

# Borough President Recommendation

**City Planning Commission**  
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## 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.

Docket Description: C 180296 PCM

**IN THE MATTER OF** an application submitted the New York Police Department and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 241 West 26<sup>th</sup> Street (Block 776, Lot 12) for use as the NYPD Bomb Squad Headquarters.

COMMUNITY BOARD NO:

5

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

*John A. Brewer*

June 18, 2018

\_\_\_\_\_  
BOROUGH PRESIDENT

\_\_\_\_\_  
DATE



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BOROUGH OF MANHATTAN  
THE CITY OF NEW YORK

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**Gale A. Brewer, Borough President**

June 18, 2018

**Recommendation on  
ULURP Application No. C 180296 PCM – NYPD Bomb Squad Headquarters  
by The New York City Police Department and the New York City Department of Citywide  
Administrative Services**

**PROPOSED ACTION**

The New York City Police Department (“NYPD”) and the New York City Department of Citywide Administrative Services (“DCAS”) together (the “applicants”) seek to site select and acquire a privately-owned property located at 241 West 26<sup>th</sup> Street (Block 776, Lot 12) in the Chelsea neighborhood of Manhattan Community District 5. The property is currently a six-story vehicle parking structure with a retail use on the ground floor and the second floor. The applicants are seeking this site selection and acquisition in order to relocate the NYPD Bomb Squad Headquarters from its current location at 233 West 10<sup>th</sup> Street (Manhattan Block 620, Lot 33). The new Headquarters facility would include storage space, administrative space, locker rooms, and vehicle parking.

The New York City Charter mandates that the “acquisition by the city of real property (other than the acquisition of office space for office use or a building for office use), including acquisition by purchase, condemnation, exchange or lease be subject to the Uniform Land Use Procedure. While no specific findings must be met to make a property eligible for acquisition pursuant to Section 197-c, site selection and acquisition of a city facility must be analyzed pursuant to the New York City Charter’s “Criteria for the Location of City Facilities” as adopted by the City Planning Commission.

The 1989 City Charter required the City Planning Commission to “adopt criteria to further the fair distribution of the burdens and benefits associated with city facilities, consistent with community needs for services and efficient and cost effective delivery of services and with due regard for the social and economic impacts of such facilities upon the areas surrounding the sites.” (Charter §203). The Criteria for the Location of City Facilities has been in effect since 1991, and they are applied whenever the city sites a new facility by purchase or new lease.

The Criteria are intended to be part of a fair and open process with significant and early community involvement. While the Fair Share Criteria do not dictate any particular outcome, the sponsoring agency and the City Planning Commission must consider the Fair Share Criteria in siting facilities to assist in balancing a number of factors, such as community needs for services; efficient and cost-effective delivery of those services; effects on community stability and revitalization; and broad geographic distribution of facilities. Certain criteria (set forth in Article

4.1) apply to all facility siting or expansions, while additional criteria (set forth in Article 5.1) apply to the siting or expansion of “local or neighborhood facilities.” Other criteria are to be considered for the siting of a “regional or citywide facility” (Article 6.1).

## **BACKGROUND**

In 1999, the project site was rezoned from M1-5 to M6-2A as part of the larger Chelsea rezoning to reflect the area’s built character and to provide opportunities for new residential development (C 990453 ZMM). The project site is located two blocks south of an M1-6D zoning district, which was established in 2011 to preserve affordable office and light industrial space and to facilitate contextual infill residential and ground floor retail development (C 100063 ZMM and N110285 ZRY).

### **Site Description**

The project site is a 6,300 square foot lot located at 241 West 26<sup>th</sup> Street between 7<sup>th</sup> and 8<sup>th</sup> Avenues (Block 776, Lot 12) in a C6-2A zoning district. The C6-2A zoning allows for a commercial Floor Area Ratio (FAR) of 6.0. The project site is currently improved with an approximately 33,725 zoning square foot building (5.4 FAR) that houses a public parking garage containing 225 parking spaces, a small dry cleaners occupying a portion of the ground floor, and a fire prevention business occupying a portion of the second floor. The parking garage is accessed via a 35-foot curb cut on West 26<sup>th</sup> Street, and there are three individual garage entrances situated along the curb cut. The existing building has six floors and is approximately 100 feet in height.

The three businesses on site will be displaced by the Proposed Actions. The parking garage, which is owned and operated by the property owner, will cease operation. The fire prevention business, which is also owned by the property owner, will relocate to another facility in their portfolio in the Bronx, Queens, or Manhattan. The dry cleaner will try to relocate across the street to another building owned by the current property owner.

### **Area Context**

The project site is located in the Chelsea neighborhood of Manhattan, within Community District 5. Land uses within the study area vary, and include multifamily apartment buildings, commercial uses, mixed residential and commercial uses, and public facility and institution uses. Immediately to the west of 8<sup>th</sup> Avenue at 26<sup>th</sup> Street is a 22-story apartment building with 186 units which is part of the Penn South development, a limited-equity housing cooperative. In total, the Penn South development is a 10-tower development built in 1962.

A majority of the western portion of the study area is comprised of mixed residential and commercial uses. To the east of the project site, closer to 7<sup>th</sup> Avenue, land uses vary, with a mix of multifamily residences, commercial uses, mixed residential and commercial uses, and community facilities and institutions, including a portion of the Fashion Institute of Technology. Additionally, the Chelsea Television Studios are on West 26<sup>th</sup> Street due east of the project site.

Buildings in the area generally range from eight to 15 stories, and as high as 22 stories. There are also several buildings between two and five stories.

The project site has good vehicular and transportation access. West 26<sup>th</sup> Street is a crosstown street that carries eastbound traffic, and 7<sup>th</sup> and 8<sup>th</sup> Avenues carry southbound and northbound traffic, respectively. The site is served by multiple subway routes: the I line runs beneath 7<sup>th</sup> Avenue and has a stop at 28<sup>th</sup> Street, and the C and E lines run beneath 8<sup>th</sup> Avenue and have a stop at 23<sup>rd</sup> Street. In addition, the project site is a walkable five blocks away from Penn Station, which offers regional and long-distance service through Amtrak and New Jersey Transit. Bus lines in the area include the M20 bus, which runs between Lincoln Center and South Ferry with uptown service along 8<sup>th</sup> Avenue and downtown service along 7<sup>th</sup> Avenue. The M23 Select Bus service runs crosstown along 23<sup>rd</sup> Street and stops three blocks south of the project site.

## PROJECT DESCRIPTION

The proposed site selection and acquisition would permit the NYPD and DCAS to acquire the project site to house the headquarters of the NYPD's Bomb Squad. The primary responsibility and mission of the Bomb Squad is the investigation and mitigation of suspicious packages, articles, devices, and potentially explosive substances. In addition, the Bomb Squad conducts explosive hazard sweeps for VIPs, and sweep and standby response services at high profile events. The Bomb Squad also investigates and disposes of all explosive materials coming into the possession of the NYPD. However, this disposal takes place at the Rodman's Neck facility in the Bronx and would never take place at the project site.

The new headquarters at the project site would service all five boroughs. Currently, the Bomb Squad is located at the NYPD's 6<sup>th</sup> Precinct at 233 West 10<sup>th</sup> Street. Over time, staff and required response and safety equipment for Bomb Squad operations have significantly increased, exceeding its current capacity at the 6<sup>th</sup> Precinct. In particular, the equipment load has substantially grown due to the advances in technology, and this is one of the primary reasons driving the need for a new facility. There is also the need for specialty Bomb Squad vehicles to be parked and stored in a climate-controlled environment. Furthermore, additional space and amenities are needed to accommodate training and exercises, including for canine units and robots, and for meetings and information sharing with outside intelligence groups.

The existing building at 241 West 26th Street would be renovated to suit the NYPD's current and projected needs. While the built FAR of 5.4 does not use all of the permitted floor area, the proposed project will not enlarge the building, and all renovation work will take place within the building. On the ground floor of the building, there will be parking and storage for six (6) NYPD vehicles related to the Bomb Squad's operations, including two Heavy Response Vehicles, two Light Response Vehicles, and one Bearcat, an armored bomb disposal vehicle. In addition, on the second floor, there will be nine (9) accessory parking spaces available only for NYPD departmental issued vehicles assigned to the Bomb Squad, for a total of fifteen (15) parking spaces at the project site.

Thirty-nine (39) uniformed employees would be based at the project site over three eight-hour shifts per day. Approximately eight employees would be on site at any given time, with a one-hour overlap between shifts where employees from both shifts would be present. The applicants estimate that approximately half of the employees on the project site at any given moment will

have arrived by public transit while others will have arrived by car. Those arriving by personal car will park on the street in proximity to the project site, while those arriving by NYPD department issued vehicles assigned to the Bomb Squad may park in one of the accessory parking spaces on the second floor.

The specific location in Chelsea was chosen to allow for reasonable response times to areas of New York City that are considered to be sensitive targets, such as Midtown Manhattan and Lower Manhattan/Financial District.

## **COMMUNITY BOARD RECOMMENDATION**

At its regularly scheduled Full Board meeting on May 10th, 2018, Manhattan Community Board 5 (CB5) voted to adopt a resolution recommending denial of the application unless the applicants secure a commitment from the New York City Department of Transportation (DOT) to explore and institute an effective means to ensure clear passage of emergency vehicles along 26th Street; and that the applicants ensure the issuance of a traffic study examining the detailed impact of their operation on 26th Street, to ensure that solid data is used to preserve the quality of life along the block, as well as to ensure the efficacy of emergency response teams in times of traffic congestion along the block.

CB5 acknowledged the responsibility and mission of the Bomb Squad, and although there is acute concern about parking and congestion on the block, CB5 recognized that the proposed project would replace a 225-space commercial parking garage currently on location. The applicants state that there would be no dedicated parking spaces on the street as part of the application, and that the replacement of the existing parking garage would represent a net reduction in the impact of vehicular traffic from the block.

In response to CB5's concerns regarding the use of sirens on the block, the applicants reiterated their commitment never to use sirens until off the block and onto an adjacent avenue, and will look into ways to trigger red lights at adjacent intersections in times of emergency response to ensure a clear path for emergency vehicles.

CB5 also acknowledged that throughout the Bomb Squad's history at its current location on 10th Street, there has only been one complaint lodged regarding noise from HVAC equipment, which was successfully addressed.

In sum, CB5 remains keenly interested in obtaining more information from DOT in the form of a traffic study examining the specific concerns of congestion at peak times on 26th street, not only to accurately address quality-of-life issues, but also to ensure effective operations of the Bomb Squad.

## **BOROUGH PRESIDENT'S COMMENTS**

The NYPD Bomb Squad fulfills a crucial safety function for the city. Although the nature of the work is such that we would ideally never have to know about all that the Bomb Squad does, it is clear that their need to grow and develop is a reality of the times. Given the advent of new

technology, the importance of proper equipment and training, and the increasing sophistication of their operational work, it is sensible for the Bomb Squad to secure a separate building outside of their current space at the NYPD's 6<sup>th</sup> Precinct on 10<sup>th</sup> Street.

The project site selected at 241 West 24<sup>th</sup> Street has many advantages. The proposed project would be replacing a commercial parking garage with 225 parking spaces. The Borough President has consistently commented on the importance of taking into account access to mass transit when considering the appropriateness of parking for a neighborhood. The project site is located in what might be one of the most transit-rich neighborhoods in all of North America, as it is not only adjacent to multiple subway and bus lines, but also walkable to regional transportation options at Penn Station. The replacement of a parking garage on this block should represent a net reduction of traffic impacts, which is a major concern of the community.

The two other businesses currently onsite have plans for relocation involving other properties owned by the current property owner. The fire prevention business will be moved to some other location yet to be determined in the property owner's portfolio, while the dry cleaner business will attempt to move to a location across the street.

The Borough President recognizes the desire of CB5 for more detailed information regarding the traffic conditions of West 26<sup>th</sup> Street, both for neighborhood quality of life and for effective emergency response for the Bomb Squad. In conversation with the applicants, Borough President staff followed up on some of the issues raised by CB5. With respect to preemptive signaling for emergency response, DOT's Signals Division informed the applicants that they do not approve preemptive signals for any agency other than the New York City Fire Department. DOT also communicated that the protected bike lanes being installed on 26<sup>th</sup> and 29<sup>th</sup> Streets have been planned with extensive feedback from relevant parties to ensure emergency vehicle clearance. Furthermore, according to DOT, any additional traffic study of the project site area is not warranted, given the number of staff to be stationed at the proposed project and the vehicular trips to be generated.

The Borough President believes that the proposed project would not lead to undue traffic impacts, and given its replacement of a 225-space parking garage, it should represent an amelioration of traffic conditions. The Borough President further encourages NYPD Bomb Squad to continue being a good neighbor here on 26<sup>th</sup> Street as they have been on 10<sup>th</sup> Street, and to commit to return to CB5 to give updates on operations and address future concerns as needed.

#### **BOROUGH PRESIDENT'S RECOMMENDATION**

Therefore, the Manhattan Borough President recommends **approval** of ULURP Application No. C 180296 ZSM.



Gale A. Brewer  
Manhattan Borough President