

BOARD OF ADJUSTMENT & BUILDING BOARD OF APPEALS

AGENDA

REGULAR MEETING

November 3, 2015

CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

REGULAR SESSION - 7:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. SWEARING IN OF SPEAKERS

IV. MINUTES APPROVAL

- A. Consider approval of minutes from July 7, 2015 Board of Adjustment meeting.
- B. Consider approval of minutes from October 6, 2015 Board of Adjustment meeting.

V. VISITOR/CITIZENS FORUM

At this time, any person with business before the Board of Adjustment not scheduled on the Agenda may speak to the Board, provided that an official 'Speaker's Request Form' has been completed and submitted to the Board Secretary prior to the start of the meeting. All comments must be directed towards the Chair, rather than individual board members or staff. All speakers must limit their comments to the subject matter as listed on the 'Speaker's Request Form.' No formal action can be taken on these items.

VI. REGULAR ITEMS

- A. **BOA 15-07** to receive comments and consider action on a request by Sterling Adams for a Special Exception as required by City Code Section 17-421, *Schedule of uses and off-street parking requirements*, to allow a salvage yard in an "I" Industrial District at 7002 E Kennedale Parkway, more particularly described as Wade H Hudson Survey A 716 Tract 3C2A, 3D1A & 3D2.
 - 1. Staff presentation
 - 2. Applicant presentation
 - 3. Public hearing
 - 4. Applicant response
 - 5. Staff response and summary
 - 6. Action by the Board of Adjustment

VII. REPORTS/ANNOUNCEMENTS

- A. Updates from City Council

VIII. ADJOURNMENT

In compliance with the Americans with Disabilities Act, the City of Kennedale will provide for reasonable accommodations for persons attending City Council meetings. This building is wheelchair accessible, and parking spaces for disabled citizens are available. Requests for sign interpreter services must be made forty-eight (48) hours prior to the meetings. Please contact the City Secretary at 817.985.2104 or (TDD) 1.800.735.2989

CERTIFICATION

I certify that a copy of the November 3, 2015, Board of Adjustment & Building Board of Appeals agenda was posted on the City Hall bulletin board next to the main entrance of the City Hall building, 405 Municipal Drive, of the City of Kennedale, Texas, in a place convenient and readily accessible to the general public at all times and said agenda was posted at least 72 hours preceding the schedule time of said meeting, in accordance with Chapter 551 of the Texas Government Code.

A handwritten signature in cursive script that reads "Rachel Roberts". The signature is written in dark ink and is positioned above a horizontal line.

Rachel Roberts, Board Secretary



STAFF REPORT TO THE BOARD OF DIRECTORS

Date: November 3, 2015

Agenda Item No: MINUTES APPROVAL - A.

I. Subject:

Consider approval of minutes from July 7, 2015 Board of Adjustment meeting.

II. Originated by:

Katherine Rountree, Permits Clerk

III. Summary:

Consider approval of minutes from July, 7 2015 Board of Adjustment meeting.

IV. Recommendation:

Approve

V. Alternative Actions:

VI. Attachments:

1.	07.07.2015 BOA Minutes	07.07.2015 BOA Minutes Final.docx
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BOARD OF ADJUSTMENT & BUILDING BOARD OF APPEALS
MINUTES
REGULAR MEETING
July 7, 2015
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE
REGULAR SESSION - 7:00 PM

I. CALL TO ORDER

Mr. Vader called the meeting to order at 7:00 PM

II. ROLL CALL

Present?	Commissioner
X	Brian Cassady
X	Jeff Madrid
X	Patrick Vader
X	Martin Young
	<i>Alternates</i>
X	Jeff Nevarez
	Lana Sather
	<i>Vacant</i>

A quorum was present.

Staff present: Sandra Johnson (building official); Katherine Rountree (board secretary); Charles Comeaux (code enforcement officer); Rachel Roberts (city planner).

Mr. Nevarez was asking to serve as a regular member of the board for this meeting.

III. SWEARING IN OF SPEAKERS

Ms. Roberts swore in those who wished to speak.

IV. MINUTES APPROVAL

A. Consider approval of minutes from June 2, 2015 Board of Adjustment meeting.

Mr. Madrid motioned to approve the minutes. The motion was seconded by Mr. Nevarez and passed with all in favor.

V. VISITOR/CITIZENS FORUM

No one registered to speak.

VI. REGULAR ITEMS

- A. CASE # BOA 15-01** to receive comments and consider action on a request by Anthony Taiwo for a variance to City Code Section 17-405 Zoning Districts Generally, sub-section (d)(j), requiring a swimming pool to be located at least eight feet from the main building. The variance is requested for 305 Autumnwood Ct, more particularly described as Winding Creek Estates Block 1 Lot 15.

1. Staff Presentation

Ms. Roberts said that the space requirements for pools are generally eight (8) ft. from the property line. She said that there is an unusual limited space for a swimming pool at this location. Ms. Roberts went over the certain conditions and standards that the applicant must meet to be granted a variance. Ms. Roberts said the property has special conditions different from other properties in R-3 subdivisions that prevented the applicant from being able to build a pool..

2. Applicant Presentation

Anthony Taiwo, 305 Autumnwood Ct, said that the pool will be about two feet from the house. Mr. Taiwo's representative from Kingsway Pools answered and said there will be drains to prevent the water from reaching the foundation of the home and that the patio cover will be about 13 feet from the pool.

3. Public Hearing

Gary Swan, 302 Autumnwood Ct, did not wish to speak but wished to register the written opinion that he did not have any issues with the pool being put in.

John Desilva, 311 Autumnwood Ct, did not wish to speak but wished to register the written opinion that he did not have any issues with the Taiwos building a pool. He wrote that they were excited about building a pool when building their new home.

4. Applicant Response

There was no applicant response.

5. Staff Response and Summary

Staff recommended approval.

6. Motion by the Board of Adjustment.

Mr. Madrid motioned to approve the request for a variance. The motion was seconded by Mr. Cassidy and passed with all in favor.

VII. REPORTS/ANNOUNCEMENTS

Ms. Roberts stated that Chairman Adams has moved to a different city and will no longer be the Chairman of the board.

VIII.ADJOURNMENT

Mr. Vader adjourned the meeting.

The meeting adjourned at 7:14 PM



STAFF REPORT TO THE BOARD OF DIRECTORS

Date: November 3, 2015

Agenda Item No: MINUTES APPROVAL - B.

I. Subject:

Consider approval of minutes from October 6, 2015 Board of Adjustment meeting.

II. Originated by:

Katherine Rountree, Permits Clerk

III. Summary:

Consider approval of minutes from October 6, 2015 Board of Adjustment meeting

IV. Recommendation:

Approve

V. Alternative Actions:

VI. Attachments:

1.	10.06.2015 BOA Minutes	10.06.2015 BOA Minutes Final.docx
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**BOARD OF ADJUSTMENT & BUILDING
BOARD OF APPEALS
MINUTES
REGULAR MEETING
October 6, 2015
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL
DRIVE REGULAR SESSION - 7:00 PM**

I. CALL TO ORDER

Mr. Vader called the meeting to order at 7:02 PM.

II. ROLL CALL

Present?	Commissioner
X	Brian Cassady
	Jeff Madrid
X	Patrick Vader
X	Martin Young
	<i>Alternates</i>
X	Jeff Nevarez
X	Lana Sather
	<i>Vacant</i>

There was a quorum.

Mr. Nevarez and Ms. Sather were asked to join the board as regular members.

Staff Present: Rachel Roberts (city planner); Katherine Rountree (board secretary)

III. SWEARING IN OF SPEAKERS

Ms. Rountree swore in those who wished to speak.

