



## **CITY PLANNING COMMISSION**

March 28, 2012/Calendar No. 15

N 110223 ZRQ

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**IN THE MATTER OF** an application submitted by the JetBlue Airways Corporation pursuant to Section 197-c and 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, relating to Article XI, Chapter 7 to modify sign regulations within the Queens Plaza Subdistrict of the Special Long Island City Mixed Use District, in Community Districts 1 and 2, Borough of Queens.

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The application for an amendment to the New York City Zoning Resolution was filed by the JetBlue Airways Corporation on February 16, 2011 to amend the sign provisions of the Queens Plaza Subdistrict (QP Subdistrict) within the Special Long Island City Mixed Use District (LIC District). The proposed zoning text amendment would allow accessory business signs on rooftops of non-residential buildings with a roof height between 70 and 150 feet if, in addition to other criteria, the building has frontage along Queens Plaza North, Queens Plaza East, Queens Boulevard, and Queens Plaza South. The affected blocks are located within Community Districts 1 and 2, Queens.

### **BACKGROUND**

JetBlue Airways Corporation is proposing a zoning text amendment to establish a new Section 117-514 (Special Sign Regulations) within the Queens Plaza Subdistrict of the Special Long Island City Mixed Use District. The Queens Plaza Subdistrict was established in 2001 on 34 blocks between 41<sup>st</sup> Avenue, the Sunnyside Yards, Crane Street, Jackson Avenue, and 23<sup>rd</sup> Street. Blocks within the subdistrict are zoned M1-5/R7-3, M1-5/R9, and M1-6/R10 and the use provisions of the Special Mixed Use District (MX District) apply. As per Section 123-40 (SIGN REGULATIONS) of the MX District, the applicable sign regulations for commercial and manufacturing uses in the QP Subdistrict are those for C6-1 districts. These provisions allow illuminated and non-illuminated business signs of up to 500 square feet in size to be affixed on a building at a height not to exceed 40 feet above curb level.

The proposed zoning text amendment would modify the current sign provisions to allow accessory business signs on the rooftops of non-residential buildings with frontage on any of the streets comprising Queens Plaza--Queens Plaza North, Queens Plaza East, Queens Boulevard,

and Queens Plaza South-- between 23<sup>rd</sup> Street and the Sunnyside Yards. A total of 14 blockfronts would be affected by the proposed text. An accessory business sign (as opposed to an advertising sign) would be allowed on a rooftop of a non-residential building between 70 and 150 feet in height, subject to the following additional provisions:

- Only one rooftop sign would be allowed on a zoning lot;
- The sign would have to be affixed to an open frame structure with maximum dimensions of 45 feet in height and 150 feet in width;
- Only one sign per establishment would be allowed on any open frame structure;
- Only illuminated, non-flashing signs or non-illuminated signs would be allowed;
- Each letter, logo, or other text comprising the sign would have to be individually cut and affixed to the open frame structure. Perimeter or background surfaces would not be allowed and no portion of the letters or other images could extend beyond the maximum dimensions allowed for an open frame structure; and
- Any illumination from a rooftop sign located within 100 feet of a building containing a legal residence at the time of the application for a permit for the sign could not project onto or reflect into a residential portion of the building.

This zoning text amendment is proposed to reestablish rooftop sign provisions for zoning lots on 14 blockfronts within the Queens Plaza Subdistrict that are the most visible to Manhattan and the millions of drivers and bus and subway riders who annually travel through Queens Plaza. Rooftop signs were allowed on these 14 blockfronts and the greater Long Island City neighborhood until early 2001, when citywide zoning text changes were adopted that restricted the height of new signs in manufacturing districts to 40 feet above curb level. Prior to the 2001 changes, there were few restrictions on the number, size, location, or illumination of allowed signs in manufacturing districts. Consequently, the neighborhood is characterized by a number of rooftop signs in varying sizes, including the iconic signs for the IDCNY and Silvercup Studios, which are also visible to Manhattan. The Pepsi sign, another iconic sign now located in a portion of the Queens West state park system along the East River, had been located on the roof of its former bottling plant which previously occupied a portion of the Queens West site. All of these signs consist of individually cut letters affixed to open frame structures.

The sign proposed by the JetBlue Airways Corporation would consist of individually cut, illuminated blue letters spelling “jetBlue”, the company’s name and logo. The proposed lettering for the sign would be approximately 25 feet high and extend for 75 feet on an open frame structure to be affixed to the lower roof of the Brewster Building, located on Queens Plaza North between 27<sup>th</sup> and 28<sup>th</sup> Streets. The proposed open frame structure would be approximately 41 feet high and generally face westward towards Manhattan. There is one additional building on Queens Plaza South between 23<sup>rd</sup> and 24<sup>th</sup> Streets where a rooftop accessory business sign could be installed and approximately eight additional vacant or underbuilt sites where new, non-residential buildings could be developed with roof heights between 70 and 150 feet in height.

Queens Plaza, the first street one encounters when coming off the Queensboro Bridge on a bike, car, or on foot, is the front door to Queens and Long Island City. A recently completed multi-million dollar construction project along Queens Plaza between 21<sup>st</sup> Street and Queens Plaza East has transformed this 250-foot wide street from a chaos of traffic lanes and parking lots into a lushly landscaped and traffic-calmed public space befitting its front door role. Several new apartment and office buildings have been renovated or constructed along or near Queens Plaza, and new restaurants and cafes have opened recently in response to the increased numbers of employees and residents.

## **ENVIRONMENTAL REVIEW**

This application (N 110223 ZRQ) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 *et seq.* and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 10DCP034Q. The lead is the City Planning Commission.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on December 12, 2011. The modification to the proposed action, discussed below, would not change the analysis conclusions presented in the Negative Declaration.

## **PUBLIC REVIEW**

On February 2, 2009, this text change application (N 110223 ZRQ) was duly referred to Community Board 1, Community Board 2, and the Borough President for information and review in accordance with the procedure for referring non-ULURP matters.

### **Community Board Public Hearing**

Community Board 1 held a public hearing on this application (N 110223 ZRQ) on January 17, 2012 and, on that date by a vote of 29 in favor, 7 against, and 1 abstention adopted a recommendation in favor of the application with the following conditions: “that the rooftop sign be limited to a tenant that occupied a minimum of 25% of the total building area” and “that there be no subleasing of any portion of the space.”

Community Board 2 held a public hearing on this application (N 110223 ZRQ) on February 2, 2012 and, on that date by a vote of 30 in favor, 0 opposed, and 2 abstentions, adopted a recommendation against the application “due to the lack of oversight and community input and comment on any future rooftop signs.”

### **Borough President Recommendation**

This application (N 110223 ZRQ) was considered by the Borough President who issued a recommendation approving the application on February 23, 2012.

### **City Planning Commission Public Hearing**

On February 8, 2012 (Calendar No. 3), the City Planning Commission scheduled February 29, 2012 for a public hearing on this application (N 110223 ZRQ). The hearing was duly held on February 29, 2012 (Calendar No. 12). The applicant and the applicant’s representative spoke in favor of the application. There were no speakers in opposition, and the hearing was closed.

## **CONSIDERATION**

The Commission believes that this text amendment to the Zoning Resolution (N 110223 ZRQ), as modified herein, is appropriate.

The Commission believes that current accessory business sign provisions, which limit signs to a height of 40 feet above curb level, are too restrictive for Queens Plaza, a burgeoning hub of new development stemming from recent zoning changes and a significant public investment in new, landscaped public open spaces, pedestrian lighting and crosswalks, and off-street bike lane, and calmed traffic lanes. The Commission further believes that the proposed provisions will appropriately limit the number of rooftop signs to one sign per zoning lot and one sign per establishment, thereby achieving the goal of enlivening the emerging Queens Plaza skyline without cluttering it with signs.

The Commission notes that the sign provisions will require new rooftop accessory business signs to consist of individually cut letters or logos on open frame structures with a maximum dimension of 45 feet in height and 150 feet in width, and that the signs may only be affixed onto roofs between 70 and 150 feet in height. The Commission believes that these design provisions will appropriately protect the pedestrian realm while still affording wide visibility of the signs themselves. The resulting transparency of the signs will also allow people to see through the signs, thereby preserving a greater portion of the view of the panoramic skyline than would otherwise be afforded by a conventional billboard design. The Commission also believes that these design provisions will ensure that new accessory business rooftop signs will complement the neighborhood's existing rooftop signs. The sign proposed by the applicant will allow JetBlue, New York's hometown airline, to establish its presence in Long Island City in a manner consistent with other neighborhood businesses.

