

STAFF RECOMMENDATIONS

ZONING ADVISORY COMMITTEE

Birmingham Planning Commission

Meeting Date: October 15th, 2019

Time: 6:00 P.M.

Pre-Meeting: 5:30 P.M.

Place: City Council Chambers

710 19th Street, North

ZAC2019-00028..... Echo Highlands

Application for a change in zone district boundaries from MU-M (Mixed-Use Medium District) to C-2 (General Commercial District), filed by Bernard C. Buggs, Jr., owner, for the property located at 2416 Carson Road and situated in the NE¼ of Section 14, Township 16-S, Range 2-West. (35215, District 1).

Proposed Use: Funeral Home with related accessory uses

Property and Abutting Land Uses:

The subject property sits on approximately 0.8 acres of land, currently zoned MU-M (Mixed-Use Medium). The site is at the Southwest corner of the intersection of Carson Road and Sunhill Road. To the North of the site is a single-family home and Birmingham Fire Station #28, both zoned MU-M (Mixed-Use Medium). To the East of the site is a Chevron station, zoned MU-M (Mixed-Use Medium). The College Shopper retail strip mall is located South of the site and is zoned MU-M (Mixed-Use Medium). A vacant, undeveloped parcel is West of the site, zoned CD-5 (Contingency, Multiple Dwelling District).

Applicant’s Proposal:

The applicant is proposing to construct a new funeral home. Cornerstone Funeral Services & Cremations will be a 4,275 square foot building made of metal with brick on the front and sides. Proposed hours of operation will be Monday-Friday from 8:30am until 6pm and on Saturday and Sunday by appointment only. Cornerstone Funeral services will arrange services in accordance with the wishes of surviving friends and family. The funeral home will process the necessary paperwork, permits and other details associated with a funeral home, including arrangements with the cemetery and providing obituaries to the news media. The funeral home will also have space available to host a visitation service, memorial service and funeral service.

The City’s **Long Range Land Use Plan** identifies the property as **Mixed-Use Low**; therefore the proposed rezoning request is **not consistent** with the **Long Range Land Use Plan**.

Zoning Ordinance:

The applicant’s site plan shows a 4,275 square foot building. The parking requirement for the proposed use would be 29 spaces. The site plan shows 30 parking spaces. The applicant can revise the site plan to remove 1 parking space or 1 parking space can be pervious. Because there is residential zoning in the same blockface on Sunhill Road, the building setback on Sunhill Road must comply with the residential zoning setback.

The site plan shows a dumpster in the Northeast corner of the property. The location meets zoning requirements; however, the dumpster shall not be closer than 25 feet to dwellings off-site. Except for uses having small containers serviced by the City of Birmingham’s Public Works Department, solid waste containers must be: 1) in rear or side yards or within the principal building; 2) exterior sites must be below grade OR have a solid opaque screening walls or gate on all sides made of concrete, masonry material and/or wood matching the principal building at a height taller than the container; and 3) when a proposed use includes a food service establishment enclosure must be compliant with county health department regulations.

The site plan shows proposed landscaping. The landscaping plan should meet the minimum requirements outlined in the Zoning Ordinance. At a minimum, the proposed plan needs to show an evergreen shrub hedgerow around the parking lot and additional street trees along Sunhill Road and Carson Road. The plan should also label the species for all materials.

Neighborhood Recommendation:

The Echo Highlands Neighborhood Association met at its regularly scheduled meeting on **October 3rd, 2019** to review the proposed project and voted to “***Not Recommend***” approval of the proposed rezoning request. The vote was **10 approved** and **17 denied**. Should the rezoning request be approved, the Neighborhood submitted the following “Q” Condition:

- 1) The following uses are not allowed:
 - a) Communal Living Facility
 - b) Garage Sale/Yard Sale
 - c) Private Club
 - d) Rummage Sale
 - e) Opioid Replacement Therapy Treatment Facility
 - f) Animal Boarding Facility
 - g) Animal Day Care
 - h) Automobile Parking
 - i) Automobile Sales
 - j) Automobile Service
 - k) Automobile/Light Truck repair
 - l) Bar
 - m) Car Wash, Automated
 - n) Car Wash, Manual
 - o) Donation Box
 - p) Donation Center
 - q) Mini Storage Warehouse
 - r) Payday Loan
 - s) Recreation Equipment Sales/Service
 - t) Title Loan/Pawnshop
 - u) All Wireless Communication Uses
 - v) Manufacturing, Specialized
 - w) Warehouse/Office
 - x) All Agricultural Uses
 - y) All Utility Uses
 - z) Recycling Collection Center
 - aa) Adult Establishment
 - bb) Arena
 - cc) Amusement, Outdoor
 - dd) Convention Center
 - ee) Driving Range Free-Standing
 - ff) Stadium

As a courtesy, the applicant met with the Sun Valley Neighborhood Association (because the property abuts that Neighborhood). ***The Sun Valley Neighborhood Association*** met at its regularly scheduled meeting on **August 20th, 2019** to review the proposed project and voted ***to support*** the proposed rezoning request.

Staff's Recommendation to ZAC:

The applicant's rezoning request is ***not consistent*** with the future land use plan and is ***not recommended*** for approval.

ZAC2019-00029..... Hooper City
Application for a change in zone district boundaries from C-2 (General Commercial District) to I-1 (Light Manufacturing District), filed by C. Randall Minor, Esq., representing the owner, Daniel Payne LLC., for the property located at 225 Daniel Payne Drive and situated in the **NE¼ of Section 15, Township 17-S, Range 3-West. (35207, District 9).**

Proposed Use: New office/warehouse and delivery center building

Property and Abutting Land Uses:

The subject property sits on approximately 30.5 acres of land on the North side of Daniel Payne Drive. North of the property is vacant land, zoned D-3 (Single Family District) and QI-1 (“Qualified” Light Manufacturing District) and several single family homes zoned D-3 (Single Family District). To the West of the site is vacant land zoned I-4 (Landfill, Mining and timbering District). The Flying J Travel Center and Denny’s sit to the East of the site. To the South of the site, across Daniel Payne Drive, is property zoned D-3 (Single Family District) that contains a couple of single family homes and vacant land.

Applicant’s Proposal:

The applicant is proposing to construct a new office/warehouse and delivery facility (approximately 96,770 square feet). This location has great access to major regional transportation networks, as it is located within 1 mile of the I-65/I-22 interchange and within 2 miles of the I-65/I-59/20 interchange. The proposal includes access to the site from Daniel Payne Drive, Sayreton Drive and Campbell Lane. Stormwater will be managed on site with 2 basins and the site will include interior and exterior landscaping.

The City’s ***Long Range Land Use Plan*** identifies the property as ***Light Industrial***; therefore the proposed rezoning request is ***consistent*** with the ***Long Range Land Use Plan***.

Zoning Ordinance:

The applicant will need to go through the Subdivision process to dedicate additional right-of-way and combine the property into 1 lot.

The applicant’s site plan shows a 96,770 square foot building. The parking requirement for the warehouse use is 1 per 2,000 square feet of gross floor area and for the office use, 1 per 400 square feet of office area. The proposal includes approximately 800 parking spaces, which will need to be verified by Staff once the office and warehouse square footage is provided. Per the Zoning Ordinance, the number of parking spaces required is equal to the maximum allowed. When a development includes parking in excess of the maximum allowed, Low Impact Development techniques such as, bio-retention cells, vegetated swales, extended detention systems, infiltration trenches, pervious paving or dry wells (to reduce run-off at a rate as established in *City of Birmingham, Engineering Design Guidelines*) is required for those parking spaces which exceed the maximum number of spaces allowed as determined by the Director. The Zoning Ordinance requires 3 loading spaces for this development.

The development must meet all Landscaping requirements outlined in the City’s Zoning Ordinance. This includes perimeter landscaping, as well as interior landscaping and any buffer requirements.