IV. MINUTES APPROVAL

The minutes from the previous meeting were not yet available for the board to consider.

V. VISITOR/CITIZENS FORUM

No one signed up to speak.

VI. REGULAR ITEMS

A. Case # BOA 15-06 to receive comments and consider action on a request by Pet Buddies LLC dba Camp BowWow Kennedale for a Special Exception as required by City Code Section 17-421, Schedule of uses and off-street parking requirements, to allow a kennel/dog day care in a "C-2" General Commercial zoning district at 340 Bolen Rd, more particularly described as A & A Addition Block 1 Lot 1A.

1. Staff presentation

Ms. Roberts described the land uses in the area surrounding the site. She went over the six minimum standards required for a special exception. She said the business will control the noise from the pets and that the business has standards on discarding pet waste properly. She recommended approval with conditions.

2. Applicant presentation

Staci Copeland located at 1336 Sunset Circle, Cedar Hill, TX, went over a presentation for the board. Mr. Cassady asked if there was going to be an overnight staff person and Ms. Copeland said there would not since the dogs would be asleep and if there was a person present, they would stay awake. Mr. Vader asked about egress and access to and from the property. Ms. Copeland said the franchisor usually looks to be in an industrial zoning.

3. Public hearing

No one signed up to speak.

4. Applicant response

There was no public hearing and no applicant response.

5. Staff response and summary

Staff recommends approval with the following conditions:

1. If an 8 ft. high fence is not installed at the time of development, an 8 ft. fence will be installed at the request of city staff if noise complaints from nearby property owners or tenants are made.
2. No dogs shall be left outside unattended by Camp BowWow staff.
3. No dogs shall be permitted to remain outside overnight.
4. Pet waste containers shall be emptied by a commercial waste removal company at least once per week.
5. Outdoor areas shall be "poop scooped" at least once per day, with waste material disposed of in appropriate waste receptacles that limit odor and other nuisances.
6. Apply brick on the face of the entrance of the building.

6. Board determination

Mr. Cassady motioned to approve with the conditions listed above. The motion was seconded by Mr. Nevarez and passed with all in favor.

VII. REPORTS/ANNOUNCEMENTS

Saturday, Oct 17th, the Beginners Bird Identification Workshop will be held.

Saturday, Oct. 24th from 9:00 AM – 11:00 AM will be the Bring It recycling program.

Saturday, Oct. 24th starting at 5:00 PM will be the Trunk or Treat program.

Monday, Oct 12th at 6:00 PM, the city's consultants are having a public forum for the zoning code update and there will be an opportunity to speak with the consultants.

VIII. ADJOURNMENT

Mr. Young motioned to adjourn the meeting. The motion was seconded by Ms. Sather and passed with all in favor.

The meeting adjourned at 7:33 PM.

STAFF REPORT TO THE BOARD OF DIRECTORS

Date: November 3, 2015

Agenda Item No: REGULAR ITEMS - A.

I. Subject:

BOA 15-07 to receive comments and consider action on a request by Sterling Adams for a Special Exception as required by City Code Section 17-421, *Schedule of uses and off-street parking requirements*, to allow a salvage yard in an "I" Industrial District at 7002 E Kennedale Parkway, more particularly described as Wade H Hudson Survey A 716 Tract 3C2A, 3D1A & 3D2.

1. Staff presentation
2. Applicant presentation
3. Public hearing
4. Applicant response
5. Staff response and summary
6. Action by the Board of Adjustment

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

Background and Overview.

Request: Special exception to operate a salvage yard

Applicant: Sterling Adams of Apple Auto Salvage

Location: 7002 E Kennedale Pkwy (south end of Kennedale Pkwy)

Surrounding uses: commercial, industrial, and residential uses (described below)

This property is zoned Industrial. According to the business license applications on file, the business has been in operation since at least 2001, and the owner says the business has been at this location since 1987 (see attached business license application). The first special exception for a salvage yard at this location was granted in 2002; an additional special exception was granted in October 2005 for a period of ten years.

Analysis.

The special exception is a tool that allows a city to determine where and when a particular use is suitable. The tool is especially useful for governing placement of more intensive uses that may not always be compatible with surrounding areas. Kennedale's city code requires a special exception for any business owner wanting to operate a salvage yard in an Industrial zoning district.

Standards for granting a special exception.

No application for a special exception shall be granted by the board of adjustment unless the board finds all of the conditions described below are present.

Standard (1)	The board must find that the establishment, maintenance or operation of the use will not be materially detrimental to or endanger the public health, safety, morals or general welfare.
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Mr. Adams' application should demonstrate that the salvage yard does not have a negative on the public health, safety, or general welfare. Potential elements of a salvage yard operation that could affect general welfare include (but are not limited to) the following.

- Noise
- Light
- Pollution (in soil, air, or storm water)
- Crime (e.g., salvaging stolen cars)

Noise. City staff has not observed noise levels in excess of city code and have not received complaints from neighbors. The business closes by 6 PM daily. However, this does not necessarily mean that the operation does not produce excessive noise. The applicant should describe to the board how the operations at Apple Auto Salvage do not generate excessive noise.

Light. Apple Auto Salvage has businesses on either side of it. Residential is nearby to the rear, but light from this site is most likely blocked effectively by the landscaping along the side property lines and by the tall stacks of cars along the rear property line (see attached pictures).

Pollution. Staff is not aware of any violations documented by the Texas Commission on Environmental Quality. However, there are many opportunities for pollution from a salvage yard. At this site, fluids are drained from vehicles on a concrete surface, but the work area is open on three sides and does not appear to have drains for catching spills. The applicant should speak to how his operation prevents contamination of soil, air, or water.

Other hazards. The kinds of materials and chemicals that can be present at a salvage yard present a potential for fire or explosions, with the potential to affect persons and property within a half-mile radius (see attached handout from the EPA). However, Kennedale's fire chief is not concerned about fire on this property spreading to surrounding properties.

Crime. The police department does not know of any theft or other crime associated with Apple Auto.

Standard (2)	The board must find that the requested use will not impair or diminish the establishment, maintenance, or operation of, or use, values, or enjoyment of other property in the neighborhood for these purposes.
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This would include continuance of existing uses as well as establishment of uses that don't exist now but are already permitted in the district.

Existing uses in the vicinity of Apple Auto Salvage:

Salvage yards – The existing salvage yards adjacent to Apple Auto are not likely to be impaired by the continued operation of the business.

Other businesses in the vicinity – Other businesses are a combination of commercial and industrial uses, including an auto repair business, a restaurant, and a feed store.

Neighborhood (mobile home) – Generally, salvage yards are not suitable to be located next to an existing neighborhood. A salvage yard could easily impair or diminish the use and enjoyment of a residential neighborhood. Fortunately, as shown on the attached map, another property buffers this site from the neighborhood, decreasing Apple Auto Salvage's potential to impact the residents of Danny Drive. But to ensure the residents will not be affected, Mr. Adams should establish how his operation will not or has not impaired the use of existing residences on Danny Drive.

Standard (3)	The board must find that the establishment of the use will not significantly impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
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Would the requested use be likely to impede the development and improvement of surrounding property for uses already permitted in the area but that don't exist there now? Would it impede improvement of property for existing uses?

The area surrounding Apple Auto Salvage is zoned primarily for light industrial use, rather than more heavy industrial uses such as salvage yards. Permitted light industrial uses include, but are not limited to: commercial bakery, distribution center, electrical components manufacturing, ice cream plant, machine shop, pottery manufacturing, warehouse, and welding shop. Some light industrial uses (especially those that do not depend on customers visiting their facilities) would be willing to locate near a salvage yard. Those with clients who visit their facilities or that prefer a more commercial-looking environment might object to being located near a use with such a heavy industrial character.

