

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



Ron DeSantis
Governor

Joseph A. Ladapo, MD, PhD
State Surgeon General

Vision: To be the Healthiest State in the Nation

May 2, 2024

Mr. Cletus Kuhn
Solid Waste Specialist
Department of Public Works
1031 Superior Street
Jacksonville, FL 32254

**RE: Hrustic Brothers Inc. Materials Recycling and Diversion Facility
6498 and 11901 Fayal Drive South
Jacksonville, FL 32258
Modification Application for Certificate of Public Convenience and Necessity (CON)**

Dear Mr. Kuhn:

In accordance with Chapter 380.105, City Ordinance Code, the Florida Department of Health in Duval County, Environmental Health and Safety Division, hereby forwards its comments regarding the above referenced application.

According to the above-mentioned CON application for **6498 and 11901 Fayal Drive South, Jacksonville, Florida 32258**, the facility utilizes Municipal Water for potable water and utilizes Municipal Sanitary Sewer for wastewater.

Based on the above information, the Florida Department of Health in Duval County offers no objection to this Application for Certificate of Public Convenience and Necessity.

If you have any questions concerning this letter, please contact me at (904) 253-2422.

Sincerely,

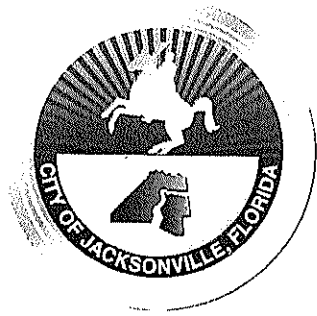
A handwritten signature in black ink, appearing to read "Scott Turner".

Scott Turner, MPA, RS
Environmental Administrator

Florida Department of Health in Duval County
Division of Environmental Health and Safety
921 N. Davis Street • Bldg. B, Suite 350 (MC-45)
Jacksonville, FL 32209
PHONE: 904-253-1280 • FAX: 904-253-2390
FloridaHealth.gov



Accredited Health Department
Public Health Accreditation Board



City of Jacksonville, Florida


Donna Deegan, Mayor

Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
(904) 630-CITY
www.jacksonville.gov

A NEW DAY.

MEMORANDUM

TO: Eric B. Fuller, Landfill Environmental Scientist
Public Works Department, Solid Waste Division

FROM:  R. Brett James, Director
Planning and Development Department

SUBJECT: Application for Renewal and Expansion of Certificate of Public Convenience and Necessity (CON)
Hrustic Brothers, Inc.
Clean Debris Recycling Facility
6498 Fayal Drive South, Suite 1
Jacksonville, FL 32258

DATE: May 14, 2024

In accordance with the provisions of Section 380.105, Ordinance Code, the Planning and Development Department hereby forward its comments and recommendations regarding the above referenced application:

(1) Compliance with the Zoning Code.

The current facility is located at 6498 Fayal Drive South (RE#157138 0900) within the Southeast Planning District. This application seeks to renew the Certificate of Public Convenience and Necessity (CON) for the existing facility, and to also expand the operation to the property to the south (11901 Fayal Drive – RE# 157138 0000). Both the existing facility and the proposed expansion are currently zoned Industrial Heavy (IH). The underlying functional land use category for both properties is Heavy Industrial (HI). Both properties are located within the ITAC Industrial Situational Compatibility Zone indicating that the sites may be suitable for industrial uses under certain circumstances as established under the provisions of Sec.656.399, Subpart P.

The applicant seeks a renewal of a Certificate of Necessity (CON) for materials recycling facility for construction and demolition debris on an expanded site totaling approximately 19.8 acres. The proposed use is allowed by Exception in the IH Zoning District pursuant to Sec. 656.323(A)(III)(c)(9) "Construction and demolition recycling facilities." The current site was approved for Recycling Facility Meeting the Performance Criteria of Part 4. (Construction and Demolition Debris) by Exception E-14-64 and is subject to all applicable provisions of that approval. A second Zoning Exception (E-24-20) was approved in 2024 allowing for the proposed expansion of the existing use to the property located at 11901 Fayal Drive,

Conditions to the existing Zoning Exception (E-14-64) for 6498 Fayal Drive South are:

- All heavy truck traffic shall use Columbia Park Drive. No heavy truck access to Fayal Drive is permitted.
- Hours of operation for onsite recycling shall be limited to 7:00 a.m. – 5:00 p.m. Monday through Friday.

