



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD No. 4

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J. LEE COMPTON
Chair

MICHELLE SOLOMON
Acting District Manager

March 7, 2006

Amanda M. Burden, AICP
Director, Department of City Planning
22 Reade Street
New York, New York 10007

Re: Clinton Theater Floor Area Bonus (Zoning Resolution Section 96-25)

Dear Director Burden:

Thank you for your letter dated February 8, 2006, inviting us to work with your office on revised text for the theater bonus provisions of Zoning Resolution Section 96-25. We are pleased to provide you with our proposal, in the form of the attached draft revised text.

The overarching purpose of our proposal is to ensure that the bonus is indeed an opportunity to facilitate small Off-Broadway theaters typical of Theater Row.

The basic changes we propose are as follows:

1. The bonus should require a special permit, not certification.
2. Clarify that the bonus is two feet for each foot of theater or performing arts space, with a total bonus of 3.0 FAR.
3. Allow non-profit performing arts space to qualify for the bonus only if the development also includes at least two theaters.
4. Make various changes in (b), including limiting accessory floor space to 20% of the total floor space for theater and performing arts uses.
5. Revise (c) to increase the minimum theater size to 100 seats (to insure union performances), add a 299 seat maximum, remove the requirement that seats be fixed (to allow flexible seating configurations) and prohibit the combination of smaller spaces to make a space larger than 299 seats.
6. Add findings concerning the effect on the surrounding area (as now required for the theater rehabilitation bonus in ZR Section 81-745).
7. Clarify what has to be built to get the bonus, which should be core, shell and all building systems. The scope of work should be approved by the Department of Cultural Affairs.

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8. Prohibit adult establishments.

William Haas of your office has been generous with his time and attention in discussing this proposal with representatives of this Board, and we are confident we are working toward a common goal. We recognize that further revisions will be necessary to reach agreement on the specific details of the modifications, and look forward to working with your office toward that end.

Sincerely,



J. Lee Compton
Chair
Manhattan Community Board No. 4



Anna Hayes Levin
Co-Chair
Clinton/Hell's Kitchen Land Use Committee



Simone Sindin
Co-Chair
Clinton/Hell's Kitchen Land Use Committee

cc: Local Elected Officials
Ray Gastil, DCP
William Haas, DCP
Marissa Redanty, Manhattan Plaza Tenants Association
Fred Papert, 42nd Street Redevelopment
Alan Eisenberg, Actors' Equity
Jeff Blau, Related Companies