

**Alexandria Commission on Aging  
December 11, 2014 Minutes**

**Members Present:** Bob Eiffert , Carol Downs, Jan Macidull, Mary Lee Anderson, Charles Bailey, Alan Dinsmore, Sean Dunbar, Cedar Dvorin, Pat Killeen, Jane King, Michael Kreps, Dan Kulund, Mary Parker, Del Pepper, Annmarie Pittman

**Members Excused:** Joan Dodaro, Anestacia Graham, David Kaplan, Marjorie Vanderbilt

**Members Unexcused:** Elisabeth Palmer Johnson, Ben Kellom

**Liaisons Present:** Cynthia Pearce, Charles Houston Senior Center; Margaret Orlando, Recreation, Parks and Cultural Activities; Mary Belanich, Virginia Hospital Center; Linc Cummings, Arlington Commission on Aging; Bill Harris, Liaison, Affordable Housing Advisory Committee;

**Staff Members Present:** MaryAnn Griffin, Terri Lynch, and Debbie Ludington, Division of Aging and Adult Services; John Catlett, Code Administration; David Miller, Office of Human Rights; Ryan Price, Jim Roberts and Karl Moritz, Planning and Zoning;

**Guests Present:** Cathy Puskar, Walsh, Colucci, Lubely & Walsh, P.C.; Coleen Ryan Mallon, Goodwin House

1. Call to order: 4:03 PM by Chairman Bob Eiffert.
2. Introductions:
  - A. New COA Member: Annemarie Pittman
  - B. Interim Director of Aging and Adult Services: Terri Lynch, who serves in this position as MaryAnn Griffin retires the end of this month.
3. Approval of November Minutes: Approved as written. Data on seniors' participation in City recreation programs will continue to be sought.
4. Special Presentation: *Understanding Housing Laws*  
John Catlett, Director, City of Alexandria Code Administration  
David Miller, Office of Human Rights
  - A. Reasons for these presentations: Jane King noted that housing, especially affordable housing, is the #1 priority in the Strategic Plan for Aging. The COA needs to understand government requirements and limitations impacting housing development.
  - B. Federal, State, and City Housing Codes (John Catlett) – see attached
    - 1) State: the current residential code was adopted July 2014. This offers builders the option to use universal design. The State Homebuilders Association was “great” in supporting this, especially accessibility

- issues. When built to universal design, code enforcement will inspect to these requirements.
- 2) Local: The Dillon Law restricts local flexibility in housing codes. State exceptions must be sought for changes and are rarely made. Exceptions are typically for specific projects, not for classes of housing.
  - 3) Current local housing situation:
    - i. There is a glut of apartments. Less \$ value/building of single family dwellings. Thus, builders don't want to do anything to increase their development costs.
    - ii. Our market is targeting millennials whose housing preferences are cheaper to build, e.g., stacked vs. single level.
    - iii. Limited opportunities exist for single level housing. Many residents stay in Alexandria into their 50's and 60's who will be looking for this as they downsize. New single level development such as the Oronoco on N. Fairfax St targets high income buyers.
  - 4) Condo fees in single level buildings such as the Watergate at Landmark are high. Hard to find affordable single level housing in Alexandria.
  - 5) Karl Moritz, Acting Director of Planning and Zoning, described the "proffer" process. When special use permits enable a project's value to exceed that which would have occurred under existing (zoning) requirements, some benefit is expected to come back to the City from the developer. This is called a "proffer." These contributions are typically in the form of "voluntary" affordable housing contributions, based on a formula of \$1.85/sq. ft.
  - 6) Accessibility
    - i. Rental R2 (multi-family use) housing must have a certain number of Type A (meets ADA requirements) units. If sold, the Type A may be lost. Can't take away Type B units. Type A's don't sell – "people don't want them." Note: accessible housing is not necessarily affordable... or vice versa.
    - ii. Alexandria's Housing Master Plan was passed last year. Among its recommendations is an increased percentage of accessible units. This could be accomplished by establishing a policy re: City negotiations with developers and/or by making direct requirements of developers.
    - iii. The Virginia Housing Trust fund: suggested that COA look into how it may be involved in accessibility and affordability.
- C. Fair Housing requirements enforced by the Office of Human Rights (David Miller) - see attached.
- 1) Title 8, The Fair Housing Act, addresses discrimination against persons on the basis on race, national origin, disability, familial status. It does NOT include age discrimination. This Act allows for reasonable accommodations of the needs of disabled.

- 2) Disabled: those formally regarded as having a physical or mental disability, i.e., where one or more daily life activities is seriously impacted.
  - 3) Areas related to housing: purchase, rental, parking accommodations, changes to rental property during the time of the lease, ability to have service and support animals.
  - 4) Age-specific communities such as Greenspring are exempt from certain discrimination requirements, e.g., 55+ community. (Note: Virginia's definition of age-specific community is 55; federal is 62.)
5. Motos: (Dan Kulund) A 2 minute MOTOs exercise was led by Dr. Dan.
6. Executive Committee Report (previously included with agenda packet)
7. Committee Reports

A. Housing Committee (Jan Macidull)

- 1) The Housing Committee believes that the Commission should take a formal stand on proposed assisted living development projects in the City – for all income levels – as such development is a high priority in the Strategic Plan for Aging.
- 2) Committee recommendation for COA action regarding Alexandria Memory Care Center: “The Housing Committee moves that the Commission on Aging Support the elderly housing property Alexandria Memory Care Center, to include the affordable housing 40% fee buy-down for two units, available after occupancy achieves 94% (62 units).”
  - i. Cathy Puskar, attorney for the developer, updated the Commission on the project, including design changes made as a result of discussions with neighbors, including moving from 92 to 66 units, reducing height, and moving parking underground. The developer proffer for the affordable housing “equates to approximately \$1.5 million of affordability subsidy for residents who need the care, but cannot afford the full cost of the Center.” – see attached
  - ii. Jim Roberts, Planning and Zoning’s staff assigned to this project, said the project meets zoning’s current height requirements, retains 40% of the space open. Planning and Zoning supports the project.
  - iii. Bill Harris, former head of COA and the Housing Committee, said he had personally met with neighbors immediately adjacent to the project and there was little to no objection voiced. Neighborhood objection to such projects is not uncommon and is frequently retracted once a project has been completed, as with Chesterbrook.

- iv. Vote: All in favor, with the exception of abstentions by Council member Del Pepper and Senior Services Executive Director, Mary Lee Anderson.
- 2) Committee recommendation for COA action regarding the proposed Goodwin House Long Term Care Building: “The Housing Committee move that the Commission on Aging support rezoning that will enable expanded senior housing in a new long term care building on the Goodwin House Alexandria property.”
- i. Cathy Puskar, attorney for the developer, explained the first part of this coordinated development district would include a 90 bed new building. This would provide more private beds, staying within the number originally approved for Goodwin house. The developer proffer would normally be about \$100,000, based on the usual \$1.85 per square foot. Instead, the Goodwin House Fellowship (via its Foundation) proposes to provide equivalent subsidies to existing and/or new residents each year.
  - ii. Ryan Price of Planning and Zoning said they support this project as part of the Beauregard Small area plan, characterizing the design as “looking good.” The building is tucked away from the street, and is not out of scale with the neighborhood.
  - iii. Vote: All in favor with the exception of abstentions by Council member Del Pepper, Goodwin Foundation Board member Bob Eiffert, and SSA Executive Mary Lee Anderson.
  - iv. MaryAnn announced that yesterday Sunrise on Duke Street got a Special Use Permit (SUP) that will include one auxiliary grant bed for the City of Alexandria.
- 3) Next Housing Committee meeting: December 15, Panera Bread on Duke Street.

**B. Advocacy (Bob Eiffert):**

- 1) The City Manager has resigned to become the DC City Administrator, effective the end of December. Council member Pepper said no one has been appointed as Acting, although this will be done soon. She’s hopeful “we’ll have understanding to leave senior programs alone.”
- 2) Budget: Council member Pepper said there is a \$16 million gap projected. Council is trying to hang onto current programs vs. expand. There is a strong Council feeling not to expand taxes.

