

From: Adam Stickler

Sent: Sunday, June 16, 2024 9:29 PM

To: Alexa N Powell <alexa.powell@alexandriava.gov>

Cc: Nathan Randall <Nathan.Randall@alexandriava.gov>; eisensqboard@gmail.com

Subject: Re: Rushmark South Tower extension community follow-up

Ms. Powell:

Thank you for your reply. What is the status of the Staff Report, which was scheduled to be completed on June 13, 2024? We would also like to know if our objections noted in the report?

We acknowledge Rushmark's request to repair the fence that is in poor condition; however, our goal is to have them turn the property into a mixed-use usable lot in the interim until such time construction can begin. Rushmark is not maintaining the property like they indicated they would, as demonstrated by the current fence, vegetation, missing tree, and trash in the chain link fence portion along Eisenhower Avenue.

Following your recommendation and on May 30, 2024, I contacted Rushmark's Counsel Catherine Puskar to express our concerns and inquired when the land would be built by Rushmark. Ms. Puskar responded to me stating in part, "It is unclear when Rushmark will commence construction on the building, as it will be determined by market conditions, which still are not favorable at this point." On May 31, 2024, I received an email from Neal Kumar, Vice President of Rushmark which stated in part, "We are planning to start construction as soon as possible (a year)" which contradicts information provided by Ms. Puskar, Rushmark's Counsel. It should also be noted Rushmark has had the opportunity to begin construction as initially permitted for more than **10 years**. Repurposing the land into something useful until such construction can begin is not an unreasonable request.

Further, Rushmark asserted in the attached email that the land was unable to be converted into an interim mixed-use lot due to wires, etc. We have obtained photographic evidence contrary to Rushmark's claims. In addition, the land in question was used as a temporary staging area for the construction of the Wilson Bridge. We do not appreciate being misled by Rushmark. The previously referenced email communication is attached. As additional background, in 2022, Rushmark indicated to Legumn and Norman (our property management company) that they intended to begin construction in 2023, which did not happen. We also understand that Rushmark was generating interest to sell the property as recently as this year. These actions do not demonstrate good faith with the community and the City and are misleading.

Regarding the floodplain concern, we have expressed our request to have Rushmark address that on our behalf without asking the residents of Eisenhower Square to incur a significant financial cost of more than \$18,000 for the civil engineering expenses alone, to rectify the problem. Please refer to the previously referenced attached email communication with Rushmark.

The 2018 LOMR-F removed the south side of the site only up to the base flood elevation, we assume using the old FIRM 100-year flood boundary. The 100-year and 500-year flood boundaries changed slightly from 2011 to 2024. If FEMA had used the most recently available elevation data, the entire site would have been removed from the 100-year flood plain and would not have resulted in the entire community being placed in this predicament. We are seeking the City's assistance to help us resolve this matter along with Rushmark who had primary responsibility for the flood plain and should have been monitoring this process throughout delivery of the final lot in Eisenhower Square, not just filing a letter of map revision for the remaining lot on the master association just to position themselves for a permit renewal.

We are a community – not an industrial zone. It would not be considered appropriate for a vacant lot to stand in communities like Old Town or Del Ray for such long-term construction timeframes. We request that the City take action similar to other parts of Alexandria and the greater Washington, D.C. area to turn this into a usable green space until Rushmark decides to build. To accomplish this, we request that the City act as a mediator to help create a usable green space until the construction can be done and support the fix to the flood plain before this goes to a vote for City Council on July 2, 2024.

Thank you,

Adam

Adam C. Stickler

President

Eisenhower Square Homeowner's Association, Inc.

Alexandria, Virginia