Neighborhood Recommendation:

The Hooper City Neighborhood Association met at its regularly scheduled meeting on **October 10th, 2019** to review the proposed project and voted to **“Recommend”** approval of the proposed rezoning request. The vote was **48** approved and **0** denied.

Framework Plan Implementation Committee Recommendation:

The Redevelopment Subcommittee of the North Birmingham Framework Plan Implementation Committee met with the applicant on Tuesday, September 24th, 2019. The Subcommittee recommended that the applicant attend the Neighborhood Association Meeting and come back to the October Subcommittee Meeting for an official recommendation and possible “Q” conditions.

Staff’s Recommendation to ZAC:

The applicant’s rezoning request is ***consistent*** with the future land use plan and has ***merit*** for approval.

ZAC2019-00030.....Druid Hills
Application for a change in zone district boundaries from R-3, Single-Family District to MU-D, Mixed-Use Downtown in order to allow a new mixed-use development for properties generally located around the former Carraway Hospital Campus boarded by Carraway Boulevard to the east, 25th Street North to the west, 20th Avenue North to the north and 13th Avenue North to the south, filed by the Birmingham City Council for the property located at 2214 15th Avenue North. (35234, District 5).
Proposed Use: *To allow a mixed-use development*

ZAC2019-00031.....Druid Hills
Application for a change in zone district boundaries from R-3, Single-Family District to MU-D, Mixed-Use Downtown in order to allow a new mixed-use development for properties generally located around the former Carraway Hospital Campus boarded by Carraway Boulevard to the east, 25th Street North to the west, 20th Avenue North to the north and 13th Avenue North to the south, filed by the Birmingham City Council for the property located at 2212 15th Avenue North. (35234, District 5).
Proposed Use: *To allow a mixed-use development*

ZAC2019-00032.....Druid Hills
Application for a change in zone district boundaries from R-3, Single-Family District to MU-D, Mixed-Use Downtown in order to allow a new mixed-use development for properties generally located around the former Carraway Hospital Campus boarded by Carraway Boulevard to the east, 25th Street North to the west, 20th Avenue North to the north and 13th Avenue North to the south, filed by the Birmingham City Council filed by the Birmingham City Council for the property located at 1500 Walnut Hill Circle. (35234, District 5).
Proposed Use: *To allow a mixed-use development*

ZAC2019-00033.....Druid Hills
Application for a change in zone district boundaries from B-6, Health and Institutional District to MU-D, Mixed-Use Downtown in order to allow a new mixed-use development for properties generally located around the former Carraway Hospital Campus boarded by Carraway Boulevard to the east, 25th Street North to the west, 20th Avenue North to the north and 13th Avenue North to the south (See Exhibit 1), filed by the Birmingham City Council filed by the Birmingham City Council for the property located at 1521 Walnut Hill Circle. (35234, District 5).
Proposed Use: *To allow a mixed-use development*

Property and Abutting Land Uses:

The four properties are generally located in close proximity to the former Carraway Memorial Hospital campus. Most of the properties are either vacant or undeveloped.

Recent nearby development includes the Top Golf facility (opened in 2017), located a couple of blocks to the south. To the southwest, a future multi-purpose stadium has been proposed.

Applicant's Proposal:

Title 1, Chapter 9, Article II, Section B of the City of Birmingham's Zoning Ordinance states an application to amend the official zoning map may be initiated by the Council, the Commission, the ZAC, or by an agent authorized, by the property owner, or an owner of property proposed to be rezoned. On September 10, 2019, The Birmingham City Council approved a Resolution to initiate an amendment to the official zoning map to rezone the properties located at 2214 15th Avenue North, 2212 15th Avenue North, 1500 Walnut Hill Circle, and 1521 Walnut Hill Circle (Resolution #2107-19). The City Council desires the implementation of the Carraway Hospital campus redevelopment project that is outlined in the approved "Amended Urban Renewal and Redevelopment Plan for the Druid Hills Neighborhood, which was adopted by the Birmingham City Council on February 5, 2019 (Resolution #286-19).