Some commercial uses are also permitted in the Industrial zoning district. Some commercial businesses--such as auto parts stores--would most likely not consider a salvage yard as an impediment to setting up shop in this area, but, according to information from the Kennedale Economic Development Corporation, it has been an obstacle to business recruitment, with several potential businesses expressing concern about the proximity of salvage yards.

In addition, as mentioned above, one of the properties near Apple Auto Salvage is a residential neighborhood. Some of the property owners in this neighborhood have said they would like their part of the community to be cleaned up and that they dislike having so many commercial/industrial businesses located so closely. The presence of a salvage yard so nearby has the potential to inhibit the orderly improvement of the neighborhood. Therefore, while the presence of a salvage yard will not necessarily impede the normal and orderly development and improvement of surrounding property, it has the potential to do so. Development of surrounding properties depends on how a salvage yard in this area is operated and also on the public perception of the effect of salvage yards. Mr. Adams should provide information to the board about how his salvage yard will not impede the normal and orderly development of the surrounding properties for the uses permitted in the district.

Standard (4)	The board must find that adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided.
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Utilities

The property is served by the city water system and by a grandfathered septic system, so adequate utilities are provided at this time.

Drainage

To ensure the property has adequate storm water drainage facilities in place, the storm water coordinator has requested the applicant provide copies of any reports from inspections made by the storm water inspectors at the Texas Commission for Environmental Quality or by consulting inspectors and also that the applicant provide a copy of the business's Storm Water Pollution Prevention Plan for the City's files.

Other site improvements

As the board will see in the attached pictures, a travel lane for vehicles is provided throughout the outside storage area. The lane is not paved, however, and is blocked in some places by junked vehicles. It appears as though the storage area (including but not limited to the travel/fire lane) once had a more appropriate road base, but this base has worn down over time and is now like a more sand-like material. A previous special exception was granted with the condition that "adequate topping material" be used on site. This requirement is vague, and staff does not have any information that would confirm whether gravel or similar road base was considered adequate.

For the special exception granted to AB's (a neighboring salvage yard) earlier this year, the board required that the fire lane be paved. After meeting with AB's owner, however, fire department staff determined that the material in use for the fire lane was sufficient. Planning staff's concern with allowing a non-concrete or non-asphalt material to be used is that these other materials require more maintenance over time and can become an enforcement problem. However, if an alternative road base would be approved by the fire department, the board may want to continue permitting it to be used in this case.

If the board grants the requested special exception, staff recommends that the board require the travel lane in the vehicle storage area be designated as a fire lane and be kept clear of any obstructions. Staff also recommends the board require the applicant to install a material approved by the fire department (but a minimum standard of hard-packed gravel) and that the fire department be required to make annual inspections of the fire lane. If the fire lane or the storage area topping materials are not maintained according to fire department and permit department standards, the business would be considered in violation of its special exception.

Parking lot

The customer parking lot also does not meet current city codes, as it is not paved with asphalt or concrete. If the business opened in 1987, the parking lot at that time would not have been required to be paved, but a paved (asphalt or concrete) surface is preferred because it will not create contaminated runoff with sediments such as rock, gravel, sand and mud that can block the storm water drainage system or cause contamination of waterways. Public Works staff request that the customer parking lot be required to be paved (asphalt or concrete) if a special exception is granted.

Standard (5)	The board must find that adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
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“Adequate measures” would include adequate drive approach, deceleration lane if needed, etc.

Public Works staff does not have concerns about traffic congestion due to this use.

Standard (6).	The board must find that the use shall conform to all applicable area, yard, height, lot coverage, building size and exterior requirements and parking space regulations of the district in which it is located.
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Area, yard, height, lot coverage, building size, and exterior requirements

The Industrial zoning district does not have a minimum requirement for lot area or building size and has no masonry requirement. The Business 287 overlay district does have a masonry requirement, but the existing building was already built before that regulation was adopted and is not been required to comply.

Parking space regulations

In terms of parking space regulations, because the parking lot is unpaved, it is difficult to tell if enough parking is provided. However, based on the number of parking stops provided, staff considers the number of spaces to be adequate, even if the parking surface is not. Staff estimates that approximately 21 spaces are needed based on the parking requirements for the industrial and retail components, and 21 spaces are provided.

Additional requirements of the zoning district

The Business 287 overlay district regulations require that “Outside storage, salvage, and/or scrap shall not be stacked, accumulated, kept, or otherwise placed above the solid fence or wall” required by the overlay district. The regulations are not limited to the fence facing the street in front of the business but instead apply to all fence lines around the property. As shown in the attached photographs, the vehicles stacked along the back and sides (toward the back) of the lot are stacked well above the fence line, which is a violation of the overlay district regulations.

The business is holding the vehicles in storage until the price of metal goes up. Staff does not want to deprive the business of income from these vehicles, but safety is a higher concern for the city. Staff does not object at this time to vehicles being stacked above the fence line in the back of the property where landscaping (i.e., trees) block the view of the cars from other properties, but a height limit should be imposed.

Staff Recommendation

If the special exception is granted this time, staff recommends allowing the applicant to continue to use gravel for outside storage with the following additional conditions:

- Graveled areas must be maintained in good condition, with adequate gravel fill in place at all time.
- No outside storage shall be permitted on grass or other areas that are unpaved or without gravel.

- The business shall submit a site plan to the city for review, designating areas to be reserved as a fire lane, and with the approved fire lane to be paved as described above (a minimum of hard-pack gravel and required annual inspections).
- If vehicles are allowed to be stacked higher than the fence, the board should place a maximum height limit so that the intent of the code can be met, even if the strict letter of the code is not followed.

Recommended conditions

If the special exception is granted, staff recommends the following elements be conditions of approval, in addition to the conditions applied as part of previous special exceptions granted for this location.

1. The special exception shall be granted for a maximum of four (4) years, to expire in May 2019.
2. The applicant shall submit a site plan to the city, subject to review and approval of city staff, designating a fire lane meeting city standards. The fire lane shall be paved within six (6) months of the date the special exception is granted with a suitable road base as described in the staff report (minimum of hard-packed gravel) and must be maintained in good condition at all times.
3. Outdoor storage areas must be maintained in good condition, with adequate gravel fill in place at all times. No storage shall be permitted on grass or other areas that are unpaved or without gravel cover.
4. Stacked vehicles stored onsite shall not exceed a maximum height to be determined by the fire department.
5. The customer parking area must be paved with asphalt or concrete within one year of the date the special exception is granted.
6. The business must comply with all applicable TCEQ and EPA regulations.

Action by the Board of Adjustment.

- The board can approve the request, deny the request, or approve it with conditions.
- You may also postpone/continue the case until a later date, but you must specify when the case will be continued.
- If you approve or deny the request, your motion should state why you are doing so (i.e., it meets all standards for a special exception, it doesn't mean the standard concerning ...).

Sample motions are provided below for your reference; please note that you are not required to use one of the sample motions.

Approve without conditions or time limits

I find that the use meets the standards and requirements for a special exception and make a motion to grant the request.

Approve with conditions

I find that the use will meet the standards for a special exception with the addition of conditions to secure compliance with the standards and requirements of Section 17-422 of the city code and make a motion to approve the request for a special exception (NOTE TO BOARD: if you would like to set a time period after which the special exception expires, state that time period here), with the following conditions...

Deny

I find that the use does not meet the standards and requirements for receiving a special exception (NOTE TO BOARD: state which standards or requirements haven't been met) and make a motion to deny the request for a special exception.

Special Exception history

This business has been in operation since 1987 (the business provided 1987 as the business start date on a business permit application).

History:

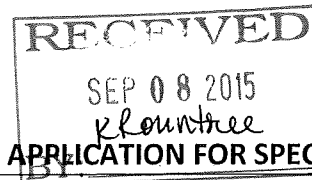
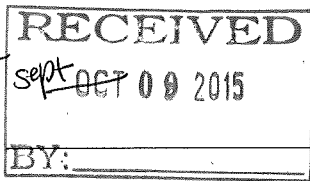
- Granted in 2002 for two years.
- Reviewed in June 2004, found in compliance. No action was taken by the board.
- Granted in October 2005 for ten years.

Conditions applied to previous special exceptions

- (1) All City Codes, Business 287 Overlay Ordinances, and Texas Transportation code must be met.
- (2) Must meet all landscaping requirements after completion of the widening of Highway 287.
- (3) An approved topping material to be installed within six months (of April 2002).

VI. Attachments:

1.	BOA 15-07 application	BOA 15-07 application.pdf
2.	Map of site (BOA 15-07)	BOA 15-07 map of site.pdf
3.	Aerial view (1 in = 125 ft)	BOA 15-07 aerial (1 in equals 125 ft) (compressed).pdf
4.	Aerial view (1 in = 229 ft)	BOA 15-07 aerial (1 in equals 229 ft) (compressed).pdf
5.	Pictures -- fire lane	Fire lane pictures.pdf
6.	Pictures -- stacked cars	Stacked cars.pdf
7.	EPA handout on salvage yards	EPA handout -- salvage yards.pdf
8.	Apple Auto bus. lic. appl. 2001	Apple Auto business license appl 2001.pdf



BoA 15-07

Special Exception Use Requested:

Junk Yard Salvage yard

Note: the use must be listed as a special exception use in Kennedale City Code Section 17-421.

Applicant

NAME: Sterling Adams	
PHONE: 817 478 4451 817-319-2628	EMAIL OR ALTERNATE PHONE: tina.adams@maus.uta.edu
MAILING ADDRESS: (Street) 7301 Mansfield Hwy	
(City, State, Zip Code) Kennedale, TX 76060	

Property for which a Special Exception is requested

ADDRESS: 7002 E Kennedale Pkwy
LEGAL DESCRIPTION: HUDSON, WADE H Survey Abstract: 716 Tract: 3e2a 3D1A + 3D2

NOTE: Attach metes and bounds description if property is not platted.

Property Owner

NAME: Sterling Adams	
PHONE: 817 478 4451	EMAIL OR ALTERNATE PHONE: 817 319 2628
MAILING ADDRESS: (Street) 7301 Mansfield Hwy	
(City, State, Zip Code) Kennedale, TX 76060	

1. Has a previous application or appeal been filed on this property? ☒ Yes ☐ No

1.a. If yes, when was the application or appeal filed? ~~2003~~ 2004 10 years

2. Identify any requirements of Section 17-422 of the Kennedale city code that cannot be met. Give reason(s) why the requirement(s) cannot be met. Use the back of this form or attach a separate page if additional space is needed.
☐

3. If the special exception request is for a land use, is the request for a use not allowed in the zoning district?
☐ Yes ☐ No

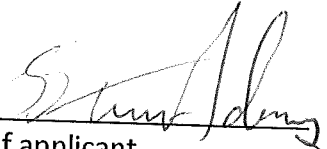
3.a. Is this a remodel of an existing structure? ☐ Yes ☐ No

3.b. Is this new construction? ☐ Yes ☐ No

4. If the special exception request is for oil or gas well drilling, how many wells are requested for this location? ☐

5. Special exceptions may be granted by the Board of Adjustment only if all of the conditions listed on the Notice to Special Exception Applicant are present.

On a separate page(s), please describe how your requested use will meet all of the six conditions stated above.


Signature of applicant

9-2-15
Date

No application for a special exception shall be granted by the board of adjustment unless the board finds all of the following conditions are present:

(1)

That the establishment, maintenance or operation of the use will not be materially detrimental to or endanger the public health, safety, morals or general welfare;

RESPONSE: At Apple Auto Salvage we take care to make sure the general public are not at risk of endangerment to their health, safety, morals or general welfare. We are in compliance with all laws, regulations, and ordinances that are relevant to this issue. Other than helping the environment by aiding in recycling efforts, we strive to provide the best customer service that is possible. We take pride in helping the members of the community find cheaper alternatives to buying new parts. The maintenance and operation of this establishment is not materially detrimental to nor does it endanger the public health, safety, morals or general welfare.

(2)

That the uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the use;

RESPONSE: This establishment and the maintenance or operation thereof, does not impair or diminish the uses, values and enjoyment of other properties in the area. We are neighbored by other salvage yards and recyclers and Mechanic shops, some of which have been in operation for more than 15 years. Apache Foreign, Jazz Automotive, and Hawk Steel are nearby businesses with similar interests as AAS. Only friendships and good relationships have been built within our neighborhood.

3)

That the establishment of the use will not significantly impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;

RESPONSE: The operation of this facility does not and will not impede the development and improvement of the surrounding property. All operations that are carried out at this facility are permitted within the district. The properties to the north and south have successfully carried out improvements to their property without obstruction from AAS.

(4)

That adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided;

RESPONSE: According to the ordinances set forth by the city of Kennedale, all necessary site improvements have been made. Adequate utilities, access roads and drainage are being provided.

(5)

That adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets; and

RESPONSE: Adequate measures have been taken to provide ingress or egress so as to minimize traffic congestion in the public streets. Following our last special exemption meeting the highway was widened and our driveway was changed for the purpose of minimizing traffic congestion in the streets.

(6)

That the use shall conform to all applicable area, yard, height, lot coverage, building size and exterior requirements and parking space regulations of the district in which it is located.

RESPONSE: This use conforms to all applicable area, yard, height, lot coverage, building size and other requirements and regulation of the district in which it is located. The size, shape, location of the building and property has not been altered since it was established in 1986.

CITY OF KENNEDALE
ANNUAL BUSINESS PERMIT APPLICATION FOR 2001

Apple Auto Salvage
BUSINESS NAME

(817) 478-4899
BUSINESS PHONE #

7002 Mansfield Hwy.
BUSINESS (PHYSICAL) ADDRESS

MAILING ADDRESS (IF DIFFERENT FROM ABOVE)

Tx. 04317298
TEXAS DRIVER'S LICENSE #

75-1857570
TAX I.D. #

Sterling Adams 6401 Pennsylvania Ave Kennedale, Tx.
BUSINESS OWNER(S) NAME & ADDRESS

Stephen Adams 18032 Pinewood Dr, Benbrook, Tx. 76116
BUSINESS MANAGER(S) NAME & ADDRESS

Salvage yard - New and used auto parts
BUSINESS DESCRIPTION AND NATURE OF PRODUCT SOLD

