

September 7, 2012

By E-Mail To: [alice.kelly@dc.gov](mailto:alice.kelly@dc.gov)  
With Original By First-Class Mail

Ms. Alice Kelly  
Manager , Policy Branch  
Policy, Planning & Sustainability Administration  
District Department of Transportation  
55 M Street, SE, Suite 500  
Washington, DC 20003

Dear Ms. Kelly –

I was one of the participants in the industry meetings held at DDOT during the summer regarding the overhaul by DDOT and DCRA of the DC sign regulations. I have reviewed a copy of the proposed new regulations and wanted to offer some comments for revisions. Before I offer my comments, however, let me first thank and compliment you and the entire team who worked on this project. This was no easy task, yet I think a very good work product was achieved.

Below are my comments to the proposed regulations –

1. The Code Official Should Have Latitude in Special Circumstances. In the current sign regulations, there is a provision granting the Director of DCRA authority to issue a special permit for signage under special circumstances. This provision seems to have been eliminated from the new sign regulations. It should remain, as it provides an ability to go through a regulatory review for a sign that does not meet any of the specified categories. I recently utilized this provision and this process to obtain sign permits at The Fairgrounds, next to your building and the Nationals Stadium. The Fairgrounds' signs did not fit into a category under the current regulations, and I don't see where they might fit

under the new regulations. The "Special Permit" provision in the current law reads:

3107.6.6 Special Permits. The code official is authorized to issue a permit to erect and maintain a sign not conforming with this Section if the code official finds that such sign or conditions surrounding such sign are unusual in character, of a type infrequently encountered, and that approval of the permit will provide an equitable application of this Section basically in keeping with its purpose and intent. The code official in each such special permit is authorized to impose such terms and conditions as he or she may deem necessary. Any sign erected under a special permit shall be removed at or prior to the time specified in the permit for the removal of such sign. If no time is specified, then such sign shall be removed not later than ten (10) days after notice from the code official to do so.

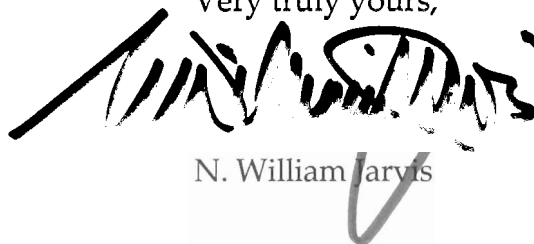
It is my suggestion that this provision is added to the new regulations as a new Section 205 entitled CODE OFFICIAL AUTHORIZATION.

2. Progression Place As A Designated Entertainment Area. A digital sign has been contemplated, designed, and Zoning Commission-approved for the commercial building known as Progression Place (7<sup>th</sup> and S Streets, NW). At one time, Radio One and TV One were to make their headquarters at this location, and the digital/electronic sign was part of the media activity envisioned for these entities. The size and placement of the digital sign was approved by the Zoning Commission in the PUD for the project. The sign has since been conceived to be part of the perks for tenants (now with UNCF (United Negro College Fund) having established its headquarters in the building), and the neighborhood (because of the building's adjacency to The Howard Theatre). I am part of the ownership group of Progression Place, and we need approval for this one digital sign at the location. Consequently, I would like to add a new subsection (e) to Section 800.2, which will read: "(e) The Progression Place Project located at Parcel 33 – Square 441, Lot 2013, on the corner of 7<sup>th</sup> and S Streets, NW;" The current subsection (e) of Section 800.2 would then become subsection (f).

3. Gallery Place. For the past 6 to 9 months, I have also been working with the Office of Planning (Harriet Tregoning and Patricia Zingsheim) on behalf of the ownership group of Gallery Place to obtain a permit for a digital sign in the alleyway between Gallery Place and the Verizon Center under the terms of the current Gallery Place Graphics Legislation, which will become Section 806.1 under the new regulations. The digital sign we are proposing for the Gallery Place Alleyway is not prohibited, and can be permitted and erected once it passes both OP's review and the Chinatown Design Review process. However, under the new regulations, Section 806.1 only references "Illustrations 1 through 6" to describe the approved signs for Gallery Place. The proposed Alleyway sign is not currently within Illustrations 1 through 6. Consequently, I would like to insert the words ", and any additional permits for signs issued under these regulations" after the words "permitting official" at the end of the current sentence that is Section 806.1. This revision should allow for the permitting of the proposed Alleyway sign.

I am available at any time to speak or meet with you or any member of your team to clarify any of the above proposed revisions. Please let me know if I should send this information directly to anyone else. It is my hope that these revisions would be included in the version of the regulations that are submitted to the DC City Council for approval. I thank you in advance for your consideration. Again, I also thank you for all of your work on this project. Best regards.

Very truly yours,

A handwritten signature in black ink, appearing to read "N. William Jarvis", with a large, stylized flourish extending from the end of the signature.

N. William Jarvis

NWJ:st