

ARCHSTONE



December 14, 2012

Ms. Alice Kelly
Manager, Policy Branch
District Department of Transportation
Policy, Planning and Sustainability Administration
55 M Street, SE
5th Floor
Washington, DC 20003

Re: Comments to the Proposed Revisions to the Sign Regulations of the District of Columbia (8/17/12 Notice of Proposed Rulemaking)

Dear Ms. Kelly:

We would like to add our support to comments submitted to you by letter dated December 13, 2012 by Hines (copy attached). We are in agreement with their points and, in addition, would like to add one further comment:

SECTION 722: APARTMENT HOUSES

This section limits apartment building identification signs to 20 square feet. As rental apartment buildings have to constantly market themselves to maintain occupancy levels, visible and clear identification is a necessity. For large buildings, a larger limit would be advisable, up to 60 square feet particularly for banner-type signage above the ground level of the building. Further, the limitations should be per building even if developed under a single lot covenant to allow for separate ownership and/or differentiated marketing. Finally, restricting signs to only those that “face the street” appears to prohibit blade type signage (perpendicular to the street) that can provide more effective identification particularly for pedestrians approaching the building.

Thank you for the opportunity to comment. Should you have any questions or require clarification of the above, I would be happy to speak with you directly. My direct phone number is 703-769-1153.

Sincerely,



Jason Jacobson
Senior Vice President

Cc: Gail Edwards, DC Building Industry Association
Matthew Troy, DC Office of the Deputy Mayor for Planning and Economic Development
Patricia Zingsheim, DC Office of Planning
Howard Riker, Hines
Amy Rice, Hines

Hines

December 13, 2012

Ms. Alice Kelly
District Department of Transportation
55 M. Street, SE
5th Floor
Washington, DC 20003

VIA EMAIL

Re: Comments to the Proposed Revisions to the Sign Regulations of the District of Columbia

Dear Ms. Kelly,

Please find the enclosed comprehensive comments to the proposed revisions to the sign regulations of the District of Columbia. The comments are organized to correspond with different chapters and sections of the proposed Title 13 Sign Regulations.

CHAPTER 1: PURPOSE AND SCOPE

- The term "sign" needs to be defined. The current proposed regulations are quite vague with what does and does not constitute a sign. Section 100.4 makes an attempt to say what is not included in signage but a more definitive definition would help relieve any ambiguity.
- A provision needs to be made regarding any signage approved and/or installed prior to the approval of these proposed regulations. We suggest that these signs get grandfathered in.
- Section 100.4 – "These regulations do not apply to interior signs that are not intended to be visible from the exterior of the building in which they are displayed." Please clarify the intention of this sentence. We suggest that a specific distance be set as the applicability test (i.e. if interior signs are further than 5 feet from the inside plane of the storefront then they do not require a permit).

CHAPTER 2: GENERAL PROVISIONS

- Section 201.1 – The requirement that all signs over one square foot would require a permit seems to be an administrative burden.
- Section 201.2 – The requirement that all signs permitted must display the permit number and issuance date in letters/numbers at least 1" in height does not seem practical, since valuable signage "real estate" is being allocated to a message that is not the primary intent of the sign nor meant to be viewed by the general public. We suggest that the signage permit be kept on file as opposed to being marked on the sign itself.

CHAPTER 7: SIGNS ON PRIVATE PROPERTY

- Section 704.5 – “All permits shall be valid for one (1) year”. We propose that a sign be valid for the term of a lease. It also would be helpful if the proposed regulations detail what the permit renewal process would look like.
- Section 705.1- “No advertising sign shall be displayed on any surface or premises unless the sign advertises a bona fide business conducted on the premises for which a Certificate of Occupancy has been issued.” How will this process be monitored? Sometimes the company that receives the Certificate of Occupancy has a different trade name than the one conducting the business on premise.
- Section 706.1 – Limiting temporary sales or leasing signs to one hundred eighty (180) days is not consistent with current real estate market standards. We suggest changing the initial permit period from 180 days to one full calendar year with the opportunity for renewal. Additionally, having to display the sign's initial display date is detrimental as valuable signage “real estate” is being used for a message that is not the primary intent of the sign nor meant to be viewed by the general public.
- Section 708.2 – “No sign may project more than forty-two inches beyond the interior lot line or building restriction line, on the street frontage of a building.” The distance of projection should correlate with permissible distance for awnings, canopies, and the like as a number of signs will be placed on those types of structures.
- Section 708.4 – “No part of a projecting sign shall have less than eleven feet (11 ft.) clearance above the surface of a sidewalk” seems excessive. Certain signs, like small blade signs and banners, would not be legible that high up. We would suggest lowering the clearance height to eight feet (8 ft.). Lowering the signage will also provide an enhanced pedestrian experience.
- Section 708.5 – We would suggest clarifying that the term “alley” refers to only “public alleys”.
- Section 708.8 – The distance signs supported by canopies, marquees, porticos, and roofs are restricted to should correspond with the permissible distance such structures are allowed to extend to beyond the building line.
- Section 708.10(a) – These regulations should not dictate the design (i.e. they should not restrict the design to one single horizontal line of letters) but rather give a maximum percentage of coverage of the vertical face the sign appears on or limit the design to a specific height and width dimension for overall design. We suggest to go with the percentage option as scale is critical to good design.
- Section 712.1 – The prohibition of full motion video is not reflective of current trends in signage. Specifically, a number of well-respected fashion tenants are moving towards video display windows as opposed to the traditional mannequin displays. It is understood that the intent is to provide safety measures for vehicular traffic and prevent creating a public nuisance, but there is a better way to address those issues other than universal prohibition. We would suggest something to the effect of full motion video signs are permitted such that they are parallel with vehicular traffic and are more than a given distance from a public street curb. The

nuisance issue can be addressed with glare, light, and sound regulations similar to those detailed in Chapter 8 – sections 805.5-805.7.

- Section 713.2 – Limiting real estate signs to sixty square feet (60 ft.) is not in keeping with current real estate practices. For example, most landlords prefer to frost or paint entire window(s) of vacant ground floor retail for security reasons. In order to create vibrant streets and a friendly pedestrian environment, those signs tend to not only include the leasing broker's contact information but other graphics as well which would exceed the current size restriction.
- Section 713.7 – Limiting the total square footage of all real estate signs for a building more than four (4) stories tall in a non-residential district is not in keeping with current real estate practices. For example, when a building delivers and is in the initial lease up phase, the majority of ground floor retail space will be vacant. In order to create vibrant streets and a friendly pedestrian environment, those signs tend to not only include the leasing broker's contact information but other graphics as well which would exceed the current size restriction.
- Section 716.1 – "Signs for first floor stores or businesses in multi-story buildings shall be no higher than twenty feet (20 ft.) above the sidewalk" precludes first floor stores who have double height/double story expressions from having brand identity on the exterior of the building.
- Section 723.3 - Limiting temporary sales or leasing signs to one hundred eighty (180) days is not consistent with the current real estate climate. We would suggest changing the initial permit period from 180 days to one full calendar year with the opportunity for renewal.

Thank you for the opportunity to comment on the proposed regulations. I appreciate your time and consideration.

Should you have any questions or need further clarification on what has been presented, I would welcome the opportunity to speak with you directly. I can be reached at amy.rice@hines.com or at (202) 434-0255.

Sincerely,



Amy C. Rice
Director

cc: Gail Edwards, DC Building Industry Association
Matthew Troy, DC Office of the Deputy Mayor for Planning and Economic Development
Patricia Zingsheim, DC Office of Planning
Bill Alsup, Hines
Howard Riker, Hines
Jason Jacobson, Archstone