

EXHIBIT NO. 1

10
9-21-04

Docket Item #9
SPECIAL USE PERMIT #2004-0074

Planning Commission Meeting
September 9, 2004

ISSUE: Consideration of a request for a special use permit amendment to increase the number of students at a nursing school.

APPLICANT: Global Health Nurse Training Services
by Mariatu Kargbo

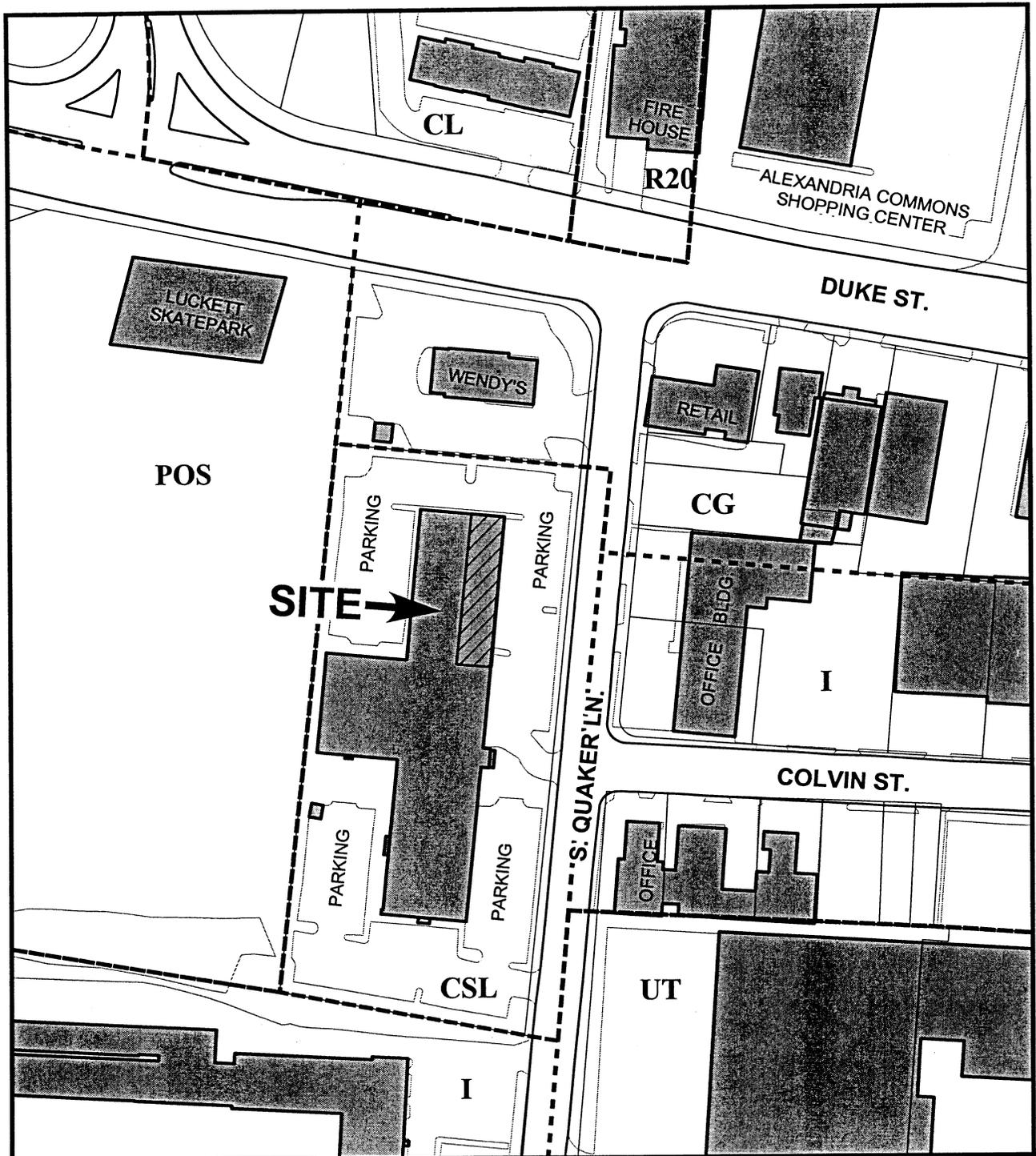
LOCATION: 25 South Quaker Lane - First Floor

ZONE: CSL/Commercial Service Low

PLANNING COMMISSION ACTION, SEPTEMBER 9, 2004: By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.

