

▶ **FILE #:** 10-A-13-UR

**AGENDA ITEM #:** 33

**AGENDA DATE:** 10/10/2013

▶ **APPLICANT:** HARRY HERNANDEZ

OWNER(S): Tennessee Auto Salvage & Recycling

TAX ID NUMBER: 51 10601

JURISDICTION: County Commission District 8

▶ **LOCATION:** Southeast side of Rutledge Pike, southwest of Ellistown Rd.

▶ **APPX. SIZE OF TRACT:** 9.86 acres

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)

ACCESSIBILITY: Access is via Rutledge Pk., a four lane median divided arterial street

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: NA

WATERSHED: Holston and French Broad and Legg Creek

▶ **ZONING:** I (Industrial)

▶ **EXISTING LAND USE:** Vehicle scrap yard

▶ **PROPOSED USE:** Vehicle salvage and recycling

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Rutledge Pike / A-1 agricultural

South: Truck trailer storage & landfill / I industrial & A agricultural

East: Truck yard & maintenance facility / I industrial

West: Truck trailer storage & landfill / I industrial & A agricultural

NEIGHBORHOOD CONTEXT: The site is located in an area that is characterized by the outdoor storage of heavy trucks and trailers. In addition, two landfills are in close proximity to this site.

**STAFF RECOMMENDATION:**

▶ **APPROVE the request for a metal salvage yard at this location as shown on the site plan subject to 6 conditions**

1. Meeting all applicable requirements of the Knox County Zoning Ordinance
2. Meeting all applicable requirements of the Knox County Dept. of Engineering and Public Works
3. Installing a ten foot high opaque fence around the entire site
4. Limiting the height of any vehicle or metal scrap storage such that it will not exceed the height of the boundary fencing
5. The business being conducted as stated in the correspondence and site plan that was submitted with this request
6. A revised site plan reflecting the conditions of approval must be submitted to MPC staff for certification prior to the applicant commencing operations at this site

With the conditions noted, this plan meets the requirements for approval in the I (Industrial) zone and the other criteria for approval of a use on review

#### **COMMENTS:**

This applicant is in the process of taking over an existing auto salvage yard on Rutledge Pk. The Knox County Code Administration Department has indicated that this site has been used as an auto salvage yard since at least 1972. However, there is no record that a use on review has ever been considered for that use at that location. This applicant proposes to continue the current operation which includes the sale of used auto parts and fluids. After all parts are stripped from the vehicle it will be crushed on this site and then hauled to another location for shredding. Additionally, this applicant will be purchasing both ferrous and non-ferrous metals for recycling. The scrap metal will be placed on containers for shipment to the processors.

As stated this site is located on Rutledge Pk. in an area where the proposed use would have minimal impact. Neighboring uses include a heavy truck yard, truck storage and maintenance facility. An active demolition land fill is located to the south of this site and an old sanitary landfill is to the east of this site. The closest residence is about a thousand feet from this site. With the exception of the Rutledge Pk. right-of-way, all of the adjoining property is zoned I Industrial or CA and CB commercial.

#### **EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE**

1. The proposed business will have no additional impact on local services. Water and electrical service are provided to the site.
2. Access will be from Rutledge Pk., which is a major arterial street with adequate capacity to accommodate this operation
3. Vegetative buffers and (or) fencing will be put in place between this project and adjoining properties.
4. The proposed auto salvage scrap metal yard is consistent in use with the other development in the area.

#### **CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE**

1. With the recommended conditions, the proposed business meets the standards for development within the I (Industrial) Zone and all other requirements of the Zoning Ordinance.
2. The proposed auto salvage and metal scrap yard business is consistent with the general standards for uses permitted on review:
  - A. The proposed business is consistent with the adopted plans and policies of the General Plan and Sector Plan.
  - B. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The proposed business complies with all the height, bulk and area requirements of the Knox County Zoning Ordinance.
  - C. The use is compatible with the character of the neighborhood where it is proposed. As previously noted, the proposed business is compatible in use and intensity with the surrounding area.
  - D. The use will not significantly injure the value of adjacent property.
  - E. The use will not draw additional traffic through residential areas.

