

1 Introduced by the Council President pursuant to Chapter 380, *Ordinance*
2 *Code*:

24 SEP 4 AM 11:40

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4
5 **ORDINANCE 2024-**

6 AN ORDINANCE MAKING CERTAIN FINDINGS; APPROVING
7 THE APPLICATION OF HRUSTIC BROTHERS, INC. FOR
8 RENEWAL OF ITS CERTIFICATE OF PUBLIC CONVENIENCE
9 AND NECESSITY (CON) TO OPERATE A CLEAN DEBRIS
10 RECYCLING FACILITY ("FACILITY") WITH A
11 MODIFICATION TO ALLOW FOR THE EXPANSION OF THE
12 FACILITY ONTO AN ADJACENT PARCEL; PROVIDING FOR
13 CONDITIONS OF SAID RENEWAL; PROVIDING AN
14 EFFECTIVE DATE.

15
16 **WHEREAS**, pursuant to Chapter 380, *Ordinance Code*, Hrustic
17 Brothers, Inc. (the "Applicant") has applied for renewal of its
18 Certificate of Public Convenience and Necessity (CON) for the
19 continued operation of a clean debris recycling facility (the
20 "Facility") located at 6498 Fayal Drive South, Jacksonville, Florida
21 32258, R.E. Parcel No. 157138-0900 (the "Property") with a
22 modification to allow for the expansion of the Facility onto a parcel
23 adjacent to the Property and located at 11901 Fayal Drive,
24 Jacksonville, Florida 32258, at R.E. Parcel No. 157138-0000; and

25 **WHEREAS**, the initial CON authorizing operation of a clean debris
26 recycling facility was granted by Ordinance 2015-374-E and
27 administratively renewed by the Director of the Department of Public
28 Works; and


29 **WHEREAS**, based upon the determination of need for the Facility
30 by the City Council, the Solid Waste Division of the Department of
31 Public Works supports approval of the application for renewal and

1 without the Mayor's signature.

2

3 Form Approved:

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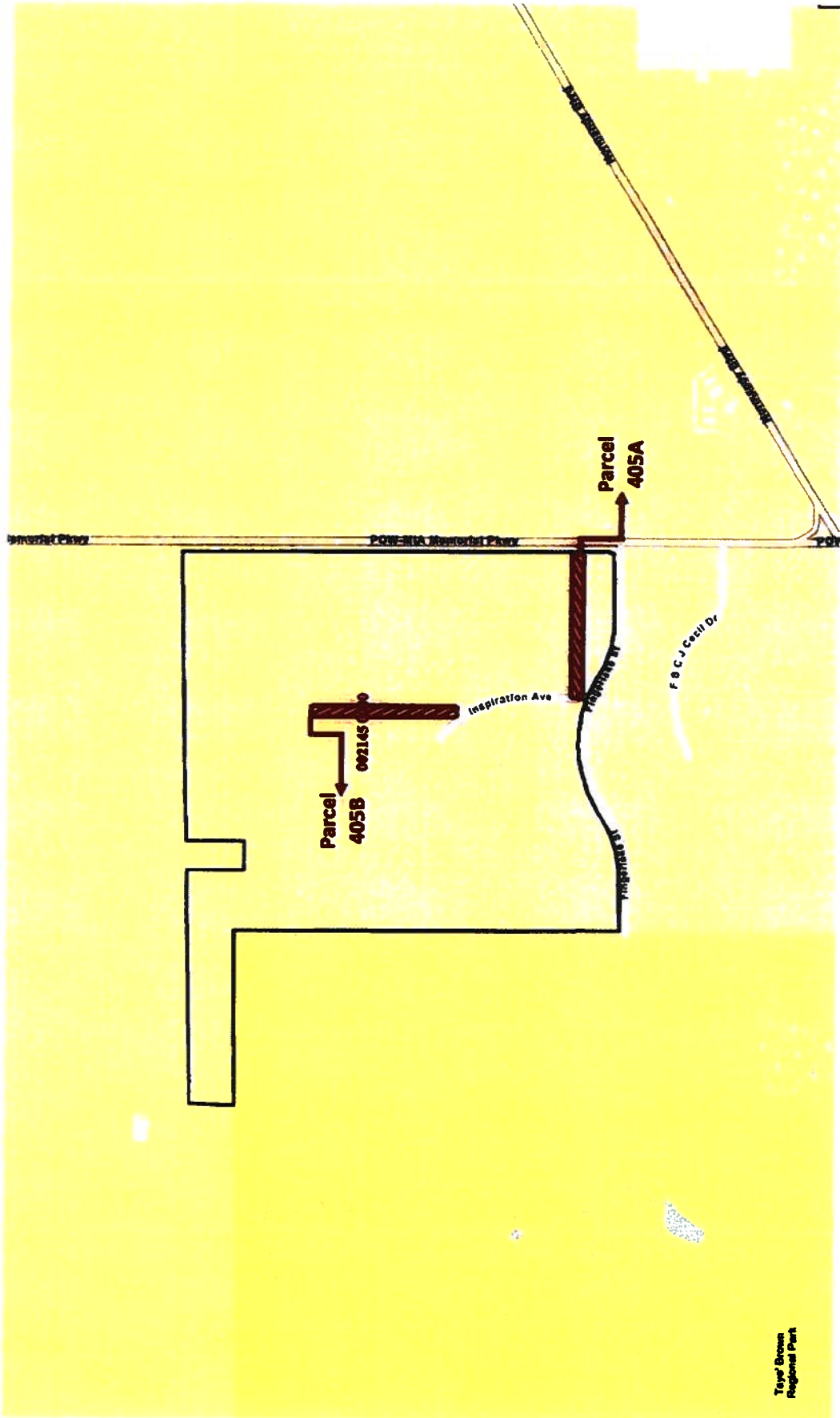
5

