



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 4<sup>th</sup>, 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 vote<sup>1</sup>.

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 51<sup>st</sup> 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

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<sup>1</sup> 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 51<sup>st</sup> 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 51<sup>st</sup> 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 51<sup>st</sup> 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 21<sup>st</sup> 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 Key<sup>2</sup>, 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 11<sup>th</sup> Avenue and 555 West 51<sup>st</sup> 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 53<sup>rd</sup> 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 52<sup>nd</sup> 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 51<sup>st</sup> Street and on the north by 564 West 52<sup>nd</sup> Street. Those buildings are owned by a partnership between

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<sup>2</sup> 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 51<sup>st</sup> Street, 555 West 51<sup>st</sup> Street (northern portion of lot 50' x 25') to the IAC.

MCB4 approves the disposition of 555 West 51<sup>st</sup> 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 51<sup>st</sup> 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  
Gabriella 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