#### **CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS**

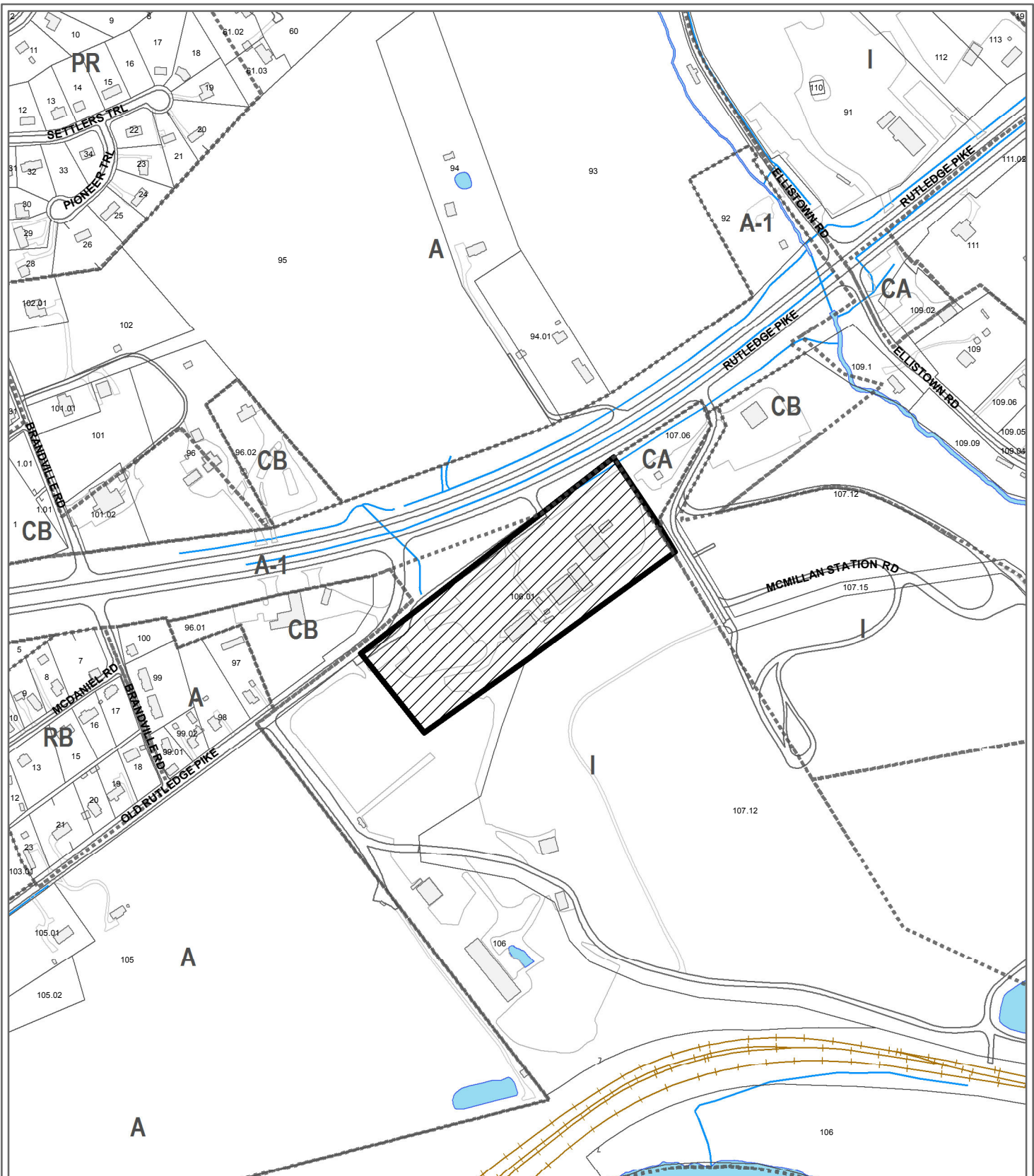
1. The Northeast County Sector Plan identify this property for light industrial use. The proposed I (Industrial) zoning will be consistent with the Sector Plan.

