@fleetarchitectsplanners.net

[Quoted text hidden]

Kate Powell <kate@raggamuffinshop.com>
 To: Janis Fleet <jfleet@fleetarchitectsplanners.net>
 Cc: Janis Fleet <janis@townofmarineland.org>, Jim Powell <jim@raggamuffinshop.com>

Wed, Mar 17, 2021 at 9:54 AM

3/21/2021

Fleet & Associates Architects/Planners, Inc. Mail - Conditional Use Permit

Hi Janis -

Per the property owner, we revised the Conditional Use online application to reflect the property manager's information. Attached is the Authorization Form.

Thanks!

On Mar 12, 2021, at 2:23 PM, Janis Fleet <jfleet@fleetarchitectsplanners.net> wrote:

Kate-

Thanks for sending this information.

Please email me a copy of the owner's authorization and inspection reports when you get them. Assuming you receive these items, your Conditional Use permit will be heard by the Commission on the 24th.

If you have any questions, please let me know.

Thanks-
Janis

Janis K. Fleet, AICP

Fleet & Associates Architects/Planners, Inc.

904-666-7038 (office)

904-476-3220 (cell)

jfleet@fleetarchitectsplanners.net

On Fri, Mar 12, 2021 at 11:29 AM Kate Powell <kate@raggamuffinshop.com> wrote:

Hi Janis —

Thank you so much for your time and help clarifying our application.

A more thorough description is as follows:

Ragga Surf Cafe is a mobile food truck offering coffee, cold drinks (non-alcoholic), a variety of breakfast items, lunch, locally crafted gourmet popsicles & ice cream to the patrons of Marineland and its neighboring beaches.

In the beginning months, we plan to open to the public 7 days a week, 8 am - 2 pm. We hope to expand hours to serve the community during town special events and seasonal surges - ie. summertime evenings or staying open during special events like surf contests etc. hosted at the neighboring parks. We will provide a selection of eco-friendly drink containers (boxed water, glass bottles for easy recycling) and avoid plastic whenever possible. Our selection of disposables are recyclable items and eco-friendly containers, and compostable plastic utensils. We will use straw-less beverage lids to help reduce waste.

Our secondary vehicle, a Mobile Surf Shop, will offer a small selection of merchandise for beachgoers. We will offer eco-friendly hats and apparel from our established online shop (raggamuffinshop.com), a selection of organic cotton beach towels, eco-friendly surf wax and reef-safe sunscreens, a small selection of local and artisan made gifts, and rentals for commonly used beach gear (surfboards, tents, etc.)

Both vehicles are fully mobile and self-sufficient. We will provide trash cans & removal of trash. The vehicles are equipped with water tanks to supply the Cafe with hand washing and dishwashing capabilities and is powered by a portable generator.

We plan to add shade sails near the mobile food truck and picnic tables to the hilltop location to enhance visitors' experience and offer a cool place to order and escape the sun. We've added rental ports-potties and a mobile hand washing station to our plan to provide bathroom facilities for our customers.

In addition to helping preserve this beautiful oceanfront lot with regular maintenance, our site map includes plans to create a post and rope barrier around critical areas that will reduce foot traffic and trekking across land that local wildlife calls home. We also plan to offer this same post and rope barrier near the attraction's water treatment facility and signage to reduce traffic near this area, while not blocking daily access to the park's maintenance team.

<Screen Shot 2021-03-12 at 11.11.22 AM.png>

We're working on the landowner agreement and I'll send that as soon as I receive the final copy.

Kate Powell

Brand Manager | Raggamuffinshop

c. +1 407.913.1667
e. kate@raggamuffinshop.com
[@iamaRaggamuffin](https://www.instagram.com/iamaRaggamuffin) | [@iamaRaggamuffin](https://www.facebook.com/iamaRaggamuffin)
www.Raggamuffinshop.com

On Mar 12, 2021, at 9:58 AM, Janis Fleet <jfleet@fleetarchitectsplanners.net> wrote:

Kate-

Please email me the information we discussed.

Thanks
Janis

Janis K. Fleet, AICP

Fleet & Associates Architects/Planners, Inc.

904-666-7038 (office)

904-476-3220 (cell)

3/21/2021

Fleet & Associates Architects/Planners, Inc. Mail - Conditional Use Permit

jfleet@fleetarchitectsplanners.net

 **Agent Authorization Form (1).pdf**
47K

AGENT AUTHORIZATION FORM

Property Legal Description

9650 Oceanshore Blvd, Marineland FL

Tax Parcel ID: 06-10-31-000-01010-0100

Property Owner: JDI Marineland LLC / ~~Angela Tenbroeck, Owner Liaison~~*

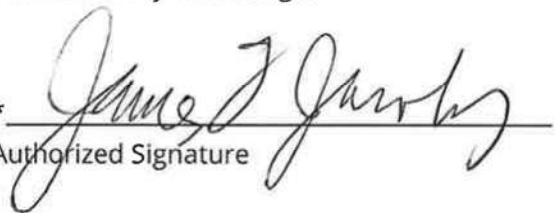
The undersigned, registered property owners of the above noted property, do hereby authorize Jim Powell or Kathryn Powell of Ragga Surf Cafe, Inc., to take all actions necessary for the processing, issuance and acceptance of this permit.

Property Owner's Address:

8200 Roberts Drive, Suite 200, Atlanta GA 30350

Telephone: (904) 386-3856

I hereby certify the above information submitted in this application is true and accurate to the best of my knowledge.

* 
Authorized Signature

Date: March 18, 2021

**Support of Ragga Surf Cafe, a great activity for Marineland, but our consent necessarily conditioned on future development of the property.*



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Foreign Limited Liability Company
JDI MARINELAND, LLC

Filing Information

Document Number	M17000004223
FEI/EIN Number	81-0894792
Date Filed	05/15/2017
State	GA
Status	ACTIVE

Principal Address

8200 ROBERTS DR, STE. 200
ATLANTA, GA 30350

Mailing Address

PO Box 64
Little Rock, AR 72203

Changed: 06/13/2019

Registered Agent Name & Address

C T CORPORATION SYSTEM
1200 SOUTH PINE ISLAND ROAD
PLANTATION, FL 33324

Authorized Person(s) Detail

Name & Address

Title MGR

Jacoby Development
8200 ROBERTS DR, STE. 200
ATLANTA, GA 30350

Title Manager

Filius Partners LLC
PO Box 64
Little Rock, AR 72203

Annual Reports

Report Year	Filed Date
--------------------	-------------------

2018	03/26/2018
2019	06/13/2019
2020	04/13/2020
Document Images	
04/13/2020 – ANNUAL REPORT	View image in PDF format
06/13/2019 – ANNUAL REPORT	View image in PDF format
03/26/2018 – ANNUAL REPORT	View image in PDF format
05/15/2017 – Foreign Limited	View image in PDF format



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Foreign Profit Corporation

JACOBY DEVELOPMENT, INC.

Filing Information

Document Number F92000000658

FEI/EIN Number 58-1859929

Date Filed 12/14/1992

State GA

Status ACTIVE

Principal Address

8200 Roberts Drive
SUITE 200
ATLANTA, GA 30350

Changed: 03/30/2016

Mailing Address

8200 Roberts Drive
SUITE 200
ATLANTA, GA 30350

Changed: 03/30/2016

Registered Agent Name & Address

C T CORPORATION SYSTEM
1200 SOUTH PINE ISLAND ROAD
PLANTATION, FL 33324

Officer/Director Detail

Name & Address

Title C

JACOBY, JAMES F
8200 Roberts Drive S/200
ATLANTA, GA 30353

Title S

JACOBY, MITCHELL B
8200 Roberts Drive S/200
ATLANTA, GA 30350

Annual Reports

Report Year	Filed Date
2019	03/13/2019
2020	07/21/2020
2021	01/28/2021

Document Images

01/28/2021 – ANNUAL REPORT	View image in PDF format
07/21/2020 – ANNUAL REPORT	View image in PDF format
03/13/2019 – ANNUAL REPORT	View image in PDF format
03/26/2018 – ANNUAL REPORT	View image in PDF format
03/21/2017 – ANNUAL REPORT	View image in PDF format
03/30/2016 – ANNUAL REPORT	View image in PDF format
03/19/2015 – ANNUAL REPORT	View image in PDF format
04/21/2014 – ANNUAL REPORT	View image in PDF format
03/20/2013 – ANNUAL REPORT	View image in PDF format
03/19/2012 – ANNUAL REPORT	View image in PDF format
04/18/2011 – ANNUAL REPORT	View image in PDF format
04/22/2010 – ANNUAL REPORT	View image in PDF format
04/29/2009 – ANNUAL REPORT	View image in PDF format
03/05/2008 – ANNUAL REPORT	View image in PDF format
04/27/2007 – ANNUAL REPORT	View image in PDF format
04/11/2006 – ANNUAL REPORT	View image in PDF format
03/17/2005 – ANNUAL REPORT	View image in PDF format
04/20/2004 – ANNUAL REPORT	View image in PDF format
04/29/2003 – ANNUAL REPORT	View image in PDF format
06/04/2002 – ANNUAL REPORT	View image in PDF format
05/14/2001 – ANNUAL REPORT	View image in PDF format
09/18/2000 – ANNUAL REPORT	View image in PDF format
09/01/1999 – ANNUAL REPORT	View image in PDF format
09/01/1998 – ANNUAL REPORT	View image in PDF format
05/16/1997 – ANNUAL REPORT	View image in PDF format
07/01/1996 – ANNUAL REPORT	View image in PDF format
03/31/1995 – ANNUAL REPORT	View image in PDF format