The Commission notes the recommendation from Community District 1 regarding a 25 percent building occupancy requirement for a business intending to install a rooftop sign and a similar recommendation for a 25 percent occupancy requirement from Community Board 2 after an informal vote on the JetBlue sign itself, expressed in a letter to the Commission dated February 13, 2012. While the Commission agrees that a minimum occupancy provision is critical to ensuring that the rooftop sign represents a business occupying a significant portion of its building, it believes an occupancy requirement of 20 percent or 50,000 square feet, whichever is

less, is a more appropriate requirement given the size of existing and potential buildings fronting any of the four Queens Plaza streets where rooftop signs will be allowed. The Commission, therefore, is modifying Section 117-554 (Special Sign Regulations) to include a provision stating that permitted signs are those which direct attention to a business conducted within a building on the same zoning lot where the business occupies at least 20 percent of the floor area of the building or a minimum of 50,000 square feet of floor area within the building, whichever is less.

The Commission acknowledges Community Board 2's negative vote on the application for a zoning text amendment because of the board's desire for additional oversight and community input but believes that the text, as modified herein, provides sufficient restrictions on the number, design, and location of new rooftop signs.

## **RESOLUTION**

**RESOLVED**, that the City Planning Commission finds that the proposed action described herein will have no significant impact on the environment; and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Section 200 of the New York City Charter, that based on the environmental determination, and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently modified, is further amended as follows:

Matter Underlined is new, to be added;

Matter in ~~Strikeout~~ is old, to be deleted;

Matter within # # is defined in Section 12-10;

\* \* \* indicate where unchanged text appears in the Zoning Resolution

## **Article XI – Special Purpose Districts**

### **Chapter 7**

#### **Special Long Island Mixed Use District**

##### **117-51**

##### **Queens Plaza Subdistrict Special Use Regulations**

The special #use# provisions of Sections 123-20 through 123-50, inclusive, of the #Special Mixed Use District# shall apply in the Queens Plaza Subdistrict except where modified by the provisions of this Section and shall supplement or supersede the provisions of the designated

#Residence# or M1 District, as applicable.

\* \* \*

## **117-514**

### **Special Sign Regulations**

Within the Queens Plaza Subdistrict, the #sign# regulations of Section 123-40 shall apply, except that such #sign# regulations may be modified to permit a non-#flashing sign# on the rooftop of a #non-residential building#, provided that such #sign# directs attention to a business conducted within such #building#, where such business occupies at least 20 percent of the #floor area# within such #building#, or a minimum of 50,000 square feet of #floor area# within such #building#, whichever is less. In addition, the following rules shall apply:

- (a) such #sign# shall be located on the rooftop of a #building# with frontage on Queens Plaza South, Queens Boulevard, Queens Plaza East or Queens Plaza North, and the height of the rooftop on which the #sign# is affixed shall be at least 70 feet but not more than 150 feet above #curb level#;
- (b) there shall be no more than one such #sign# on a #zoning lot#, and no more than one such #sign# per establishment on any #sign# structure;
- (c) such #signs# shall be affixed to an open frame structure with maximum dimensions that shall not exceed 45 feet in height, as measured from the surface of the roof to its uppermost point, and 150 feet in width, as measured along its widest dimension;
- (d) all writing, pictorial representations, emblems, flags, symbols or any other figure or character comprising the design of such #sign# shall be separate elements, individually cut and separately affixed to the open frame structure. No perimeter or background surfaces shall be applied or affixed to the open frame structure in addition to such separate elements. No portion of such separate elements shall extend beyond the maximum dimensions allowed for an open frame structure. The area of such separate elements of a rooftop #sign# shall not count towards the maximum #surface area# of a #sign# permitted in Section 32-644 (Illuminated or flashing signs in C4, C5-4, C6 or C7 Districts); and
- (e) any illumination from a rooftop #sign# located within 100 feet of any #building# containing #residences#, where such #residences# legally existed at the time of the application for a permit for such #sign#, shall not project into or reflect onto any #residential# portion of such #building#.

\* \* \*

The above resolution (N 110223 ZRQ), duly adopted by the City Planning Commission on March 28, 2012 (Calendar No. 15), is filed with the Office of the Speaker, City Council, and the

Borough President, in accordance with the requirements of Section 197-d of the New York City Charter.

**AMANDA M. BURDEN**, *FAICP, Chair*

**KENNETH J. KNUCKLES**, *Esq., Vice Chairman*

**ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III,**

**MARIA M. DEL TORO, RICHARD W. EADDY, ANNA HAYES LEVIN, ORLANDO MARIN,**

**SHIRLEY A. MCRAE**, *Commissioners*



# City of New York Community Board #1, Queens

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Barry Grodenchik,  
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January 19, 2012

RE: Cal. # N110223 ZRQ  
Queens Plaza Subdistrict Sign  
Provisions Text Amendment

Community Board 1 held a Public Hearing at our January 17, 2012 full Board meeting on the above referenced Text Amendment.

Following our hearing a motion was made and passed by a vote of 29 in favor, 7 against and 1 abstention for cause to approve the application with the following stipulations:

- that a roof top sign be limited to a tenant that occupies a minimum of 25% of the total building area
- that there be no subleasing of any portion of the space

  
Vinicio Donato  
Chairperson

cc: Jeffrey Godell, Jet Blue  
Rose F. Moskowitz, Strock & Strock & Lavan  
Calendar Office, DCP  
James VanBramer, Councilmember  
John Young, DCP  
Penny Lee, DCP  
Irving Poy, BPO

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DEPT OF CITY PLANNING



## Community Board No. 2

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**Joseph Conley**

*Chairman*

February 8, 2012

**Debra Markell Kleinert**

*District Manager*

Department of City Planning Calendar Office  
City Planning Commission  
Room 2E  
22 Reade Street  
New York, NY 10007-1216

**RE: Queens Plaza Sub District Sign Provisions Text Amendment (N 110223 ZRQ)  
- JetBlue Corporation is proposing a Zoning Text Amendment**

Community Board 2 held a public hearing on February 2, 2012 regarding the Department of City Planning Queens Plaza Sub District Sign Provisions Text Amendment (N 110223 ZRQ) – JetBlue Corporation is proposing a zoning text amendment.

Following the public hearing at the regular monthly meeting of Community Board 2, a motion was made and seconded to oppose the Zoning Text Amendment because the Board opposes endorsing the designation of the Queens Plaza Sub District to permit accessory business signs as of right as per the parameters of the text amendment.

The Board opposes this amendment due to the lack of oversight and community input and comment on any future rooftop signs. The vote was as follows:

Vote to oppose Zoning Text Amendment N 110223 ZRQ

In Favor of the motion: 30                      Opposed: 0                      Abstentions: 0

With the Chairman of Community Board 2 present and not voting.

If you have any questions, please contact Community Board 2 at (718) 533-8773.

Sincerely,

Joseph Conley

*"Serving the Communities of Long Island City, Sunnyside, Woodside and Maspeth"*



## Community Board No. 2

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*Joseph Conley*  
Chairman

*Debra Markell Kleinert*  
District Manager

February 13, 2012

Amanda M. Burden  
Director  
Department of City Planning  
22 Reade Street  
New York, NY 10007

RE: JetBlue Accessory Sign Installation  
Roof of 27-01 Queens Plaza North  
Corrected Copy

Dear Ms. Burden:

Community Board 2 held a public hearing on February 2, 2012 regarding the Department of City Planning Queens Plaza Sub District Sign Provisions Text Amendment (N 110223ZRQ). This is for a proposed zoning text amendment for the installation of an accessory sign on the roof of 27-01 Queens Plaza North.

Following the public hearing at the regular monthly meeting of Community Board 2, a motion was made and seconded to send a letter of support to the New York City Council, Department of City Planning, and the Department of Buildings with regard to the JetBlue sign for JetBlue at the Brewster Building.

Community Board 2 supports the installation of the JetBlue sign provided JetBlue remains the major tenant of the Brewster building as their headquarters, and leases no less than 25% of the building.

The vote was unanimous by a show of hands:

In Favor: 25                      Opposed: 5                      Abstentions: 0

If you have any questions, please contact Community Board 2 at (718) 533-8773.