MPC's approval or denial of this request is final, unless the action is appealed to Knox County Board of Zoning Appeals (BZA) or Knox County Chancery Court, as appropriate. The date of the Knox County BZA appeal hearing will depend on when the appeal application is filed.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

MPC's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



**10-A-13-UR  
USE ON REVIEW**



Vehicle salvage and recycling in I (Industrial)

Original Print Date: 9/25/2013  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Revised:

Petitioner: Hernandez, Harry

Map No: 51

Jurisdiction: County





Dan Kelly &lt;dan.kelly@knoxmpc.org&gt;

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**Tennessee Auto Salvage & Recycling -**

2 messages

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**Lourdes Regil** <tenausai@gmail.com>  
To: dan.kelly@knoxmpc.org

Fri, Sep 13, 2013 at 2:15 PM

Good afternoon

Attached find the business explanation

Thanks

Alina Perez

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 **Tennessee Auto Salvage.docx**  
14K

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Lourdes Regil <tenausai@gmail.com>

Wed, Sep 18, 2013 at 12:16 PM

Ms. Perez,

The information that was contained in your email was very helpful in my review of Mr. Hernandez request for use on review consideration of a salvage yard / recycling facility. However, I need more information that I hope Mr. Hernandez address:

1. Provide a site plan, drawn to scale, that will show any proposed structures, scales or other improvements to the site, auto servicing/ dismantling area, parts and fluid storage areas. In addition the site plan will need to show the area that will be devoted to ferrous and nonferrous metal recycling along with the method of storage of each type of metal that will be dealt with on the site. The site plan must show the driveway location and the proposed vehicular circulation pattern. Finally, the site plan will need to show the location and type of opaque fence that must be provide around the entire site. The fence will have to be a minimum of 8 to 12 feet tall.
2. Are auto parts going to sold to individual retail customers? Will the customer be allowed to remove parts from the vehicles or will parts only be sold after removal by the staff?
3. We will need to know approximately how long each vehicle will remain on site. Do you intend to crush or shred vehicles on this site?
- 4 Will the vehicles be sitting directly on the ground?
5. Have you discussed your request with the Knox County Dept. of Engineering and Public Works regarding any potential storm water runoff permits that may be required?
6. Are you required to obtain a license from the State of Tennessee to operate your business?
7. Piles of recyclables must not exceed the height of the fence. It is important that you explain how the material (vehicles & metals) will come onto the site, be processed and the any waste material / salvage be removed in a timely manner. Long term storage of materials on site is to avoided.

I need all of this information supplied back to by 9/25/13.

[Quoted text hidden]

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Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500

Good morning Mr. Kelly

2-Tennessee Auto Salvage & Recycling Inc will sell parts to customers at retail prices and they will buy our products in our location. The parts will be removed by Tennessee Auto Salvage & Recycling staff.

3- The time of the vehicle staying on site vary but is no longer than 15 days.

We will be crushing the vehicles.

4-In the future the vehicles will be stored on rackets

5-We already got the storm water permits.

6- Yes

7-All the materials (vehicles and metals) will come from individuals and towing companies. We will check and weight all the materials in accordance with the rules and after, it will be sent to the area where it will be processed. We have four dumpsters for the waste material and two double tanks for the oil and gasoline.

Dismantling:

- All used oils, oil related products and oil filters are removed from all the vehicles in the dismantling area and transferred quickly to the used oil storage area.
- All parts that previously contained oil or oil related products are removed from the vehicle in the dismantling area.
- The dismantling area is kept dry, not subject to flooding during normal precipitation events
- The dismantling area is kept clean and uncluttered.
- Oil/water separator is cleaned out on a regular basis (twice a year at a minimum).
- The discharge from the oil/water separator meets discharge requirements.

