

EXHIBIT NO. 1

3
2-25-06

Docket Item #2
SPECIAL USE PERMIT # SUP2005-0119

Planning Commission Meeting
February 7, 2006

ISSUE: Consideration of a request for a special use permit to operate a nurse's training school (commercial school).

APPLICANT: Ultimate Health Schools
by Arangu L.N. Tomdio

LOCATION: 4600 King Street, Suite 5A

ZONE: OCM (100)/ Office Commercial Medium

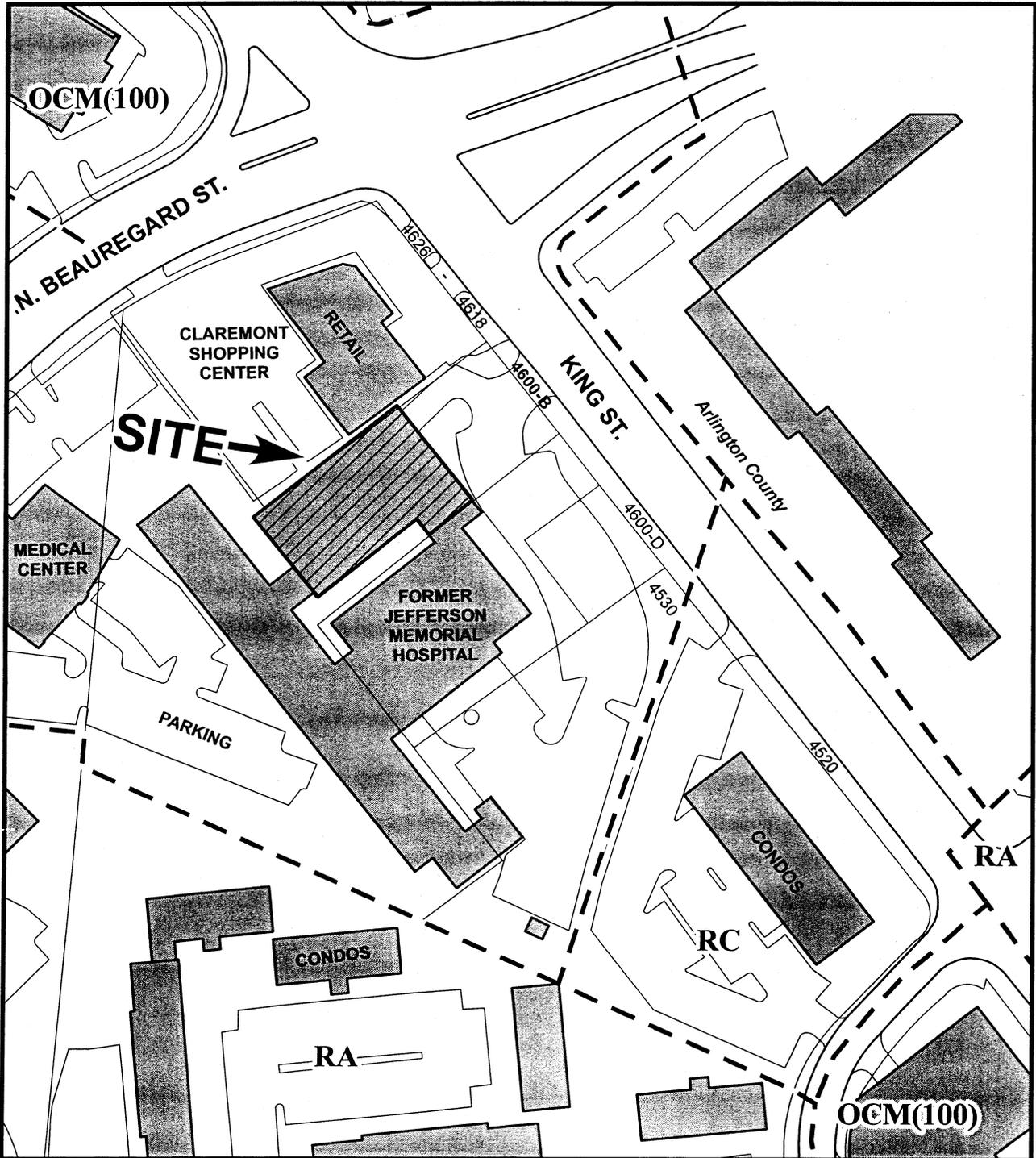
PLANNING COMMISSION ACTION, FEBRUARY 7, 2006: By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with staff analysis.

PLANNING COMMISSION ACTION, JANUARY 3, 2006: The Planning Commission noted the deferral of the request.

Reason: The applicant did not comply with notice requirements.

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



SUP #2005-0119

02/07/06



cleaning personnel. Therefore if the building's provided cleaning service is not sufficient, Ultimate Health Schools will hire their own cleaning personnel.

PARKING

According to Section 8-200 (A)(11) of the Zoning Ordinance, a commercial school requires one parking space for every two seats. A commercial school with 25 seats will be required to provide 13 off-street parking spaces. A total of 219 spaces are provided on the property and were approved by site plan number 87-004. This parking will adequately serve the proposed nurses training school.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the OCM (100) Zone. Section 4-1003 (X) of the Zoning Ordinance allows a private commercial school in the OCM (100) Zone only with a special use permit.

The proposed use is consistent with the Alexandria West Small Area Plan chapter of the Master Plan which designates the property for Office Commercial Medium use.

II. STAFF ANALYSIS

Staff does not object to the proposed Ultimate Health Schools facility located at 4600 King Street, Suite 5A. Staff finds that this facility is an appropriate use for this site. Staff finds that the property offers a sufficient amount of parking spaces for the applicant.

Staff does not anticipate a large impact on the surrounding community. The Ultimate Health Schools facility is compatible with other tenants within the Jefferson Medical Building, such as Doctor's offices.

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)
2. The hours of operation for the commercial school shall be limited to between Monday- Friday 8:00AM-11:00PM and Saturday- Sunday 8:00AM- 5:00PM. (P&Z)

3. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
4. The applicant shall encourage its employees and students to use mass transit or to car pool 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 car pooling opportunities. (P&Z)
5. The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the school and a safety awareness program for all employees . (Police Department)
6. The Director of Planning and Zoning shall review the special use permit after it 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 has received a request from any person to docket the permit for review, or (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)

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Richard Josephson, Deputy Director;
James Hunt, 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:

F-1 No Comments

Code Enforcement:

- F-1 A visit by staff on 11/4/05 revealed the following findings:
- The applicant is currently operating limited services to clients who require re-certification hours. The applicant stated that she serves 8 to 10 students at a time for re-certification purposes.
 - The tenant space appears to have been modified beyond its original configuration without permits or approvals at some point in the past. Due to these changes, there are issues existing relating to proper interior construction, installation of plumbing, mechanical and electrical fixtures, and proper means of egress facilities.
 - The applicant stated she intends to renovate the occupied space. The renovation plan is not reflected in the submitted application.

Based upon staff's visit, the following conditions shall apply:

- C-1 The applicant shall utilize a design professional to reconfigure the interior layout to meet code requirements for interior tenant construction in accordance with the USBC.
- C-2 The applicant shall correct all deficiencies affecting construction, electrical, plumbing, and mechanical fixtures prior to operating the proposed school.
- C-3 The applicant shall cease all educational activities until the space conforms to code requirements and has an approved Certificate of Occupancy.
- C-4 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-5 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).

- C-6 Construction permits are required for this project. 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-7 Required exits, parking, and facilities shall be accessible for persons with disabilities.
- C-8 Certificate of occupancy shall be obtained prior to any occupancy of the building or portion thereof, in accordance with USBC 119.0.

Health Department:

- F-1 No Comment

Police Department:

- R-1 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the school.
- R-2 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703 838-4520 regarding a safety awareness program for all employees
- F-1 The Police Department has no objections to the school.

APPLICATION for SPECIAL USE PERMIT # 2005-00119

[must use black ink or type]

PROPERTY LOCATION: 4600 King street, suite 5A Alex, Va 22302

TAX MAP REFERENCE: 3,04-00-000 ZONE: OCM(C100)

APPLICANT Name: Ultimate Health Schools

Address: 4600 King street suite 5A Alex, Va 22302

PROPERTY OWNER Name: Dr Sappington

Address: 4600 King street suite 101

PROPOSED USE: Training Purpose
(commercial school)

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.

Aranqu L. N. Tomdico
Print Name of Applicant or Agent

[Signature]
Signature

4600 King street suite 5A
Mailing/Street Address

(703) 933-9430 (703) 933-0022
Telephone # Fax #

Alexandria, Va 22302
City and State Zip Code

10/05/05
Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

Application Received: _____ Date & Fee Paid: 10/20/05 \$ 500.00

ACTION - PLANNING COMMISSION: By unanimous consent recommended approval 1/3/06

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) 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.

Ultimate Health Care Services Inc.
4600 King Street, Suite 5A
Alexandria, Virginia 22302

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?

- 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)

The space is going to be used by Ultimate health care services inc to train Practical Nurses. The program will be running classes that goes on for one year, with 20 students admitted into a class. Classes will be held from Monday through Friday from 8am to 2:30pm. There are going to be about 5 employees in the office during working hours. About five months out the 12 months to complete the program will be at different health care setting for clinicals (Practical training). There is parking space designated at the back of the building on the Beauvegard street entrance and plenty of space in the front of the building and all around it as well. Inside the site, there is space for break room, classroom, library & Computer Room available to certain everybody inside.

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).

Five day week 9-5pm 5 employees
20 students from 8-2pm, 4pm to 10pm

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

5 employees from 9 to 5pm and 2 from
4pm to 10pm

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

Day:

Monday thru Friday
Saturday Sunday

Hours:

8am to 10pm
8am to 5pm if need be

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

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

Very little noise from talking.
Everything needed is within the suite

B. How will the noise from patrons be controlled?

There are going to be in class
during lessons and not in the corridors
or hall way. Break room is inside the suite. ^{leave after} _{classes}

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

N/A

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?

Waste Paper in classroom and after meal
within the suite

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

Normal Paper trash and break room &
bath rooms inside the suite, not much.

C. How often will trash be collected?

The hired cleaner will be in our
suite every day after hours to empty clean

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

Hired cleaner will clean the office
every day after hour.

*

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:

N/A

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:

N/A

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

Fire exit doors, fire extinguishers available all through the building & inside the suites.

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.

N/A

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?

1 space for every 2 students

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

 Standard spaces

35 Compact spaces

40 Handicapped accessible spaces.

3 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:

N/A

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? one

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

C. Where are off-street loading facilities located? N/A

D. During what hours of the day do you expect loading/unloading operations to occur?
once in a while during the
9a to 5pm

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

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?
yes

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? N/A square feet.

18. What will the total area occupied by the proposed use be?
1,800 sq. ft. (existing) + 2,200 sq. ft. (addition if any) = 4,000 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: Jefferson Medical Building
 other, please describe: _____

EUP2005-0119

ULTIMATE HEALTH CARE SERVICE INC

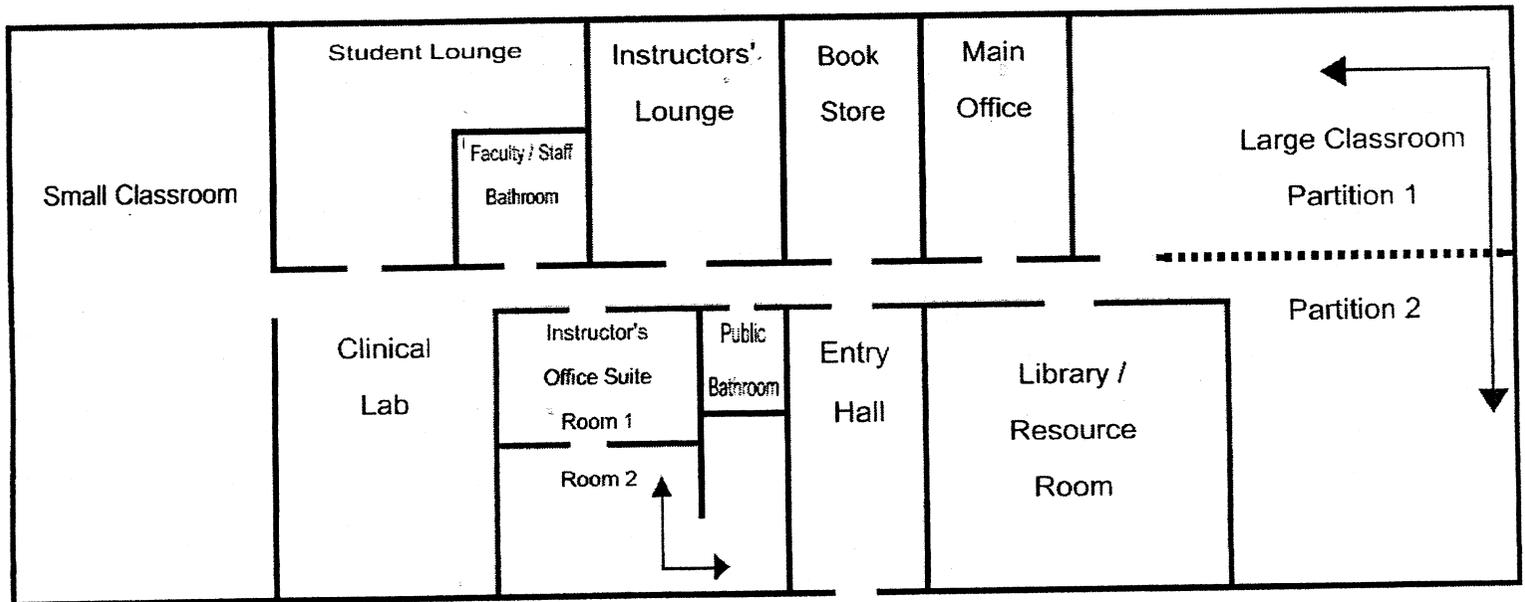
4600 KING STREET SUITE 5A

ALEXANDRIA VA 22302

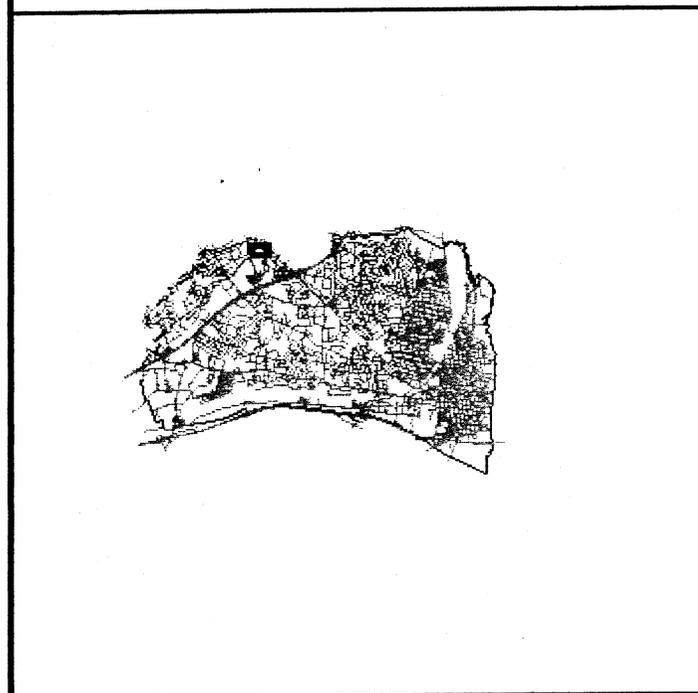
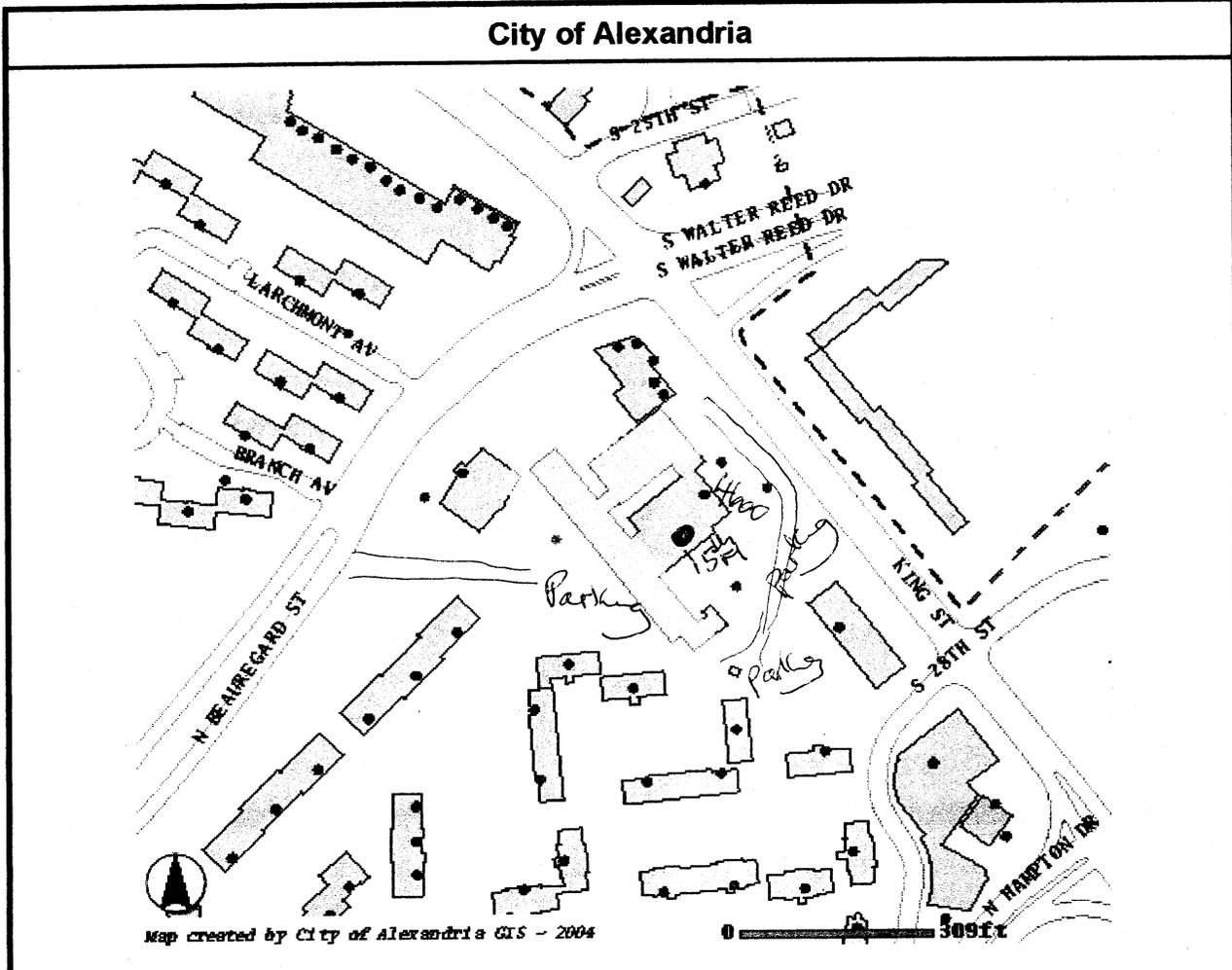
703 933 9430

