



CITY PLANNING COMMISSION

August 6, 2014 / Calendar No. 2

C 140386 HAM

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

1. pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of properties located at 726/728 11th Avenue and 553/55 West 51st Street (Block 1080, Part of Lot 103), as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and
2. pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate development of a three- to five-story community facility building and the enlargement of a community garden in Manhattan Community District 4.

Approval of three separate matters is required:

1. the designation of properties located at 726/728 11th Avenue and 553/55 West 51st Street (Block 1080, Part of Lot 103), as an Urban Development Action Area; and
2. an Urban Development Action Area Project for such area; and
3. the disposition of such property to a developer to be selected by HPD.

This application for the designation of an Urban Development Action Area and Project and for the disposition of city-owned property was filed by the Department of Housing, Preservation and Development (HPD) on May 12, 2014. Approval of this application would facilitate development of an approximately 30,000-square foot community facility with theater, studios, classrooms and administrative space, as well as the extension of an adjacent community garden, in the Clinton/Hell's Kitchen neighborhood in Manhattan Community District 4.

The Department of Housing Preservation and Development states in its application that:

The project area consists of underutilized property which tends to impair or arrest the

sound development of the surrounding community, with or without tangible physical blight. Incentives are needed in order to induce the correction of these substandard, insanitary, and blighting conditions. The project activities would protect and promote health and safety and would promote sound growth and development. The project area is therefore eligible to be an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law.

BACKGROUND

The Department of Housing Preservation and Development seeks approval of an Urban Development Area Action Project designation, project approval and the disposition of City-owned property located at 726 Eleventh Avenue and 553-555 West 51st Street (part of Block 1080, Lot 103) to enable development of an approximately 30,000-square foot community facility, known as the Irish Arts Center, with theater, studios, classrooms and administrative space, as well as the extension of an adjacent community garden, in the Clinton/Hell's Kitchen neighborhood in Manhattan Community District 4. The property will be disposed of in two portions, Disposition Areas 1 and 2, to two separate entities.

Disposition Area 1 (the site of the expanded Irish Arts Center), is an 8,797 square-foot L-shaped parcel that fronts on Eleventh Avenue. It is currently occupied by an automotive repair facility (726 Eleventh Avenue), which is housed within a 32-foot tall, two-story masonry structure that was formerly a stable. The auto repair will be permanently relocated to a site in West 53rd Street identified in a separate application (C 140183 ZSM et al). A narrow section of this disposition area fronts on West 51st Street, the site of the existing three-story Irish Arts Center (553 West 51st Street). The Center is currently housed in a 34-foot tall tenement building that includes a 99-seat performance space with low ceilings, a small lobby that is also used as an art gallery and dance studio, as well as several small rooms on the upper floors that serve classrooms, back of house rooms, meeting rooms, and an administrative office.

Disposition Area 2 is a 1,255 square-foot driveway, twenty-five feet wide, at 555 West 51st Street that bisects the southern portion of Block 1080, just west of the existing Irish Arts Center that will be improved as an extension of the Juan Alonzo Community Garden, a publicly-

accessible open space.

The areas to be disposed of are part of a larger zoning lot (Block 1080, Lots 1, 103 and 105) located at the western end of the block bounded by West 51st and 52nd streets, and Tenth and Eleventh avenues in the Clinton/Hell's Kitchen neighborhood. Outside of the two disposition areas, fronting Eleventh Avenue, the zoning lot is predominately developed at the northern and southern ends of the block with four- and five-story tenements and brownstones with ground floor commercial uses and affordable housing units on the upper floors. The Juan Alonzo Community Garden is at the corner of West 51st Street and Eleventh Avenue. A community facility is housed on two lower floors of a complex comprised of three narrow, four story tenements on West 52nd Street, as well as a one-story warehouse on West 51st Street. The latter two properties are also City-owned. The zoning lot is within the Western Subarea C2 of the Special Clinton District (CL) and is zoned R8A with a C2-5 commercial overlay to a depth of 100 feet from Eleventh Avenue.

The proposed actions would facilitate an improved and expanded Irish Arts Center (IAC). Founded in 1972, the IAC is a New York-based arts and cultural center dedicated to promoting Irish culture and traditions through music, theater, dance, film, comedy, Irish language education and the literary and visual arts. The new Irish Arts Center will contain approximately 30,762 square feet with an FAR of 3.50 on Disposition Area 1. The structure will consist of three building segments including:

- A five-story, 78-foot tall building segment (93 feet to the bulkhead) along 11th Avenue, which will have a 12-foot setback from 11th Avenue at a height of 58 feet;
- A three-story, 35-foot tall building segment along West 51st Street; and,
- A two-story, 26-foot tall building segment at the rear yard of the Development that will connect the 11th Avenue and West 51st Street building segments.

The development program will include a multi-purpose performing arts theater; a dance rehearsal studio, classrooms, administrative space, street-level communal space that will accommodate accessory food and beverage service and small performances, as well as outdoor terraces. The

new development will replace all existing structures on the Development Site (wholly located within Disposition Area 1), but will retain and preserve the existing brick façades of the 2-story building at 726 11th Avenue and the 3-story brick building currently housing the existing Irish Arts Center at 553 West 51st Street. A paved driveway (Disposition Area 2) to the west of the existing Irish Arts Center will be improved as an extension of the Juan Alonzo Community Garden, a publicly-accessible open space.

Subsequent to certification, the application was revised on August 1, 2014 to reflect zoning district changes adopted through a separate application (C 140181 ZMM). As of certification, the subject zoning lot was in the R8A zoning district to a depth of 100 feet from Eleventh Avenue; the remainder was in an R8 zoning district. The zoning lot is now entirely in an R8A district and is wholly included in Western Subarea C2.

Further to the actions before the Commission, the Department of Housing, Preservation and Development is requesting a Mayoral Zoning Override to waive the requirements of Zoning Resolution §24-33(b)(3) to allow a rear yard obstruction of 26 feet, rather than 23 feet, and Zoning Resolution §35-24 (b)(2)(i) to allow a base height of 58 feet, rather than the required 60 feet, for the portion of the building on Eleventh Avenue.

In 1969, the disposition area was mapped within the Clinton Urban Renewal Area (the “CURA”), which was generally bounded by West 56th Street to the north, Tenth Avenue to the east, West 50th Street to the south, and Eleventh Avenue to the west. The Clinton Urban Renewal Area Plan expired in 2009. The goals of the CURA included, “redevelopment of the CURA in a comprehensive manner, removing blight and restoring the residential character of the CURA with appropriate support facilities.” Over the past several years, HPD has worked with the Clinton community to identify projects that achieve these goals, which has resulted in several land use applications by HPD and project sponsors to dispose of and develop underutilized properties. The disposition area is among the last undeveloped parcels in the former CURA.

The site is also the Special Clinton District (CL), which is generally mapped between West 41st and West 59th Streets west of Eighth Avenue, and was adopted in 1974 to preserve and

strengthen the residential character of a community bordering Midtown and maintain a broad mix of incomes. The CL is composed of Area A (“Preservation Area”), Area B (“Perimeter Area”), and Area C (“Other Areas”), further divided into Subareas C1 and C2, as well as “Excluded Areas.” The disposition area and larger zoning lot lie in Other Area, Western Subarea C2, where the underlying zoning regulations apply, except for special floor area, height, and setback regulations in R8, R8A, and R9 districts. Additionally, an Inclusionary Housing (“IH”) bonus is available to residential developments mapped in R8A and R9 districts in Western Subarea C2.

In 1989, a special permit (C 890002 ZSM), was granted to legalize the existing Irish Arts Center as a community facility use (Use Group 4) at 554 West 52nd Street (Block 1080, p/o 103) which was located in an M1-5 district at that time.

In 1999, six buildings and one vacant lot, located on Block 1080 Lots 1 and 105, were disposed of through an accelerated UDAAP approval by the City Council. The project rehabilitated the buildings and resulted in 43 affordable units and a community garden, known as the Juan Alonzo Community Garden. The current application proposes to enlarge this garden.

In 2011, the City Council approved the 18-block West Clinton Rezoning (C 110177 ZMM) sponsored by DCP and Manhattan Community Board 4 to provide new opportunities for affordable housing, manufacturing-compatible uses west of Eleventh Avenue and to ensure a contextual built form. This application rezoned Block 1080 to a depth of 100 feet east of Eleventh Avenue from M1-5 to R8A with a C2-5 overlay.

A separate application (C 140181 ZMM et al.), approved by the City Council during public review of the subject application, extended the R8A district previously mapped to a depth of 100 feet on Eleventh Avenue to the entire zoning lot (depth of 200 and 225 feet.) The rezoning, and a related text amendment, designated the entire zoning lot an Inclusionary Housing designated area.

Land uses within the surrounding area reflect the neighborhood’s history, which is rooted in manufacturing, but has recently seen significant residential growth, partially due to the City’s

urban renewal efforts. Properties that are immediately adjacent to the disposition area are generally developed with residential uses, most notably Archstone Clinton North and South on Tenth Avenue between West 51st and West 53rd streets, the Park Clinton at 535 West 52nd Street, the two Clinton Manor buildings immediately east of the disposition area and Mercedes House at 550 West 54th Street. Blocks east of Tenth Avenue are predominantly made up of attached walk-up tenements, brownstones and small apartment buildings among larger community facilities. To the south is a mixture of residential, commercial, and institutional buildings, including the almost full-block Park West High School building between West 50th and West 51st streets, and 38-story Hudsonview Terrace at 747 Tenth Avenue. West of Eleventh Avenue, blocks include generally low-rise buildings with larger footprints, including a full-block Consolidated Edison facility, television studios, office buildings, an auto dealership, horse stables and surface parking lots. Tenth Avenue is lined with six-story tenement buildings with commercial ground floors.

There are a number of public and community-run open spaces in the surrounding area. The 550-acre Hudson River Park runs along the west side of Route 9A. DeWitt Clinton Park occupies two blocks between West 52nd and West 54th streets on the west side of Eleventh Avenue.

R8 and R8A zoning districts are widely mapped within the surrounding area. R8 districts typically permit 6.02 FAR for residential uses and 6.5 FAR for community facility uses. Above a street wall of 85 feet or nine stories, the building may rise within the sky exposure plane. R8A districts typically permit 6.0 FAR of residential and community facility uses, with required bases of between 60 and 85 feet and a maximum permitted building height of 120 feet. Within Western Subarea C2 and the Preservation Area of the CL, special regulations apply to R8 districts; the maximum permitted FAR is 4.2 for all uses, with a maximum building height of 7 stories or 66 feet on narrow streets. R8A districts in Western Subarea C2 are IH-designated areas with a base FAR of 5.4, bonusable to 7.2 with the provision of affordable housing. C2-5 overlay districts are mapped extensively within the surrounding area, particularly along Tenth and Eleventh avenues, and permit 2.0 FAR of commercial use.

ENVIRONMENTAL REVIEW

The application (C 140386 HAM) 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 10HPD002M. The lead agency is the Department of Housing Preservation and Development.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on July 17, 2014.

UNIFORM LAND USE REVIEW

This application (C 140386 HAM) was certified as complete by the Department of City Planning on May 19, 2014, and was duly referred to Community Board 4 and the Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 4 held a public hearing on this application (C 140386 HAM) on June 4, 2014, and on that date, by a vote of 39 in favor, 0 opposed and 1 present but not eligible, recommended approval of the application.

Borough President Recommendation

This application (C 140386 HAM) was considered by the Borough President, who issued a recommendation approving the application on July 7, 2014.

City Planning Commission Public Hearing

On June 25, 2014 (Calendar No. 5), the City Planning Commission scheduled July 9, 2014 for a public hearing on this application (C 140386 HAM). The hearing was duly held on July 9, 2014

(Calendar No. 14). There were 11 speakers in favor and none in opposition.

The Deputy Director of Manhattan Planning at the Department of Housing Preservation and Development spoke in support of the application and described the proposal.

The Vice Chair of the Board of Directors, a Board member and the Executive Director of Irish Arts Center testified in favor of the application, and described history of Irish Arts Center, the scope of its work and cultural contributions. The Ambassador and Consul General of Ireland in New York City testified in support of the application. A member of the public read a letter by the State Architect of the Irish government in support of the application.

The project architect spoke in favor of the application and described the role of community engagement and the artistic purpose of the Irish Arts Center in informing the architecture of the planned facility.

The Chair of Hell's Kitchen Land Use Committee and staff member of Manhattan Community Board 4 spoke favorably, citing the appropriateness of the proposed development to the Board's goals for the neighborhood. A representative of the Manhattan Borough President also testified in support of the project.

The Executive Director of the Clinton Housing Development Company spoke in favor of the application and described the expanded Juan Alonzo community garden.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the application for UDAAP designation, project approval and disposition of city-owned property (C 140386 HAM) is appropriate.

The Irish Arts Center has been in the Clinton neighborhood on the west side of Manhattan, at its

current facility, since 1974. For over forty years, the Center has been an immeasurable source of Irish cultural wealth for the City of New York and its visitors. The Commission believes that the Center is severely hampered by its existing location's limited space, aging construction and operational inefficiencies. In order for the organization to thrive and continue to contribute to New York's artistic diversity, the Commission believes that the Center deserves a facility that befits its distinct mission.

The Clinton neighborhood and the former Clinton Urban Renewal Area (CURA) have experienced considerable growth in recent years. The City and local community have collaborated successfully to identify and complete several residential projects with commercial and community facility components that fulfill the Urban Renewal Area's goals for "redevelopment of the CURA in a comprehensive manner, removing blight and restoring the residential character of the CURA with appropriate support facilities."

The Commission acknowledges that the disposition area is one of the last developable sites in the CURA. The land that is proposed for disposition includes the current Irish Arts Center building, a two-story former stable that has been occupied by a long-standing neighborhood vehicle repair, and a vacant yard. The Commission is pleased that the auto repair business is being relocated to a new, purpose-built space on West 53rd Street. The Commission believes that the repurposing of this site to accommodate a modern, dynamic, fully programmed cultural facility and expanded community garden suitably advances the objectives of the CURA, enhances this growing neighborhood and bolsters the cluster of creative organizations in the immediate area, which include several theaters. The Commission also recognizes the exceptional contribution by the Government of Ireland in realizing this project.

RESOLUTION

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

WHEREAS, the Department of Housing Preservation and Development has recommended the designation of property located at 726/728 11th Avenue and 553/55 West 51st Street (Block 1080, Part of Lot 103), located in Community District 4, Borough of Manhattan as an Urban Development Action Area; and

WHEREAS, the Department of Housing Preservation and Development has also recommended the approval of an Urban Development Action Area Project for such property;

THEREFORE, be it further RESOLVED, that the City Planning Commission, after due consideration of the appropriateness of the actions, certifies its unqualified approval of the following matters pursuant to the Urban Development Action Area Act:

1. pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of properties located at 726/728 11th Avenue and 553/55 West 51st Street (Block 1080, Part of Lot 103), as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and
2. pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

BE IT FURTHER RESOLVED, by the City Planning Commission, pursuant to Section 197-c of the New York City Charter, that based on the environmental determination and the consideration described in this report, the application of the Department of Housing Preservation and Development, for the disposition of city-owned properties located at 726/728 11th Avenue and 553/55 West 51st Street (Block 1080, Part of Lot 103) in Community District 4, Borough of Manhattan, to a developer to be selected by the Department of Housing Preservation and Development, is approved.

The above resolution (C 140386 HAM), duly adopted by the City Planning Commission on August 6, 2014 (Calendar No. 2), 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

ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, *P.E.*,

ALFRED C. CERULLO, *III*, MICHELLE R. DE LA UZ,

JOSEPH DOUEK, RICHARD W. EADDY, ORLANDO MARIN, Commissioners

CHERYL COHEN EFFRON, BOME E JUNG, Commissioners, abstained



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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CHRISTINE BERTHET
Chair

ROBERT J. BENFATTO, JR., ESQ.
District Manager

June 6, 2014

Carl Weisbrod
Chair
City Planning Commission
22 Reade Street
New York, New York 10007

**Re: Irish Arts Center
Juan Alonzo Garden Extension
ULURP #: 140386HAM**

Dear Chair Weisbrod:

At the June 4th, 2014 meeting of Manhattan Community Board 4 ("MCB4") the NYC Department of Housing Preservation and Development ("HPD") along with the Irish Arts Center ("IAC") presented Uniform Land Use Review Procedure ("ULURP") Application # 140386HAM which provides for both the expansion and renovation of the existing IAC facilities and the expansion of the existing Juan Alonzo Community Garden (the "Application"). CB4 is pleased to **recommend approval** of the Application by a vote of 39 in favor, 0 against, and 1 present but not eligible to vote¹.

The application includes Urban Development Action Area Project ("UDAAP") designation and project approval and the disposition of City-owned property located at Eleventh Avenue and West 51st Street on Block 1080, part of Lot 103 ("Development Site"). The Development Site includes 726 Eleventh Avenue, 553 and 555 West 51st Street.

These actions will facilitate the development of a five-story, approximately 30,000 zoning square foot (approximately 38,500 gross square feet) community facility — The Irish Arts Center — and the enlargement of the adjacent Juan Alonzo Community Garden, (collectively, the "Proposed Development").

A public presentation on the Proposed Development and the required zoning actions was presented by the Irish Arts Center to the Clinton/Hell's Kitchen Land Use and Zoning Committee on May 21, 2014. A second public presentation on this application was presented to MCB4 at its Full Board Meeting on June 4, 2014. The IAC agreed to co-operate with a MCB4 Construction

¹ Joe Restuccia, who serves on the Clinton/Hell's Kitchen Land Use Committee and is the Executive Director of Clinton Housing Development Company, acted as an unpaid consultant to help IAC navigate the City's ULURP process. Mr. Restuccia recused himself from voting.

Task Force to deal with effects of the construction on the adjacent community and to provide work opportunities, when possible, to local residents.

PROPOSED DEVELOPMENT

The Development will contain approximately 30,000 zoning square feet with an FAR of 3.50 on Disposition Area 1. (For the purposes of this letter, the 8,797 – square foot portion of city-owned Lot 103 that will be allocated to the community facility will be referred to as “Disposition Area 1” and the 1,255 - square foot portion of Lot 103 that will be used to extend the adjacent community garden will be referred to as “Disposition Area 2” (collectively, the "Development Site"). The remaining portion of Lot 103 is not part of the Development Site.)

The Development will consist of an L-shaped, three- to five-story building that comprises the following three building segments:

- A five-story, 78-foot tall building segment (93 feet to the bulkhead) along Eleventh Avenue, which will have a 12-foot setback from Eleventh Avenue at a height of 60 feet;
- A three-story, 35-foot tall building segment along West 51st Street; and
- A two-story, 26-foot tall building segment at the rear yard of the Development that will connect the Eleventh Avenue and West 51st Street building segments.

The Development complies with both current and pending zoning designations, absent the rear yard obstruction and Eleventh Avenue Streetwall requirements, for which a Mayoral Zoning Override is being sought separately.

The Development will retain and preserve the existing brick façades of the 2-story building at 726 Eleventh Avenue and the 3-story existing Irish Arts Center at 553 West 51st Street, but will replace and expand the all existing building structure on the Development Site (wholly located within Disposition Area 1). The paved driveway (Disposition Area 2) to the west of the existing Irish Arts Center will become an extension of the Juan Alonzo Community Garden, a publicly-accessible open space. Juan Alonzo will also provide an easement for entrance and fire egress to the IAC.

The proposed building complies with the existing R8A/C2-5 and R8 zoning districts mapped over the Development Site, as well as pending rezoning (C 140181 ZMM), which would change the midblock R8 designation to R8A.

A New Expanded Irish Arts Center

The new IAC facility will provide spaces to merge creative disciplines including music, theater, dance, film, comedy, Irish language education and the literary and visual arts. The development program will include a multi-purpose 199 seat performing arts theater; a dance rehearsal studio, classrooms, administrative space, street-level communal space that will accommodate accessory food and beverage service and small performances, as well an outdoor terrace.

Founded in 1972, the IAC is a New York based arts and cultural center "dedicated to projecting a

dynamic image of the Irish and Irish America for the 21st Century, building community with artists and audiences of all backgrounds, forging and strengthening cross-cultural partnerships and preserving the evolving stories and traditions of Irish culture for generations to come."

MCB4 was extremely grateful to the IAC for its intensive consultation and interaction with MCB4's Land Use and Zoning Committee and with its residential neighbors to the north and south of the proposed new building. Over a number of years IAC discussed its plans with MCB4 and the community. As a result of these consultations, the building was lowered more than a story in height and efforts were made by IAC to protect the privacy of residential units in the adjacent buildings.

Juan Alonzo Community Garden Extension

The Juan Alonzo Community Garden was originally developed on a city owned vacant lot in 1993 by community residents. The Garden was disposed of to an entity of Clinton Housing Development Company ("CHDC") as part of an adjacent affordable housing development. CHDC self-imposed an open space deed restriction on the Garden. It was redesigned in 2001 after construction of the neighboring building was completed. It was again redesigned in 2010. That redesign divided into a community garden on the east side and a key park on the west. The key park is accessed using the HKNY Park Key², available from MCB4.

The Juan Alonzo Extension (the "Extension") completes the community's plan for this open space, first proposed in 1999. The Extension will function as a community park; it will be closed at dusk. The park will feature rock seating, a water feature and extensive plantings. The Extension will be disposed of to an entity of CHDC which will construct and operate the park. The construction of the Juan Alonzo Extension will commence after completion of the IAC in October 2016.

Cybert Tire—Temporary and Permanent Relocation

726 11th Avenue and 555 West 51st Street are currently home to Cybert Tire and Car Care ("Cybert"). Cybert has operated a garage in the location since 1916; with the condemnation of the site as part of the Clinton Urban Renewal Area ("CURA") in 1969, it became a vested tenant of the City. Although the site was not redeveloped as part of the CURA, Cybert has understood the long term community desire to redevelop the site. On May 1, 2006, Cybert signed a Memorandum of Understanding with HPD to relocate to 540 West 53rd Street as part of CHDC's Site 7 redevelopment. The Site 7 project, currently in ULURP (C 140181 ZMM) is anticipated to start construction in September 2014. To meet IAC's construction schedule, Cybert must temporarily relocate in fall 2014, before Site 7 will be ready for occupancy. IAC, Cybert and CHDC reached an agreement on February 14, 2014 for Cybert to temporarily relocate to 545 West 52nd Street, a garage net leased from HPD by CHDC. IAC has agreed to bear all the costs of the temporary relocation.

Eleventh Avenue Tenants HDFC

726 Eleventh Avenue is bound on the south by residential buildings at 565 West 51st Street and on the north by 564 West 52nd Street. Those buildings are owned by a partnership between

² The HKNY park key, is available from MCB4 for a \$2.00 charge, it opens four different small key parks throughout Hell's Kitchen.

CHDC and the Eleventh Avenue Tenants HDFC, and operated as affordable rental housing. The complex will eventually be converted to an affordable cooperative owned by the Eleventh Avenue Tenants HDFC. IAC has had regular meetings throughout the development process to obtain feedback from its neighbors. The current building design takes care to address the adjacent tenant's primary concerns of height reduction, privacy, noise mitigation, and construction monitoring. The Eleventh Avenue Tenants HDFC has expressed its support of the project.

ACTIONS NECESSARY TO FACILITATE THE PROJECT

The Project requires approval of certain actions by the City Planning Commission, which are subject to the ULURP pursuant to Section 197-c of the City Charter:

Designation as an Urban Development Action Area Project

The Development Site consists of underutilized land that tends to impair or arrest the sound development of the surrounding community, with or without tangible physical blight. The project activities would protect and promote health and safety and would promote sound growth and development. The Development Site is therefore eligible to be an Urban Development Action Area making the proposed project eligible to be an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law.

MCB4 approves the UDAAP designation for the Development Site.

Disposition

The Development Site is proposed for disposition to a developer(s) selected by HPD.

MCB4 approves the disposition, for use as a community facility and cultural center, of 726 Eleventh Avenue, 553 West 51st Street, 555 West 51st Street (northern portion of lot 50' x 25') to the IAC.

MCB4 approves the disposition of 555 West 51st Street (southern portion of lot 50' x 25'), for use as a community garden and park, to an entity of CHDC.

Mayoral Zoning Override

A Mayoral Zoning Override with two components is necessary for the project to be completed.

Item #1—A waiver of the requirements of Zoning Resolution §24-33(b)(3) that allows a maximum height of a permitted rear yard obstruction to reach only 23 feet above curb level. The Development includes the expansion of the existing IAC building at 553 West 51st Street to connect it in the rear of 726 Eleventh Avenue. A portion of the Development that is a permitted rear yard obstruction will have a height of 26 feet above curb level, instead of 23 feet, 3 feet higher than permitted. The additional 3 feet is needed in order to meet the minimum heights required for the stage and backstage area and meet American with Disabilities Act compliance in the building connection.

Item #2—A waiver from Zoning Resolution §23-633 to allow the front facade of the building to

be two feet below the required 60-foot minimum street wall height, to a height of 58 feet instead of 60 feet. This override is required as a result of an interstitial floor which provides both mechanical space and acoustical isolation for the main theater space. It enables the surrounding parapet at the setback terrace, in front of the dance studio, be an open railing not a brick wall, which lessens the mass of the Eleventh Avenue façade of the building.

MCB4 supports the Mayoral Zoning Overrides of §24-33(b)(3) to exceed maximum rear yard by 3 feet, from a maximum height of 23 feet to 26 feet and §23-633 to permit in an R8A zone a lesser streetwall of 2 feet, from a required minimum height of 60 feet to 58 feet.

MCB4 appreciates the continued support of the City Planning Commission and HPD efforts to bring to resolution the former CURA sites including Site 7, Captain Post and now Irish Arts Center. MCB4 looks forward to continuing to work together to create and execute a plan for the final remaining CURA sites.

Sincerely,



Christine Berthet
Chair



Jean-Daniel Noland
Chair, Clinton / Hell's Kitchen Land Use Committee

cc: Commissioner Vicki Been, HPD
Eric Enderlin, HPD
Gabiella Amabile, HPD
Thebbia Walters
Commissioner Tom Finkelparl, DCA
Andrew Burmeister, DCA
Manhattan Borough President Gale Brewer
NYC Councilmember Corey Johnson
NYS Senator Brad Hoylman
NYS Senator Adriano Espaillat
NYS Assemblymember Linda Rosenthal
Congressman Jerrold Nadler

Borough President Recommendation

City Planning Commission
22 Reade Street, New York, NY 10007
Fax # (212) 720-3356

INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representative as indicated on the Notice of Certification.

Application: C 140386 HAM

Docket Description:

IN THE MATTER OF an application submitted the Department of Housing Preservation and Development (HPD):

1. pursuant to Article 16 of the General Municipal Law of New York State for:
 - a. the designation of properties located at 726/728 11th Avenue and 553/555 West 51st Street (Block 1080, Part of Lot 103) as an Urban Development Action Area; and
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to facilitate development of a three- to five-story community facility building and the enlargement of a community garden, Community District 4, Borough of Manhattan.

COMMUNITY BOARD NO: 4

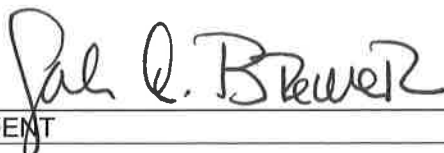
BOROUGH: Manhattan

RECOMMENDATION

- APPROVE
- APPROVE WITH MODIFICATIONS/CONDITIONS (List below)
- DISAPPROVE
- DISAPPROVE WITH MODIFICATIONS/CONDITONS (Listed below)

EXPLANATION OF RECOMMENDATION – MODIFICATION/CONDITIONS (Attach additional sheets if necessary)

See Attached


BOROUGH PRESIDENT

July 7, 2014

DATE



OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN
THE CITY OF NEW YORK

1 Centre Street, 19th floor
New York, NY 10007
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www.manhattanbp.nyc.gov

Gale A. Brewer, Borough President

July 7, 2014

**Recommendation on
ULURP Application No. C 140386 – Irish Arts Center
By the New York City Department of Housing Preservation and Development**

PROPOSED ACTIONS

The New York City Department of Housing Preservation and Development (“HPD”) seeks designation of City-owned property at 726-728 Eleventh Avenue and 553-555 West 51st Street (Block 1080, part of Lot 103) as an Urban Development Action Area (“UDAA”) and approval for the project as an Urban Development Action Area Project (“UDAAP”). In addition, HPD seeks approval for the disposition of said property to the Irish Arts Center and the Clinton Housing Development Company (“CHDC”).

City-owned properties that are no longer in use or are in deteriorated or deteriorating condition are eligible to be designated as UDAA and UDAAP, pursuant to the Urban Development Area Act (Article 16 of the State General Municipal Law). UDAA and UDAAP provide incentives for private enterprise to correct substandard, unsanitary and/or blighted conditions. According to New York State General Municipal Law § 694(4), to receive a UDAA and/or UDAAP designation the City Planning Commission and the City Council must find that:

- (a) the present status of the area tends to impair or arrest the sound growth and development of the municipality;
- (b) the financial aid in the form of tax incentives, if any, to be provided by the municipality pursuant to [the Urban Development Area Act] ... is necessary to enable the project to be undertaken; and
- (c) the area designation is consistent with the policy and purposes [of the Urban Development Area Act].

Section 197-c of the New York City Charter mandates that the disposition of all City-owned real property be subject to the Uniform Land Use Review Procedure (“ULURP”). While no specific findings must be met to make a property eligible for disposition under Section 197-c, Section 1801 paragraph J of the Charter limits HPD to the disposition of residential real property.

HPD will additionally be seeking two Mayoral Overrides to facilitate this project. The overrides will exempt the project from the requirements of Sections 24-33(b)(3) and 23-633 of the Zoning Resolution (“ZR”), which allow a permitted rear yard obstruction of no more than 23 feet and a street wall height of no less than 60 feet, respectively.

PROJECT DESCRIPTION

HPD seeks UDAA designation, UDAAP approval, and disposition of City-owned land, divided into two disposition areas, in order to enable the expansion of the Irish Arts Center (“IAC”) into a neighboring building and the expansion of the existing Juan Alonzo Community Garden. The proposed Irish Arts Center development would be a five-story, 30,000 square foot building preserving the façade of an existing two-story garage building.

Founded in 1972, the IAC is an arts and cultural center focused on Irish and Irish-American arts. The IAC’s programming includes performance and visual arts as well as education. While the focus of the organization is on the Irish arts, the IAC’s education programs seek to reach a wide audience and its programming often includes cross-cultural elements.

Background

The proposed disposition area was mapped within the now-expired Clinton Urban Renewal Area (“CURA”) in 1969. Generally from West 50th Street to West 56th Street between Tenth and Eleventh Avenues, the CURA’s goals were redevelopment of an area that experienced significant blight at the time. The urban renewal area sought to restore the residential character of the neighborhood with appropriate non-residential support facilities. In 1999, six buildings and a vacant lot on Block 1080, Lots 1 and 105 were disposed of through an accelerated UDAAP, resulting in 43 units of affordable housing and the creation of Juan Alonzo Community Garden.

In 2011, the City Council approved the West Clinton Rezoning (C 110177 ZMM), which sought to create new opportunities for residential development along Eleventh Avenue and the West Side Highway. The rezoning was generally bounded by West 43rd Street to the south and West 55th Street to the north. The contextual rezoning changed areas that had M1-5, M2-3, and M3-2 districts to R8, R8A, R8A/C2-5, R9, R9/C2-5, and M2-4. The portion of Block 1080 extending 100 feet east of Eleventh Avenue was modified from M1-5 to R8A with a C2-5 overlay.

Finally, there is a pending ULURP application for a mixed-use development on Blocks 1080 and 1081 (C 140181 ZMM or “Site 7”) that affects a portion of the project area. The proposed actions would extend the existing R8A district to a depth of 225 feet east of Eleventh Avenue on the north half of the block, and 200 feet on the southern half. The eastern edge of the rezoning area would be coterminous with Lot 103.

Existing Conditions in the Project Area

Block 1080, Lot 103 is a City-owned zoning lot that includes a number of different uses. For the purposes of this application, it has been divided into five parcels, as shown on a map in the ULURP application:

- Parcel A, also referred to as Disposition Area 1, is an L-shaped parcel fronting on Eleventh Avenue and West 51st Street. This parcel is proposed as the future home of the Irish Arts Center. It is currently occupied by the three-story Irish Arts Center at 553 West 51st Street and a two-story automotive repair facility at 726 Eleventh Avenue. This

automotive repair facility will be relocated to a mixed-use building in the Site 7 development one block north.

- Parcel B is occupied by the City-owned Captain Post Building at 556-560 West 52nd Street, which is currently vacant. The building and its adjacent side yard will be converted to affordable housing, a community facility and a community garden as part of the Site 7 project. The disposition of the site to CHDC is pending City Council approval.
- Parcel C, located directly east of Parcel A, is occupied by a one-story garage building that is part of the Duncan PAL Center.
- Parcel D, also known as Disposition Area 2, is a 25-foot driveway on West 51st Street just west of the existing Irish Arts center (in the crook of the L-shaped Parcel A). The paved driveway is currently used as vehicle storage for the automotive repair shop.
- Parcel E is located just east of Parcel B on West 52nd Street and is occupied by the Duncan PAL Center. The four-story complex comprises three tenement buildings with the Duncan Center on the first two floors and vacant apartments on the upper floors.

Proposed Project

The Irish Arts Center proposed to build a 30,000 square foot, L-shaped three to five story building on Disposition Area 1. The building will consist of a five-story, 78-foot tall building segment fronting on Eleventh Avenue. This portion of the building will retain the façade of the existing automotive facility and will match the style of it above. It will be set back 12 feet at a height of 60 feet. This portion of the building will contain the 199 seat theater and circulation space, as well as a dance studio and two classrooms. At the rear of this building, a 26-foot tall building segment will connect the Eleventh Avenue portion of the facility to the portion fronting on West 51st Street and will contain all of the backstage function of the performing arts facility. Finally, a three-story segment on the site of the existing IAC building will contain theater loading, IAC offices, and additional classroom space. The existing brick façade of the IAC building will be preserved in the new building.

Disposition Area 2 would be converted to an extension of the Juan Alonzo Community Garden. The existing garden, redesigned in 2010 includes a key park¹ on the west side and a community garden on the east side. The disposition of the 25 foot driveway currently used for vehicle storage would add a third segment of the park, a community open space operated by CHDC that would be open to the public. The design of the space includes water features and rock seating. The space will also function as a secondary entrance for the IAC.

Proposed Actions

In order to facilitate the proposed project, HPD seeks UDAA designation, UDAAP approval, and disposition of the two parcels to the IAC and CHDC. In addition, HPD will be seeking two mayoral overrides. The first is a waiver of the requirements of ZR § 24-33(b)(3), which allows a maximum height of a rear yard obstruction of 23 feet above curb level. The portion of the development connecting the Eleventh Avenue building segment to the West 51st Street segment is proposed at 26 feet in order to accommodate the stage and backstage area and meet the requirements

¹ The park is accessed by the HKNY Park Key, which is available from the Community Board for \$2.00 to anyone who lives or works in Community District 4.

of the Americans with Disabilities Act. HPD is additionally seeking a waiver of ZR § 23-633, which requires a 60 foot minimum street wall height. The applicant proposes a 58 foot street wall in order to accommodate an interstitial floor which provides both mechanical space and acoustic isolation for the theater space.

COMMUNITY BOARD RECOMMENDATION

At its full board meeting on June 4, Manhattan Community Board 4 (“CB4”) voted to recommend approval of the application with a vote of 39 in favor, 0 opposed, and 1 present but not eligible to vote.² In its recommendation, the Community Board noted the extensive, long-term collaboration with the Clinton/Hell’s Kitchen Land Use Committee and the tenants of neighboring buildings that resulted in a reduction in building height of more than one story and other accommodations to protect the privacy of neighboring tenants.

BOROUGH PRESIDENT’S COMMENTS

The Irish Arts Center has been a valuable member of the Clinton community since 1972. Its programming recognizes the important contributions to the City of New York of Irish immigrants over many generations, and seeks to create cross-cultural connections that enrich our city. The disposition of City-owned land for the purposes on enabling the expansion of a small arts organization is appropriate and commendable. The expansion of the IAC will further enhance the streetscape of the neighborhood and will add vibrancy to Eleventh Avenue, which is currently seeing a significant growth in residential population. Further, this disposition will add new, high quality open space to the neighborhood that is open to all. Because this open space will also function as a secondary entrance to the IAC, and will include an IAC sign at the rear of the space, it will be important that CHDC include appropriate signage to indicate that the space is indeed open to the public. In discussions with the Borough President’s Office, CHDC staff has indicated that such signage is currently being designed in conjunction with new signs for all of the key parks that the organization operates.

Not only is this project an appropriate use of City-owned land, it is an example of community-based planning. IAC has worked with the Community Board and neighboring residents over many years to refine this proposal. This collaboration has ensured the best possible project and has resulted in a proposed building that is appropriate to its surroundings.

BOROUGH PRESIDENT’S RECOMMENDATION

In consideration of the above, the Borough President recommends approval of ULURP Application No. C 140386 HAM.



Gale A. Brewer
Manhattan Borough President

² Joe Restuccia is a member of CB4 and also the executive director of CHDC.