CIRCLE ONE: RETAIL WHOLESALE MANUFACTURING HOME OCCUPATION OTHER _____

87 to present - and beyond
DATE OF COMMENCEMENT AND LENGTH OF DURATION

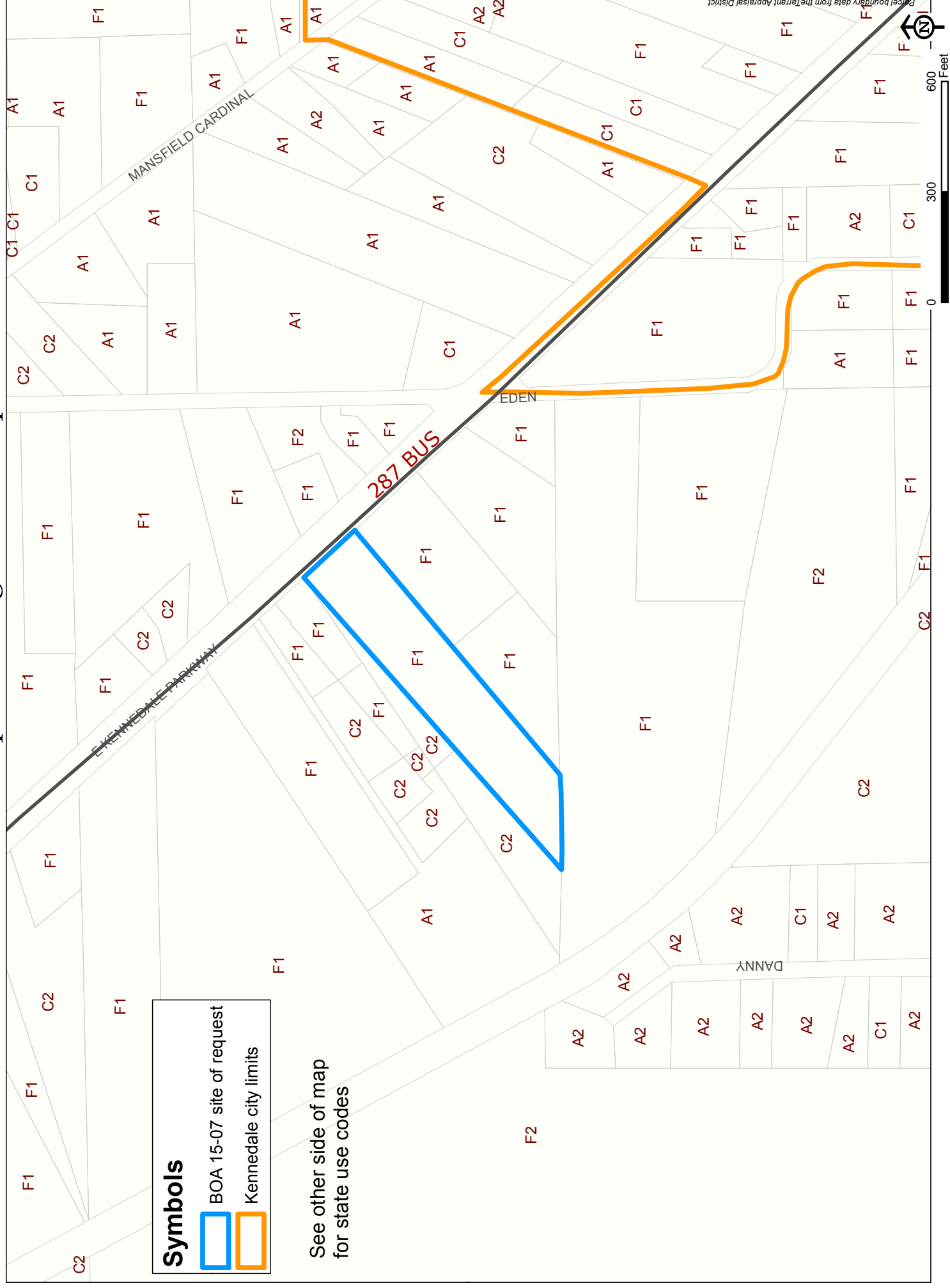
Per Section 11-41 of the City Code, it is unlawful to operate any business, whether retail, wholesale, manufacturing, home occupation or otherwise, from any premises within the City, without having first acquired a Permit from the City of Kennedale. Permits are renewable annually and serve to register a Business with the City and, as such, do not in any way interfere, pre-empt or conflict with any regulations or requirements to State or Federal Licenses which certain types of Businesses may be required to obtain. After providing the information above, please return this form along with your \$10.00 Permit fee to:

CITY OF KENNEDALE
PERMITS/CODE ENFORCEMENT DEPARTMENT
ATTENTION: CHRISSY FOLEY
209 NORTH NEW HOPE ROAD
P. O. BOX 268
KENNEDALE, TEXAS 76060

2001 BUS.LIC. #1532
PD 2-12-01
CHK #3836

Upon receipt of this form and fee, your Business Permit will be mailed to you. **Businesses not Permitted within 21 days of receipt of this notification will be issued a Citation and a fine of up to \$200.00. If you have closed business or moved out of the city, please advise on this application and return.**

BOA 15-07: Map Showing Site of Request



STATE USE CODES

A RESIDENTIAL	
A1	Single-Family
A2	Mobile Homes
A3	Condominiums
A4	Townhomes
A5	Planned Unit Development (PUD)
A9	Interim use

B RESIDENTIAL	
B1	Multi-Family
B2	Duplex
B3	Triplex
B4	Quadraplex

C VACANT PLATTED LOTS/TRACTS	
C1	Residential
C2	Commercial
C3	Rural
C6	Vacant Exempt (Right-of-Way)

D ACREAGE	
D1	Ranch Land
D2	Timberland
D3	Farmland
D4	Undeveloped

E FARM/RANCH	
E1	House + Limited Acres
E2	Mobile Home + Limited Acres
E3	Other Improvements

F COMMERCIAL/INDUSTRIAL	
F1	Commercial
F2	Industrial
F3	Billboards

G OIL/GAS/MINERAL RESERVES	
G1	Oil/Gas/Mineral Reserves

J UTILITIES	
J1	Water Systems
J2	Gas Companies
J3	Electric Companies
J4	Telephone Companies
J5	Railroads
J6	Pipelines
J7	Cable Companies
J8	Other

L COMMERCIAL/INDUSTRIAL	
L1	Commercial BPP
L2	Industrial BPP

M MOBILE HOMES	
M2	Private Aircraft
M3	Mobile Home
M4	Other Tangible PP

O RESIDENTIAL INVENTORY	
O1	Vacant
O2	Improved

BOA 15-07: Aerial view (1 in = 125 ft)



BOA 15-07: Aerial view (1 in = 229 ft)















INDUSTRIAL STORMWATER

FACT SHEET SERIES

Sector M: Automobile Salvage Yards



U.S. EPA Office of Water
EPA-833-F-06-028
December 2006

What is the NPDES stormwater permitting program for industrial activity?

Activities, such as material handling and storage, equipment maintenance and cleaning, industrial processing or other operations that occur at industrial facilities are often exposed to stormwater. The runoff from these areas may discharge pollutants directly into nearby waterbodies or indirectly via storm sewer systems, thereby degrading water quality.

In 1990, the U.S. Environmental Protection Agency (EPA) developed permitting regulations under the National Pollutant Discharge Elimination System (NPDES) to control stormwater discharges associated with eleven categories of industrial activity. As a result, NPDES permitting authorities, which may be either EPA or a state environmental agency, issue stormwater permits to control runoff from these industrial facilities.

What types of industrial facilities are required to obtain permit coverage?

This fact sheet specifically discusses stormwater discharges from automobile salvage yards as defined by Standard Industrial Classification (SIC) and includes battery reclaimers, salvage yards, and automobile recyclers (Primary SIC 5015). Facilities and products in this group fall under the following categories, all of which require coverage under an industrial stormwater permit:

- ◆ Activities related to dismantling of used motor vehicles for the purpose of selling parts
- ◆ Wholesale or retail distribution of used motor vehicle parts

What does an industrial stormwater permit require?

