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MANHATTAN COMMUNITY BOARD FOUR

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August 15, 2024

Dan Garodnick, Chair
NYC Planning Commission
120 Broadway, 31st floor
New York, NY 10271

Re: 525 Eighth Avenue, 240393ZCM, Privately Owned Public Space

Dear Chair Garodnick,

Manhattan Community Board 4 at its duly noticed public meeting, on Wednesday, July 24th, 2024, voted 39 in favor, 0 opposed, 0 abstaining, and 0 present but not eligible, to approve with modifications the above referenced applicant's request for changes to the Privately Owned Public Space (POPS) abutting his business at 525 Eighth Avenue (36/37) and to make a request of NYC Department of Planning.

History

The POPS was formed under city zoning by the property owner and is maintained by the hotel operator. It is a city plaza open to the public that consists of 5 tables and 14 chairs along with some built-in benches.

The plaza itself has an unfortunate history due to present day street conditions in that part of midtown Manhattan. The plaza is often occupied by people with substance use disorders. Recently, Mayor Eric Adams and District Attorney Alvin Bragg formed the Midtown Community Improvement Coalition to address the dangerous street conditions in this area.

According to statistics produced by the Midtown North Precinct this area is experiencing problems that can't be ignored. Year to date (July 24, 2024) on Eighth Ave between West 36th and West 37th Streets there have been:

65 Arrests (30 were for narcotics),
1503 calls to 911,
295 calls to investigate a possible crime,
180 calls for a crime in progress,
130 calls for disorderly persons,
80 calls for disputes, and
335 ambulance calls.

The hotel has private security but there is only so much they can do about problems of this nature. At present, the hotel has removed the tables and chairs fearing the safety of their clientele. The plaza did not get continued use by the public; only during check-in and check-out times. As a result, it became attractive for activities such as encampments and open drug use.

Vanilla Gorilla is a coffee shop owned by the applicant who has the property owner's permission to seek the POPS modification. The applicant will have a much more engaged and active use of his tables and chairs and activity is often the solution to keeping plazas functioning and not falling onto bad times as has happened here.

Application

The modification before us that was approved is to add 5 more tables and 10 more chairs next to the applicant's business. They will be in the plaza from 7 am to 7 pm, seven days a week, and otherwise stored in a part of the hotel. The applicant and his business's staff will maintain them. They will and can be used by anyone from the public, but the businesses customers will be encouraged to use them. Such continuous use can only benefit the plaza.

Modification Request to City Planning

Given the present conditions of the plaza, Manhattan Community Board 4 strongly believes that City Planning should further modify the plaza. Instead of adding more tables and chairs, the existing tables and chairs placement should be removed and replaced with the new ones next to the business with the time limitations. We recommend the applicant use the currently approved five tables for a period of six months to monitor the program's success before increasing the table count to ten. This allows the applicant what he needs regarding tables and chairs and relieves the property owner and hotel operator from having to hopelessly mitigate the present onerous conditions of the existing tables and chairs.

We will be also asking the Manhattan Borough President and local council member to support this request. Street conditions in midtown Manhattan are a serious concern today and the city needs to be flexible and creative in how things should function.

We thank you for your consideration and support.

Sincerely,



Jessica Chait
Chair
Manhattan Community Board 4



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



Paul Devlin
Co-Chair
Clinton/Hell's Kitchen Land Use
Committee

cc: Hon. Mark Levine, Manhattan Borough President
Hon. Eric Adams, NYC Mayor