Developer's Proposal:

The developer is proposing to create a new Mixed-Use development on the site of the vacant Carraway campus and surrounding areas (including the four properties), as depicted in The Urban Renewal Plan for the Druid Hills Neighborhood, hereafter referred to as the Urban Renewal Plan. The proposed development will create a vibrant, mixed-use development that combines Residential, Office, Retail, Entertainment, Hotel and Open Space in a walkable and human-scale urban environment. The developer's approach is to create a north, central and south development concept. The northernmost two blocks are proposed to be developed as attached Single-Family Residential. The Central Area

links the North and South Areas and connects directly to roadways that connect to the Norwood neighborhood (specifically 17th Avenue North and 15th Avenue North). The proposed “village center” of the Development Concept will be the heart of the development where various mixed-uses meet with entertainment, open spaces and public plazas (see Exhibit D in the Urban Renewal Plan). Lastly, the South Area will be a center for new employment and business opportunities. While no single industry has been targeted, the South Area is proposed to be home to Offices (single or multi-tenant), Technology companies, or Medical uses (healthcare, medical office, etc.). The overall building concepts for all three areas will follow a similar approach to development.

- **Single-Family Residential** –These will be wood-frame construction, built on slab-on-grade. Most Single- Family Residential products are expected to be 1 or 2 stories. In some cases, Townhomes may be 3 to 4 stories;
- **Multi-Family Residential** – These will also be wood-frame construction and slab-on-grade. Where appropriate, street-level Retail/Dining will be incorporated. Most Multi-Family Residential is not expected to exceed 5 stories. However, should taller Multi-Family be considered (6 to 8 stories), Type I steel-frame or concrete construction will be utilized;
- **Office** – Office development will be multi-level and Type I steel-frame or concrete construction. Some Office buildings may also incorporate some associated street-level Retail and/or Dining uses. Office buildings may vary from low-rise (1-2 stories) to mid-rise (8-10 stories), depending on tenants and uses;
- **Hotel** – The Hotel is expected to be 6 to 8 stories to accommodate the projected room count. It will be Type I steel-frame and concrete (or block and plank) construction and could incorporate some associated street-level Retail and/or Dining uses;
- **Retail/Dining** – These uses will be incorporated as street-level uses in mixed-use buildings and as stand- alone structures. The stand-alone Retail/Dining structures will be 1 to 2 stories and will typically be wood- frame (or steel-frame), slab-on-grade designs; and,
- **Entertainment** – Entertainment development may incorporate a variety of potential uses – from a movie theater, to a bowling alley, to an outdoor performance venue. These are generally low-rise structures (1 to 3 levels) and are either wood-frame or Type I steel-frame construction.

Zoning Ordinance:

The City’s ***Long Range Land Use Plan*** identifies the properties at 2212 15th Avenue North (Case Number ZAC2019-00031) and 1500 Walnut Hill Circle (Case Number ZAC2019-00032) as ***Residential Low***; a designation applied to single family homes; therefore, the proposed rezoning is ***Not Consistent*** with the Plan. The City’s ***Long Range Land Use Plan*** identifies the properties at 2214 15th Avenue North (Case Number ZAC2019-00030) and 1521 Walnut Hill Circle (Case Number ZAC2019-00033) as ***Mixed-Use Low***; a designation applied to compact, walkable residential and commercial areas; therefore, the proposed rezoning is ***Somewhat Consistent*** with the Plan.

Since the developer has worked with the City to develop an Urban Renewal Plan, conducted extensive neighborhood input meetings, the neighborhood supports the conceptual plan (Exhibit E) as expressed in the Urban Renewal Plan, the Birmingham Planning Commission recommended adoption of the Urban Renewal Plan, the Birmingham City Council adopted the Urban Renewal Plan, and the property presented in the Urban Renewal Plan, if developed as prescribed in the conceptual plan with certain development controls, would be a catalytic development in the area that is intended to benefit the neighborhoods and the City, it is practical, in this case, to accept the Urban Renewal Plan as a city sponsored plan that serves as evidence for the practicality of amending the Future Land Use Plan for the area described as Block D. Further, the framework plan for this area will recommend that the area described as Block D be assigned a Future Land Use designation of Mixed-Use Medium (MU-M).

Neighborhood Recommendation:

The Druid Hills Neighborhood Association met at its regularly scheduled meeting on **September 23, 2019** to review the rezoning proposal and voted to ***Recommend*** the rezoning request. The vote was **6 approved, 1 denied**.

Staff's Recommendation to ZAC:

Q conditions should be considered in order to protect abutting residential districts. It is therefore the recommendation of Staff that this application ***has merit*** for approval with conditions as described below:

1. *Submission to and approval by the planning staff of the PEP Department of a site development plan to include, but not be limited to, the location and height of all structures; parking; ingress and egress; landscaping; location, size and number of all signs; storm water drainage; buffering and screening; exterior lighting; and the location and screening of solid waste disposal container by a fence constructed of wood, masonry brick, or concrete which is architecturally compatible with the primary building sufficient in height on all 4 sides with a double wooded gate at the entrance; and screening of all HVAC units and satellite dishes. All on and off site improvements shall be developed and maintained in strict conformance with the approved site development plan. All landscaping, as per the approved landscaping plan, shall be installed prior to the occupancy of the development and shall be maintained in a living condition no less than as installed. Any amendments, additions, deletions, alterations or changes to any of the above listed standards of the approved site development plan, shall require approval of an amendment to the approved site development plan by the planning staff of the PEP Department*
2. *The conceptual plan (Exhibit E), as described in the Urban Renewal Plan, shall act as the site plan.*
3. *If development in Block D is not consistent with the conceptual plan, then the new development must be reviewed and approved by the Zoning Advisory Committee.*
4. *Properties described as Block D in the conceptual plan shall be limited in height to 70 feet.*
5. *If the property described as Block D in the conceptual plan is developed as an outdoor performance venue, then it shall be set back from 15th Avenue North between 22nd and 23rd Streets North and from 22nd Street North between 15th and 17th Avenues North by no less than 200 feet, and a vegetative buffer and berm shall be placed in the setback as approved by Planning, Engineering and Permits Staff. The hour's operations for the outdoor performance venue should not extend past 12:00a.m.*
6. *If the property described as Block D in the conceptual plan is developed as any entertainment use other than an outdoor performance venue, then it shall be set back from 15th Avenue North between 22nd and 23rd Streets North and from 22nd Street North between 15th and 17th Avenues North by no less than 50 feet, and a vegetative buffer and berm shall be placed in the setback as approved by Planning, Engineering and Permits Staff.*
7. *Applicant must provide quarterly updates to the neighborhood regarding the status of the proposed development.*

ZAC2019-00034..... Five Points South
Application for a change in zone district boundaries from B-3 (Community Business District) to MU-H (Mixed-Use High), filed by Robert Bruner, representing the owner, Dr. Ingrid Straeter-Knowlen, for the property located at 2114 10th Avenue South and situated in the **NW¼ of Section 06, Township 18-S, Range 2-West. (35205, District 6).**

Proposed Use: Veterinary clinic that specializes in cardiac care for animals (dogs and cats)

Property and Abutting Land Uses:

The subject property contains approximately 0.6 acres of land, currently zoned B-3 (Community Business District). The property borders a parking lot to the North, zoned B-3 (Community Business District); vacant lots to the East and West, zoned B-3 (Community Business District); and Brother Bryan Park to the South, zoned B-3 (Community Business District).

Applicant's Proposal:

The applicant is proposing to utilize the first floor of the current building as a veterinary clinic specializing in cardiac care for animals (dogs and cats). The facility will have 4 patient rooms, a treatment area and surgical room. It will also include an indoor, underwater treadmill for animals with joint problems. The facility will not provide boarding of animals. No outdoor runs or kennels will be provided and no animals will be housed outside. The hours of operation will be 9am-6pm Monday – Friday. The second level of the building will be available for business/office space.

The City's **Long Range Land Use Plan** identifies the property as **Mixed-Use High**; therefore the proposed rezoning request is **consistent** with the **Long Range Land Use Plan**.

Zoning Ordinance:

The applicant's site plan shows a 5,762 square foot building. The applicant intends to use the existing parking lot for the vet clinic and office space. The parking area will be re-striped and landscaped in accordance with the requirements in the Zoning Ordinance.

The site plan shows a dumpster in the Northeast corner of the property. The location meets zoning requirements. Except for uses having small containers serviced by the City of Birmingham's Public Works Department, solid waste containers must be: 1) in rear or side yards or within the principal building; 2) exterior sites must be below grade OR have a solid opaque screening walls or gate on all sides made of concrete, masonry material and/or wood matching the principal building at a height taller than the container; and 3) when a proposed use includes a food service establishment enclosure must be compliant with county health department regulations.

The property is located in the Magnolia Avenue Historic District (not a local historic district). The building permit (BLD2019-02054) has been reviewed and approved by the City's Urban Design Staff.

The landscaping plan submitted as part of the building permit application (BLD2019-02054) was reviewed and approved by the City's Urban Design Staff.

The use (veterinarian clinic) is allowed in the MU-H district, subject to the following conditions:

1. Outdoor exercise yards shall be permitted provided that they are completely fenced and used only between 7a.m. and 7p.m., when a staff person of the clinic is present in the exercise yard. Where such outdoor activities abut a dwelling zone district or district permitting dwelling use, a 50 foot setback is required.
2. Boarding of animals either undergoing medical treatment or not are permitted as an accessory use subject to the following conditions.
 - a. Accessory animal boarding shall occur within completely enclosed structures.
 - b. No more than thirty percent of the gross floor area of the veterinary clinic may be used as a boarding facility.
 - c. No outdoor kennels or runs are permitted.
 - d. No part of any building or structure in which animals are housed shall be closer than 50 feet from any existing residence located on an adjacent parcel.
 - e. All on-site waste shall be housed either within the boarding facility or an accessory structure, and all waste shall be disposed of in a sanitary fashion no less frequently than one time per week. The drainage of all liquid by-products from the kennel shall be discharged into a permitted sanitary sewer line or septic tank and shall not be disposed of by way of storm

sewers, creeks, streams, or rivers.

Neighborhood Recommendation:

The Five Points South Neighborhood Association met at its regularly scheduled meeting on **September 23rd, 2019** to review the proposed project and voted ***“To Recommend Approval”*** of the proposed rezoning request. The vote was **6 approved** and **0 denied**.

Staff’s Recommendation to ZAC:

The applicant’s rezoning request is ***consistent*** with the future land use plan and has ***merit*** for approval.

ZAC2019-00035..... Roebuck
Application for a change in zone district boundaries from QC-1, Qualified Neighborhood Commercial District to QC-1, Qualified Neighborhood Commercial District and thereby amending the “Q” conditions of Case ZAC2017-00003, Ordinance 1983-G (see ZAC1994-00012 Ordinance #1523-G) to modify the 30 foot planted or natural buffer on the south side of the site to a 10 foot planted or natural buffer (to allow for more parking) filed by Brent Pierce, representing the owner, America’s First Federal Credit Union, for the property located at 724 Crow Drive and situated in the NE¼ of Section 36, Township 16-S, Range 2-West. (35215, District 2).

Proposed Use: The applicant is requesting to reduce the buffer on the south side of the property from 30 feet to 10 feet in order to construct 17 additional parking spaces.

Property and Abutting Land Uses:

The subject property contains approximately 1.08 acres of land, currently zoned QC-1 (Contingency Neighborhood Commercial District). The property borders the Huffman Church of Christ to the North, zoned D-2 (Single Family District); a parking lot and car wash to the East, zoned CC-2 (Contingency, General Commercial District); and single family homes to the West and South, zoned D-2 (Single Family District).