STAFF RECOMMENDATION: Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the permit conditions found in Section III of this report.



SUP #2004-0074

09/09/04



I. DISCUSSION

REQUEST

The applicant, Global Health Nurse Training Services, represented by Mariatu Kargbo, requests special use permit amendment to increase the number of students at a nursing school located at 25 South Quaker Lane.

SITE DESCRIPTION

The subject property is one lot of record having 467 feet of frontage on South Quaker Lane and a total lot area of 2.1 acres. The property contains the old Stonewall Jackson School, which has been converted into an office building predominantly occupied by a variety of private schools, a child care center and the Rocklands restaurant. The applicant currently occupies 3,950 square feet on the first floor in the building's north wing and proposes to increase the floor area to total of 5,200 square feet.

To the north of the site is a Wendy's restaurant and office buildings are located to the east. To the south and west of the property is the City of Alexandria Maintenance Facility. East of that facility, across South Quaker Lane, is the City's DASH bus storage and maintenance yard.

CURRENT OPERATION

In May 2004, City Council approved SUP#2004-0014 to operate a nursing school with up to 20 students. The applicant commenced the school program in August 2004, offering 12-months full-time and 18-months part-time programs with varying course schedules to include morning, evening and weekend classes. The practical nursing program is licensed under the Commonwealth of Virginia and students will graduate as Licensed Practical Nurses (LPN).

Hours of operation: The school offers classes between 8:00 A.M. and 10:00 P.M., Monday through Friday, and between 9:00 A.M. and 5:00 P.M., Saturday and Sunday.

Students/employees: Approximately 16 students attend each class, with a maximum of 20 students present at any one time. The school is operated by a total of 10 instructors with varying schedules and two administrative employees; up to five employees work at the site at the same time.

Trash/Noise: Trash primarily consists of office papers and is collected weekly. Outside dumpsters are provided and the school's management monitors the premises for litter and potential noise impacts by the students.

PROPOSED EXPANSION

The applicant seeks permission to increase the number of students to attend the nursing school from 20 to 40. Accordingly, the applicant is expanding the floor space from 3,950 to 5,200 square feet by adding a second classroom, a reception area, one conference room, office and bathroom. The average number of students attending an individual class will remain at 15, but the applicant is proposing to offer two classes concurrently with no more than 40 students being present at any one time.

No other changes are proposed to the operation of the nursing school.

Staff visited the subject property to determine if the business was in compliance with the conditions of its special use permit. Staff found no violations of the special use permit.

PARKING

According to Section 8-200 (A) (11) of the zoning ordinance, a school is required to provide one parking space for every two seats. The applicant proposes a maximum of 40 students, resulting in a total of twenty required parking spaces. The applicant will provide twenty spaces designated for the business by sign or paint and does therefore meet the technical parking requirement.

ZONING / MASTER PLAN

The subject property is located in the CSL/Commercial Service Low zone. Section 4-303 (V) of the zoning ordinance allows a private school in the CSL zone only with a special use permit. The proposed use is consistent with the Seminary Hill/Strawberry Hill Small Area Plan chapter of the Master Plan, which designates the property for uses consistent with the CSL zone.

II. STAFF ANALYSIS

Staff supports the proposed expansion of the nursing school located at 25 South Quaker Lane. Despite the increase in students, staff finds that it is an appropriate use for the site by meeting the initial purpose of this former school building.

Staff considered potential conflicts between the number of people visiting the building and the number of spaces available for parking but concludes that the site has a sufficient and fair distribution of spaces for each tenant and notes that, on inspection at varying times, found more than a third of the parking lot unoccupied. Furthermore, staff notes that with the proposed expansion the school is occupying a large portion of the abandoned Foundation School, which had more spaces designated to its students than the required and provided number of spaces for this application.

Finally, the applicant states that it intends to operate the school in a very structured and professional manner and staff finds that the nursing school is a reasonable addition to Alexandria's educational community.

Staff has retained various standard conditions and recommends a review of the school one year after approval so if there are any problems with the operation, additional conditions may be imposed. With these conditions, staff recommends approval of the special use permit.

III. RECOMMENDED CONDITIONS

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. The special use permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z) (SUP#2004-0014)
2. **CONDITION AMENDED BY STAFF:** The number of students attending classes at any one time shall not exceed ~~20~~ 40. (~~P&Z~~) (~~SUP#2004-0014~~) (P&Z)
3. The hours of operation shall be limited to between 8:00 A.M. and 10:00 P.M., Monday through Friday, and to 9:00 A.M. and 5:00 P.M., Saturday and Sunday. (P&Z) (SUP#2004-0014)
4. The applicant shall post the hours of operation at the entrance to the business. (P&Z) (SUP#2004-0014)
5. **CONDITION AMENDED BY STAFF:** ~~Ten~~ Twenty parking spaces shall be designated for the school's use by signs or paint. (~~P&Z~~) (~~SUP#2004-0014~~) (P&Z)
6. Trash and garbage shall be stored inside or in a dumpster. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up as often as necessary, to prevent an unsightly and unsanitary accumulation. (P&Z) (SUP#2004-0014)
7. The lighting in the parking lot shall be a minimum of 2 foot candles. (Police) (SUP#2004-0014)
8. The applicant shall require its employees who drive to work to use off-street parking. (P&Z) (SUP#2004-0014)
9. The applicant shall encourage its employees to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (P&Z) (SUP#2004-0014)

10. **CONDITION DELETED BY STAFF:** ~~The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business prior to the school opening. (Police)~~
11. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z) (SUP#2004-0014)
12. The Director of Planning and Zoning shall review the special use permit after the school has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z) (SUP#2004-0014)

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Bettina Irps, Urban Planner.

Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

IV. CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- C-1 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.

Code Enforcement:

- C-1 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC) and requires a building permit. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.
- C-3 A fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.
- C-4 Required exits, parking, and accessibility for persons with disabilities must be provided to the building.

Health Department:

- F-1 No Comments.

Police Department:

- F-1 The applicant has had the security survey and robbery awareness program completed.
- R-1 The lighting in the parking lot should be a minimum of 2 foot candles maintained.10.

APPLICATION for SPECIAL USE PERMIT # 2004-0074

[must use black ink or type]

PROPERTY LOCATION: 25 South Quaker Lane, Alex, VA 22314

TAX MAP REFERENCE: 61-03-01-04 ZONE: CSL

APPLICANT Name: Mariatu Kargbo

Address: 22530 Forest Manor Dr. Ashburn VA 2014

PROPERTY OWNER Name: Chris Collier

Address: 11405 Spur Wheel Lane Potomac MD, 208

PROPOSED USE: Nursing school/services

age 17 and above

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

MARIATU KARGBO
Print Name of Applicant or Agent

[Signature]
Signature

22530 Forest Manor Dr.
Mailing/Street Address

7) 587 6592 / 7) 212 7410
Telephone # Fax #

Ashburn VA 20148
City and State Zip Code

6/27/04
Date

=====**DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY**=====

Application Received: _____ Date & Fee Paid: _____ \$ _____

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

All applicants must complete this form. Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

1. The applicant is (check one)

^{erran} the Owner

Contract Purchaser

Lessee or

Other: _____

of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership in which case identify each owner of more than ten percent.

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia? NO

Yes. Provide proof of current City business license

No. The agent shall obtain a business license prior to filing application, if required by the City Code.

2. Submit a floor plan and a plot plan with parking layout of the proposed use. One copy of the plan is required for plans that are 8½" x 14" or smaller. Twenty-four copies are required for larger plans or if the plans cannot be easily reproduced. The planning director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver. This requirement does not apply if a Site Plan Package is required.

NARRATIVE DESCRIPTION

3. The applicant shall describe below the nature of the request in detail so that the Planning Commission and City Council can understand the nature of the operation and the use, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. (Attach additional sheets if necessary)

GLOBAL HEALTH NURSE TRAINING SERVICES
IS A NURSING SCHOOL CONSISTED OF ~ 12
EMPLOYEES WITH VARYING TIME SCHEDULES FOR
THE INSTRUCTORS: THERE WILL BE ONE RESPONANT,
PROGRAM DIRECTOR, AND TWO ADMINISTRATIVE PERSONNEL
AT ALL TIMES. CLASSES ARE HELD MORNING,
EVENING AND WEEKENDS. THE EXPECTED
NUMBER OF STUDENTS THE FIRST YEAR 40
STUDENTS FULL TIME WITH CLASS TIME 8-2 OR
10 PM - 10 PM (20 STUDENT) IN EACH CLASS.
THE PART TIME STUDENT WILL ATTEND CLASS
SATURDAY / SUNDAY WITH A TOTAL OF 40 STUDENTS
OTHER NURSING SERVICES SUCH AS CNA / CPM
CLASS WILL BE PROVIDED.