Storage:

- Used oil and filters are stored in separate marked containers with an adequate lid and secondary containment.
- Containers of waste oil are stored in a covered area without drains (oil/water separators are not designed to intercept large spills).
- Containers storing used oil and filters are protected from precipitation.
- Wet parts that have been removed from vehicles are stored in an area with an adequate level of containment for any residual oil (e.g., drip pans) and are protected from precipitation (e.g., covered area).

Containers:

- Steel drums are used to store used oil.

Spills:

- Ensure spill kits have materials and equipment to contain spills, absorb oil and oil related products. Materials and equipment include:
- Shovels and pails to clean up contaminated solids and gravels in the receiving, hulk storage and the crusher areas;
- Adsorbent materials to clean-up oil and oil related products in the dismantling and wet parts storage areas; and
- Storage drums to collect contaminated solids and gravels.
- Ensure oil contaminated solids and materials (e.g., absorbent, rags) are disposed of as a hazardous waste.
- Ensure staff is trained on how to handle used oil, in spill prevention and in what to do in the event of a large spill.

September 12, 2013

To Whom It May Concern:

Tennessee Auto Salvage & Recycling, Inc has been a fixture in Knoxville, TN since 2013 when the business was opened in this bustling area. Located on 7828 Rutledge Pike Lot B Knoxville TN 37924, the company dismantler and recycle vehicles and ferrous (iron types metals including steel) and non-ferrous metals (copper, aluminum, brass, etc).

The company buys junk cars and scrap metals giving a very fair and competitive rate, per container or per pound price and the customer walks away with the paid for their recycled materials.

In Tennessee Auto Salvage & Recycling Inc wrecked or decommissioned vehicle are brought, their usable parts are sold for use in operating vehicles, while the unusable metal parts, known as scrap metal parts, are sold to metal recycling companies.

The process of recycling a vehicle is extremely complicated as there are many parts to be recycled and many hazardous materials to remove. Briefly, the process begins with incoming vehicles being inventoried for parts. Then, recyclers start the engine in order to inspect for leaks. After inventory, fluids are drained and removed. After the fluids are removed, the final remaining hazardous materials such as battery, mercury) are removed. After all of the parts and products inside are removed.

Tennessee Auto Salvage & Recycling, Inc has the personnel with the experience and knowledge for this type of business.

The objective of Tennessee Auto Salvage & Recycling, Inc is to provide the best service and selling price to clients who come to sell their junk cars or scrap metals.

Tennessee Auto Salvage & Recycling, Inc knows all the regulations that apply to the business and also comply with it, such as getting permits. Tennessee Auto Salvage & Recycling Inc is aware of and

