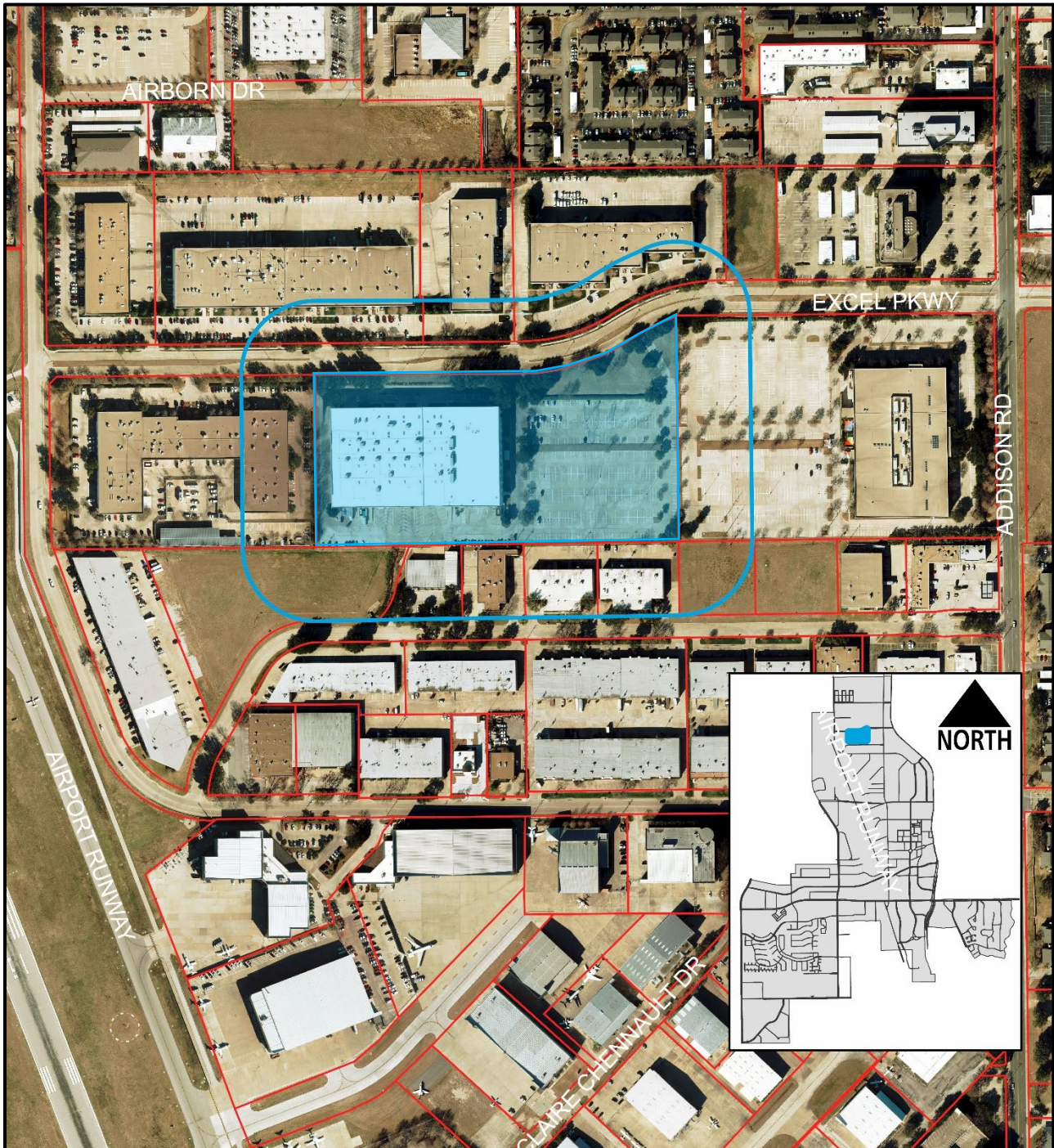


1788-Z

PUBLIC HEARING Case 1788-Z/CTL Medical. Public hearing, discussion, and take action on a recommendation regarding an ordinance changing the zoning on property located at 4550 Excel Parkway, which property is currently zoned Planned Development (PD), through Ordinance 085-073, as amended by Ordinances 095-054, 096-006, 007-007, to a new Planned Development (PD) zoning district allowing for light manufacturing, assembly, and distribution of FDA approved medical devices.

LOCATION MAP





November 15, 2018

STAFF REPORT

RE: Case 1788-Z/CTL Medical

LOCATION: 4550 Excel Parkway

REQUEST: Approval of a zoning change from an existing Planned Development (PD) zoning district, through Ordinance 085-073, as amended by Ordinances 095-054, 096-006, 007-007, to a new Planned Development (PD) zoning district to allow production, assembly, and distribution of spinal fixation systems.

APPLICANT: Fiona Lazarow with CTL Medical

DISCUSSION:

Background: The property located at 4550 Excel Parkway occupies 11.163 acres and is zoned as a Planned Development District (PD) through Ordinance 085-073, as amended by Ordinances 095-054, 096-006, and 007-007. The PD allows all uses permitted in the Commercial-1 (C-1) district plus all distribution and warehouse uses related to light assembly of paper goods, computer products, or similar materials. The ordinance specifically excludes the manufacture of goods and materials and defines light assembly as the process and procedures for the assimilation, packaging, and distribution of finished goods and materials. Originally housing the Excel Telecommunications operations, the building has been subdivided into six suites, generally occupied by businesses using the spaces as a combination of office, warehouse, and light assembly.

In 2016, CTL Medical, a medical device design, development, and production company filed a Certificate of Occupancy application for their operations on this property. On the application, CTL listed the proposed use as “medical devices.” In processing the application, administrative staff with the Town input the proposed use into the Town’s permitting software as an “office” use. Therefore, when the Zoning Administrator reviewed the Certificate of Occupancy request, they believed that they were reviewing an office use and approved the request, when in fact that was not the totality of the proposed use. At that same time, the CTL Medical also received approval from Building Inspections staff to renovate the space and install machinery for the production of spinal fixation systems.

The space is currently used for testing, production, assembly and distribution of medical device implants used in the spine industry. Titanium, stainless steel, and PEEK (Polyether Ether Ketone) are used in the production process, which occurs in three vertical machining centers and four Swiss style lathes. In addition to the production operation, the space is used for the company's administrative functions such as customer service, sales and marketing, accounting, and regulatory and human resources.

In October 2018, CTL Medical reached out to staff to inquire about expanding their operations, by increasing the production space and moving the administrative functions to a new suite within the same building. Their intent is to introduce a new production process using Silicone Nitride. This would include additional machines and more employees on site.

Because of the processing error made in 2016, the existing use is considered nonconforming, and expanding the use would not be permitted. Therefore, to allow CTL Medical to expand their production operations, this property would need to be rezoned to allow for the use.

Proposed Plan: CTL Medical is proposing to rezone the property to a new Planned Development (PD) district, reflecting all the existing requirements, but adding to the list of allowed uses "the production, assembly, and distribution of spinal fixation systems."

Site Plan: There are no site plan changes proposed as part of this request.

Landscaping: Rezoning typically requires that property be brought up to current requirements. The property originally developed prior to the Town's current landscape standards but appears to meet or be close to the 20% landscape coverage requirement. The site does not meet some minor landscape requirements such as interior landscaping for the parking lot. Given the unusual circumstances necessitating this request, staff believes that the property owner should not be required to invest in such improvements at this time.

Building Elevations: There are no building elevation changes proposed as part of this request.

RECOMMENDATION: **APPROVAL**

CTL Medical has been successfully operating within the Town for over two and a half years. CTL Medical uses minimal plastics, low risk chemicals, and produces no air pollution in creating their finished products. Additionally, many uses on this block are mainly office/warehouse spaces and would not be impacted by the allowance of this type of use. Therefore, staff recommends approval without conditions.



Case 1788-Z/CTL Medical

November 20, 2018

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on November 20, 2018, voted to recommend approval of an ordinance changing the zoning on an 11.163-acre property located at 4550 Excel Parkway, by amending the use regulations of the existing Planned Development (PD) district, zoned through Ordinance 085-073, as previously amended by Ordinances 095-054, 096-006, 099-025, and 007-007, by allowing the production, assembly, and distribution of spinal fixation systems, without conditions.

Voting Aye: Catalani, Dougan, Groce, Meleky, Resnik, Souers, Wheeler

Voting Nay: none

Absent: none

SPEAKERS AT THE PUBLIC HEARING:

For: none

On: none

Against: none