Common requirements for coverage under an industrial stormwater permit include development of a written stormwater pollution prevention plan (SWPPP), implementation of control measures, and submittal of a request for permit coverage, usually referred to as the Notice of Intent or NOI. The SWPPP is a written assessment of potential sources of pollutants in stormwater runoff and control measures that will be implemented at your facility to minimize the discharge of these pollutants in runoff from the site. These control measures include site-specific best management practices (BMPs), maintenance plans, inspections, employee training, and reporting. The procedures detailed in the SWPPP must be implemented by the facility and updated as necessary, with a copy of the SWPPP kept on-site. The industrial stormwater permit also requires collection of visual, analytical, and/or compliance monitoring data to determine the effectiveness of implemented BMPs. For more information on EPA's industrial stormwater permit and links to State stormwater permits, go to www.epa.gov/npdes/stormwater and click on "Industrial Activity."

What pollutants are associated with my facility's activities?

Pollutants conveyed in stormwater discharges from automobile salvage yards will vary. There are a number of factors that influence to what extent industrial activities and significant materials can affect water quality.

- ◆ Geographic location
- ◆ Topography
- ◆ Hydrogeology
- ◆ Extent of impervious surfaces (i.e., concrete or asphalt)
- ◆ Type of ground cover (e.g., vegetation, crushed stone, or dirt)
- ◆ Outdoor activities (e.g., material storage, loading/unloading, vehicle maintenance)
- ◆ Size of the operation
- ◆ Type, duration, and intensity of precipitation events

The activities, pollutant sources, and pollutants detailed in Table 1 are commonly found at automobile salvage yards.

Table 1. Common Activities, Pollutant Sources, and Associated Pollutants at Automobile Salvage Yards

Activity	Pollutant Source	Pollutant
Vehicle Dismantling	Oil, anti-freeze, batteries, gasoline, diesel fuel, hydraulic fluids, electrical switches	Oil and grease, ethylene glycol, heavy metals, mercury
Used Parts Storage	Batteries, chrome bumpers, wheel balance weights, tires, rims, filters, radiators, catalytic converters, engine blocks, hub caps, doors, drivelines, galvanized metals, mufflers	Sulfuric acid, galvanized metals, oil and grease, heavy metals, petroleum hydrocarbons, total suspended solids (TSS)
Outdoor Vehicle and Equipment Storage	Leaking engines, chipping/corroding bumpers, chipping paint, galvanized metal	Oil and grease, arsenic, organics, heavy metals, total suspended solids (TSS)
Vehicle and Equipment Maintenance	Parts cleaning	Chlorinated solvents, oil and grease, heavy metals, acid/alkaline wastes
	Waste disposal of greasy rags, oil filters, air filters, batteries, hydraulic fluids, transmission fluids, radiator fluids, degreasers	Oil, heavy metals, chlorinated solvents, acid/alkaline wastes oil, heavy metals, chlorinated solvents, acid/alkaline wastes, ethylene glycol
	Spills of oil, degreasers, hydraulic fluids, transmission fluid, and radiator fluids	Oil, arsenic, heavy metals, organics, chlorinated solvents, ethylene glycol
	Fluids replacement, including oil, hydraulic fluids, transmission fluid, and radiator fluids	Oil, arsenic, heavy metals, organics, chlorinated solvents, ethylene glycol
Vehicle, Equipment, and Parts Washing Areas	Washing and steam cleaning waters	Oil and grease, detergents, heavy metals, chlorinated solvents, phosphorus, salts, suspended solids
Liquid Storage in Above Ground Storage Tanks	External corrosion and structural failure	Fuel, oil and grease, heavy metals, materials being stored
	Installation problems	
	Spills and overfills due to operator error	
Illicit Connection to Storm Sewer	Sanitary water	Bacteria, biochemical oxygen demand (BOD), suspended solids
	Floor drains	Oil and grease, heavy metals, chlorinated solvents, fuel, ethylene glycol
	Vehicle washwaters	Oil and grease, detergents, metals, chlorinated solvents, phosphorus, suspended solids
	Radiator flushing wastewater	Ethylene glycol
	Leaking underground storage tanks	Materials stored or previously stored

What BMPs can be used to minimize contact between stormwater and potential pollutants at my facility?

A variety of BMP options may be applicable to eliminate or minimize the presence of pollutants in stormwater discharges from automobile salvage yards. You will likely need to implement a combination or suite of BMPs to address stormwater runoff at your facility. Your first consideration should be for pollution prevention BMPs, which are designed to prevent or minimize pollutants from entering stormwater runoff and/or reduce the volume of stormwater requiring management. Prevention BMPs can include regular cleanup, collection and containment of debris in storage areas, and other housekeeping practices, spill control, and employee training. It may also be necessary to implement treatment BMPs, which are engineered structures, intended to treat stormwater runoff and/or mitigate the effects of increased stormwater runoff peak rate, volume, and velocity. Treatment BMPs are generally more expensive to install and maintain and include oil-water separators, wet ponds, and proprietary filter devices.

The management practices discussed herein are well suited mechanisms to prevent or control the contamination of stormwater discharges associated with automobile salvage yards. In general, it is important to develop a stormwater management policy statement, review the policy with employees, and keep it posted. Additionally, identifying weaknesses in current facility practices will aid the permittee in determining appropriate BMPs that will achieve a reduction in pollutant loadings.

All facilities should implement BMPs in the following areas of the site:

- ◆ Vehicle dismantling and maintenance areas
- ◆ Vehicle, parts, and equipment storage areas
- ◆ Material storage areas
- ◆ Vehicle, parts, and equipment cleaning areas

Mercury switch used in vehicle. Be aware: specific permit requirements may vary according to permitting authority so it is important to reference the requirements applicable of the state in which your facility is located. For instance, many states are now addressing the issue of mercury switch removal to prevent mercury releases that occur from automobile recycling. Mercury switches have been used until recently for hood, trunk, or door lights.

BMPs must be selected and implemented to address the following:

Good Housekeeping Practices

Good housekeeping is a practical, cost-effective way to maintain a clean and orderly facility to prevent potential pollution sources from coming into contact with stormwater. It includes establishing protocols to reduce the possibility of mishandling materials or equipment and training employees in good housekeeping techniques. Common areas where good housekeeping practices should be followed include trash containers and adjacent areas, material storage areas, vehicle and equipment maintenance areas, and loading docks. Good housekeeping practices must include a schedule for regular pickup and disposal of garbage and waste materials and routine inspections of drums, tanks, and containers for leaks and structural conditions. Practices also include containing and covering garbage, waste materials, and debris. Involving employees in routine monitoring of housekeeping practices has proven to be an effective means of ensuring the continued implementation of these measures.

Minimizing Exposure

Where feasible, minimizing exposure of potential pollutant sources to precipitation is an important control option. Minimizing exposure prevents pollutants, including debris, from coming into contact with precipitation and can reduce the need for BMPs to treat contaminated stormwater runoff. It can also prevent debris from being picked up by stormwater and carried into drains and surface waters. Examples of BMPs for exposure minimization include covering materials or activities with temporary

structures (e.g., tarps) when wet weather is expected or moving materials or activities to existing or new permanent structures (e.g., buildings, silos, sheds). Even the simple practice of keeping a dumpster lid closed can be a very effective pollution prevention measure.

Erosion and Sediment Control

BMPs must be selected and implemented to limit erosion on areas of your site that, due to topography, activities, soils, cover, materials, or other factors are likely to experience erosion. Erosion control BMPs such as seeding, mulching, and sodding prevent soil from becoming dislodged and should be considered first. Sediment control BMPs such as silt fences, sediment ponds, and stabilized entrances trap sediment after it has eroded. Sediment control BMPs should be used to back-up erosion control BMPs.