There are no conditions specific to Zoning Exception E-24-24.

The requested use can therefore be reasonably anticipated to be conducted in compliance with the Zoning Code,

(2) The impact of the proposed facility on surrounding and nearby land uses including those impacts caused by the anticipated traffic patterns associated therewith.

Primary access to the facility is via Columbia Park Drive. Truck traffic access to the property is at the northeast corner of the site via Columbia Park Drive, through the Greenland Business Park. A second access is located at the eastern terminus of Fayal Drive South. Truck traffic access via Fayal Drive is prohibited as a condition to the Exception (E-14-64). Fayal Drive is posted with a 5-ton maximum weight limit. Both Fayal Drive in its entirety, and Columbia Park Drive west of the entrance to the facility, are two-lane local streets. The site is bordered to the north by warehouses, to the east by warehouse and light manufacturing uses, to the south by a drainage pond, and to the west by the Greenland Park Ballfield. Negative impacts attenuation is by operational controls and by distance separation from any adversely impacted uses.

It is the opinion of the Department that the continued operation of the facility will not have a detrimental impact on surrounding and nearby uses.

(3) The consistency of the proposed facility with any duly adopted Comprehensive Plan and all land use regulations related thereto.

The subject property is located in the Heavy Industrial (HI) land use category. A facility located in this functional land use category is consistent with the Future Land Use Element (FLUE) of the City's 2045 Comprehensive Plan. This property is also located within the Industrial Sanctuary Situational Compatibility Zone enacted per Ordinance 2007-398-E.

(4) Whether the entity submitting an application is currently a registered business in the City and has a current Certificate of Use for the proposed facility operations.

According to the Zoning Administrator, **there is currently no Certificate of Use (COU) for the expanded facility.**

(5) Such other considerations as he/she deems relevant.

The Planning and Development Department Director and the Current Planning Division Chief have identified no additional concerns.

Based on the proceeding, it is the recommendation of the Director of the Planning and Development Department that the application for the "Certificate of Public Convenience and Necessity" for the Hrustic Brothers, Inc. facility on Fayal Drive, **be APPROVED pending the issuance a Certificate of Use (COU).**

BEFORE THE PLANNING COMMISSION
OF THE CITY OF JACKSONVILLE

APPLICATION NO: E-14-64

IN RE: The Zoning Exception Application of

HRUSTIC BROTHERS, INC.

**ORDER APPROVING APPLICATION FOR ZONING EXCEPTION E-14-64 WITH
CONDITIONS**

This matter came to be heard upon the Application for Zoning Exception filed by Columbia Park, LLC, the owners of certain real property located at 6498 Fayal Drive South, seeking to allow a recycling facility in the IH Zoning District.

Having duly considered both the testimonial and documentary evidence presented at the public hearing on January 8, 2015, including the Report of the Planning and Development Department on Application for Zoning Exception E-14-64 and all attachments thereto ("Staff Report"), a copy of which is attached hereto as **Exhibit "A"**, the Planning Commission of the City of Jacksonville hereby adopts and incorporates herein the recommendations of the Staff Report, and,

FINDS AND DETERMINES:

1. That the applicant has complied with all application requirements set forth in Section 656.131 of the Zoning Code;
2. That substantial competent evidence demonstrates that application E-14-64 meets, to the extent applicable, the standards and criteria set forth in Section 656.131(c) of the Zoning Code; and
3. That the land which is the subject of this exception application E-14-64 is owned by Columbia Park, LLC. A copy of the legal description of the subject property is attached as part of **Exhibit "A"** and incorporated herein by reference.