Fax: 703 933 0022

Ultimate Health School - Suite 5a



OUP2005-0119



Legend

Selected Features

- ◆ Address Points
- Metrorail Stations
- Road Centerlines
- Roads
- Metrorail Tracks
- Railroads
- Buildings
- Parcels

Map Produced: 9/20/2005

17

3
2-25-06

City of Alexandria, Virginia

MEMORANDUM

DATE: FEBRUARY 27, 2006

TO: JACKIE HENDERSON, CITY CLERK

FROM: RICH JOSEPHSON, DEPUTY DIRECTOR, PLANNING AND ZONING 25

RE: WITHDRAWAL OF SUP #2005-0119, 4600 KING STREET,
ULTIMATE HEALTH SCHOOLS

Please note the attached withdrawal letter from the applicant for the above referenced case. Let me know if you need any further information.

Thanks.



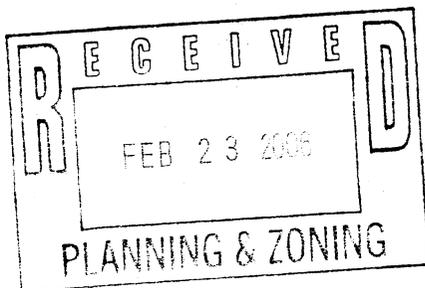
ULTIMATE HEALTH CARE SERVICES INCORPORATED
ULTIMATE HEALTH SCHOOL

DATE: February 23, 2006
TO: Department of Planning and Zoning
FROM: Arangu L. Ngundam/Administrator
SUBJ: City Of Alexamdria

Dear Mr Hunt

I am writing this note to inform the city that Ultimate Health Care services is moving out of the city. The Landlord has not responded to the construction repairs and the process is too costly for the company , therefore we are vacating the space by February 28th 2006

Arangu L. Ngundam-Tomdio RN
Program Direct



To: Mayor Euille and Members of City Council
From: Jackie M. Henderson, CMC, City Clerk and Clerk of Council
Subject: Deferral of Docket Item #3 for Saturday, February 25, 2006

Planning and Zoning Staff has requested that Docket Item #3 be deferred from Saturday's docket.