

FILE NO.: Z-8445-B

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NAME: Medical Hearing Associates of Arkansas Revised Short-form PD-O

LOCATION: 5910 C Street

DEVELOPER:

Medical Hearing Associates of Arkansas  
5910 C Street  
Little Rock, AR 72205

OWNER/AUTHORIZED AGENT:

Medical Hearing Associates of Arkansas; Bradley Davis, Au.D.CCC-A and Nancy Kang Davis, M.D.; owners and authorized agents

SURVEYOR/ENGINEER:

Holloway Engineering  
200 Casey Drive  
Maumelle, AR 72113

AREA: .227 acres                      NUMBER OF LOTS: 1                      FT. NEW STREET: 0 LF

WARD: 3                                      PLANNING DISTRICT: 4                      CENSUS TRACT: 15.01

CURRENT ZONING:                      POD, expired

ALLOWED USES: Previously approved for temporary use as administrative offices for the adjacent medical facility.

PROPOSED ZONING:                      PD-O

PROPOSED USE:                              Audiology Clinic

VARIANCE/WAIVERS:                      Reduction in on-site parking

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BACKGROUND:

Ordinance No. 20,114 adopted by the Board on August 3, 2009 rezoned this lot and the lot adjacent to the east from R-3 single-family to PD-O to allow for development of a surgery center. The two single-family structures were to be removed and an 8,780 square

foot surgery center building constructed in their place. That development did not occur. On January 19, 2010, the Board approved Ordinance No. 20,211 establishing a revised POD for this lot to allow for use of the residential structure as a temporary administrative office for the medical clinic located to the west, fronting onto University Avenue. Use of the building as offices was to be until plans were finalized for the previously-approved surgery center. Again, that development did not occur.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is requesting approval of a PD-O zoning to allow for use of the existing residential structure for an audiology clinic. The new practice is called Medical Hearing Associates of Arkansas and is a partnership between Bradley Davis, Au. D., CC-A and his wife Nancy Kang Davis, M. D. Services include hearing instrument dispensing, custom hearing protection devices, tinnitus evaluation and therapies, Auditory Processing Disorder testing and recommendations, workers compensation evaluations, medico legal evaluations, cochlear implant candidacy evaluations and cochlear implant mapping. The business structure is one patient per time slot, by appointment only, with an expected average of three patients per day. Office hours are 8-4, weekdays only. There are no other employees of the business.

B. EXISTING CONDITIONS:

The site is occupied by a one-story, brick and frame, 1,466 square foot, residential structure. A single-wide, 28 foot deep concrete driveway is located in front of the structure. A single family residence is adjacent to the east. A parking lot is adjacent to the west. Single family residences are located to the north. The Midtown Shopping Center and single family residences are located across C Street to the south.

C. NEIGHBORHOOD COMMENTS:

Notice of the public hearing was sent to all owners of properties located within 200 feet of the site and the Hillcrest and Save Hillcrest Neighborhood Associations.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Due to the proposed use of the property, the Master Street Plan specifies that C Street for the frontage of this property must meet commercial street standards. Dedicate right-of-way to 30 feet from centerline.
2. On-street parking on C Street is prohibited.

E. UTILITIES/FIRE DEPARTMENT/PARKS/COUNTY PLANNING:

Little Rock Water Reclamation Authority: Sewer Available to this site.

Entergy: Entergy does not object to this proposal. Electrical service is already provided to the structure on this property. Contact Entergy in advance to discuss changes to electrical service requirements, extensions, or adjustments to existing facilities – if any as this proposal proceeds.

Centerpoint Energy: No comments received.

AT&T: No comments received.

Central Arkansas Water: No comments received.

Fire Department: No comments.

Parks and Recreation: No comments received.

County Planning: No comments received.

F. BUILDING CODES/LANDSCAPE:

Building Code: Project is a change in occupancy and is therefore subject to current building code requirements. Review and approval is required by Building Codes Division before occupancy takes place. Handicap Accessibility will be required. Including but not limited to building access and parking. For information on submittal requirements and the review process, contact a commercial plans examiner:

Curtis Richey at 501.371.4724; [crichey@littlerock.org](mailto:crichey@littlerock.org) or  
Steve Crain at 501-371-4875; [scrain@littlerock.gov](mailto:scrain@littlerock.gov)

Landscape:

1. Any new site development must comply with the City's minimal landscape and buffer ordinance requirements and the Hillcrest Overlay District.
2. Any new building rehabilitation or expansion may require the existing landscaping, buffer, or vehicular use areas not meeting the current code requirements to be brought into compliance. Existing vehicular use areas may continue as nonconforming until such time as a building permit is granted to enlarge or reconstruct a structure on the property exceeding ten (10) percent of the existing gross floor area. At such time ten (10) percent of the existing vehicular use area shall be brought into compliance on a graduated scale.
3. The City Beautiful Commission recommends preserving as many existing trees as feasible on this site. Credit toward fulfilling Landscape Ordinance requirements can be given when preserving trees of six (6) inch caliper or larger.

G. TRANSPORTATION/PLANNING:

Rock Region Metro: We recommend a sidewalk along the front of the property, as well as a sidewalk connecting from the building to the front of the property.

All buildings should have minimum ADA access, but this is especially true for buildings where medical care is being provided.

Planning Division: This request is located Heights Hillcrest City Planning District. The Land Use Plan shows Office (O) for this property. The office category represents services provided directly to consumers (e.g., legal, financial, medical) as well as general offices which support more basic economic activities. The applicant has applied for rezoning from expired PD-O (Planned District Office) to PDO (Planned District Office) to allow conversions of the existing structure to a medical office. The site is within the Hillcrest Design Overlay Districts.

Master Street Plan: South of the Property is C Street and it shown as a Local Street on the Master Street Plan. The primary function of Local Streets is to provide access to adjacent properties. Local Streets that are abutted by non-residential zoning/use or more intensive zoning than duplexes are considered as "Commercial Streets". A Collector design standard is used for Commercial Streets. This street may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: There are no bike routes shown in the immediate vicinity.

H. SUBDIVISION COMMITTEE COMMENT: (January 2, 2019)

The applicant was present. Staff presented the item and noted some additional information was needed. Staff asked if a dumpster would be used and, if so, that it be shown on the site plan. Staff requested a signage plan and a lighting plan, in compliance with the Midtown DOD. Staff noted the lack of available on-site parking. It was suggested that the applicant contact the owners of the parking lot adjacent to the west about leasing or otherwise obtaining permission to use 2-3 parking spaces.

Public Works comments were presented and explained.

Other reviewing agencies and departments comments were presented.

The applicant was advised to respond to staff issues by January 9, 2019. The committee forwarded the item to the full commission.

I. ANALYSIS:

The applicant submitted responses to the issues raised at subdivision committee. Bradley Davis, Au.D., CC-A is the sole provider of services and there is no support staff. He will be the one and only employee at this clinic. An average of three

patients per day will be seen and each appointment is scheduled so as to preclude any overlap. No dumpster will be used. Signage will comply with the DOD which allows a wall sign as is typical in office districts and a single, monument-style ground sign no more than 24 square feet in area and 6 feet in height. No additional site lighting will be added.

At staff's suggestion, the applicant approached the medical clinic and shopping center who own nearby parking lots about the possibility of acquiring permission to utilize one or two parking spaces. Both denied the request, either through a memorandum of understanding or a rental arrangement. The site contains a single-wide concrete driveway. The proposed use requires three parking spaces to comply with the DOD and to provide the minimum number of spaces needed for the use. Staff worked with the applicant to arrive at a plan whereby the driveway will be widened to accommodate two paved parking spaces, one of which will be a van-accessible handicap space. These parking spaces will be located partially in the right-of-way once new r-o-w is dedicated. A franchise must be obtained to allow the parking in the r-o-w. A "flagpole-type" gravel parking space will be located in front of the structure parallel to the street and perpendicular to the two paved parking spaces. This space will be used by Dr. Davis on the days he drives to the office. He has stated there are days he will not be driving to the office but will use alternative transportation.

On January 11, 2019, the Midtown Advisory Board met with the applicant and reviewed the proposal. After the discussion, the Advisory Board voted to recommend approval of the application by unanimous vote.

To staff's knowledge, there are no outstanding issues.

J. STAFF RECOMMENDATION:

Staff recommends approval of the request subject to compliance with the following conditions:

1. Compliance with the comments and conditions outlined in paragraphs D, E and F and the staff analysis in the agenda staff report.
2. A franchise must be obtained for the parking in the right-of-way.
3. The single gravel parking space must be bordered in a manner to contain the gravel and must be maintained in a manner that does not result in the creation of dust, mud, silt or standing water.

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PLANNING COMMISSION ACTION:

(JANUARY 31, 2019)

The applicant was present. There were no objectors present. Staff presented the item and a recommendation of approval as outlined in the "staff recommendation" above. There was no further discussion. The item was placed on the consent agenda and

approved as recommended by staff, including all staff comments and conditions. The vote was 10 ayes, 0 noes and 1 absent.