NOW THEREFORE, it is **ORDERED** by the Planning Commission:

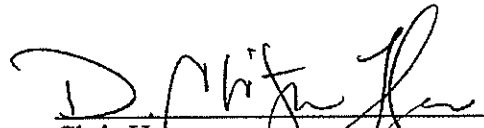
1. Application E-14-64 is hereby **APPROVED** and a zoning exception is hereby granted to Hrustic Brothers, Inc. allowing for a recycling facility on the subject property as provided in the Site Plan dated December 4, 2014, in the application.
2. Failure to exercise the exception herein granted by commencement of the use or performance of the action herein approved within one (1) year of the effective date of this Order shall render this exception invalid and all rights arising hereunder shall terminate.

3. The exception granted herein is subject to the following conditions:
 - a. All heavy trucks truck traffic shall use Columbia Park Drive. No heavy truck access to Fayal Drive is permitted.
 - b. Hours of operation for onsite recycling shall be limited to 7:00 a.m.-5:00p.m. Monday through Friday.

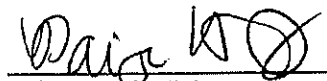
4. The Exception granted herein shall **not** be construed as an exemption from any other applicable local, state or federal laws, regulations, requirements, permits or approvals. All other applicable local, state or federal permits or approvals shall be obtained before commencement of the development or use and issuance of this Exception is based upon acknowledgement, representation and confirmation made by the applicant(s), owner(s), developer(s) and/or any authorized agent(s) or designee(s) that the subject business, development and/or use will be operated in strict compliance with all laws. Issuance of this Exception does **not** approve, promote or condone any practice or act that is prohibited or restricted by any federal, state or local laws.

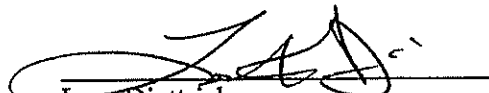
5. The approval granted herein shall not interfere with or abrogate or annul any easement, covenant or other agreement between any parties. In the event that the provisions of this Order impose a greater restriction upon the use, structures or development of the property than are imposed or required by other ordinances, rules, regulations or by easements, covenants or agreements, the provisions of this Order shall control.

Executed this 8th day of January, 2015.


Chris Hagan
Chairman, Planning Commission

FORM APPROVED:


Paige Hobbs Johnston
Assistant General Counsel


Lara Diettrich
Secretary, Planning Commission

Copies to:

Columbia Park, LLC
Attn: Emir Hrustic, Operations Manager
6498 Fayal Drive, Suite 1
Jacksonville, FL 32258
Owner/Applicant

George Whitmer
11516-3 San Jose Boulevard

Jacksonville, FL 32223
Agent

NOTICE: This Order does not become final until the expiration of the twenty-one (21) day appeal period provided in the Zoning Code. Any work commenced during this appeal period is done at the risk of the applicant, and a building permit will only be issued after an Acknowledgement of the appeal period has been obtained from the Zoning Counter and returned to same executed properly by the applicant(s) or their agent(s).

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BEFORE THE PLANNING COMMISSION
OF THE CITY OF JACKSONVILLE

APPLICATION NO: E-24-20

IN RE: the Zoning Exception Application of

COLUMBIA PARK, LLC

ORDER APPROVING APPLICATION FOR ZONING EXCEPTION E-24-20

This matter came to be heard upon the Application for Zoning Exception filed by Columbia Park, LLC, the owner of certain real property located at 11901 Fayal Drive between Fayal Drive and Columbia Park Court, RE# 157138-0000, seeking to allow a recycling facility meeting performance criteria of Part 4, in the IH Zoning District.

Having duly considered both the testimonial and documentary evidence presented at the public hearing on April 18, 2024, including the Report of the Planning and Development Department on Application for Zoning Exception E-24-20 and all attachments thereto ("Staff Report"), a copy of which is attached hereto as Exhibit "A", the Planning Commission of the City of Jacksonville hereby adopts and incorporates herein the recommendations of the Staff Report, and,

FINDS AND DETERMINES:

1. That the applicant has complied with all application requirements set forth in Section 656.131 of the Zoning Code;
2. That substantial competent evidence demonstrates that application E-24-20 meets, to the extent applicable, the standards and criteria set forth in Section 656.131(c) of the Zoning Code; and
3. That the land which is subject of this exception application E-24-20 is owned by Columbia Park, LLC. A copy of the legal description of the subject property is attached as part of Exhibit "A" and incorporated herein by reference.