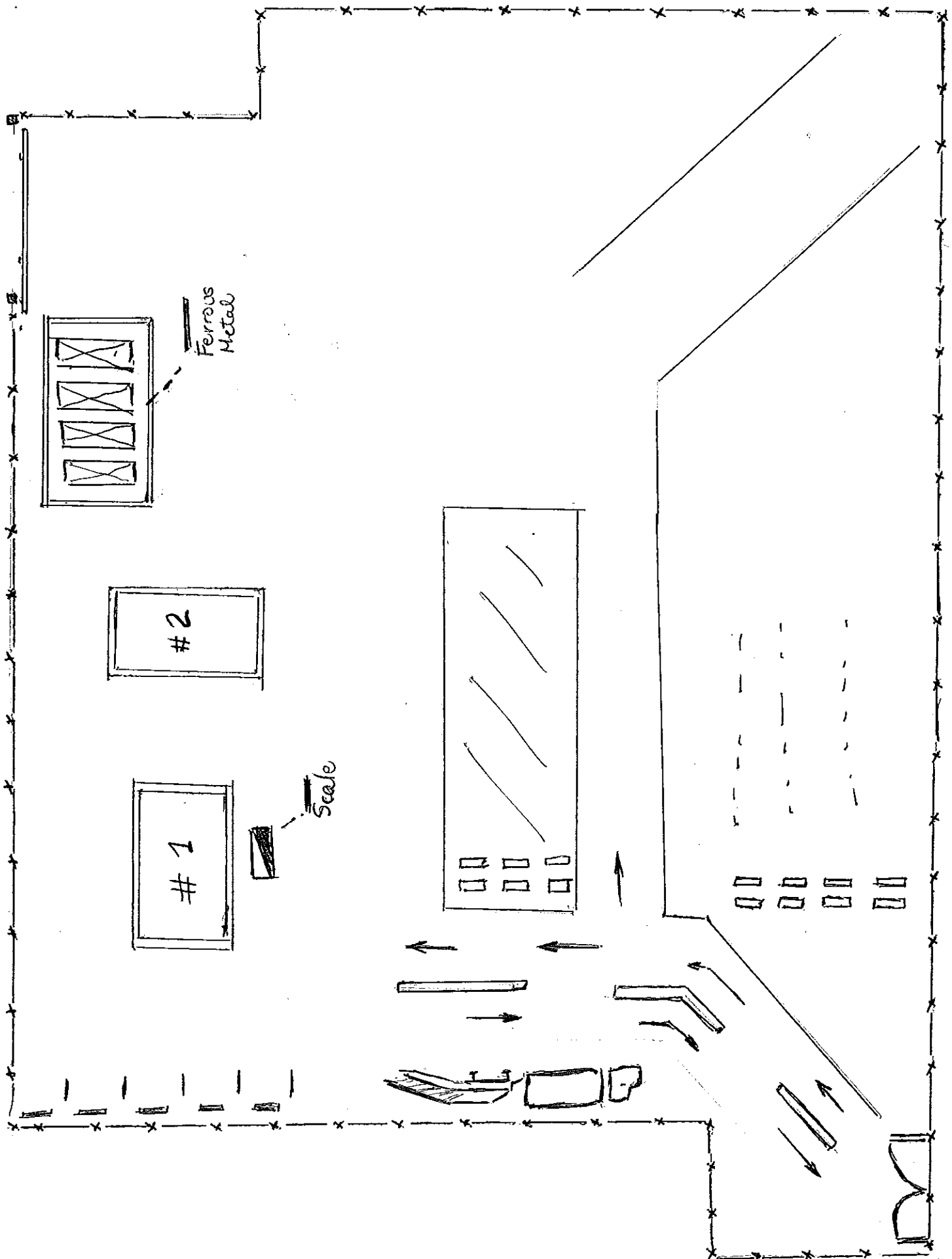


compliance with the regulations to ensure that the company does not face environmental violations or penalties.

Tennessee Auto Salvage & Recycling, Inc knows is important to help protect our environment, conserve our resources, reduce our impact on natural systems, and leave future generations with plentiful resources.

Sincerely,

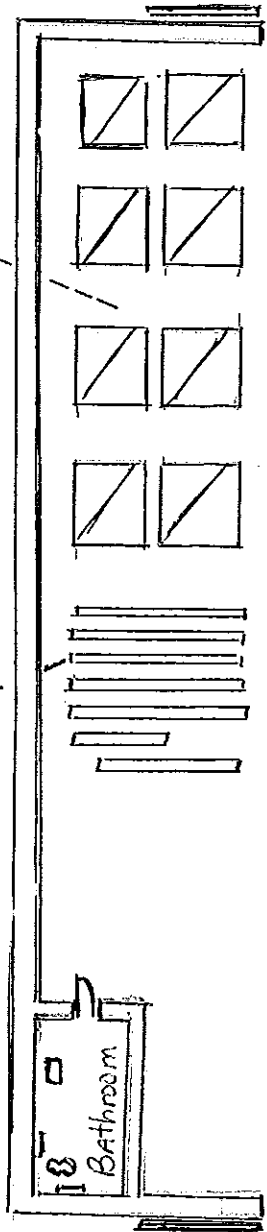
Harry Hernandez  
Vice-President  
Tennessee Auto Salvage & Recycling Inc



# 1

Copper

Aluminium



48'

# 1

Engines

108'