6 Office of General Counsel

7 Legislation Prepared By: Harry M. Wilson, IV

8 GC-#1646958-v1-OED_ROW_Closure.docx

Hillwood Closure
RE 002145-0000
Location Map

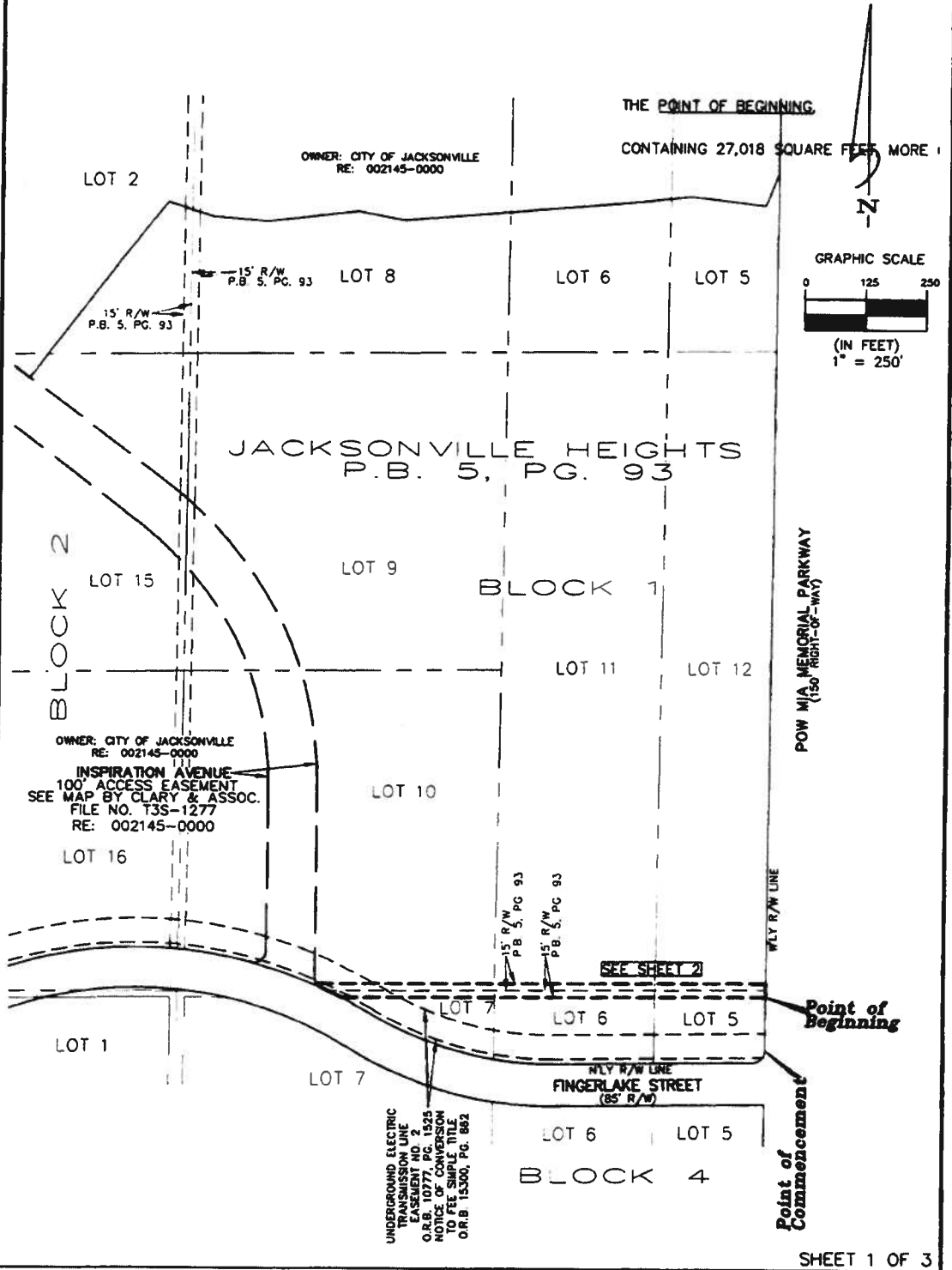


Hillwood Closure
RE 002145-0000
Aerial Map



MAP SHOWING

A PORTION OF BLOCKS 1 AND 4, SECTION 10, TOWNSHIP 3 SOUTH, RANGE 24 EAST, JACKSONVILLE HEIGHTS, AS RECORDED IN PLAT BOOK 5, PAGE 93 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:



SHEET 1 OF 3

JOB NO. 2024-405A
DRAFTER SBC
DATE 07/17/24

THIS MAP OR SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, UNLESS OTHERWISE SHOWN AND STATED HEREON.

THIS DRAWING, SKETCH, PLAT OR MAP IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER (CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE).

CHECKED BY: MICHAEL J. COLLIGAN, P.S.M. CERT. NO. 6788

Clary & Associates
PROFESSIONAL SURVEYORS & MAPPERS
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3830 CROWN POINT ROAD
JACKSONVILLE, FLORIDA 32257
(904) 286-2703
WWW.CLARYASSOC.COM

MAP SHOWING

A PORTION OF BLOCKS 1 AND 4, SECTION 10, TOWNSHIP 3 SOUTH, RANGE 24 EAST, JACKSONVILLE HEIGHTS, AS RECORDED IN PLAT BOOK 5, PAGE 93 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF POW MIA MEMORIAL PARKWAY (A 150 FOOT RIGHT OF WAY, AS NOW ESTABLISHED) WITH THE NORTHERLY RIGHT OF WAY LINE OF FINGERLAKE STREET (AN 85 FOOT RIGHT OF WAY, AS NOW ESTABLISHED); THENCE NORTH 00°21'18" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE, 111.83 FEET, TO THE POINT OF BEGINNING; THENCE SOUTH 89°36'12" WEST, 872.13 FEET, TO THE NORTHERLY RIGHT OF WAY LINE OF FINGERLAKE STREET (AN 85 FOOT RIGHT OF WAY AS NOW ESTABLISHED), AND THE ARC OF A CURVE LEADING NORTHWESTERLY; THENCE NORTHWESTERLY, ALONG LAST SAID LINE, AND ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 885.00 FEET, AN ARC DISTANCE OF 46.49 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 63°21'22" WEST, 46.48 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING NORTHWESTERLY; THENCE NORTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 13.64 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 49°13'45" WEST, 13.47 FEET; THENCE NORTH 89°36'12" EAST, 924.07 FEET, TO THE AFORESAID WESTERLY RIGHT OF WAY LINE OF POW MIA MEMORIAL PARKWAY; THENCE SOUTH 00°21'18" WEST, ALONG LAST SAID LINE, 30.00 FEET, TO THE POINT OF BEGINNING.

CONTAINING 27,018 SQUARE FEET, MORE OR LESS.

LEGEND

O.R.B.	= OFFICIAL RECORDS BOOK
PRC	= POINT OF REVERSE CURVATURE
P.B.	= PLAT BOOK
R/W	= RIGHT OF WAY
R	= RADIUS
L	= ARC LENGTH
Δ	= DELTA
CH	= CHORD LENGTH

GENERAL NOTES

1. BEARINGS SHOWN HEREON ARE BASED ON W'LY R/W LINE OF POW MIA MEMORIAL PARKWAY, AS N00°21'18"E PER STATE PLANE COORDINATE SYSTEM, FLORIDA EAST ZONE, NORTH AMERICAN DATUM 1983/1990 NGS ADJUSTMENT.
2. THIS MAP DOES NOT REPRESENT A BOUNDARY SURVEY.
3. CROSS REFERENCE SURVEY BY CLARY & ASSOCIATES FILE NO. T3S-1278
4. THIS DRAWING MAY HAVE BEEN ENLARGED OR REDUCED FROM THE ORIGINAL. UTILIZE THE GRAPHIC SCALE AS SHOWN.
5. THIS MAP WAS MADE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

APPROVED
DESCRIPTION AGREES
WITH MAP
CITY ENGINEERS OFFICE
TOPO/SURVEY BRANCH

by SCC Date 7/12/24



LEGISLATIVE FACT SHEET

DATE: 08/14/24 BT or RC No: _____
 (Administration & City Council Bills)

SPONSOR: Public Works/Real Estate in Councilmember White's District 12
 (Department/Division/Agency/Council Member)

Contact for all inquiries and presentations: Renee Hunter

Provide Name: Renee Hunter, Chief, Real Estate Division

Contact Number: 904-255-8234

Email Address: reneeh@coj.net

PURPOSE: White Paper (Explain Why this legislation is necessary? Provide; Who, What, When, Where, How and the Impact.) Council Research will complete this form for Council introduced legislation and the Administration is responsible for all other legislation.

(Minimum of 350 words - Maximum of 1 page.)

Please provide authorization for the Public Works Real Estate Division to request the legislation necessary for the City Council to approve the closure and abandonment of two (2) unopened, unimproved, and unnamed right of ways in Jacksonville Heights as recorded in Plat Book 5, Page 93, of the Current Public Records of Duval County, Florida. See maps attached and RE# 002145-0000 for location purposes.

The requestor, The Office of Economic Development, (OED), has requested the closure to clear encumbrances on the 44-acre parcel allowing the construction of an approximately 600,000 square foot cross-dock warehouse. No City, State, or other agency has objected to this closure request.

If additional information or assistance is required, please contact Renee Hunter at 255-8234 or ReneeH@coj.net.

APPROPRIATION: Total Amount Appropriated: _____ as follows:
 List the source name and provide Object and Subobject Numbers for each category listed below:

(Name of Fund as it will appear in title of legislation)

Name of Federal Funding Source(s):	From: _____	Amount: _____
	To: _____	Amount: _____
Name of State Funding Source(s):	From: _____	Amount: _____
	To: _____	Amount: _____
Name of City of Jacksonville Funding	From: _____	Amount: _____
	To: _____	Amount: _____
Name of In-Kind Contribution(s):	From: _____	Amount: _____
	To: _____	Amount: _____
Name & Number of Bond Account(s):	From: _____	Amount: _____
	To: _____	Amount: _____

PLAIN LANGUAGE OF APPROPRIATION / FINANCIAL IMPACT / OTHER:

Explain: Where are the funds coming from, going to, how will the funds be used? Does the funding require a match? Is the funding for a specific time frame? Will there be an ongoing maintenance? ... and staffing obligation? Per Chapters 122 & 106 regarding funding of anticipated post-construction operation costs.
 (Minimum of 350 words - Maximum of 1 page.)

ACTION ITEMS: Purpose / Check List. If "Yes" please provide detail by attaching justification, and code provisions for each.

ACTION ITEMS:	Yes	No	
Emergency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Justification of Emergency: If yes, explanation must include detailed nature of emergency. <div style="border: 1px solid black; height: 25px; margin-top: 5px;"></div>
Federal or State Mandate?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Explanation: If yes, explanation must include detailed nature of mandate including Statute or Provision. <div style="border: 1px solid black; height: 25px; margin-top: 5px;"></div>
Fiscal Year Carryover?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Note: If yes, note must include explanation of all-year subfund carryover language. <div style="border: 1px solid black; height: 25px; margin-top: 5px;"></div>
CIP Amendment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Attachment: If yes, attach appropriate CIP form(s). Include justification for mid-year amendment. <div style="border: 1px solid black; height: 25px; margin-top: 5px;"></div>
Contract / Agreement Approval?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Attachment & Explanation: If yes, attach the Contract / Agreement and name of Department (and contact name) that will provide oversight. Indicate if negotiations are on-going and with whom. Has OGC reviewed / drafted? <div style="border: 1px solid black; height: 25px; margin-top: 5px;"></div>
Related RC/BT?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Attachment: If yes, attach appropriate RC/BT form(s). <div style="border: 1px solid black; height: 25px; margin-top: 5px;"></div>
Waiver of Code?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Code Reference: If yes, identify code section(s) in box below and provide detailed explanation (including impacts) within white paper. <div style="border: 1px solid black; height: 25px; margin-top: 5px;"></div>
Code Exception?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Code Reference: If yes, identify code in box below and provide detailed explanation (including impacts) within white paper. <div style="border: 1px solid black; height: 25px; margin-top: 5px;"></div>
Related Enacted Ordinances?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Code Reference: If yes, identify related code section(s) and ordinance reference number in the box below and provide detailed explanation and any changes necessary within white paper. <div style="border: 1px solid black; height: 25px; margin-top: 5px;"></div>

ACTION ITEMS CONTINUED: Purpose / Check List. If "Yes" please provide detail by attaching justification, and code provisions for each.

ACTION ITEMS:

	Yes	No	
Continuation of Grant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Explanation: How will the funds be used? Does the funding require a match? Is the funding for a specific time frame and/or multi-year? If multi-year, note year of grant? Are there long-term implications for the General Fund?</p> <div style="border: 1px solid black; height: 40px; width: 100%;"></div>
Surplus Property Certification?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Attachment: If yes, attach appropriate form(s).</p>
Reporting Requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Explanation: List agencies (including City Council / Auditor) to receive reports and frequency of reports, including when reports are due. Provide Department (include contact name and telephone number) responsible for generating reports.</p> <div style="border: 1px solid black; height: 30px; width: 100%;"></div>

BUSINESS IMPACT ESTIMATE

Pursuant to Section 166.041(4), F.S., the City is required to prepare a Business Impact Estimate for ordinances that are **NOT** exempt from this requirement. A list of ordinance exemptions are provided below. Please check all exemption boxes that apply to this ordinance. If an exemption is applicable, a Business Impact Estimate **IS NOT** required.

