

Borough President Recommendation

City Planning Commission
22 Reade Street, New York, NY 10007
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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.

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
 - 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 selected by HPD

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

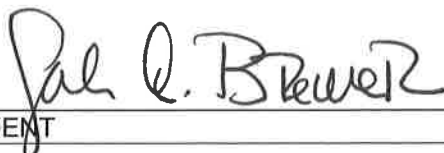
BOROUGH: Manhattan

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

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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.