Management of Runoff

Your SWPPP must contain a narrative evaluation of the appropriateness of stormwater management practices that divert, infiltrate, reuse, or otherwise manage stormwater runoff so as to reduce the discharge of pollutants. Appropriate measures are highly site-specific, but may include, among others, vegetative swales, collection and reuse of stormwater, inlet controls, snow management, infiltration devices, and wet retention measures.

A combination of preventive and treatment BMPs will yield the most effective stormwater management for minimizing the offsite discharge of pollutants via stormwater runoff. Though not specifically outlined in this fact sheet, BMPs must also address preventive maintenance records or logbooks, regular facility inspections, spill prevention and response, and employee training.

Specific runoff management practices for automobile salvage facilities include the installation/use of:

- ◆ Berms or drainage ditches on the property line (to prevent run-on from neighboring properties)
- ◆ Berms for uncovered outdoor storage of soiled parts, engine blocks, and above-ground liquid storage
- ◆ Detention ponds
- ◆ Filtering devices and oil/water separators

All BMPs require regular maintenance to function as intended. Some management measures have simple maintenance requirements, others are quite involved. You must regularly inspect all BMPs to ensure they are operating properly, including during runoff events. As soon as a problem is found, action to resolve it should be initiated immediately.

Implement BMPs, such as those listed below in Table 2 for the control of pollutants at automobile salvage yards, to minimize and prevent the discharge of pollutants in stormwater. Identifying weaknesses in current facility practices will aid the permittee in determining appropriate BMPs that will achieve a reduction in pollutant loadings. BMPs listed in Table 2 are broadly applicable to automobile salvage yards; however, this is not a complete list and you are recommended to consult with regulatory agencies or a stormwater engineer/consultant to identify appropriate BMPs for your facility.

Table 2. BMPs for Potential Pollutant Sources at Automobile Salvage Yards

Activity	BMPs
Dismantling and vehicle maintenance	Minimize exposure ☐ Installation of a consolidated processing area, including a covered and bermed impermeable concrete surface equipped with a drain, where all fluids are drained. Fluid and Parts Removal ☐ Drain all fluids from vehicles upon arrival at the site. Segregate the fluids and properly store or dispose of them. ☐ Drain oil filters (and all vehicle parts) before disposal or recycling.

Table 2. BMPs for Potential Pollutant Sources at Automobile Salvage Yards (continued)

Activity	BMPs
Dismantling and vehicle maintenance (continued)	Fluid and Parts Removal (continued) ☐ Inspect vehicles for leaks as soon as possible once they arrive on-site. Inspect vehicles quarterly for signs of leakage. Check for unwanted material that could have been placed in the vehicle. ☐ When pulling parts from vehicles in the yard, employ a catch sled or tray to recover the majority of fluids which will be released. Place drip pans, large plastic sheets, or canvas under vehicles or equipment during maintenance and dismantling activities. Where drip pans are used, they should not be left unattended to prevent accidental spills. ☐ Engine oil should be drained and stored in clearly labeled tanks or containers. Tanks and containers must be kept in good operating condition, free of any visible spills or leaks, structural damage, or deterioration. ☐ Remove battery as soon as feasible after vehicle enters the facility. ☐ Promptly transfer used fluids to the proper container. ☐ Empty and clean drip pans and containers; do not leave full drip pans or other open containers around the shop. ☐ Remove all mercury switches as soon as possible making sure not to puncture the mercury container during removal. Ship switches to End of Life Vehicle Solutions (ELVS). Vehicle Processing ☐ Maintain an organized inventory of materials used in the maintenance shop. ☐ Designate one person to keep track of parts in the yard. As soon as a hulk is salvaged to its minimum extent, it should be processed for shredding to minimize the dripping of fluids and clutter in the yard. Material Storage ☐ Nonhazardous substances that are contaminated with a hazardous substance are considered a hazardous substance. ☐ Store cracked batteries in a nonleaking secondary container. ☐ Keep waste streams separate (e.g., waste oil and mineral spirits). Recycling and Disposal ☐ Recycle anti-freeze, gasoline, used oil, mineral spirits, windshield washer fluid, and solvents. ☐ Label and track the recycling of waste material (e.g., used oil, spent solvents, and batteries). ☐ Dispose of greasy rags, oil filters, air filters, batteries, spent coolant, and degreasers properly. Discharges ☐ Know where your sumps and drains discharge to. Do not pour liquid waste down floor drains, sinks, or outdoor storm drain inlets. ☐ Plug floor drains that are connected to the storm or sanitary sewer. If necessary, install a sump that is pumped regularly. ☐ Screen out sludges and solids before they reach the waste sump. Use an absorbent pad around the perimeter of sumps to prevent unwanted hazardous materials from entering. ☐ Prohibit the practice of hosing down the shop floor, using dry cleanup methods, and/or collecting the stormwater runoff from the maintenance area and providing treatment. ☐ Treat stormwater discharges with devices such as oil-water separators.
Outdoor vehicle, equipment, and parts storage	Minimizing Exposure ☐ Cover all storage areas with a permanent cover (e.g., roofs) or temporary cover (e.g., canvas tarps). ☐ Store lead parts in a covered container that is capable of handling the excessive weight of lead. If storing lead tire weights with batteries, make sure weights are not placed under batteries or allowed to roll around as that could puncture batteries.

Table 2. BMPs for Potential Pollutant Sources at Automobile Salvage Yards (continued)

Activity	BMPs
Outdoor vehicle, equipment, and parts storage (continued)	Runoff Minimization ☐ Install curbing, berms, or dikes around storage areas. ☐ Install berms or drainage ditches on the property line. ☐ Install berms for uncovered outdoor storage of oily parts, engine blocks, and above ground liquid storage. ☐ Install filtering devices and oil/water separators. ☐ Use drip pans, large sheets of plastic, or canvas under all vehicles and equipment waiting for and during maintenance. ☐ Store mercury switches in covered, leak-proof containers in a way that prevents the glass capsule from breaking. (Manage mercury switches as hazardous waste. Containers should be labeled with "Hazardous Waste - Spent Mercury Switches") ☐ Use secondary containment for stored liquids such as oil, gas, and antifreeze, as well as for lead acid batteries. Good Housekeeping ☐ Tank storage should be secured and locked. ☐ Do not stockpile old tires as they are both a fire hazard and a breeding ground for mosquitoes and rodents. Use indoor tire racks. ☐ Confine storage of parts, equipment, and vehicles to designated areas. ☐ Vehicles of similar make and model should be located in a common area. Vehicles whose parts have higher demand should be in a common area and easily accessible. ☐ Repair malfunctioning equipment that is responsible for any leak or spill as soon as possible. ☐ Store batteries on impervious surfaces. Store batteries inside on a pallet or outside in a leak proof container. Curb, dike, or berm this area.
Vehicle, equipment, and parts washing areas	☐ Designate an area for cleaning activities. ☐ Perform all parts cleaning operations indoors or cover and berm outside cleaning areas. ☐ Clean parts using minimal amounts of solvents or detergents. ☐ Recycle and reuse cleaning fluids where practical. ☐ Use phosphate-free biodegradable detergents. ☐ Use detergent-based or water-based cleaning systems in place of organic solvent degreasers. ☐ Contain steam cleaning washwaters or discharge under an applicable NPDES permit. ☐ Ensure that washwaters drain well. ☐ Inspect cleaning area regularly. ☐ Install curbing, berms, or dikes around cleaning areas. ☐ Remove or deploy airbags prior to crushing or other maintenance activities. ☐ Be certain all fluids have been drained from vehicle prior to crushing. ☐ Fluid should be collected in a covered container, tested, and disposed of accordingly.
Vehicle crushing activities	☐ Capture crusher fluids to prevent spillage. Collect this mixture of fluids in a spill-proof covered container and dispose of it properly. It should not be allowed to drain onto the ground. Keep the drain within the crusher clean so that the fluids do not collect and overflow from the crusher onto the ground.

