

13
6-15-13

Jackie Henderson

From: Rak, Jonathan P. <jrak@mcguirewoods.com>
Sent: Friday, June 14, 2013 10:55 AM
To: William Euille; Allison Silberberg; John Chapman; Timothy Lovain; Del Pepper; Paul Smedberg; Justin Wilson; Jackie Henderson
Cc: Mark Jinks; Faroll Hamer; Gwen Wright; Emily Baker; John L. Simon (john.simon@howardhughes.com); Gabriel Chung (gabriel.chung@howardhughes.com); Joe Luce (jluce@advisors-llc.com)
Subject: Landmark Mall Docket Item 13
Attachments: ltr to council.pdf

Mayor Euille and Councilmembers,

I have attached a letter requesting one change to the Landmark Mall DSUP conditions. Thank you for your consideration.

Jonathan P. Rak
McGuireWoods LLP
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McLean, Virginia 22102
703-712-5411 Direct Dial
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jrak@mcguirewoods.com

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June 14, 2013

VIA EMAIL

Honorable Mayor William D. Euille and
Members of the City Council
301 King Street, Suite 2300
Alexandria, VA 22314

RE: Landmark Mall - REZ#2013-0002; DSUP#2013-0004

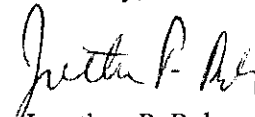
Dear Mayor Euille and Members of the Council:

On behalf of our client, Howard Hughes Corporation, we request that you amend the proposed DSUP conditions as follows:

75. The applicant shall submit a letter to the Director of Transportation & Environmental Services prior to release of the final site plan acknowledging that this property will participate, if the City adopts a plan prior to release of the building permit, to require equal and proportionate participation in an improvements plan to mitigate wet weather surcharging in the Holmes Run Trunk Sewer sanitary sewer shed. Participation in the funding shall be consistent with the plan adopted by the City limited to the net increase in sewer capacity, with full credit for the existing capacity authorized by site plan #85-052. (T&ES)

We look forward to discussing this change with you further at the hearing. Please do not hesitate to contact me should you have any questions before that time.

Sincerely,


Jonathan P. Rak

cc: Gwen Wright
John Simon
Gabriel Chung
Joseph Luce

McGuireWoods LLP
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Members of the City Council
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Alexandria, VA 22314

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Sincerely,


Jonathan P. Rak

cc: Gwen Wright
John Simon
Gabriel Chung
Joseph Luce

This limitation shall only apply to DSUP 2013-0004 and shall not affect the sewer connection fees.

DOCKET ITEM NO. 13

PLEASE COMPLETE THIS FORM AND GIVE IT TO THE CITY CLERK
BEFORE YOU SPEAK ON A DOCKET ITEM

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: Jonathan Rak
2. ADDRESS: 1750 Tysons Blvd. McLean, VA 22102
- TELEPHONE NO. 703 712 5411 E-MAIL ADDRESS: jrak@mcguireward.com
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? _____
Applicant
4. WHAT IS YOUR POSITION ON THE ITEM?
FOR: AGAINST: _____ OTHER: _____
5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):
Attorney
6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL?
YES NO _____

This form shall be kept as a part of the permanent record in those instances where financial interest or compensation is indicated by the speaker.

A maximum of three minutes will be allowed for your presentation, except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard on a docket item shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation. If you have a prepared statement, please leave a copy with the Clerk.

Additional time not to exceed 15 minutes may be obtained with the consent of the majority of the council present; provided notice requesting additional time with reasons stated is filed with the City Clerk in writing before 5:00 p.m. of the day preceding the meeting.

The public normally may speak on docket items only at public hearing meetings, and not at regular legislative meetings. Public hearing meetings are usually held on the Saturday following the second Tuesday in each month; regular legislative meetings on the second and fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item at a legislative meeting can be waived by a majority vote of council members present but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply. If an item is docketed *for public hearing* at a regular legislative meeting, the public may speak to that item, and the rules of procedures for speakers at public hearing meetings shall apply.

In addition, the public may speak on matters which are not on the docket during the Public Discussion Period at public hearing meetings. The mayor may grant permission to a person, who is unable to participate in public discussion at a public hearing meeting for medical, religious, family emergency or other similarly substantial reasons, to speak at a regular legislative meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply.

Guidelines for the Public Discussion Period

(a) All speaker request forms for the public discussion period must be submitted by the time the item is called by the city clerk.

(b) No speaker will be allowed more than three minutes; except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard during the public discussion period shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation.