

Parking

Our Parking Industry Group is comprised of litigation, corporate, real estate, land use, labor and employment, and tax attorneys practicing in state and federal courts throughout the country who have represented parking industry clients in a wide array of matters. In addition to their substantial legal experience, our clients benefit from the training and skills several of our attorneys have in business and technical fields including engineering, architecture, and accounting.

This multi-disciplinary approach, bringing together seasoned attorneys with a variety of capabilities, enables us to deliver cost-effective and high-quality legal counsel to our industry clients.

We have litigated cases involving land use and zoning disputes, breach of contract claims, property damage and personal injury matters, and construction defect cases. We have also negotiated numerous loan workouts, acquisition and construction financing deals, and licensing agreements.

Representative matters include:

Litigation

- Defended national parking operator against landlord's \$9 million claim for deterioration of the concrete decks of parking facility. After a two week trial, the jury rejected the bulk of landlord's damage claims.
- Successfully represented parking operator/developer in eminent domain proceedings arising out of the City of Philadelphia's convention center expansion. Obtained favorable payment of just compensation for the condemned property based on the property's development potential rather than its current use as a surface parking lot.
- Defended national parking operator at preliminary injunction and in a bench trial against landlord's claim for \$6 million for deterioration to concrete decks. Obtained judgment on counterclaim and defeated landlord's demand for a monetary judgment on its claims, which facilitated a favorable resolution of the remaining issues.

- Successful defense of personal injury/wrongful death claims involving parking facility elevator equipment.
- Prosecuted trespass action on behalf of parking operator against operator of adjacent surface lot, including a claim for loss of revenue, and obtained a favorable settlement.
- Counseled national parking operator concerning liabilities under three long-term leases for severe deterioration to concrete decks caused by chloride contamination, including delamination, spalling, and corrosion of steel reinforcement. Obtained favorable business resolution.
- Obtained favorable settlement in litigation involving claims against parking operator for design defect and improper construction brought by neighboring property owner claiming property damage caused by repair of common stucco wall without sufficient expansion joints.
- Defense of parking operators against claim for wrongful use of adjoining property. Obtained highly favorable settlement.
- Successfully represented Pittsburgh's Majestic Star Casino against multiple appeals of the Casino's land use approvals (and, specifically, challenges concerning Casino parking management plans and parking garage design) brought by the Pittsburgh Steelers and Pittsburgh Pirates. Obtained favorable rulings from Pittsburgh administrative boards and the Pennsylvania Supreme Court which permitted the issuance of the Casino's land use and building permits.

Regulatory/Land Use

- On-going representation of major developer seeking to obtain "Specially Planned District" zoning classification, including alternative parking and traffic management plans, for a 21 square block parcel located adjacent to Pittsburgh's Golden Triangle.
- Assisted a major developer obtain "existing non-conforming use" classification which permitted its major surface lots to continue in operation after an unfavorable zone change.
- Successfully represented a major property owner obtain zone changes required to develop a regional shopping center. Evaluation of the zone change application focused largely on potential traffic and parking impacts.
- Successfully represented a long established nonprofit agency developing a private school against community challenges based on parking and loading issues.
- Successfully represented a residential developer against community claims based on parking design.
- Preparation of parking, traffic management, and loading regulations for the City of Pittsburgh.
- Successfully worked with numerous developers, nonprofit agencies, and a major university to obtain highway occupancy permits and other transportation approvals required by the Pennsylvania Department of Transportation.
- Advised local business organizations with regard to proposed roadway construction, including the proposed expansion of an interstate highway.
- Advised municipalities, developers, parking lot concessionaires, and parking companies on public contracts, public procurement, and public bidding.

Transactional/Corporate

- Representation of a national parking company in connection with proposed long term license with the City of Pittsburgh for all City-owned parking facilities.
- Negotiation and drafting of lease and parking management agreements.
- Negotiation and drafting of license agreement for parking automated systems.
- Negotiation of purchase and sale agreements.
- Preparation of corporate documents and tax returns.
- Trademark filings.
- Negotiation of acquisition and construction financing.
- Negotiation of loan workouts.

Contacts

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