



DAVIDOFF HUTCHER & CITRON LLP

ATTORNEYS AT LAW
605 THIRD AVENUE
NEW YORK, NEW YORK 10158

TEL: (212) 557-7200
FAX: (212) 286-1884
WWW.DHCLEGAL.COM

FIRM OFFICES

GARDEN CITY
ATTORNEYS AT LAW
200 GARDEN CITY PLAZA
GARDEN CITY, NY 11530
(516) 248-6400

ALBANY
GOVERNMENT RELATIONS
150 STATE STREET
ALBANY, NY 12207
(518) 465-8230

WASHINGTON, D.C.
GOVERNMENT RELATIONS
1211 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036
(202) 347-1117

WRITER'S DIRECT: (646) 428-3271
E-MAIL: hsw@dhclegal.com

March 15, 2013

By E-Mail (pryan@cb7.org)

Ms. Page Cowley and Mr. Richard Asche
Co-Chairpersons
Land Use Committee
Manhattan Community Board No. 7
250 West 87th Street
New York, NY 10024

Re: Columbia Grammar & Preparatory School
Tax Block 1206, Lot 20
36 West 93rd Street (a/k/a 33 West 92nd Street)
Borough of Manhattan, New York

Dear Co-Chairs Cowley and Asche:

This letter and the enclosed documents provide the Land Use Committee with the additional information that was requested at your public meeting, held on February 20, 2013, regarding Columbia Grammar & Preparatory School's variance application affecting the above-referenced premises.

(1) Prior Variances Affecting Site

We have determined that there are no prior Board of Standards and Appeals resolutions affecting the subject building.

(2) Existing and Proposed Floor Area

As detailed in our application documents, the relief sought by Columbia Grammar is the minimal amount needed by the applicant to establish a self-contained middle school at the subject building with the requisite educational space allowing the applicant to achieve its educational goals.

March 15, 2013

Page 2

It bears emphasis that the proposed school addition remains below the maximum floor area permitted as a matter of right. The lot is located in an R7-2 zoning district that allows a maximum permitted floor area ratio ("FAR") of 6.5, which yields the development of 54,301 square feet of zoning floor area. Currently, the building consists of 28,178 square feet of floor area (FAR 3.37). The proposed building, after the enlargement, would measure 40,778 square feet in zoning floor area (FAR 4.88).

The existing gross floor area at the subject building (*i.e.*, 36 West 93rd Street) measures approximately 42,500 gross sq. ft.; it will measure approximately 58,500 gross sq. ft. after the proposed enlargement. In addition, the existing adjacent high school building, located at 4 West 93rd Street, measures approximately 64,000 gross sq. ft.

With the additional floor area yielded by the proposed enlargement, the amount of school-to-student space totals 151 sq. ft. per student. Based upon the findings and conclusions drawn from School Planning & Management's *16th Annual School Construction Report* (The 2011 School Construction Report), the average new middle school (in "Region 2," which consists of the States of New York, New Jersey and Pennsylvania) provides 173.3 sq. ft. per student., which is more than proposed for the students at Columbia Grammar's proposed enlarged middle school building.

(3) Impact On Views From Adjacent Buildings

The project architect is finalizing information and graphics to be furnished at the next Land Use Committee public meeting scheduled for March 20, 2013. They will show that the enlargement, as proposed, may interfere to some degree with existing views for some residents of adjacent buildings. They also will show, however, that the enlargement will not prevent access to light and air. Diagrams and photographs will be presented at the Land Use Committee meeting.

(4) Environmental Assessment Statement/ CEQR

On March 4, 2014, a copy of the project Environmental Assessment Statement, as submitted to the Board of Standards and Appeals, was furnished to Community Board 7, Council Member Brewer and Mr. Rosenberg.

(5) Waiver of Setback Requirement and Findings by Robert Silman Associates

As noted above, the proposed increase to the building's floor area is permitted by right and does not require a waiver from the BSA. In order for Columbia Grammar to meet its programmatic needs by developing the proposed as-of-right floor area, however, the school cannot comply with the zoning requirements relative to lot coverage (Zoning Resolution Section 24-11), rear yard equivalent (Zoning Resolution Section 24-382), and sky exposure plane (Zoning Resolution Section 24-522). We refer you to the attached drawing labeled "Proposed Section BSA Application." Again, the floor area is permitted by right, yet the as-of-right

March 15, 2013

Page 3

massing could not be structurally supported by existing building conditions and it did not create a rational design for the additional classrooms and ancillary facilities.

Questions were raised concerning the proposed sky exposure plane waiver, which, at its greatest depth, would be violated by 7'-7" along the 93rd Street frontage. The reason for the decision to locate the bulk at this portion of the building is, in part, because this is the location where a library is proposed at the fifth floor and two classrooms proposed to be added at the sixth story, which are the rational location for these educational spaces given existing space limitations. The location of the additional floor area is also driven by the building's structural support system. We enclose a memorandum prepared by Robert Silman Associates, the project structural engineer, addressed to Gruzen Samton Architects, the project architects, dated September 20, 2012, which explained that the load capacity for the addition along 93rd Street is designed to be distributed across both building sections to be supported by the building's existing column and foundation support system.

In addition to the structural issues affecting the 92nd Street façade and the program difficulties in relocating the floor area to the 92nd Street façade, the building narrows along the 92nd Street façade and the narrow lot condition at that part of the property would not yield two classrooms with appropriate sizes. If the street wall of the two-story addition be required to setback beyond the 7'-7" sky exposure plane encroachment it would effectively eliminate the proposed rooms because their depth would be too narrow.

(6) Allocation of New Community Facility Floor Area

With regard to the functional allocation of floor area created by the proposed enlargement, including classroom and administrative space, the total usable floor area within the building will measure 28,650 sq. ft. Of that sum, classroom space totals 20,990 sq. ft. (73% of the building); dining/server space measures 4,230 sq. ft. (15% of the building and shared with the high school students); and 3,430 sq. ft. would be utilized as administrative-related and building support space [i.e. security and storage] (12% of the building).

(7) Shadow Study

As requested, the project architect prepared a study illustrating the existing shadows cast by the proposed Columbia Grammar building and those in the immediate area, and the effect of the proposed enlargement as it relates to existing shadows. As illustrated, the increase in shadows is *de minimis* beyond the shadows cast presently by existing building heights in immediate area, including those along Central Park West.

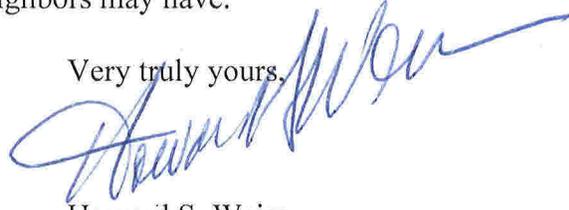
The shadow study illustrates the gradual change of shadows throughout a day. The study was furnished by e-mail to the Community Board 7, Council Member Brewer and Mr. Rosenberg on March 14, 2013, which e-mail includes instruction for access to a File Transfer Protocol (FTP) site.

March 15, 2013

Page 4

We look forward to appearing before the Land Use Committee on March 20th to answer any additional questions the Committee and neighbors may have.

Very truly yours,



Howard S. Weiss

Enclosures

cc: Via E-Mail

Hon. Gale Brewer, Council Member

Ms. Penny Ryan, District Manager, Manhattan Community Board No. 7

David Rosenberg, Esq.



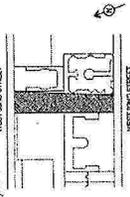
GRUZEN SAMTON architects llc

COLUMBIA GRAMMAR & PREPARATORY SCHOOL

New York, NY 10025
Tel: 212/749-6500 Fax: 212/865-4479
30 N 35 St

Architect
Gruzen Samton LLP
120 West 19th Street
New York, New York 10014
Tel: 212/477-0900 Fax: 212/477-1237

Date: 08/08/12
Gruzen Samton Job No. 2077.00
Drawn by: RS Date: ---
QA Checked by: SD Date: ---
Pin Approval by: SD Date: 08/08/12
Issue Date: 11/31/11
Scale: 1/32" = 1'
Key Plan: WEST 80th STREET

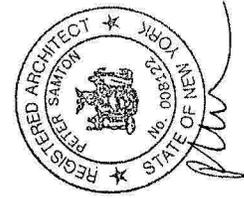
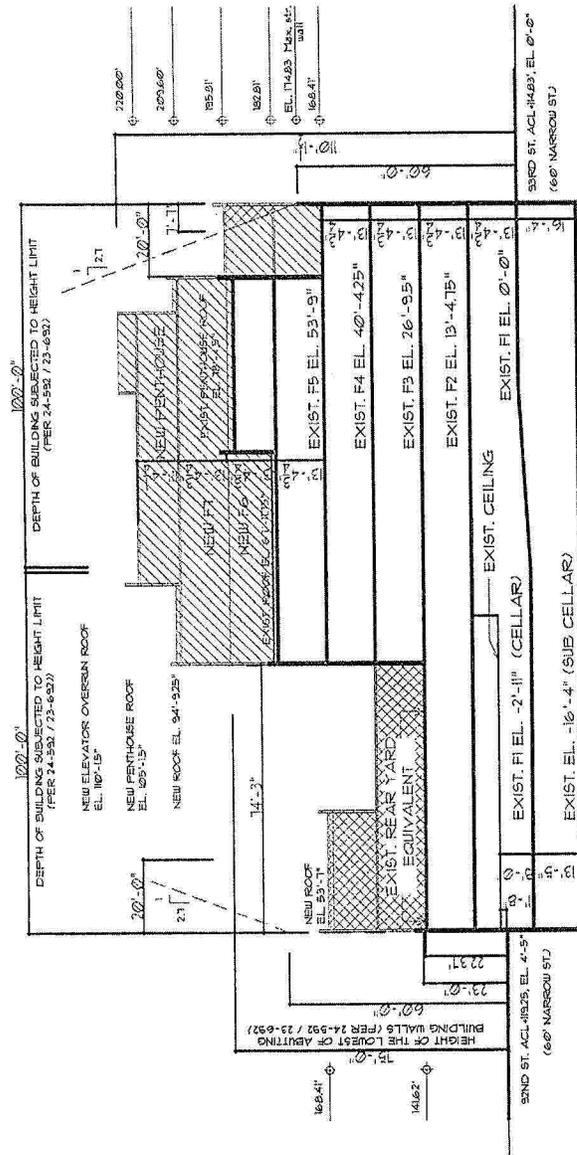


Drawing Title

PROPOSED SECTION
BSA APPLICATION

Drawing No.

22



PROPOSED SECTION A-A
1/32" = 1'



MEMORANDUM

PRINCIPALS
Robert Silman
Joseph F. Tortorella
Kirk Mettam
Nat Oppenheimer
Edmund Meade

Date: September 20, 2012
Attention: Peter Samton
Company: Gruzen Samton Architects
From: Geoff Smith

Project Name: Columbia Grammar Preparatory
School 36 West 93rd St.
RSA Project #: 11435
RE: Floor Layout
cc: Tory Struck, RSA; Susan Drew,
GSA

88 University Place
New York, NY 10003
P 212 620 7970
F 212 620 8157
www.silman.com

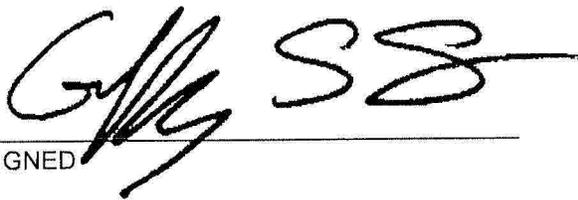
Peter,
We have analyzed the impact of taking the floor area currently at the front of the building and adding it to the rear (1 1/2 story) portion of the building at the above noted project, per our recent conversation on September 17, 2012.

In the current condition, the open space at the first floor level presents a slight challenge to the framing that will need to be added above the current framing. While structurally feasible, there may be some serious cost implications with moving more of the new floor area to the rear of the structure. We have anticipated framing over the entire span of the building (in the east-west direction) because our analysis has shown that the transfer beams are very close to their allowable stress level. Given the span (approximately 36'), we are anticipating that the beams would need to be in the realm of 21" in depth and would cost more than the conventional framing that is in the existing building below. With any further movement of the new space from the front of the building to the back of the building, these beams may get deeper and cause some head height issues for the architecture and space restrictions for the mechanical systems.

If you have any questions about the above, please do not hesitate to contact me.

Regards,

Geoff Smith


SIGNED _____

Q:\11000\11453\correspondence\11453 2012.09.20 floor area memo.doc