Sincerely,



Joseph Conley  
Chairman, Community Board 2

JC/mag

cc: Honorable Joseph Crowley, US Congress  
Honorable Carolyn B. Maloney, US Congress  
Honorable Nydia M. Velazquez, US Congress  
Honorable Michael Gianaris, NY State Senate  
Honorable Michael DenDekker, NYS Assembly  
Honorable Margaret Markey, NYS Assembly  
Honorable Catherine T. Nolan, NYS Assembly  
Honorable Elizabeth Crowley, NYC Council Member  
Honorable Jimmy Van Bramer NYC Council Member  
Honorable Daniel Dromm, NYC Council Member  
Honorable Helen Marshall, President of the Borough of Queens  
Honorable Barry Grodenchik, Deputy Borough President  
Honorable Robert LiMandri, NYC Department of Buildings  
Irving Poy, Queens Borough President's Office  
John Bittner, Queens Borough President's Office  
Joseph Conley, Chairman, Community Board 2  
Lisa Deller, Chair, Land Use Committee CB 2  
Jeff Goodell, JetBlue

DCP JetBlue Accessory Sign Installation 27-01 Queens Plaza North

# Queens Borough President Recommendation

DEPARTMENT OF CITY PLANNING

FEB 23 2012

APPLICATION: ULURP #N110223 ZRO

COMMUNITY BOARD: Q01

QUEENS OFFICE

## DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by Stroock & Stroock & Lavan LLP, pursuant to Section 201 of the NYC Charter, proposing an amendment of zoning text regarding allowable rooftop signage in the Queens Plaza Subdistrict of the Special Long Island City Mixed Use District, Zoning Map 9b, Long Island City, Borough of Queens.

## PUBLIC HEARING

A Public Hearing was held in the Borough President's Conference Room at 120-55 Queens Boulevard on Thursday, February 2, 2012, at 10:30 A.M. pursuant to Section 82(5) of the New York City Charter and was duly advertised in the manner specified in Section 197-c (i) of the New York City Charter. The applicant made a presentation. There were no other speakers. The hearing was closed.

## CONSIDERATION

Subsequent to a review of the application and consideration of testimony received at the public hearing, the following issues and impacts have been identified:

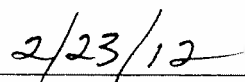
- The applicant is proposing to establish Section 117-514 (Special Sign Regulations) within the Queens Plaza Subdistrict of the Special Long Island City Mixed Use District. The proposed amendment would allow accessory signs on the rooftops of non-residential buildings fronting on Queens Plaza.;
- This application was filed to facilitate installation of a sign for Jet Blue at 27-10 Queens Plaza North. The proposed sign would be 41 feet in height and 75 feet wide facing west towards Manhattan. Jet Blue recently committed to staying in New York City and will be moving into their new headquarters in early 2012.;
- The proposed sign regulations would limit one accessory sign on a non-residential building per zoning lot on buildings with frontages on Queens Plaza North, Queens Plaza South, Queens Plaza East or Queens Boulevard. Such signage would be only allowed on buildings with a roof between 70 & 150 feet high. The signs would be mounted on an open frame no larger than 45 feet tall and 150 feet wide. The lettering, logo or other text shall be individually cut. Total sign area may not exceed the maximum size of the structure. Any illumination within 100 feet of a building containing residences would not be permitted to project onto any residential portion of the building.;
- There are other buildings in this part of Long Island City that have accessory signs on them.;
- Community Board 1 (CB 1) approved this application with conditions by a vote of twenty-nine (29) in favor, seven (7) against and one (1) abstention at a public hearing held on January 17, 2012. CB 1's conditions of approval were that there should be a requirement that the rooftop signage should be related to a tenant occupying at least 25% of the building below. Of the 25% of space occupancy, none of the space should be subleased to another party.;
- Community Board 2 (CB 2) disapproved this application by a vote of thirty (30) against, none (0) in favor or abstaining at a public hearing held on February 2, 2012. CB 2 cited concern that the proposed text would make installation of accessory business signs as-of-right without oversight, community input or comment on any future signs within the subdistrict.

## RECOMMENDATION

Jet Blue has made a firm commitment to stay in Queens thereby retaining thousands of jobs in New York City. Their proposed sign would be significantly smaller than what the proposed text would allow.

Based on the above consideration, I hereby recommend approval of this application.

  
PRESIDENT, BOROUGH OF QUEENS

  
DATE