**8. Recognition of MaryAnn Griffin, Retiring Director of the Office of Aging and Adult Services**

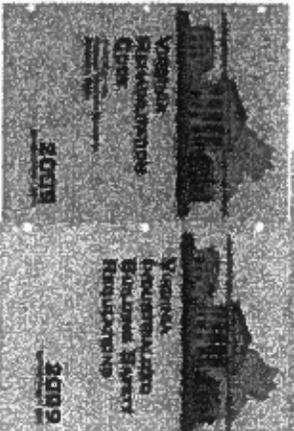
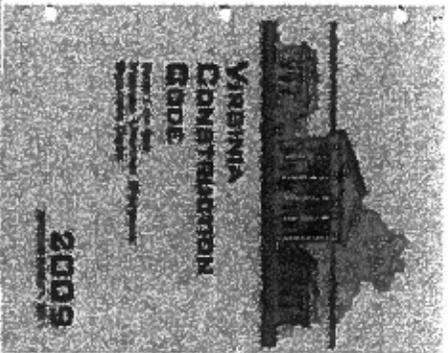
- A. Testimonials included Bob Eiffert's review of this department's history, including how well MaryAnn, over her twelve years, brought two previously independent units together. Del Pepper mentioned MaryAnn's recognition by At Home in Alexandria earlier in the month, where her many accomplishments were noted, including being a very "positive professional, well informed in her field, how fortunate we have been to have her." Jane King noted her "dogged efforts to get money for the Strategic Plan for Aging which has been so important in moving us forward." Carol Downs noted how "MaryAnn takes her job, but not herself, seriously." Mary Lee Anderson said "It has been a pleasure working with her. The relations between organizations have been great."
- B. A gift of the New Yorkers Book of Dogs was presented by Jane, in recognition of MaryAnn's love of dogs, including her three-legged therapy dog Gracie. Before partaking of cake, MaryAnn thanked the Commission for its work, especially on the Strategic Plan for Aging.

9. Liaison Announcements

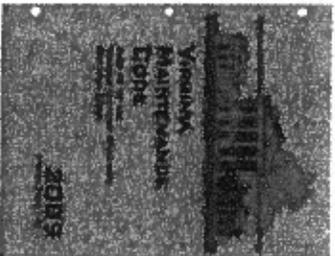
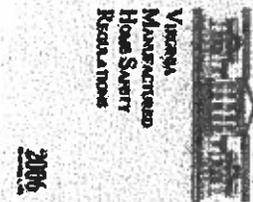
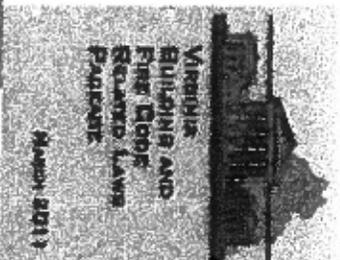
- A. Alexandria Commission on Persons with Disabilities (Mary Parker): Chuck Benaugh is resigning, to move to Fairfax County. ACPD will address the Alexandria Memory Care proposal at its January meeting.
- B. AHA Report – see attached
- C. St. Martins Senior Center Report – see attached

10. Adjournment: 6:03

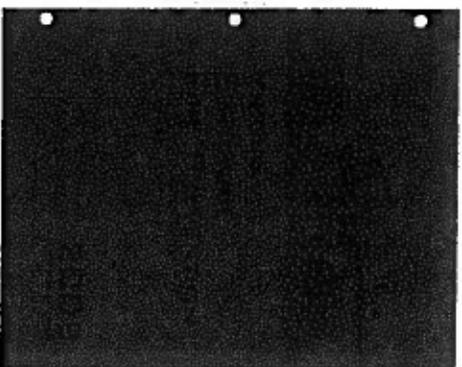
# USBC and ICC Codes



How We Build It



How We Maintain It



How We Use It

# Why Virginia has decided to have a Uniform Building Code System

- Provide a minimum standard
- Ensure health and safety of public
- Prevent building and construction failure
- Provide consistency, adoption, application
- Conserve energy
- Savings to consumer

# Scope

- USBC supersedes building codes of counties, municipalities and state agencies.
- USBC supersedes provisions of local ordinances applicable to single-family residential construction.
- USBC *does not* supersede proffered conditions, land use requirements, historic districts, flood plain regulations.

# What Limits More Local Power

- Home rule refers to a demand that constituent parts of a state be given greater self-government within the greater administrative purview of the central government.
- The "Dillon Rule," which states that municipal governments only have the powers that are expressly granted to them by the state legislature, those that are necessarily implied from that grant of power, and those that are essential and indispensable to the municipality's existence and functioning.

# R311.2.1 Interior passage

Where a dwelling unit has both a kitchen and a living or entertainment area on the same level as the egress door required by Section R311.2, an interior passage route shall be provided from such egress door to the kitchen and the living or entertainment area and to at least one bedroom and at least one bathroom containing a water closet, lavatory and bathtub or shower, where such rooms are provided on that same level. Any doors or cased openings along such interior passage route providing access to the areas identified above shall comply with the following.

1. Cased openings shall provide a minimum 34-inch clear width.
2. Doors shall be, at a minimum, nominal 34-inch doors.

**Exceptions:**

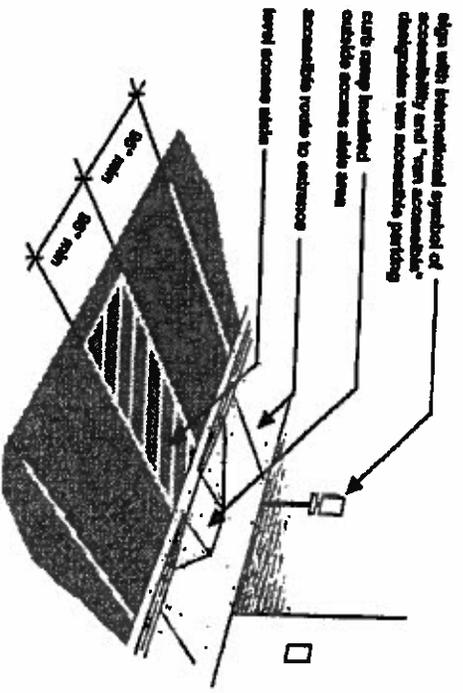
1. Where a door or cased opening, and its associated molding or trim, is at the end and facing the length of a hallway and the width of the hallway is not wide enough to accommodate such doors or cased openings.
2. Closet doors or cased openings.
3. Pantry door or cased openings.
4. Bathrooms accessed directly from a bedroom that is not required to comply with this section.

## **R320.2 Universal design features for accessibility in dwellings.**

- Dwellings constructed under the IRC not subject to Section R320.1 may comply with Section 1109.16 of the USBC and be approved by the local building department as dwellings containing universal design features for accessibility.

# Section 1106.1 – Required (Parking)

- Each parking facility to be considered separately
  - Exceptions include bus, truck, delivery, law enforcement vehicles
  - Motor Pool lots
  - Impound lots
- Two tables:
  - Uses with the greatest public access increased



# Table 1106.1 (1) and 1106.1 (2)

Table 1106.1(1)  
Accessible Parking Spaces for Groups A, B, E, M, R-1, R-2, and J<sup>a</sup>

Total Parking Spaces Provided	Required Minimum Number of Accessible Spaces
1-25	1
26-50	2
51-75	3
76-100	4
101-125	5
126-150	6
151-200	7
201-300	8
301-400	9
401-500	10
501-1,000	2.33% of total
1,001 and over	23, plus one for each 100, or fraction thereof, over 1,000

<sup>a</sup> Condominium parking in Group R-2 occupancies where parking is part of the unit purchase shall be in accordance with Table 1106.1(2).

Table 1106.1(2)  
Accessible Parking Spaces for Groups F, S, H, R-3, R-4, and U

Total Parking Spaces Provided	Required Minimum Number of Accessible Spaces
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1,000	2.0% of total
1,001 and over	20, plus one for each 100, or fraction thereof, over 1,000

Title VIII of The Civil Rights Act of 1968, as amended  
The Fair Housing Act (“Act”)

**I. Housing covered by the Act.**

The Fair Housing Act covers virtually all housing with limited exemptions for owner-occupied buildings with four or less units, single-family housing sold or rented without the use of a broker, and housing operated by organizations and private clubs that limit occupancy to members.

**II. Prohibited conduct**

The Fair Housing Act prohibits discrimination in the sale, rental, terms, conditions or privileges of housing based on race, color, national origin, religion, sex, familial status or disability.

Specifically it is unlawful to:

Refuse to rent or sell housing

- Refuse to negotiate for housing
- Make housing unavailable
- Set different terms, conditions, or privileges for sale or rental
- Provide different housing services or facilities
- Falsely deny that housing is available for inspection, sale or rental
- For profit, persuade owners to sell or rent (blockbusting)
- Deny any access to or membership in a facility or service (such as a multiple listing service) related to the sale of housing
- Refuse to make reasonable accommodations in rules or services if necessary for a disabled person to use the housing
- Refuse to allow a disabled person to make reasonable accommodations to his/her dwelling

**In Mortgage Lending:** No one may take any of the following actions based on race, color, national origin, religion, sex, familial status or disability:

- Refuse to make a mortgage loan
- Refuse to provide information regarding loans
- Impose different terms or conditions on a loan, such as different interest rates, points, or fees
- Discriminate in appraising property
- Refuse to purchase a loan or
- Set different terms or conditions for purchasing a loan.

**It is illegal for anyone to:**

- Threaten, coerce, intimidate or interfere with anyone exercising a fair housing right or assisting others who exercise that right.
- Advertise or make any statement that indicates a limitation or preference based on race, color, national origin, religion, sex, familial status, or disability. This prohibition against discriminatory

advertising applies to single-family and owner-occupied housing that is otherwise exempt from the Fair Housing Act.

### III. Disability Rights Under The Fair Housing Act

If a person has a (1) physical or mental disability that substantially limits one or more major life activities, (2) have/has a record of such a disability or (3) is regarded as having such a disability.

- Requires housing providers to make reasonable accommodations for persons with disabilities. A reasonable accommodation is a change in rules, policies, practices, or services so that a person with a disability will have an equal opportunity to use and enjoy a dwelling unit or common space. A housing provider should do everything s/he can to assist, but s/he is not required to make changes that would fundamentally alter the program or create an undue financial and administrative burden.

A landlord may not refuse to let a person with a disability make reasonable modifications to his/her dwelling or common use areas, if necessary for the person with a disability to use the housing. The accommodation/modifications may be permitted at the expense of the requestor and the landlord may require that the accommodation/modification be removed and the property restored to its original condition when the requestor moves out.

Examples:

- **Parking** - An apartment complex that offers tenants' ample, unassigned parking must honor a request from a mobility-impaired tenant for a reserved space near his/her unit if necessary to assure access to the unit.
- **Modification of Rule or Policy** – Apartment complex's rule states that all building notices are posted in the lobby and the elevators on each floor. A tenant with mobility impairment may request that notices be placed under the door to the unit or by email.
- **Pet Policy** – An apartment complex that prohibits pets or charges a pet fee is required to allow a service animal, and cannot charge a "pet" fee. A service animal is not a "pet."

### IV. Requirements for New Buildings

In buildings that are ready for first occupancy after March 13, 1991, and have an elevator and four or more units:

- Public and common areas must be accessible to persons with disabilities
- Doors and hallways must be wide enough for wheelchairs
- All units must have: An accessible route into and through the unit
- Accessible light switches, electrical outlets, thermostats and other environmental controls
- Reinforced bathroom walls to allow later installation of grab bars and
- Kitchens and bathrooms that can be used by people in wheelchairs.

If a building with four or more units has no elevator and will be ready for first occupancy after March 13, 1991, these standards apply to ground floor units.

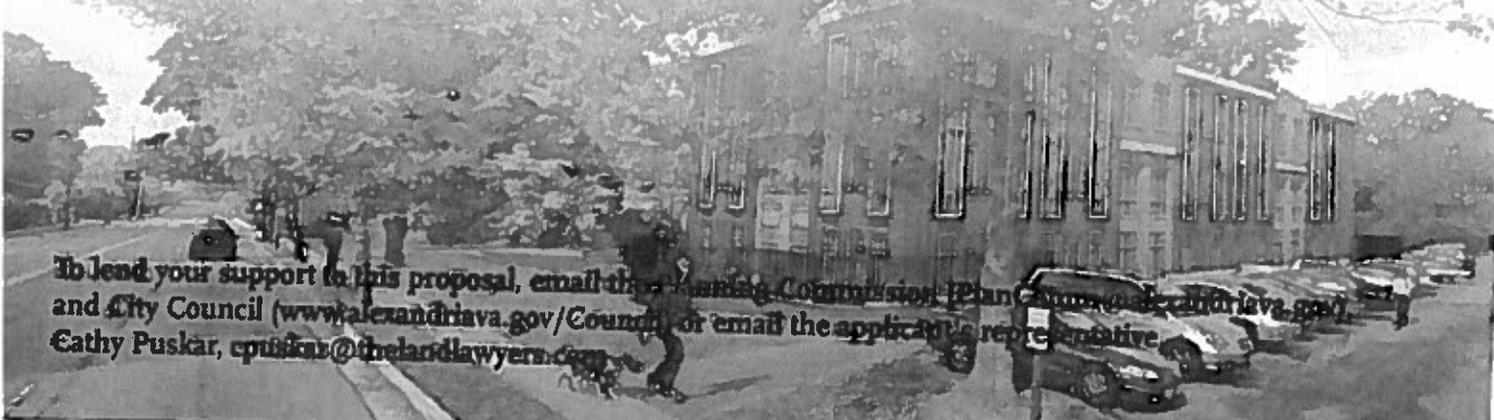
# THE ALEXANDRIA MEMORY CARE CENTER

## Proposal Data Sheet

Changes made to the proposal in response to community and staff comments	Original Concept Plan (April 2013)	Current Proposal (November 2014)
Zoning	RCX	RB
Floor Area	80,000 sf	42,734 sf
FAR (Floor Area Ratio)	1.4 FAR	0.75 FAR
Building Height	50 feet	35 feet
Number of Floors	4 floors	3 floors
Number of Units	92 units	66 units
Building Setback from King Street	25 feet	65 feet
Open Space Provided	31.75%, 18,090 sf	39%, 22,100 sf
Parking	23 spaces (50% of required)	33 spaces (100% of required)
Trip Generation	16 peak AM, 27 peak PM	11 peak AM, 15 peak PM

- The proposed use is consistent with the institutional use and height recommendations of the Small Area Plan and properly located among institutional uses along King Street.
- The site has been thoughtfully designed to mitigate impacts on the neighborhood and the Center incorporates high quality architectural design and materials comparable with the neighborhood.
- The building design is consistent with the 35' height limitation for the area, is set back 65' from King Street, which greatly exceeds the requirement of 30' front setback in the R-8 zone, and provides 39% open space and the 33 required parking spaces on site with 4 spaces near the entrance and 29 spaces in the underground garage.
- The Center will produce minimal traffic.
- The Center's functions are comparable with and complement Woodbine's functions and will provide 49 new jobs and additional tax revenue for the City.
- The Center addresses the housing goal of the Strategic Plan on Aging by providing much needed supportive care for Alexandria's seniors and their families within the City of Alexandria's limits.

To lend your support to this proposal, email the Planning Commission (PlanComm@alexandriava.gov) and City Council (www.alexandriava.gov/Council) or email the applicant's representative, Cathy Puskar, cpuskar@thelandlawyers.com



# THE ALEXANDRIA MEMORY CARE CENTER

## Senior Housing in Alexandria Today

*There is a significant need for senior housing solutions in Alexandria.*

ALEXANDRIA	2000 Census	2014 Estimate	2019 Projection
Age 55-74	15,691	26,838	32,504
Age 75+	6,195	6,183	7,463
TOTAL Age 55+	21,886	33,011	39,967

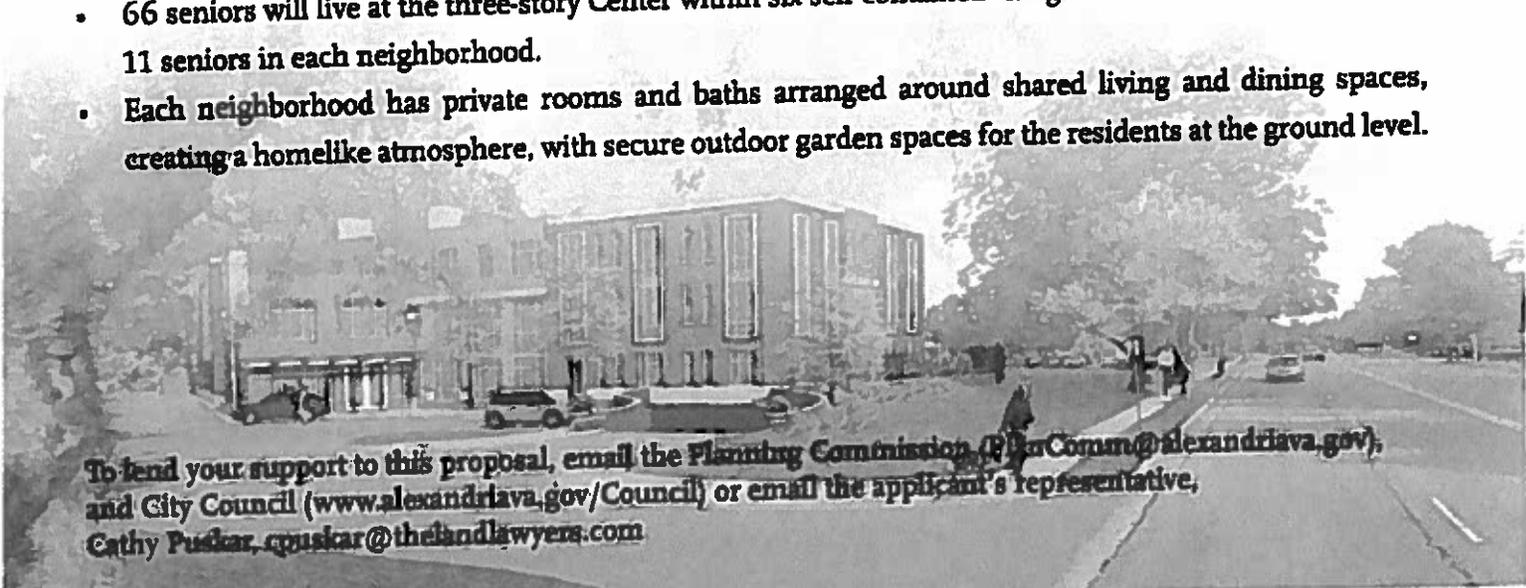


- Despite the increase in aging population, there have been no new assisted living facilities constructed in Alexandria since 1997 when 80 beds, including only 30 memory care beds, were opened by Sunrise of Alexandria.
- Today there are 130,000 Virginians living with Alzheimer's and that number is projected to increase by 46% to 190,000 Virginians by 2025. (Source: Alzheimer's Association, 2014 Alzheimer's Disease Facts and Figures)
- The City's Strategic Plan on Aging states "the lack of sufficient senior independent and assisted living facilities impedes the ability [of Alexandrians] to age in or near the City."

## The Proposal

*The Alexandria Memory Care Center provides a housing solution for Alexandria's seniors.*

- The Alexandria Memory Care Center is a proposed senior living facility specifically designed to provide care for people with dementia, including Alzheimer's Disease.
- Perkins Eastman, an architectural firm with particular expertise in the design of memory care facilities, has thoughtfully designed the Center using a social model based on a neighborhood design concept, recognized by the senior living industry as a best practice.
- 66 seniors will live at the three-story Center within six self-contained "neighborhoods," accommodating 11 seniors in each neighborhood.
- Each neighborhood has private rooms and baths arranged around shared living and dining spaces, creating a homelike atmosphere, with secure outdoor garden spaces for the residents at the ground level.



To lend your support to this proposal, email the Planning Commission ([PlanComm@alexandriava.gov](mailto:PlanComm@alexandriava.gov)), and City Council ([www.alexandriava.gov/Council](http://www.alexandriava.gov/Council)) or email the applicant's representative, Cathy Puskar, [cpuskar@thelandlawyers.com](mailto:cpuskar@thelandlawyers.com)

## At Home in Alexandria December 2014 Report

At Home in Alexandria (AHA) celebrated it's Third Annual Benefit , Sunday, November 9 at Laporta's Restaurant in Alexandria. The major fundraising event is held each year to enable AHA to provide services to members who rely on AHA to be there when they need assistance. The theme of the event, "Bella Italia!" was evident in the lively music, decorations and food.

The highlight of the evening was in presenting the 2014 AHA's Community Spirit Award to MaryAnn Griffin, Division Director of Aging and Adult Services for the City of Alexandria. MaryAnn has been an advocate for older Alexandrians since 2003. We can't think of a better recipient for this honor.

Julie Carey, Northern Virginia bureau chief for NBC4, kept the evening flowing as Mistress of Ceremonies. Barbara Rosenfeld, Chair of the AHA Board of Directors, thanked the supporters of the event and the many volunteers who helped make the event a wonderful success.

Report submitted by Carol Downs

**St. Martin de Porres Senior Center Highlights Report for November 2014**  
**to the Alexandria Commission on Aging Meeting in December 2014**

- St. Martin de Porres Senior Center re-opened in a temporary location on Monday, November 17, 2014, for more information about our re-opening please read the statement at the bottom of this report.
- Volunteers livened the center with a colorful and crowd-pleasing Cultural Learning Series on Panama. The participants had the opportunity to watch a video with traditional dance and music. After the presentation, the seniors were able to view and hold cultural artifacts like hand woven baskets and jewelry! The volunteers wore traditional pollera dresses and their hair was adorned with fish scale tembleque! The volunteers in costume went around each table and took pictures with the participants!
- For the first field trip of the month, seniors had fun mall walking and shopping at the newly renovated Springfield Town Center. The participants especially enjoyed staying warm with free samples of tea and being conveniently inside this large indoor mall.
- The adventures continued on our second field trip where seniors explored the Torpedo Factory Art Studios and King Street. Seniors enjoyed the location that day, as the Torpedo Factory has many views to watch flurries of snow come down over the Potomac River. After gazing at the weather and the art, seniors warmed up on the Old Town Trolley and made a trip to a local cafe for tea!
- Being in a new location did not stop us from enjoying a Thanksgiving Party! The participants and staff danced to singing and music before enjoying boxed lunches!
- Daily exercise such as Line Dancing, Indoor Bowling, and Zumba was lead by Certified Instructors.
- Indoor Miniature Golf and Bean Bag Tossing were the most physically energetic among the stimulating games this month that also included Bridge, Hangman, and 10 Cent Bingo.
- Our usual schedule of activities also included Tuesday morning shopping trips, Interreligious and Catholic prayer opportunities, bread raffles, and more.
- Aging Wellness in Amharic and Spanish did not meet in November. In January, Aging Wellness Programming will be rescheduled to the second Wednesday of each month!

St. Martin de Porres Senior Center is happy to announce that we re-opened and will be operating temporarily from Queen of Apostles Church Hannan Hall located at 4329 Sano Street, Alexandria, VA 22312. For more information and reservations, please contact us by calling 571-336-2365 or emailing [ktoohey@ccda.net](mailto:ktoohey@ccda.net).

**Submitted by: Kathryn Toohey, Senior Center Director, St. Martin de Porres Senior Center**