

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW

KNOXVILLE-KNOX COUNTY

M P C
METROPOLITAN
P L A N N I N G
C O M M I S S I O N

T E N N E S S E E

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File Number: 10-A-13-UR **Related File Number:**
Application Filed: 8/23/2013 **Date of Revision:**
Applicant: HARRY HERNANDEZ

PROPERTY INFORMATION

General Location: Southeast side of Rutledge Pike, southwest of Ellistown Rd.
Other Parcel Info.:
Tax ID Number: 51 10601 **Jurisdiction:** County
Size of Tract: 9.86 acres
Accessibility: Access is via Rutledge Pk., a four lane median divided arterial street

GENERAL LAND USE INFORMATION

Existing Land Use: Vehicle scrap yard
Surrounding Land Use:
Proposed Use: Vehicle salvage and recycling **Density:**
Sector Plan: Northeast County **Sector Plan Designation:** LI
Growth Policy Plan: Urban Growth Area (Outside City Limits)
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.

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 7828 Rutledge Pike
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: I (Industrial)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: None noted

PLAN INFORMATION (where applicable)

Current Plan Category:
Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed: No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

MPC ACTION AND DISPOSITION

Planner In Charge: Dan Kelly

Staff Recomm. (Abbr.): APPROVE the request for a metal salvage yard at this location as shown on the site plan subject to 6 conditions

Staff Recomm. (Full):

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.

Action: Approved **Meeting Date:** 10/10/2013

Details of Action:

Summary of Action: APPROVE the request for a metal salvage yard at this location as shown on the site plan subject to 6 conditions

Date of Approval: 10/10/2013 **Date of Denial:** **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Board of Zoning Appeals

Date of Legislative Action: **Date of Legislative Action, Second Reading:**

Ordinance Number: **Other Ordinance Number References:**

Disposition of Case: **Disposition of Case, Second Reading:**

If "Other": **If "Other":**

Amendments: **Amendments:**

Date of Legislative Appeal: **Effective Date of Ordinance:**