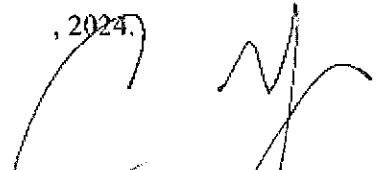
NOW THEREFORE, it is ORDERED by the Planning Commission:

1. Application E-24-20 is hereby **APPROVED** and a zoning exception is hereby granted to Columbia Park, LLC, allowing a recycling facility on the subject property.
2. Failure to exercise the exception herein granted by commencement of the use or performance of the action herein approved within one (1) year of the effective date of this Order shall render this exception invalid and all rights arising shall terminate.

3. The Exception granted herein shall **not** be construed as an exemption from any other applicable local, state, or federal laws, regulations, requirements, permits or approvals. All other applicable local, state, or federal permits or approvals shall be obtained before commencement of the development or use and issuance of this Exception is based upon acknowledgement, representation and confirmation made by the applicant(s), owner(s), developer(s) and/or any authorized agent(s) or designee(s) that the subject business, development and/or use will be operated in strict compliance with all laws. Issuance of this Exception does **not** approve, promote, or condone any practice or act that is prohibited or restricted by any federal, state, or local laws.

4. The approval granted herein shall not interfere with or abrogate or annul any easement, covenant, or other agreement between any parties. In the event that the provisions of this Order impose a greater restriction upon the use, structures or development of the property than are imposed or required by other ordinances, rules, regulations or by easements, covenants or agreements, the provisions of this Order shall control.

Executed this 18 day of April, 2024.


Charles Garrison
Chairman, Planning Commission

FORM APPROVED:


Terrence L. Harvey
Assistant General Counsel


Michael McGowan
Secretary, Planning Commission

Copies to:

Edward Hughes
5011 Gate Parkway, Building 100, Suite 100
Jacksonville, Florida 32256
Agent/Applicant

Emir Hrustic
6498 Fayal Drive, Suite 1
Jacksonville, Florida 32258
Owner

NOTICE: This Order does not become final until the expiration of the twenty-one (21) day appeal period provided in the Zoning Code. Any work commenced during this appeal period is done at the risk of the applicant, and a building permit will only be issued after an Acknowledgement of the appeal period has been obtained from the Zoning Counter and returned to same executed properly by the applicant(s) or their agent(s).

GC-#1623685-v1-Order on E-24-20 A 4-18-24.docx

13674.0

Certificate of Use ID #

157138 0900

Real Estate #

Certificate of Use
Jacksonville, Florida

This document certifies that Hrustic Brothers Inc., located

At 6596 Columbia Park Drive, _____, is registered as a
Street address Unit #

Concrete Recycling
Type of Business/Use

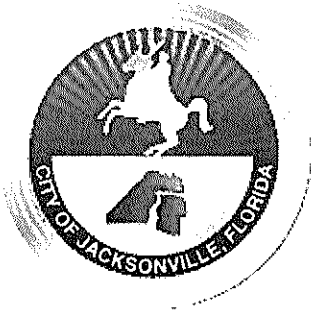
This Certificate of Use confirms that the subject business/use is in compliance with

The City's Zoning Code, Building Code and Fire Code, Pursuant to

Ordinance 2005-1355-E

Date July 27, 2020


Authorized Signature



City of Jacksonville, Florida

Donna Degan, Mayor

Neighborhoods Department
Environmental Quality Division
214 N. Hogan St., 5th Floor
Jacksonville, FL 32202
(904) 255-7100
www.jacksonville.gov

A NEW DAY.

July 16, 2024

MEMORANDUM

TO: Steve Long, P.E., Operations Director
Department of Public Works

FROM: Melissa M. Long, P.E., Chief *p.p. Jenny Carr*
Environmental Quality Division

SUBJECT: Application for Major Modification of Certificate of Public Convenience and Necessity
Hrustic Brothers, Inc. Materials Recycling and Diversion Facility
6498 Fayal Drive South (RE# 157138-0900)
11901 Fayal Drive (RE #157138-0000)

The Environmental Quality Division (EQD) has reviewed the additional information received on June 3, 2024, for the Hrustic Brothers, Inc. Materials Recycling and Diversion Facility Application for Major Modification of Certificate of Public Convenience and Necessity. The EQD review was conducted in accordance with the requirements of 380.105(a) and (e), City of Jacksonville Ordinance Code. EQD offers the following comments:

1. Concrete Crushing Equipment
EQD has reviewed the applicant's response and is not requesting any additional information.
2. Demolition and Removal of Existing Buildings and Structures
EQD has reviewed the applicant's response and is not requesting any additional information.
3. Fuel Storage Tank Regulations
EQD has reviewed the applicant's response and is not requesting any additional information.
4. Groundwater Well Located on the 11901 Fayal Drive Property
EQD has reviewed the applicant's response and is not requesting any additional information.
5. Jacksonville Emergency Management Plan Requirements
EQD has reviewed the applicant's response and is not requesting any additional information.
6. Multi-Sector Generic Permit Requirements
EQD has reviewed the applicant's response and is not requesting any additional information.

Mr. Steve Long, P.E., Operations Director

July 16, 2024

Page 2

7. Municipal Separate Stormwater System

EQD has reviewed the applicant's response and is not requesting any additional information.

8. Permit Determinations Regarding Modifications to the Existing Domestic Wastewater Collection/Transmission System and Potable Water System

EQD has reviewed the applicant's response and is not requesting any additional information.

9. St. Johns River Water Management District Stormwater and Wetlands Construction Permitting Requirements

EQD has reviewed the applicant's response and is not requesting any additional information.

10. Sediment and Erosion Control Compliance Requirements

EQD has reviewed the applicant's response and is not requesting any additional information.

EQD has determined that the applicant has provided all information needed to complete its review, and the application provides reasonable assurance that the proposed project will comply with the state and local environmental regulations that are under its jurisdiction.

EQD staff requests that Solid Waste Division send us the draft conditions for the next certificate of public convenience and necessity.

If you need additional information, please contact Charles Hubsch of EQD, at telephone number (904) 255-7217.

Kuhn, Cletus - PWSW

From: Hubsch, Charles - EREQ
Sent: Thursday, August 1, 2024 4:22 PM
To: Kuhn, Cletus - PWSW
Subject: FW: Hrustic Brothers, Inc., Fayal Drive - CON Draft Specific Conditions
Attachments: Hrustic Bros_Fayal_Draft Specific Conditions_0724.docx

Good afternoon, Cletus. Environmental Quality Division (EQD) staff has reviewed the attached draft conditions for the Hrustic Brothers, Inc. Clean Debris Recycling Facility Certificate of Public Convenience and Necessity. EQD requests that the following revisions be made:

1. For Specific Condition 29 Reclaimed Water, please change "FAC Rule 62-610.200" to "FAC Rule 62-600.200(57)."
2. Please add the following as a new specific condition: Specific Condition 32: Fuel Storage Tanks.

The Facility shall maintain a minimum setback distance of 100 feet between all groundwater wells and all fuel storage tanks located on the Facility properties. This requirement is in accordance with Chapter 532, FAC, Water Well Permitting And Construction requirements, Table 1 Well Setback Distances.

Please contact me if you need additional information.

Thank you,

Charles Hubsch
Environmental Engineer/Scientist
City of Jacksonville | Environmental Quality Division
214 N. Hogan Street, 5th Floor
Jacksonville, FL 32202
Office: 904-255-7217
Email: chubsch@coj.net
www.jacksonville.gov



A NEW DAY.

From: Kuhn, Cletus - PWSW <KCletus@coj.net>
Sent: Monday, July 22, 2024 2:29 PM
To: Hubsch, Charles - EREQ <CHUBSCH@coj.net>
Subject: Hrustic Brothers, Inc., Fayal Drive - CON Draft Specific Conditions

Charles,

As requested, please see the attached draft specific conditions for your review and comment. Please provide comments or an email confirming no comments within 5 business days.

Please contact me if you have any questions.

Thank you,

Cletus Kuhn

Solid Waste Environmental Specialist

City of Jacksonville | Solid Waste Division

1031 Superior Street

Jacksonville, FL 32254

Phone: (904)-255-7521

Fax: (904)-255-7601

Email: kcletus@coj.net

jacksonville.gov



City of Jacksonville, Florida

Donna Deegan, Mayor

Department of Public Works
Solid Waste Division
1031 Superior Street
Jacksonville, FL 32254
(904) 255-7500
www.jacksonville.gov

A NEW DAY.

TO: Nina C. Sickler, P.E., Director
Department of Public Works

FROM: Will Williams, M.B.A, Chief
Solid Waste Division

Cletus Kuhn, Solid Waste Environmental Specialist
Solid Waste Division

DATE: June 26, 2024

SUBJECT: Certificate of Public Convenience and Necessity Modification/Renewal Application
Hrustic Brothers, Inc. – Clean Debris Recycling Facility
6498 & 11901 Fayal Drive South
Jacksonville, Florida 32258

The Hrustic Brothers, Inc. facility addressed at 6498 & 11901 Fayal Drive South is located south of Interstate 295 and east of Interstate 95 on Fayal Drive South, with the heavy truck entrance from Columbia Park Court, in the southeastern portion of the City of Jacksonville. Both the existing facility parcel and the proposed expansion lie within a Heavy Industrial land use category and are currently zoned Industrial Heavy with the required Zoning Exceptions in effect. Hrustic Brothers, Inc. proposes to accept and process at the facility only clean debris (ex. concrete, brick, block).

In accordance with Chapter 380.105(b), City of Jacksonville Ordinance Code, the Solid Waste Division hereby forwards its comments and recommendations regarding the above referenced application:

- (1) *Whether the proposed method of operation will comply with the requirements of this Part and with the Florida Statutes and Florida Administrative Code.*

The Hrustic Brothers, Inc. Fayal Drive South facility operation as described in the modification/renewal application for a Certificate of Public Convenience and Necessity, as submitted by Mechling Engineering & Consulting, Inc., will comply with current local, state and federal rules and regulations in regards to solid waste handling, storing, processing and disposal when operated in accordance with the approved plans.

(2) Whether any hazard or menace to the public health would be created by the proposed use of the land involved or by the proposed method of operation.

The Hrustic Brothers, Inc. Fayal Drive South facility operation, when operated according to the approved operations plan submitted as part of the modification/renewal application, will not create any hazard or menace to the public health.

(3) Whether the wastes to be disposed or managed are generated within Duval County.

Based upon the type of waste received by the facility and the location of the facility operations, the majority of the waste delivered to this facility is expected to be generated in Duval County.

(4) The rate at which the wastes to be disposed or managed are being generated in Duval County and the projected generation rate over the next five years.

The average rate of waste generated in Duval County for the Construction and Demolition Debris waste stream over the past 5 years has been estimated at 1,120,000 tons per year (not including asphalt). It is estimated that 1,189,555 tons of this waste stream is currently generated annually in Duval County (not including asphalt).

The projected generation rates of this waste stream over the next five years is anticipated to remain steady but may change depending on economic conditions or natural disasters in the area over this time period.

(5) The reasonably available means to reduce or eliminate the wastes requiring disposal or management.

The Hrustic Brothers, Inc. Fayal Drive South facility proposes to accept clean debris for processing and subsequent recycling. Clean debris is typically generated by construction and demolition projects. There currently exists no reasonable available means to reduce or eliminate this waste stream apart from recycling it as proposed by the facility operation. The facility shall meet the current recycling requirement for this waste stream as provided in Ordinance Code Section 380, Part 1 which is currently 98%.

Based upon review of the above-listed solid waste related items, it is the recommendation of the Solid Waste Division that the modification/renewal application for a Certificate of Public Convenience and Necessity regarding the Hrustic Brothers, Inc. Fayal Drive South Clean Debris Recycling Facility be **approved**.

cc: Eric B. Fuller, Public Works Department 