- The proposed ordinance is required for compliance with Federal or State law or regulation (Florida Statute 336.09);
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

If none of the boxes above are checked, then a Business Impact Estimate **IS REQUIRED** to be prepared by the using agency/office/department and submitted in the MBRC filing packet along with the memorandum request, legislative fact sheet, etc. A Business Impact Estimate form can be found at: <https://www.coj.net/departments/finance/budget/mayor-s-budget-review-committee>

Division Chief: Rae H. L.
(signature)

Date: 8/14/24

Prepared By: Sandra Bend
(signature)

Date: 8/14/24

ADMINISTRATIVE TRANSMITTAL

To: MBRC, c/o the Budget Office, St. James Suite 325

Thru: Nina Sickler, P.E., Director Public Works
(Name, Job Title, Department)
Phone: 255-8748 E-mail: nsickler@coj.net

From: Renee Hunter, Chief, Real Estate
Initiating Department Representative (Name, Job Title, Department)
Phone: 255-8234 E-mail: reneeh@coj.net

Primary Contact: Renee Hunter, Chief, Real Estate
(Name, Job Title, Department)
Phone: 255-8234 E-mail: reneeh@coj.net

CC: Brittany Norris, Director of Intergovernmental Affairs, Office of the Mayor
Phone: 255-5000 E-mail: BNorris@coj.net

COUNCIL MEMBER / INDEPENDENT AGENCY / CONSTITUTIONAL OFFICER TRANSMITTAL

To: John Sawyer, Office of General Counsel, St. James Suite 480
Phone: 904-255-5074 E-mail: jsawyer@coj.net

From: _____
Initiating Council Member / Independent Agency / Constitutional Officer
Phone: _____ E-mail: _____

Primary Contact
(Name, Job Title, Department)
Phone: _____ E-mail: _____

CC: Brittany Norris, Director of Intergovernmental Affairs, Office of the Mayor
Phone: 255-5000 E-mail: BNorris@coj.net

Legislation from Independent Agencies requires a resolution from the Independent Agency Board approving the legislation.

Independent Agency Action Item: Yes No
Boards Action / Resolution? Attachment: If yes, attach appropriate documentation. If no, when is board action scheduled?

FACT SHEET IS REQUIRED BEFORE LEGISLATION IS INTRODUCED

Business Impact Estimate

This form must be posted on the City of Jacksonville's website by the time notice of the proposed ordinance is published.

ORDINANCE NUMBER TO BE ASSIGNED (2024-____) title of ordinance AN ORDINANCE CLOSING AND ABANDONING AND/OR DISCLAIMING AN UNOPENED AND UNIMPROVED PORTION OF UNNAMED RIGHT-OF-WAYS, ESTABLISHED IN THE PLAT OF JACKSONVILLE HEIGHTS, AS RECORDED IN PLAT BOOK 5, PAGE 93 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, IN COUNCIL DISTRICT 12, AT THE REQUEST OF THE OFFICE OF ECONOMIC DEVELOPMENT (OED); PROVIDING FOR APPROVAL SUBJECT TO CONDITIONS; PROVIDING AN EFFECTIVE DATE.

Summary of the proposed ordinance: AN ORDINANCE CLOSING AND ABANDONING AND/OR DISCLAIMING AN UNOPENED AND UNIMPROVED PORTION OF UNNAMED RIGHT-OF-WAYS, ESTABLISHED IN THE PLAT OF JACKSONVILLE HEIGHTS, AS RECORDED IN PLAT BOOK 5, PAGE 93 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, IN COUNCIL DISTRICT 12, AT THE REQUEST OF THE OFFICE OF ECONOMIC DEVELOPMENT (OED); PROVIDING FOR APPROVAL SUBJECT TO CONDITIONS; PROVIDING AN EFFECTIVE DATE.

An estimate of the direct economic impact of the proposed ordinance: \$0.00 CLOSURE APPLICATION FEE HAS BEEN DEPOSITED INTO THE GENERAL FUND. THIS LEGISLATION WILL NOT REQUIRE BUSINESSES TO INCUR ANY DIRECT COMPLIANCE COSTS NOR WILL ANY NEW CHARGES OR FEES BE ASSESSED BY THIS LEGISLATION FOR WHICH BUSINESSES WILL BE FINANCIALLY RESPONSIBLE.

Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: NONE OTHER THAN APPLICANT.

Additional information the governing body deems useful (if any): N/A