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Ms. Alice Kelly, Manager  
Policy Branch, Policy, Planning, and Sustainability Administration  
District Department of Transportation  
55 M Street, S.E., 5<sup>th</sup> Floor  
Washington, DC 200033

Dear Ms. Kelly,

Thank you for the opportunity to comment on the proposed sign ordinance. I'm an urban dweller and the city's most enthusiastic and passionate urban living advocate. I'm a condo owner and full time resident at Gallery Place and work 5-blocks away in Penn Quarter. I'm also a residential real estate sales associate with a client base also concentrated in Penn Quarter. I've lived and worked in the neighborhood for more than 12 years; I know it well.

For the most part, my comments are limited to the sign provisions that either impact or protect downtown residential living. **I'm very appreciative for the provisions in Section 805 that protect residential property and buildings from the impact of large signs**. However, I also have other concerns that stem from provisions that do not protect residential uses/ property/ buildings in commercial districts. While the ordinance contains a number of provisions to protect residential districts, it doesn't offer protections to residents in residential buildings that are part of a mixed use development in a commercial district. Please refer to each of the provisions below for specific comments.

#### **Chapter 4: Signs Subject to Review by the Historic Preservation Board**

403 – Provision: This proposed provision prohibits billboards and special signs on historic landmarks and in historic districts.

Concern: These provisions are appropriate, but should also be extended to Roof Top signs and variable Message signs. The presence of these signs will significantly alter the historic character of the district, historic property, and historic viewshed.

Suggestion: Digital and electronic signs should be also be prohibited on historic landmarks and in historic districts.

404 – Provision: Master signs plans are “encouraged” for buildings that house multiple tenants or activities that require several signs.

Concern: This provision does not apply to residential uses in mixed use developments located in commercial districts. A Master Sign program will help to coordinate signage among various users and owners.

Suggestion: Master signage plans should be required for commercial properties that include residential uses.

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## **Chapter 6: Signs on Public Space**

606.5 – Provision: This provision regulates pedestrian path clearances.

Concern: Several businesses in Penn Quarter put signs in the center of the sidewalk.

Suggestion: Require signs to be placed within a specified distance of the building façade so that pedestrians do not have to maneuver around signs that are in the center of the sidewalk with crowds of people walking down the street.

## **Chapter 7 – Signs on Private Property.**

The sign ordinance does NOT AFFORD residents living in mixed use development projects located in commercial districts any level of protection from the impacts of signage. Residents living in these mixed use projects extend to the 5,000 + residents living in Penn Quarter area. This is in addition to the thousands of residents living in Mt. Vernon Triangle, NOMA, and Adams Morgan, as well as the thousands of residents the city wants to attract in its expanding city center.)

While resident's in mixed use developments are tolerant of the conditions that go along with urban living (mix of uses, more noise, and light), it is unreasonable that downtown resident's, after investing \$400k to \$1 Million plus for a small dwelling unit-- that significantly contributes to the tax base, --should not be afforded protection from the impacts associated with EXCESS light and noise. A LEVEL OF PROTECTION is warranted to allow citizens --who purchase or rent a home in Washington's "livable" downtown-- enjoyment of their living quarters.

Suggestion: For each provision in the sign ordinance that protects "residential districts" there should be reasonable protections for residential uses/ property/ buildings in commercial districts.

Sign provisions are need to

1. protect residences from an excessive visual pollution and clutter caused by signs directly across or within 500 feet of a residential use
2. protect residences from bright, flickering, and bouncing light, and audio from signs on or across from a residential use – regardless if the use is in a residential or commercial district. Digital signs, particularly electronic billboards such as those at 7<sup>th</sup> and H Street) bounce light off of surrounding buildings that flood residential homes is that sit above the signs with excessive light. It unreasonable to expect home owners to live with black out shades.

709 and 712.1 – Provision: These sections restrict Roof Signs and Variable Message Signs in residential districts.

Concern: Residential uses in commercial districts are not afforded any protection.

Suggestion: A provision should be added to prohibit electronic, illuminated roof signs, or variable message signs across or within 500 feet of residential districts or residential uses in commercial districts.

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712.7 – Provision – This provision allows up to 6 ads to be flashed on a screen every minute.

Concern – There are no provisions for the brightness of these flickering lights nor the location of these digital signs in relation to surrounding residential buildings. See comments regarding bright, flickering, bounding light under general comments above.

Suggestion: Brightness should be regulated and Variable Message Signs should be prohibited from locating on, across from, or within 500 feet from a residential district or a commercial building with residential uses. This should apply to ALL areas including Designated Entertainment Areas designated by the Mayor.

724 - Provision: This section limits illumination of signs in residential districts to white lights only and prohibits fluctuating, pulsating, or moving lights.

Concern: Residential uses in commercial districts (mixed use projects) are not afforded any protection from the impacts of illuminated signs addressed in this provision. This impacts the ability to rest peacefully in one's own home.

Suggestion: A provision should be added to restrict illumination of signs across or within 500 feet of residential uses (mixed use projects) in commercial districts to white light that does not fluctuate, pulsate, or move.

Other – a provision should be included that prohibits audio from any sign on or adjacent to public space.

## **Chapter 8: Designated Entertainment Area Signs**

800. Provision – Gallery Place, the Verizon Center, among other locations are Designated Entertainment Areas (DEA). The provision also allows the Mayor to designate a DEA. These provisions do not protect residential uses in commercial districts in an DEA.

Concern: The provision allows the Mayor to designate Entertainment Area is problematic. Such a designation changes the use and character of an area and will result in spot zoning. It circumvents due public process, it should require public meetings and vote by the entire council.

800.5 Provision - Allows projection of static or moving images onto Gallery Place and other 'entertainment' areas. Except for Gallery Place and Maine Ave. in SW, this provision appears to protect residential uses.

Concern: this provision does not protect residential uses in Gallery Place. Residents in mixed use areas in commercial districts should not be subject to static or moving images projected onto the wall of their building or onto their windows.

Suggestion: Restrict these projections to the Commercial floors only

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805 - These provisions, among other things:

- Allow up to 1,200 square foot signs that can be illuminated, including Variable Message Signs that may be digital with bright, moving, fluctuating, and pulsating images;
- Allow up to 6 images to display per minute
- Allow Special Signs as approved by the Council.
- *“protects” the vision of drivers and states that this light cannot directly or indirectly cast light into residential units or adversely impact an owners enjoyment of residential property located within or adjacent to a DEA. **(THANK YOU!)***
- *Prohibit audio **(THANK YOU!)***
- *Prohibit signs from being placed on the exterior of any building that is directly across from and parallel to any residential building **(THANK YOU!)***
- Prohibit roof signs from being closer than 500 feet to a residential district, the national mall, a national memorial, the U.S. Capitol, or the White House. (Suggest this provision be modified to be 500 feet from a residential use (property/ building))

While I believe that 1,200 sf illuminated or digital signs will negatively impact the quality and beauty of the city, I very much appreciate several of the provisions in Section 805 (those designated **THANK YOU** above) that are intended to protect the quality of life for resident's that live in residential buildings located in commercial districts.

Suggestion – Apply the same standards to Roof Signs and Variable Message Signs and Roof Signs. Amend the Roof Sign provision to require a 500 foot separation between a roof sign and a residential use (property or building) in a commercial district.

Section 908 – Provision prohibits illumination of a special sign located within 500 feet of a residential district.

Concern – This does not protect residential uses in commercial districts.

Suggest that the a provision be added to also include residential uses/ property/buildings in commercial districts.

Thank you for your time and consideration of these matters. Please do not hesitate to contact me if you have any questions or would like to discuss.

Thank you

Elizabeth Miller