Applicant’s Proposal:

America’s First Federal Credit Union sits on the site. The applicant is proposing to reduce the 30 foot buffer on the south side of the property to a 10 foot buffer in order to construct 17 new parking spaces. The site currently has 24 parking spaces and an additional parking lot across the street with 14 spaces. The applicant is proposing the additional parking spaces due to high volume traffic on peak days each month.

Zoning Ordinance:

The building was constructed in 1997 and was subject to the parking and landscaping requirements of the previous Zoning Ordinance. The parking requirement for the existing building under the existing Zoning Ordinance is 8 spaces (plus 4 stacking spaces per drive-through window). The proposed parking spaces would be subject to the requirements in the existing Zoning Ordinance and would, therefore, be considered excess parking. When a development includes parking in excess of the maximum allowed, then Low Impact Development techniques such as, bio-retention cells, vegetated swales, extended detention systems, infiltration trenches, pervious paving or dry wells, to reduce run-off at a rate as established in *City of Birmingham, Engineering Design Guidelines*, is required for those parking spaces which exceed the maximum number of spaces allowed.

The entire site must be brought into compliance with the City’s landscaping requirements. Per the Zoning Ordinance when the gross area of a nonconforming parking area is expanded by more than 25 percent, the entire parking area (pre-existing and expanded) shall be brought into compliance.

Neighborhood Recommendation:

The Roebuck Neighborhood Association met at its regularly scheduled meeting on **October 14th, 2019** to review the proposed project and voted to ***“Recommend”*** approval of the proposed rezoning request. The vote was **10 approved** and **0 denied**.

Staff’s Recommendation to ZAC:

Staff does ***not recommend approval*** of the request to amend the “Q” condition and reduce the 30 foot buffer requirement to 10 feet.

ZAC2019-00036..... Echo Highlands
Application for the review and approval of a site development plan in I-3, Planned Manufacturing District, for a new warehouse building at Nidek Medical Products filed by Donnie Adams (Adams Building Company LLC), representing the owner, Nidek Medical Products, for the property located at 3949 Valley East Industrial Drive and situated in the **SE¹/₄ of Section 15, Township 16-S, Range 2-West. (35215, District 1).**

Proposed Use: Warehouse addition to existing Nidek Medical Products building

Property and Abutting Land Uses:

The subject property contains approximately 3.5 acres of land, currently zoned I-3 (Planned Manufacturing District) and is located in the Valley East Industrial Park. The site is surrounded by other similar uses zoned I-3, including Innovative Machine Corporation, PolyOne, Lift One and Cardinal Health.

Applicant's Proposal:

Founded in 1986, Nidek Medical is a worldwide innovator in oxygen concentrators and PSA technologies. Today, Nidek's Oxygen Concentrators are sold in over 100 countries for home care, hospital and independent applications. Nidek Medical is proposing to add an addition onto the rear of the building. The building will be used as a warehouse.

Zoning Ordinance:

The applicant's site plan shows a proposed 13,125 square foot warehouse addition. The parking requirement for the proposed use would be 7 spaces. The site plan shows 41 total parking spaces for the existing facility and the new warehouse. (The original building was constructed in 1989. The parking requirement in 1989 was 1 space per every 3 employees on the max working shift.)

The Urban Design staff reviewed the site plan for landscaping compliance and did not have any additional planting requirements.

Neighborhood Recommendation:

The Echo Highlands Neighborhood Association met at its regularly scheduled meeting on **October 3rd, 2019** to review the proposed project and voted "**To Recommend Approval**" of the site development plan.

Staff's Recommendation to ZAC:

Staff recommends that the site development be approved as presented subject to the following condition:

1. Site Development Plan must meet the requirements of the restrictive covenants of Valley East Industrial Park.
2. Once a site development plan has been approved, no work shall be done and no permits shall be issued except in accord with said plan. No certificate of occupancy shall be issued until all site improvement as required by an approved site development plan has been completed.