

**OFFICE OF THE CITY MANAGER
LITTLE ROCK, ARKANSAS**

**BOARD OF DIRECTORS COMMUNICATION
MARCH 5, 2019 AGENDA**

Subject:	Action Required:	Approved By:
<p>An ordinance establishing a Planned Zoning District titled Medical Hearing Associates of Arkansas Revised Short-Form PD-O, located at 5910 C Street. (Z-8445-B)</p> <p>Submitted By:</p> <p>Planning & Development Department</p>	<p>√ Ordinance Resolution</p>	<p>Bruce T. Moore City Manager</p>
SYNOPSIS	<p>The applicant is proposing to rezone the property from POD, Planned Office District, to Revised PD-O to allow for the use of the existing building for an audiology clinic.</p>	
FISCAL IMPACT	<p>None.</p>	
RECOMMENDATION	<p>Staff recommends approval of the requested Revised PD-O. The Planning Commission voted 10 ayes, 0 nays and 1 absent to recommend approval of the request.</p>	
BACKGROUND	<p>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 District, to PD-O, Planned Development – Office, to allow for the development of a surgery center. The two (2) single-family structures were to be removed and an 8,780 square foot surgery center building constructed in their place; however, 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.</p>	

**BACKGROUND
CONTINUED**

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.

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 8:00 AM – 4:00 PM, weekdays only. There are no other employees of the business.

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 (3) 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 twenty-four (24) square-feet in area and six (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 (2) 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 (3) 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 (2) paved parking spaces, one of which will be a van-accessible handicap space.

**BACKGROUND
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These parking spaces will be located partially in the right-of-way once new right-of-way is dedicated. A franchise must be obtained to allow the parking in the right-of-way. A “flagpole-type” gravel parking space will be located in front of the structure parallel to the street and perpendicular to the two (2) 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.

The Planning Commission reviewed this item at their January 31, 2019, meeting and there were no objectors present. Notice had been sent to all owners of properties located within 200 feet and the Hillcrest Neighborhood Association.