

FILE NO.: Z-5178-D

NAME: Lot 1R West Markham Parkway Addition Revised Short-form PCD

LOCATION: Located at 13401 Chenal Parkway

DEVELOPER:

Vincent Properties LLC
13401 Chenal Parkway
Little Rock, AR 72211

ENGINEER:

White-Daters and Associates
24 Rahling Circle
Little Rock, AR 72223

AREA: 0.97 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

WARD: 6

PLANNING DISTRICT: 18 – Ellis Mountain

CENSUS TRACT: 24.05

CURRENT ZONING: PCD

ALLOWED USES: Retail sales and service of pianos and organs, O-3, General Office District uses and Antique shop, Book and stationery store, Clothing store, Florist shop, Furniture store, Office equipment sales and service, Medical appliance fittings and sales, and Optical shop & Medical Office and Fitness Rehab for the Doctor's patients only

PROPOSED ZONING: Revised PCD

PROPOSED USE: Add fitness center (health studio and spa) open to the general public for membership as an allowable use

VARIANCE/WAIVERS: None requested.

BACKGROUND:

Ordinance No. 15,749 adopted by the Little Rock Board of Directors on September 19, 1989, rezoned this site from O-3, General Office District to PCD. The approval allowed the construction of a single building and associated parking. The user was Capitol Keyboard. Alternate uses included all permitted uses in the O-3, General Office Zoning

District, Antique shop, Book and stationery store, Clothing store, Florist shop, Furniture store, Office equipment sales and service, Medical appliance fittings and sales and Optical shop.

Ordinance No. 16,212 adopted by the Little Rock Board of Directors on May 19, 1992, allowed a revision to the PCD zoning. The approval permitted performances by the Community Theatre of Little Rock on three (3) occasions each year, with a maximum of ten (10) performances during three (3) consecutive weeks.

Ordinance No. 20,810 adopted by the Little Rock Board of Directors on November 5, 2013, allowed a revision to the PCD zoning. The property was zoned PCD and O-3, General Office District. The applicant proposed to expand the existing facility along the western side of the building. The expansion included both a building and parking expansion in two (2) phases.

The first phase contained the parking lot expansion, with the building expansion following at a later date. The building construction has been completed. The parking is currently a graveled lot and no landscaping has been installed.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is proposing to revise the PCD zoning to allow a cross fit gym, open to the general public for membership in addition to the existing chiropractic clinic, massage therapy center and nutrition consultation center at this site located at 13401 Chenal Parkway. The applicant is not proposing any modifications to the exterior of the building and no new landscaping or paving will be added with the approval of the revision to the PCD zoning.

The building contains 10,000 gross square feet of floor area. The site plan indicates there are 42 parking spaces located on the site.

B. EXISTING CONDITIONS:

The site contains a medical office building with graveled parking located along the northern side of the building. This section of Old Town Road has developed with office and commercial uses. To the east is a paint store, an upholstery shop and an auto parts store. South of the site is a multi-tenant building containing a number of office users.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200-feet of the site along with the Parkway Place Property Owners Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Old Town Road is classified on the Master Street Plan as a collector street. A dedication of right-of-way 30 feet from centerline will be required.
2. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Little Rock Wastewater: Sewer available to the site.

Entergy: Entergy does not object to this proposal. Service is already being provided to this structure. Contact Entergy in advance to discuss adjustments to existing facilities (if any) as this project proceeds.

Centerpoint Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water:

1. All Central Arkansas Water requirements in effect at the time of request for water service must be met.
2. The Little Rock Fire Department needs to evaluate this site to determine whether additional public and/or private fire hydrant(s) will be required. If additional fire hydrant(s) are required, they will be installed at the Developer's expense.
3. Please submit plans for water facilities and/or fire protection system to Central Arkansas Water for review. Plan revisions may be required after additional review. Contact Central Arkansas Water regarding procedures for installation of water facilities and/or fire service. Approval of plans by the Arkansas Department of Health Engineering Division and the Little Rock Fire Department is required.
4. If there are facilities that need to be adjusted and/or relocated, contact Central Arkansas Water. That work would be done at the expense of the developer.
5. The facilities on-site will be private. When meters are planned off private lines, private facilities shall be installed to Central Arkansas Water's materials and construction specifications and installation will be inspected by an engineer, licensed to practice in the State of Arkansas. Execution of a Customer Owned Line Agreement is required.
6. Due to the nature of this facility, installation of an approved reduced pressure zone backflow preventer assembly (RPZA) is required on the domestic water service. This assembly must be installed prior to the first point of use. Central

Arkansas Water requires that upon installation of the RPZA, successful tests of the assembly must be completed by a Certified Assembly Tester licensed by the State of Arkansas and approved by Central Arkansas Water. The test results must be sent to Central Arkansas Water's Cross Connection Section within ten days of installation and annually thereafter. Contact the Cross Connection Section at 501.377.1226 if you would like to discuss backflow prevention requirements for this project.

7. Fire sprinkler systems which do not contain additives such as antifreeze shall be isolated with a double detector check valve assembly. If additives are used, a reduced pressure zone back flow preventer shall be required.

Fire Department: No comment.

Parks and Recreation: No comment received.

County Planning: No comment received.

Rock Region Metro: Location is not currently served by METRO but is part of the long range plan. The pedestrian infrastructure should be continuous and improved for access to the future West little Rock express route.

F. ISSUES/TECHNICAL/DESIGN:

Building Code: No comment.

Planning Division: This request is located in Ellis Mountain Planning District. The Land Use Plan shows Neighborhood Commercial (NC) for this property. The Neighborhood Commercial category includes limited small-scale commercial development in close proximity to a neighborhood, providing goods and services to that neighborhood market area. The applicant has applied for a revision of PCD (Planned Commercial District) to allow the use of a previously approved wellness center by the doctor's patients to a wellness center open for membership to the general public. The request is within the Chenal Design Overlay District.

Master Street Plan: To the south of the property is Chenal Parkway and it is a Principal Arterial, east of the property is Old Town Road and it is a Local Street on the Master Street Plan. A Principal Arterial is to serve through traffic and to connect major traffic generators or activity centers within the urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Chenal Parkway since it is a Principal Arterial. 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. These streets 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.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements and the Chenal Overlay District.
2. Parking areas must be designed and paved to meet the requirements of the City codes and ordinances.
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. SUBDIVISION COMMITTEE COMMENT: (July 20, 2016)

The applicant was not present. Staff presented an overview of the item stating there were few additional items necessary to complete the review process. Staff stated they would work directly with the applicant to resolve any outstanding concerns prior to the public hearing. There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.

H. ANALYSIS:

The applicant has provided staff with additional information concerning the request which were raised as a result of the July 20, 2016, Subdivision Committee meeting. The applicant has provided the square footage of the activities taking place on the site and has also indicated the number of doctors utilizing the site.

The request is to allow a revision to the existing PCD zoning to allow add a cross fit gym, open to the general public for membership, to the allowable uses for the site. Currently the approved uses include the existing chiropractic clinic, massage therapy center and nutrition consultation center in addition to the approved uses which were allowed with the original approval of the PCD zoning. These include, Retail sales and service of pianos and organs, O-3, General Office District uses, Antique shop, Book and stationery store, Clothing store, Florist shop, Furniture store, Office equipment sales and service, Medical appliance fittings and sales, Optical shop, Medical office and Fitness Rehab for the doctor's patients only.

Dr. Vincent bought the property in 2012 and opened his chiropractic clinic. As a part of the clinic Dr. Vincent provided nutritional counseling in addition to wellness training to his clients. As a component of the wellness training within the building Dr. Vincent constructed a gym area to provide the cross fit service. The total square footage for the cross fit gym portion of the building is 5,000 square feet. There are two (2) doctors providing service at this location. The building area used for the doctor's offices includes 5,000 square feet. Within this are there are two (2) exam rooms and two (2) massage therapy rooms.

The hours of operation for the chiropractic clinic are Monday and Wednesday from 7 am to 5 pm, Tuesday from 10 am to 6 pm, Thursday from 8 am to 6 pm and Friday from 8 am to 1 pm. As noted the cross fit portion of the business is open for membership to the general public and not limited to the doctor's clients. There are currently 135 members of the cross fit gym. The cross fit classes are one (1) hour starting at 5:30 am, 6:30 am, 12 pm, 3:30 pm, 4:30 pm, 5:30 pm and 6:30 pm. The classes are offered as group sessions and the groups range in size from 5 to 15 athletes. There is not any outdoor activity associated with the cross fit portion of the gym with the exception of running which the athletes use the sidewalks on Old Town Road and West Markham Street.

Parking for a medical office is based on six (6) parking spaces per doctor. This would result in the need for twelve (12) parking spaces to meet the typical minimum parking requirements for the medical office portion of the business. Parking for the cross fit portion of the business is typically based on one (1) parking spaces per 200 gross square feet of floor area. The typical parking required for this portion of the business would be 25 parking spaces. The two (2) would result in the need for 31 parking spaces. The site plan indicates there are 42 parking spaces located on the site.

The northern parking area has not been paved nor has the required landscaping been installed. Staff feels upon approval of the requested PCD zoning the improvements to the parking area be completed including the paving and landscaping to meet the minimum requirements of City ordinances and in compliance with the site plan approved for the development in 2013. Staff recommends these improvements be completed within 60 days of approval by the Board of Directors of this rezoning request. The applicant is not proposing any modifications to the exterior of the building and no new parking will be added with the approval of the revision to the PCD zoning. The current request is to add the allowance of the cross fit portion of the business which would be open to the general public for membership. Staff is supportive of the applicant's request. The site appears to have adequate parking to meet the typical parking demand for the existing uses of the site. To staff's knowledge there are no remaining outstanding technical issues associated with the request.

I. STAFF RECOMMENDATION:

Staff recommends approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report.

Staff recommends the northern parking lot be paved and landscaped in compliance with City ordinances and the previously approved site plan within 60 days of approval by the Board of Directors of this rezoning request.

PLANNING COMMISSION ACTION:

(AUGUST 11, 2016)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report. Staff presented a recommendation the northern parking lot be paved and landscaped in compliance with City ordinances and the previously approved site plan within 60 days of approval by the Board of Directors of this rezoning request. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff by a vote of 9 ayes, 0 noes and 2 absent.