20 RESERVED SPACES HAVE BEEN PROVIDED
AND MORE GENERAL SPACES FOR STUDENTS ON
SITE, AS WELL AS STREET/PARKING

BECAUSE THIS IS A SCHOOL, NOISE
WILL NOT BE ALLOWED.

USE CHARACTERISTICS

4. The proposed special use permit request is for: (check one)

- a new use requiring a special use permit,
- a development special use permit,
- an expansion or change to an existing use without a special use permit,
- expansion or change to an existing use with a special use permit,
- other. Please describe: _____

5. Please describe the capacity of the proposed use:

A. How many patrons, clients, pupils and other such users do you expect? Specify time period (i.e., day, hour or shift). ~~ESTIMATED FULL TIME EMPLOYEES OF~~
~~4 STUDENT~~ 40. UP TO 40 STUDENTS AT ONE TIME
COURSES WILL BE HELD MORNING / EVENING / WEEK

B. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift).

ESTIMATE FULL TIME EMPLOYEES 4. DUE TO NO
INSTRUCTORS ON SITE ON TEACHING AT ONE TIME

6. Please describe the proposed hours and days of operation of the proposed use:

Day:	Hours:
Full time <u>MONDAY - FRIDAY</u>	<u>8 - 10 (STUDENTS 8-2 / W 4-</u>
PARTTIME <u>SATURDAY / SUNDAY</u>	<u>9-5</u>
_____	_____
_____	_____
_____	_____

7. Please describe any potential noise emanating from the proposed use:

A. Describe the noise levels anticipated from all mechanical equipment and patrons.

NO NOISE ANTICIPATED

B. How will the noise from patrons be controlled?

N/A

8. Describe any potential odors emanating from the proposed use and plans to control them:

NO ANTICIPATED ODOR

9. Please provide information regarding trash and litter generated by the use:

A. What type of trash and garbage will be generated by the use?

OFFICE TRASH WILL BE COLLECTED AND
DISPOSED AS PER BUILDING RULES

B. How much trash and garbage will be generated by the use?

DAILY OFFICE TRASH

C. How often will trash be collected?

WEEKLY AS PER BUILDING PLAN

D. How will you prevent littering on the property, streets and nearby properties?

STUDENTS WILL BE INDOORS AND EXPECTED
TO BEHAVE ACCORDINGLY DURING BREAK
UNLESS

10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

Yes. No.

If yes, provide the name, monthly quantity, and specific disposal method below:

11. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

Yes. No.

If yes, provide the name, monthly quantity, and specific disposal method below:

12. What methods are proposed to ensure the safety of residents, employees and patrons?

- ① ACCESSIBLE PATHWAYS TO ACCESS PROPER AUTHORITY
- ② ACCESSIBLE EXIT DOOR / FIRE HYDRANTS

ALCOHOL SALES

13. Will the proposed use include the sale of beer, wine, or mixed drinks?

Yes. No.

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

PARKING AND ACCESS REQUIREMENTS

14. Please provide information regarding the availability of off-street parking:

A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?

20

B. How many parking spaces of each type are provided for the proposed use:

X Standard spaces

_____ Compact spaces

_____ Handicapped accessible spaces.

_____ Other.

C. Where is required parking located? on-site [] off-site (check one)

If the required parking will be located off-site, where will it be located:

Pursuant to section 8-200 (C) of the zoning ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

D. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

15. Please provide information regarding loading and unloading facilities for the use:

A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance? NA

B. How many loading spaces are available for the use? _____

C. Where are off-street loading facilities located? _____

D. During what hours of the day do you expect loading/unloading operations to occur?

N/A

E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

N/A

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

ADEQUATE ACCESS

SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing building? Yes No

Do you propose to construct an addition to the building? Yes No

How large will the addition be? _____ square feet.

18. What will the total area occupied by the proposed use be?

5,200 sq. ft. (existing) + _____ sq. ft. (addition if any) = _____ sq. ft. (total)

19. The proposed use is located in: (check one)

a stand alone building a house located in a residential zone a warehouse

a shopping center. Please provide name of the center: _____

an office building. Please provide name of the building: _____

other, please describe: _____

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City and State Zip Code

6/27/04
Date

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Application Received: _____ Date & Fee Paid: _____ \$ _____

ACTION - PLANNING COMMISSION: 9/9/04 RECOMMENDED APPROVAL UC

ACTION - CITY COUNCIL: 9/21/04 CC approved the Planning Commission recommendation 7-0