Innovation QNS Rezoning and Large-Scale General Development
ZR 74-744(c) – Special Permit to Modify Sign Regulations
Attachment #11 – Discussion of Findings
March 25, 2022

74-744
Modification of Use Regulations

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(c) Modifications of sign regulations

(1) In all Commercial or Manufacturing Districts, the Commission may, for developments or enlargements subject to the provisions of paragraphs (a)(1), (a)(2) or (a)(3) of Section 74-743 (Special provisions for bulk modification), permit the modification of the applicable provisions of Sections 32-64 (Surface Area and Illumination Provisions), 32-65 (Permitted Projection or Height of Signs), 32-66 (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways), 42-53 (Surface Area and Illumination Provisions), 42-54 (Permitted Projection or Height of Signs), 42-55 (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways) and the limitations on the location of signs in Sections 32-51 and 42-44 (Limitations on Business Entrances, Show Windows or Signs), provided the Commission finds that such modification will result in a better site plan.

The subject special permit will facilitate the relocation and development of the multiplex movie theater currently located on Zoning Lot A to Zoning Lot D of the Proposed Development, which will serve as a focal point for the cinematic arts and cultural experience within the overall development.[1] The proposed modifications to the signage regulations will result in a better site plan because they will help draw greater attention from pedestrians and drivers on 35th Avenue toward the multiplex theater at the center of the Proposed Development and better direct the public to the theater entrance in the midblock.

The proposed MX district will make C6-1 sign regulations applicable to commercial uses. Portions of Zoning Lots C, D and E will face a residential zoning district boundary line in the middle of 35th Avenue thereby making C1 district regulations applicable along and within 100' of 35th Avenue in accordance with Section 32-67 of the Zoning Resolution. C1 signage regulations limit accessory non-illuminated signs to a total surface area of no more than three times the street frontage up to a maximum of 150 square feet and illuminated signs to a total surface areas of no more than 50 square feet, and prohibit such signs from being located higher than 25 feet above curb level. Such regulations are appropriate for local, small-scale retail and service uses, fronting on a residential district but limit the ability to direct and attract the public to more prominent uses such as the movie theater proposed in the midblock.

[1] See LR 3 – Project Description for corresponding block and lot numbers by zoning lot.

The subject special permit would waive the requirements of Section 32-64 and 32-65 with respect to the corner of the blockfront of Zoning Lot D facing 35th Avenue at 41st Street to provide appropriate signs to direct the public to the relocated multiplex movie theater. The main entrances to the theater will be in the midblock of Zoning Lot D within the proposed covered public open space. It will be important to the operation of the theater and overall functioning of the site to permit greater signage flexibility along this blockfront so that the theater may have appropriate signage which will highlight the cinematic offerings and provide direction for the visiting movie-going public. The subject special permit will seek to modify the regulations only for the theater at this corner location. The retail uses on the ground floor will abide by the applicable C1 district regulations.

The special permit would allow additional signs on the second floor for the theater use with limitations on size and location. On the 41st Street frontage, the Applicant proposes signs to be limited to no more than 400 sf of surface area and to locate within a box measuring 50' in width by 30' in height between a lower limiting height of 30' above the base plane and an upper limiting height of 60' above the base plane. The proposed sign locations are noted on Sheet U.411 of the ULURP Plans.

On 35th Avenue, the Applicant proposes to locate a non-illuminated wall sign of 150 sf of surface anywhere within a box measuring 100' in width by 30' in height to be located above the ground floor and no more than 60' in height above base plane. The Applicant also proposes an illuminated blade sign measuring no more than 100 sf of surface area per side measuring 4' in width by 25' in height to be located near the 41st corner of the building in the location noted on Sheet U.411 of the ULURP Plans.

Accordingly, the modification of the sign regulations to install additional signs above that permitted by the Resolution will better promote and identify the location of the movie theater entrance and will result in a better site plan since such signs will notify vehicular traffic of the theater location and clearly direct vehicular and pedestrian traffic to the multi-plex theater entrance in the midblock. Therefore, the modification of underlying signage regulations will result in a better site plan for Zoning Lot D and the Proposed Development.