



## CITY PLANNING COMMISSION

---

July 27, 2016 / Calendar No. 15

N 160179 ZRX

---

**IN THE MATTER OF** an application submitted by 1775 Grand Concourse, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York modifying Article XII, Chapter 2 (Special Grand Concourse Preservation District) and Appendix A to permit indirectly illuminated signs on the Grand Concourse street frontage of specified Commercial Infill Sites in the Borough of the Bronx, Community District 5.

---

This application (N 160179 ZRX) for an amendment of the Zoning Resolution relating to Article XII, Chapter 2 (Special Grand Concourse Preservation District) was filed by 1775 Grand Concourse, LLC on January 29, 2016.

### **BACKGROUND**

The applicant, 1775 Grand Concourse, LLC, is seeking an amendment to the Zoning Resolution regarding Section 122-20 (Special Sign Regulations) in order to allow indirectly illuminated signs at previously designated Commercial Infill Sites with street frontage along the Grand Concourse (listed in ZR Section 122-10, Table A) north of the Cross Bronx Expressway in Community District 5. The amendment would facilitate a proposal by the applicant to indirectly illuminate signage on its property, located at 1775 Grand Concourse (Block 2822, Lot 7501) in connection with the recent re-tenanting of previously vacant ground floor commercial space.

The Special Grand Concourse Preservation District was established in 1989 to protect the distinctive Art Deco composition and scale of the buildings that line the Grand Concourse, encourage new development in keeping with the scale and character of the area and to permit certain existing commercial uses in specific locations. The Special District established three sub-areas: Limited Commercial Areas, Commercial Extension Areas and Commercial Infill Sites. The proposed text amendment would affect the Commercial Infill Sites sub-area, which includes 1775 Grand Concourse. This sub-area consists of 17 sites containing existing non-commercial uses. Eleven of the 17 sites within the Commercial Infill Sites sub-area would be affected by the text change.

The project area, containing all 11 Commercial Infill Sites, is located between the Cross Bronx Expressway and Fordham Road on the Grand Concourse, one of the main thoroughfares in the Bronx. The area is primarily zoned R8 with some commercial overlays (C1-4). The Grand Concourse is generally developed with multi-family elevator buildings and commercial retail uses on the ground floor.

R8 zones are characterized by mid-rise residential buildings with 8-10 stories. Use groups 1-4 are permitted in this district. The district has a maximum residential F.A.R. of 6.02, a maximum community facility F.A.R. of 6.5, and a parking requirement of 40% of dwelling units. Building heights are determined by a sky exposure plane. The optional Quality Housing bulk envelop has a 120 foot maximum building height. Pursuant to ZR Section 122-20(e), flashing or illuminated signs are not permitted in the Special District except in C1 districts. Because all 11 Commercial Infill Sites fall within an R8 District, illuminated signage is not permitted. The proposed amendment would permit signs with indirect illumination on the Grand Concourse frontage of buildings at the 11 affected sites and would therefore allow the applicant to indirectly illuminate signage that it has or intends to install on the property.

The project area also falls within a “FRESH” (Food Retail Expansion to Support Health) area where zoning and discretionary tax incentives apply. The nearest LPC-designated historic district is the Morris Avenue Historic District, two blocks west of the Grand Concourse at East Tremont Avenue. The area is connected to and well-served by mass transit: the “B” and the “D” subway lines run along the Grand Concourse with stops at 174<sup>th</sup> Street, Tremont Avenue, and 182<sup>nd</sup> Street, as well as the Bx1, Bx2 and BxM4 bus lines.

## **ENVIRONMENTAL REVIEW**

This application (N 160179 ZRX) 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 of 1977. The lead is the City Planning Commission. The designated CEQR number is 16DCP093X.

After a study of the potential environmental impact on the proposed action, a Negative Declaration was issued on March 28, 2016.

## **PUBLIC REVIEW**

This application (N 160179 ZRX) was duly referred to Community Board 5 and the Borough President for information and review in accordance with the procedures for non-ULURP matters.

### **Community Board Review**

Community Board 5 held a public hearing on the application on May 25, 2016, and, on that date, by a vote of 20 in favor and 0 opposed, adopted a resolution recommending approval of the application.

### **Borough President Review**

The Borough President chose not to submit a recommendation.

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

On June 8, 2016 (Calendar No. 6), the City Planning Commission scheduled June 22, 2016 for a public hearing on this application (N 160179 ZRX). The hearing was duly held on June 22, 2016 (Calendar No. 17).

There were no appearances and the hearing was closed.

## **CONSIDERATION**

The Commission believes that the zoning text amendment (N 160179 ZRX) is appropriate.

The proposed text amendment would allow indirectly illuminated Grand Concourse signage on existing Commercial Infill Sites on the Grand Concourse. Because of the nature of indirect illumination, the proposed text amendment would allow the businesses at these Commercial Infill Sites to advertise without conflicting with district's traditional residential character. The Commission believes that indirect illumination would help bolster pedestrian activity and meet the intent of the Commercial Infill Sites within the Special Grand Concourse Preservation District.

**RESOLUTION**

**RESOLVED**, that the City Planning Commission finds that the action herein will have no significant impact on the environment; and bet 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 amended, is further amended as follows:

Matter in underline is new, to be added;  
Matter in ~~strikeout~~ is to be deleted;  
Matter within # # is defined in Section 12-10;  
\* \* \* indicates where unchanged text appears in the Zoning Resolution

\* \* \*

**Article XII  
SPECIAL PURPOSE DISTRICTS**

**Chapter 2  
Special Grand Concourse Preservation District**

\* \* \*

**122-20  
SPECIAL SIGN REGULATIONS**

In order to enhance the visual quality of the Special District, the applicable #sign# regulations of the underlying districts are modified, as follows:

- (a) Within the Limited Commercial Areas, only one #sign#, other than an #advertising sign#, with a surface area not exceeding 12 square feet, shall be permitted per #commercial use#. Such #signs# shall be located in a #sign band#, on the flap of a canopy, or as allowed under paragraph (d) of this Section. The height of such #signs# shall be not more than 24 inches and the letter sizes shall be restricted to a height of 12 inches. Except as provided in paragraph (d), all such #signs# may not project from the vertical surface of a #building# more than 18 inches.

- (b) Within the Commercial Extension Areas, no #signs# and no #display windows# shall be permitted on a #building or other structure# within 50 feet of the Grand Concourse. #Commercial uses# which are located on a cross-street beyond a distance of 50 feet from the Grand Concourse #street line#, shall comply with the #sign# regulations applicable to the underlying #Commercial District#.
- (c) On Commercial Infill Sites, the maximum surface area to be occupied by a #sign#, other than an #advertising sign#, shall be three square feet for every five feet of store frontage or 12 square feet, whichever is greater. Such #signs# shall be located in a #sign band# or on the flap of a canopy, or as allowed under paragraph (d). On portions of Commercial Infill Sites more than 50 feet from the Grand Concourse, the signage regulations of a C1 District shall apply.
- (d) Except in C1 Districts, no #sign# may be located so as to obscure any decorative lintel, cornice or other architectural detail. In the event that compliance with this requirement does not provide adequate surface area for the allowable #sign#, as defined in paragraph (a) of this Section, a projecting #sign# may be permitted by the Commissioner of Buildings provided that no such #sign# shall project from the vertical surface of a #building# more than 18 inches.
- (e) Except in C1 Districts, no banners, pennants, #flashing# or #illuminated signs# shall be permitted anywhere within the Special District. In addition, within Commercial Infill Sites north of the Cross Bronx Expressway, as shown on the map in Appendix A of this Chapter, #signs with indirect illumination# shall be permitted on the Grand Concourse #street# frontage of a #building#.
- (f) Within the Limited Commercial Areas, Commercial Infill Sites, and Commercial Extension Areas within 50 feet of the Grand Concourse, window graphics shall occupy not more than 20 percent of a window. Display lettering more than three inches high shall be considered as a #sign#.
- (g) All lawfully existing #non-conforming signs# located within the Special District shall be terminated one year after September 28, 1989.

\* \* \*

The above resolution (N 160179 ZRX), duly adopted by the City Planning Commission on July 27, 2016 (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.

**CARL WEISBROD**, Chairman  
**KENNETH J. KNUCKLES, ESQ.**, Vice Chairman  
**RAYANN BESSER, IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III,**  
**MICHELLE DE LA UZ, JOSEPH DOUEK, RICHARD W. EADDY,**  
**CHERYL COHEN EFFRON, HOPE KNIGHT, ANNA HAYES LEVIN,**  
**ORLANDO MARÍN, LARISA ORTIZ**, Commissioners



THE CITY OF NEW YORK      BOROUGH OF THE BRONX  
COMMUNITY BOARD 5  
Honorable Ruben Diaz, Jr., Bronx Borough President

Chairperson

**Dr. Bola Omotosho**

District Manager

June 15, 2016

Hon. Carl Weisbrod, Chairman  
NYC City Planning Commission  
120 Broadway  
31st Floor  
New York, NY 10271

Re: ULURP No. 160179ZRX  
CEQR No. 16DCP093X  
1775 Grand Concourse

Dear Chairman Weisbrod:

Please be advised that at the monthly Community Board #5 meeting on May 25, 2016, the board voted unanimously to approve the ULURP application for 1775 Grand Concourse.

If you have any questions, please feel free to contact me at the district office.

Sincerely,

Dr. Bola Omotosho  
Chairman

cc: Hon. Ruben Diaz Jr.  
Hon. Fernando Cabrera  
Carol Samol, Director Bronx Office of City Planning.

BCC Campus • McCracken Hall, Rms. 12 & 13 • W. 181st Street & Dr. Martin Luther King, Jr. Blvd. • Bronx, New York 10453  
Telephone (718) 364-2030 • Facsimile (718) 220-1767 • Facsimile (718) 220-8426 • brxcb5@optonline.net • bx05@cb.nyc.gov

*Serving these Neighborhoods:*  
Fordham, Morris Heights, Mount Hope, University Heights