

May 3, 2002

Hon. James Chin
Chair
Board of Standards and Appeals
40 Rector Street
New York, NY 10007

**Re: Alvin Ailey Dance Foundation, 841-849 Ninth Avenue and 401-409 West 55th Street.
BSA Application No.: 92-02 BZ for waiver of lot coverage and height and setback
regulations.**

Dear Chair Chin:

At the recommendation of its Clinton Land Use and Zoning Committee, Manhattan Community Board No. 4, having held a duly noticed public hearing on BSA Application No. 92-02 BZ, voted unanimously to recommend approval of this application, subject to the conditions indicated below (roll call vote of (41) in favor, (0) opposed, (0) abstentions and (0) present but not eligible to vote).

This application seeks a variance for a waiver of the applicable height and setback regulations governing lot coverage and height and setback to facilitate the development of a new building for the Alvin Ailey Dance Foundation at the northwest corner of Ninth Avenue and West 55th Street. The building will include dance studios, informal performance space, “back of the house” facilities, administrative offices and other facilities for Alvin Ailey’s dance companies and the Ailey School.

The site is within the Preservation Area of the Special Clinton District and consists of two zoning lots, a corner lot within an R8(C1-5) zoning district and an adjacent midblock lot within a C6-2 zoning district. The applicable lot coverage regulations allow a maximum lot coverage of 70% on the corner lot and 60% on the midblock lot. The applicant’s proposed lot coverage is 83% on the corner lot and 67% on the midblock lot. The site has for many years been occupied by a theater building with approximately 90% lot coverage. The applicable height and setback regulations require setbacks at 85 feet above curb level or six stories, whichever is less. The applicant’s proposed building has a 98 foot streetwall, without setbacks.

The applicant’s request for these variances is attributable to the trapezoidal shape of the corner lot and fact that the site’s grade decreases from 53 feet at the northeast corner to 44 feet at its southwestern corner. The new building has been designed to include 14 dance studios (two of which will be built at a later date). It is planned to be seven stories above grade and two below

grade. The proposed studios have widths from 32 to 43 feet and ceiling heights from 14 to 20 feet. If the building were designed to accommodate these studios without the requested variance, the building would be approximately 30 feet taller along Ninth Avenue and would much more significantly alter the character of the neighborhood than the proposed building.

Therefore, having reviewed and considered the statement of findings in the application, this Board concurs that this application meets the requirements for variance pursuant to section 72-21 of the Zoning Resolution.

The Board is pleased that the applicant has selected this site for its new building, and looks forward to working with the applicant to further the many benefits that the proposed project will bring to the neighborhood.

However, the Board does have several concerns about the effect that the building's design, which is essentially a large glass box, and the applicant's programs will have on this largely residential neighborhood. The applicant has addressed most of these concerns in a letter dated April 29, 2002 (copy attached), and has expressed a willingness to continue to consult with the Board throughout the design and construction phases of the project.

This Board therefore recommends approval of the application, provided the applicant adheres to the limitations stated in its letter to the Board, namely:

1. The hours of operation will generally be from 9:00 a.m. to 9:00 p.m.
2. Light emanating from the building will be minimized through use of a partially fritted, insulated glass façade and light-reducing shades.
3. All exterior mechanical systems will include noise abatement features to ensure that permitted noise levels are not exceeded.

Sincerely,



Simone Sindin
Chair
Manhattan Community Board No. 4

Anna Hayes Levin
Chair
Clinton Land Use and Zoning Committee

This letter was approved at Manhattan Community Board No. 4's May 1, 2002 full board meeting.

cc: local elected officials
Elise Wagner, Esq.