Table 2. BMPs for Potential Pollutant Sources at Automobile Salvage Yards (continued)

Activity	BMPs
Vehicle crushing activities (continued)	☐ Installation of an engineering fabric, such as geotextiles, followed by gravel, or a bermed impermeable concrete surface would be ideal as a foundation under the crusher. ☐ Develop a preventative maintenance program that involves timely inspections and/or maintenance of the crusher and facility equipment and vehicles. ☐ Keep the crusher equipment clean.
Automotive wastes	☐ Fuel - Drain fuel tanks, using air or hand pumps, into double-walled storage tanks. "Good" fuels can be reused on-site; "bad" fuels must be disposed of. ☐ Antifreeze - Reclaim and re-use, if possible. ☐ Freon (CFCs) - Voluntarily recapture, in anticipation of new regulations. ☐ Used motor oil - Drain and store in double-walled tanks. Re-use on-site or send offsite for refining/fuel blending. Accepted practice to leave oil in the engine during storage. Oil filters should drain for 24-hours. Empty filters return to vehicle for scrap metal reclamation. ☐ Other fluids and oils - Drain as completely as mechanically possible. Do not burn used oil unless approved. ☐ Asbestos Brake Shoes and Clutches - If handled, should be wetted down to prevent asbestos particulates from becoming airborne. ☐ Mercury switches - Remove promptly and avoid breakage. Store as hazardous waste. ☐ Do not use vehicle fluids, oil, or fuels for dust or weed control.
Liquid storage in above ground containers	☐ Maintain good integrity of all storage containers. ☐ Install safeguards (such as diking, berming, or permanent secondary containment) against accidental releases at the storage area. ☐ Valves on permanent secondary containment should be kept in the "off" position and locked at all times, except when collected water is removed. ☐ Inspect storage tanks to detect potential leaks and perform preventive maintenance. ☐ Inspect piping systems (pipes, pumps, flanges, couplings, hoses, and valves) for failures or leaks.
Illicit connection to storm sewer	☐ Plug all floor drains if it is unknown whether the connection is to storm sewer or sanitary sewer systems. Alternatively, install a sump that is pumped regularly. ☐ Perform dye testing to determine if interconnections exist between sanitary water system and storm sewer system. ☐ Update facility schematics to accurately reflect all plumbing connections. ☐ Install a safeguard against vehicle washwaters and parts cleaning waters entering the storm sewer unless permitted. ☐ Maintain and inspect the integrity of all underground storage tanks; replace when necessary.

What if activities and materials at my facility are not exposed to precipitation?

The industrial stormwater program requires permit coverage for a number of specified types of industrial activities. However, when a facility is able to prevent the exposure of ALL relevant activities and materials to precipitation, it may be eligible to claim no exposure and qualify for a waiver from permit coverage.

If you are regulated under the industrial permitting program, you must either obtain permit coverage or submit a no exposure certification form, if available. Check with your permitting authority for additional information as not every permitting authority program provides no exposure exemptions.

Where do I get more information?

For additional information on the industrial stormwater program see www.epa.gov/npdes/stormwater/msgp.

A list of names and telephone numbers for each EPA Region or state NPDES permitting authority can be found at www.epa.gov/npdes/stormwatercontacts.

References

Information contained in this Fact Sheet was compiled from EPA's past and present Multi-Sector General Permits and from the following sources:

- ◆ Automotive Recyclers Association. 2000. "Stormwater Best Management Practices." <http://ara.timberlakepublishing.com/content.asp?pl=430&sl=468&contentid=474>
- ◆ City of Phoenix, Street Transportation Department, Storm Water Management Section. 2004. Prevent Stormwater Contamination Best Management Practices for Section M - Automotive Salvage Yards. SIC Code: 5015. <http://phoenix.gov/STREETS/ausalya5.pdf>
- ◆ Delaware Department of Natural Resources and Environmental Control, Division of Air and Waste Management: Solid and Hazardous Waste. 2000. Salvage Yard Manual. www.dnrec.state.de.us/dnrec2000/divisions/awm/hw/hw/salvage.htm
- ◆ Florida Department of Environmental Protection and Florida Auto Dismantlers and Recyclers Association. 2002. Florida Green Yards, An Environmental Compliance Workbook for Automotive Recyclers. www.dep.state.fl.us/central/Home/Green_Yards/Compliance_Wkb_SalvageYards.pdf
- ◆ Environmental Compliance for Automotive Recyclers. 2005. www.ecarcenter.org
- ◆ Michigan Department of Environmental Quality. 1999. Guide for Salvage Yard Owners. www.deq.state.mi.us/documents/deq-ead-tas-salvyard.pdf
- ◆ Monroe County Small Business Pollution Prevention Task Group and New York State Department of Environmental Conservation. "Auto Recyclers Guide to a Cleaner Environment – Best Management Practices."
- ◆ Northeast Waste Management Officials' Association. "P2Rx Topic Hub: Mercury–Automotive Table of Contents." www.newmoa.org/prevention/topichub/toc.cfm?hub=104&subsec=7&nav=7
- ◆ Sustainable Conservation. "Auto Recycling Project Overview." www.suscon.org/autorecycling/index.asp
- ◆ Sustainable Conservation. "Stormwater Management: A Guide for Auto Recycler Owners and Operators." www.suscon.org/autorecycling/pdfs/autorecycling_factsheet_english.pdf

- ◆ U.S. EPA – Region 8 Hazardous Waste Management Division, Hazardous Waste Minimization Program. 1995. EnviroSense Fact Sheet: Pollution Prevention Opportunities for the Automotive Recycling Industry.
<http://es.epa.gov/techinfo/facts/epa/epa-fs.html>
- ◆ U.S. EPA, Office of Science and Technology. 1999. Preliminary Data Summary of Urban Stormwater Best Management Practices. EPA-821-R-99-012
www.epa.gov/OST/stormwater
- ◆ U.S. EPA. The National Vehicle Mercury Switch Recovery Program.
www.epa.gov/mercury/switch.htm
- ◆ U.S. EPA, Office of Wastewater Management. *NPDES Stormwater Multi-Sector General Permit for Industrial Activities (MSGP)*.
www.epa.gov/npdes/stormwater/msgp
- ◆ VT Solid Waste Districts and Alliances, VT Department of Environmental Conservation, Environmental Assistance Division. Best Management Practices (BMP) for Vermont's Auto Salvage Yards.
www.anr.state.vt.us/DEC/ead/sbcap/salvage/PDF/bmpguide.pdf

STAFF REPORT TO THE BOARD OF DIRECTORS

Date: November 3, 2015

Agenda Item No: REPORTS/ANNOUNCEMENTS - A.

I. Subject:

Updates from City Council

II. Originated by:

III. Summary:

At the most recent City Council meeting, the Council appointed a new member to the board to fill the vacant position of chair. John Clark will be the new chair of the board. The Council also made board appointments. The Council also approved changes to various city policies (e.g., purchasing policy, fraud policy, unclaimed property policy, etc)

The Council selected Halff Associates to help the City prepare a grant application through FEMA for participation in FEMA's Hazard Mitigation Grant Program. If the City is awarded it grant, we may be able to begin a voluntary buy-out program for several properties along Village Creek.

IV. Recommendation:

V. Alternative Actions:

VI. Attachments: