

NEW YORK CITY PLANNING COMMISSION

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In re NYU Core Project :  
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Applications Nos.: 120122 ZMM, N 120123 :  
ZRM, N 120124 ZSM, and 120077 MMM :  
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**STATEMENT OF OBJECTIONS**

**GREENWICH VILLAGE SOCIETY  
FOR HISTORIC PRESERVATION**

**NYU FACULTY AGAINST THE  
SEXTON PLAN**

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## STATEMENT OF OBJECTIONS

We represent the Greenwich Village Society for Historic Preservation (“GVSHP”) and NYU Faculty Against the Sexton Plan (“NYUFASP”) in connection with the Uniform Land Use Review Procedure (“ULURP”) governing the NYU Core Project (“NYU 2031”). We urge the City Planning Commission (“CPC”) to disapprove the NYU Applications because the draft environmental impact statement (“DEIS”) is flawed and/or require supplemental environmental review based on recent material changes to the NYU Applications before entertaining them further.

As the CPC is well aware, its public review process is not a referendum on whether NYU should expand. Indeed, NYU is expanding—and has been doing so over the past decade, both within its core Greenwich Village area, consistent with the contours of the neighborhood’s existing zoning, and by locating its facilities elsewhere in Manhattan and other boroughs.

What is at issue here is whether NYU can justify, and whether the CPC will endorse, the severe impacts on the Greenwich Village community, and particularly the NYU faculty, of this massive rezoning. Can NYU justify, and will the CPC will allow, these adverse impacts all to facilitate a 20-year, 2.2-million square-foot construction project concentrated in the two-block epicenter of one of the City’s most treasured, historic neighborhoods? Can NYU justify, and will the CPC approve, trampling the inherent character of the neighborhood just to meet “needs” far afield from NYU’s core academic mission, including: (i) nearly 200,000 square feet devoted to a hotel and retail space (which this neighborhood certainly does not need); (ii) another 200,000 square feet for a gymnasium and performing arts center (which could be located elsewhere); (iii) a New York City public school (which the Department of Education has not requested and may not want); (iv) more faculty housing (even though NYU is leaving many



existing units empty and combining others); and (v) and more classrooms (even though NYU's student population will remain essentially flat).<sup>1</sup>

The CPC has been asked to endorse one of the largest rezonings in Manhattan since the redevelopment of the Hudson River Rail Yards. It has been asked to lift deed restrictions intended to enforce an Urban Renewal Plan. It has been asked to approve a special permit to remove set-back and height restrictions. Like the Hudson River Rail Yards project, it has been asked to approve one of the most significant changes in land-use policy and regulation in the City's recent history.

Unlike the Hudson River Rail Yards project—which was planned within a desolate, blighted Westside expanse—the project proposed here focuses on a two-block radius skyward and is grossly out-of-proportion to the rest of the thriving residential neighborhood. Indeed, a project of this magnitude is simply inconsistent with the unique character of Greenwich Village, already one of New York City's most popular, well-developed neighborhoods. *See* Statement of Tom Duane, State Senator, Apr. 25, 2012 (“I can barely describe how concerned I am about the proposed development and its impacts on a neighborhood that we love and that N.Y.U. loves.”). For planning purposes, it is certainly not an area where anyone would say the City would feel a need to attract thousands of new residents, 10,000 new visitors a day, promote soaring skyscrapers, and locate more hotel and retail space. If this is gilding, it will surely kill the lily.

The CPC should disapprove NYU 2031 because the scope of the project is just too large and out of proportion to the surrounding neighborhood. As proposed, this project will irreparably alter the character of Greenwich Village forever, unduly burden NYU's faculty for decades to come, and overtax the limited open space in this already crowded, popular neighborhood. These prices are too big to pay simply to accommodate this private applicant's

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<sup>1</sup> At the April 25 hearing, NYU representatives were asked about many of these issues, and they responded to some, not all, and promised follow-up information. None has been provided as far as we can tell. Given the enormity of this project and its anticipated significant adverse impacts, it would be arbitrary and capricious for the CPC to accept NYU's representations without thorough documentation and review, by the CPC and the public.

preferences. There are balances that have yet to be struck here, professed “needs” of the private applicant yet to be justified and legitimate concerns of the community yet to be addressed.

As if the adverse impact itself were not enough to warrant rejection, the central process questions raised here go to the heart of the CPC’s important public role: Is a rezoning of this magnitude warranted to accommodate a private applicant’s preferences to, among other things, build a hotel and retail space? Will the CPC hold this project applicant accountable to justify its supposed “need” to impose such significant adverse impacts on the surrounding community? Will it allow this project applicant to ignore the community’s concerns (including those of its own faculty) but then cut a back-room, “eleventh-hour” deal with a local elected official while the public still remains in the dark about the details?<sup>2</sup> Will the CPC rubber-stamp a DEIS that is glaringly deficient, especially now that NYU has agreed to make material changes to NYU 2031 without any environmental assessment of the modifications? Will it allow scarce open space to be eliminated and parkland alienated in violation of state law simply to accommodate this private applicant’s massive project? And, most importantly, will the CPC takes steps to ensure meaningful public input and then take that input into account before rendering its decision? Indeed, the Greenwich Village community and NYU faculty are forcefully and overwhelmingly opposed to this massive project that threatens to overwhelm their beloved neighborhood. All they are asking for right now is more time, more information, and more input before any decision is made. Surely, the CPC should feel obliged to ensure that the public interest is protected and the best result for the City is ultimately achieved.

In short, the CPC stands at a crossroad. This is a defining moment in its current leadership’s tenure. Having adroitly navigated so many other controversial issues over the past decade, it faces perhaps its toughest test to date. The “wish list” of a private applicant, no matter

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<sup>2</sup> Manhattan Borough President Scott Stringer is the local elected official who cut that deal with NYU. Incredibly, at the April 25 hearing, Borough President Stringer’s representative refused to reveal what requests that office had made to scale back the project that NYU rebuffed, claiming the conversations were “confidential.” That curious statement captures the problem here in a nutshell. Too much is happening here out of public view and without public input, undermining the integrity of the process, thereby preventing the a fair result from being achieved based on meaningful public input, and, ultimately, affecting the public’s confidence in any resolution here.

how respected, simply cannot take priority over the CPC's paramount obligation to protect the public interest, promote sensible zoning and planning consistent with the urban environment in which a project is proposed to be located, and preserve the character of the surrounding neighborhood in the process. The balance the CPC strikes here will literally define the future of this cherished Greenwich Village neighborhood and other vital neighborhoods.

We, therefore, implore the CPC to slow this train before it becomes a wreck: take the time to get it right, fully assess NYU's modified plan, fully explore alternatives, and afford the community the opportunity to have meaningful public input to ensure a fair and reasonable result.

## **I. BACKGROUND**

NYU originally certified its expansion plans on January 3, 2012. Two months later, on April 11, 2012, Borough President Stringer announced that he had negotiated "major commitments to and mitigations for the project with NYU." *See* Exhibit 1 (Press Release, Borough President's Office, Manhattan Borough President Scott Stringer Issues Conditional Approval for NYU's Care Campus Expansion (Apr. 11, 2012)). The community had no opportunity to participate in these negotiations in any way, and despite probing questions from the CPC Commissioners, still has little insight into what the Borough President and NYU discussed, including the exact nature and consequences of the agreements and disagreements. All that is clear is that, based on its own subsequent admissions, NYU definitively agreed to modify NYU 2031 (the "NYU Modifications").

In his April 11 Conditional Approval letter (the "April 11 Letter"), Borough President Stringer summarized some aspects of the NYU Modifications, including an overall "reduction in density of 19 percent," the removal of a temporary gym from the original proposal, and changes to the construction schedule. *See* Exhibit 2 (April 11 Letter). The Borough President provided a similarly limited description of the NYU Modifications in his April 30, 2012, letter to constituents (the "April 30 Letter"), which actually presented conflicting information about some of the proposed modifications. *See* Exhibit 3 (April 30 Letter). Thus, not only do these letters

provide virtually no details regarding the NYU Modifications, but they are not even consistent (as described in Section II.A below).

On April 19, 2012, our clients requested that the CPC postpone the public hearing to allow sufficient time for the public to obtain more information about the NYU Modifications. *See* Exhibit 4 (Gibson Dunn Letter, April 19, 2012). On April 20, Community Board 2 made a similar request to CPC. *See* Exhibit 5 (Community Board 2 Letter, April 20, 2012). On the same day, the Community Action Alliance on NYU 2031 (“CAAN”) made a similar request. *See* Exhibit 6 (CAAN Letter, April 20, 2012). With these submissions, thousands of community members came together to make a simple yet important request: for the CPC’s help in obtaining more time and sufficient information to be in a position to offer meaningful commentary on the NYU Modifications.

On April 23, 2012, David Karnovsky, CPC General Counsel, responded that the April 25, 2012, hearing would proceed as scheduled. *See* Exhibit 7 (Karnovsky Letter, April 23, 2012). Karnovsky characterized the NYU Modifications as a nonbinding “recommendation” by the Borough President, failing to recognize that NYU had formally agreed (indeed “committed”), in writing, to modify NYU 2031. On April 24, 2012, Gibson Dunn responded to Mr. Karnovsky, requesting that the CPC at least postpone the public hearing for a short period of time “to make sure the public has adequate time and information to meaningfully comment” on the NYU Modifications. *See* Exhibit 8 (Gibson Dunn Letter, April 24, 2012). The CPC did not respond to this request, and on April 25, 2012, the CPC held a public hearing on NYU 2031. During that hearing, numerous citizens testified that they were unable to meaningfully consider and comment on the NYU Modifications because the details were not available to the public.

## **II. THE PUBLIC DOES NOT HAVE SUFFICIENT INFORMATION TO MEANINGFULLY COMMENT**

The CPC must disapprove the pending ULURP applications, because the public did not have an opportunity to present meaningful comment on the NYU Modifications. ULURP was codified in 1976 to ensure that land-use decisions were transparent and public. Because NYU

(formally and in writing) altered the terms of its proposal, it should be required to resubmit its application and analysis to the CPC, or, at a bare minimum, present the details of its modifications to the public. Unfortunately, the public was deprived of its right to participate meaningfully in the process, because it had to comment on a plan that was already stale.

We have full confidence that the Commissioners have sufficient experience and savvy to see what has happened here. As the CPC is well-aware, NYU has trumpeted the “5-year process” that led to the expansion plan, yet NYU withheld any agreement to modify the central elements of that plan—despite repeated requests from the community and despite the obvious conflicts between the existing plan and the “guiding principles” to which it was committed—until the ULURP time clock was running. The intent and impact of this decision is to deprive the CPC and the public of sufficient time to peer beneath the NYU Modifications.

To rectify this problem, the CPC must require that NYU and the Borough President submit a full breakdown and analysis of the new plan. At a minimum, this should include:

- a detailed, revised scope of work;
- any changes to the construction phasing;
- a discussion of alternatives considered and rejected;
- any mitigation efforts considered;
- an estimate of the profit NYU expects to make from the commercial uses of its buildings;
- a comprehensive financial plan detailing how NYU intends to fund the project;
- a detailed plan for programmatic and nonacademic use of the various buildings;
- the planned use for the Bleecker Building space if the School Construction Authority does not build a school by 2025; and
- a full environmental analysis of the Borough President Stringer modifications.

Regrettably, NYU has decided to withhold the details of the new proposal, just as it has inappropriately withheld information on a number of other key issues we discuss below, including:

1. why the reported Borough President Stringer modifications are inconsistent;

2. the details of the discussion between Borough President Stringer's office and NYU; and
3. details and analysis about the enormous financial burden NYU will impose on the school and future students by undertaking a multibillion dollar project.

After the CPC and the public are in possession of all of the relevant information, the CPC should schedule a second hearing to give the public the opportunity to provide fully-informed commentary, as mandated by ULURP. Unless and until this information is provided and the public has had the chance to comment, CPC must deny the pending NYU Applications.

A. *The Descriptions Of The NYU Modifications Are Inconsistent.*

Not only are the details of the NYU Modifications exceedingly scant, but the available details are facially inconsistent. The public cannot meaningfully consider the proposed modification plan—as ULURP intends—if it cannot determine what that plan is. NYU has not provided a detailed description of the agreed-upon modifications and the information provided by the Borough President's Office contradicts itself. The public is thus denied its right, under ULURP, to provide meaningful comment, and CPC is denied the opportunity to examine the terms of the true application.

Borough President Stringer ostensibly described the modifications in two letters, the April 11 Letter (Exhibit 2) and the April 30 Letter (Exhibit 3). There are several obvious discrepancies between the supposedly identical proposals, underscoring the fact that no one knows precisely what it is that NYU is asking the public to review—not even the Borough President who conditionally approved the application. A table of the readily apparent discrepancies is provided below:

<b>April 11 Letter</b>	<b>April 30 Letter</b>
Below-Grade space reduced by <u>185,000</u> square feet	Below-Grade space reduced by <u>183,000</u> square feet
Overall construction reduced by <u>370,000</u> square feet	Overall construction reduced by <u>377,000</u> square feet (no explanation whatsoever for the additional 7,000 square feet)
Mercer Plaza will be maintained as a public open space	Mercer Plaza is apparently not protected
<p>Alternately says that the proposal will “add an approximate <u>2,275,506</u> GSF to the superblocs”</p> <p>AND</p> <p>and that “the four new buildings within the Proposed Development Area will have a total of <u>2,498,709</u> SF”</p> <p>Perplexingly, these different totals in square footage appear on the same page of the letter.</p>	<p>Says the original proposal would have only added <u>2,000,000</u> SF.</p> <p>It is perplexing that the original proposal could be reduced by somewhere between 300,000 and 500,000 square feet since the April 11 letter.</p>
These areas reduced by 370,000 would result in a <u>15 or 16% reduction in square footage</u> (depending on which figure you use).	When dividing into 377,000, the reduction results in <u>18.5%</u> (which the Borough President touts as 19%)

At this mature stage in the process, it is unacceptable that material inconsistencies plague the only publicly-available information on the modifications. The public should not be forced to rely upon data that is not even consistent within the confines of its own pages, much less across multiple documents.

Moreover, the most recent letter remains strikingly vague, including on the environmental issues that are of the greatest concern to the community. For example, it states that:

1. “NYU will continue to work to find appropriate controls on destination retail in the Commercial Overlay Area,” but there is no explanation of the controls that NYU purportedly intends to pursue.
2. NYU has made a “[c]ommitment to limit construction to the hours of 8:00am to 4:30pm and limit weekend construction,” with no explanation as to how weekend construction would be limited, nor any explanation as to how construction hours could be scaled back without extending the time necessary to complete construction.
3. “The university has also agreed to air quality, dust and noise mitigation,” with no mention of when or how mitigation will be undertaken, whether the mitigation is sufficient to address the environmental impacts, and apparently ignoring the fact that the draft environmental impact statement determined that the best mitigation techniques would not sufficiently address the impacts on the faculty buildings and those residents.

Unfortunately, the April 25th public hearing did little to clarify these ambiguities. As discussed below, the representative from the Borough President’s office did not provide any further level of detail about the modifications. His presentation consisted of listing off the agreed-upon concessions, one after the other, with no detail. When pressed for specifics by the CPC, he provided answers along the lines of “we asked for things that the community wanted” or “we would still like to talk about 505 LaGuardia, the use of the hotel, the design of open space and buildings... these are things we think we need further discussion on.”

The contradictions, ambiguities, and unanswered questions calls to mind Commissioner Cerullo’s opinion on the Borough Hall Skyscrapers District decision (ULURP application N120069HKK, November 16, 2011/Calendar No. 10): “Unfortunately we are stuck in a process that affords us very little in terms of substance, yet, our decision has profound importance because it helps move this process forward.” Although the context of Commissioner Cerullo’s



opinion there differs, as he was commenting on the CPC's role in assessing landmarks designations, the gravamen of his complaint was the same: "I didn't have the benefit of a full discussion on the merits of this district [as a Landmark]. And, of course, that is part of the problem." Likewise, the CPC is being called upon here to "approve" a plan it has never seen.

NYU cannot expect the CPC or the public to determine how the few disclosed details overlay the complex analysis that spans more than 800 pages of the DEIS. NYU can make agreements to modify their plan, but it cannot reasonably expect the CPC to pass on that plan before it is fully "baked," especially when the DEIS determined that several severe environmental impacts cannot reasonably be mitigated in the current plan. In such a situation, the law requires that the proposed alternative be fully evaluated to assess the changes, if any, to those environmental impacts. *See* CEQR Technical Manual (2012) at 23-1 ("SEQR requires that alternatives to the proposed project be identified and evaluated in an EIS so that the decision-maker may consider whether alternatives exist that would minimize or avoid adverse environmental effects."). Failure to send the NYU Modifications back for an environmental review would constitute arbitrary and capricious agency action, which would be subject to a meritorious legal challenge. An agency action requires "a thorough investigation of the problems involved and [agency members must] reasonably exercise[] their discretion." *Chinese Staff & Workers Ass'n v. City of New York*, 68 N.Y.2d 359, 364 (1986) (emphasis added). When the CPC does "not consider these potential effects on the environment in their environmental analysis, their determination does not comply with the statutory mandate and therefore is arbitrary and capricious." *Id.* at 368. Thus, failing to send the plan back for an environmental review now would serve only to delay the project further, to NYU's detriment.

B. *The CPC Should Require NYU And The Borough President To Disclose The Full Details Surrounding The Concessions And Modifications Discussed By The Parties.*

The CPC should require the Borough President and NYU to provide full details of all concessions or modifications requested by the Borough President that were refused by NYU, and NYU's explanation for that refusal. At page 23 of his April 11 Letter, the Borough President

writes: “While these changes are significant and warrant favorable consideration of the proposed application, there remain outstanding issues that should be addressed.” The Borough President then generally mentioned only some of the community concerns left unresolved by his recommendations, and reached outside of the public eye. At the April 25 hearing, Commissioner de la Uz posed an incisive question to the Borough President’s representative, Mr. Cook: since you were intimately involved with the discussions, can you discuss the concerns raised by the Borough President that NYU did not agree to? Mr. Cook looked to his counsel before declining to answer the question. His refusal to answer—which seemed to surprise several Commissioners—was inconsistent with the public process and unhelpful to the CPC in evaluating the full nature of the Borough President’s position.

The information sought by Commissioner de La Uz is not privileged in any respect. In fact, as a communication with an elected City official, it is subject to the Freedom of Information Law (“FOIL”) requests Gibson Dunn issued to the Borough President on April 23, 2012. Not only is the Borough President’s Office’s refusal inconsistent with the spirit of ULURP, but failure to provide this information is impermissible under FOIL.

Of course, other Commissioners seemed entirely frustrated by the inherent contradictions in the NYU Modifications, as presented by the Borough President’s representative. As another example, a central and critical defect was identified by Commissioner Cantor, when he observed that the NYU Modifications removes 183,000 of underground square feet, which could have been removed instead from above-ground structures. No explanation for this anomaly was ever offered by NYU.

The lack of transparency in negotiations between an elected official and NYU—concerning a topic subject to a public hearing process—is regrettable. Both the Borough President and NYU should be required to divulge, in writing, and for the record, the full contents of their negotiations, including what was discussed, what was agreed upon, what was rejected, and the reasons for each. Again, without this information, the community is hamstrung in its

ability to meaningfully comment on the modified plan. If NYU and/or the Borough President continue to withhold this information, the CPC should deny the NYU Applications.

C. *NYU Has Shared No Details Regarding How It Intends To Finance The Project.*

NYU has not outlined any strategy for financing the multi-billion dollar project anticipated by this plan. In limited testimony at the April 25, 2012, CPC Hearing, NYU vaguely asserted that it will fund the construction through some combination of philanthropy and debt, but was unable to provide any detail, or demonstrate its ability to actually procure this financing. Despite repeated requests by the NYU faculty, the NYU Faculty Senators Council, and Community Board 2, among others, the NYU administration has declined to share anything other than the most cursory information about the costs or strategy for financing. *See* Statement of Ernest Davis, NYU Professor of Computer Science, May 5, 2012 (“NYU has not explained how the project will be funded. The Economics department and the Stern School of Business in particular are concerned that the plan is financially unsound. Forty years ago, NYU went bankrupt; the same could easily happen again”).

The one thing that NYU has acknowledged is perhaps the most revealing. NYU admitted that funding for this project will not come primarily from philanthropy, but rather from debt and dorm funds. NYU does not have the enormous endowment of Harvard University or Columbia University. It will need to borrow heavily, resulting in astronomical interest payments that would threaten the viability of the University. There is a distinct possibility that NYU may begin the project and then find itself unable to finance the plan to completion. By demanding that NYU demonstrate the financial ability to carry the plan through to completion, the CPC can avoid a repeat of the Domino Sugar factory rezoning, a project languishing in limbo after the developer defaulted on debt obligations.

NYU students are already among the nation’s most indebted;<sup>3</sup> these added costs will almost certainly lead to increased tuition rates and other academic expenses. *See* Statement of

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<sup>3</sup> According to the Village Voice, NYU was number one in student debt as of November 2011. Exhibit 9 (Nick Pinto, NYU Students: Debt and Debtor, THE VILLAGE VOICE, Nov. 9, 2011).

Lucas Champolion, NYU Faculty Member of the Department of Linguistics, May 3, 2012 (“We are concerned that NYU students—already among the most indebted in the nation—will almost certainly bear the burden of footing the expansion bill in the form of increased tuition and other fees”); *see also* Statement of Andrew Ross, NYU Professor of Social and Cultural Analysis, May 4, 2012 (“NYU is already a national leader in student debt per capita (40% above the national average) and it is immoral to pile on more in the name of the specious principle that has been put forth as a rationale for the expansion . . . In almost twenty years of teaching, I have never heard a student complain about lack of space”).

In addition to higher tuition and costs, this enormous financial burden will negatively affect NYU in myriad other ways. Ironically, it will very likely contribute to the exact problem that NYU seeks to avoid by expansion: losing out to its peer institutions. The larger costs will lead to a need for increased enrollment and a corresponding decrease in the teacher-to-student ratio and an increase in population density. It will lead to fewer tenure-track positions, lower salaries and weaker benefits, when compensation rates for NYU’s professors have already been eroding. *See* Exhibit 10 (Memorandum from University Faculty Senators Council to Members of the Senate Financial Affairs Committee, Nov. 17, 2011) (demonstrating that faculty salaries adjusted for inflation have decreased by 6.20 percent since 2002 while tuition increased an average of 5.08 percent per year). Indeed, there have already been reports of recent firings at NYU due to “budgetary restrictions.” Putting aside the wisdom of investing in a multibillion dollar project when you cannot pay professors’ salaries, this woeful disregard for the faculty will certainly harm morale. All of these factors will lead to faculty defection and a decreased ability to recruit new talent, particularly when the biggest attraction, housing in historic Greenwich Village, is no longer so appealing due to the 20 years of construction.

NYU has proposed a project that far exceeds its programmatic and academic needs, with no true intention to follow its stated plan. Members of the NYU project team have reportedly acknowledged that NYU does not have the financing to develop the project as currently scheduled. The administration was even contradictory at the April 25<sup>th</sup> hearing concerning

whether student growth will occur. The administration asserted in at least two separate meetings with NYU faculty that it did not intend to meet its phasing goals, but would initiate some construction to “vest its rights” under the zoning laws.

NYU is trying to frontload approval on a massive scale, promising mitigation and neighborly behavior and public schools, all the while intending to jettison those plans in favor of building whatever it wants, whenever it wants. The CPC should demand more, particularly when NYU asks so much: blanket rezoning, relief from deed restrictions, variance with the Urban Renewal Plan, a large-scale general-development permit, relief from set-back requirements and height restrictions, reductions to open-space ratios, increases on permissible decibel levels (especially in open spaces), and conversion of park properties to private use.

### **III. INADEQUATE ENVIRONMENTAL IMPACT STATEMENT**

The CPC cannot rely on the DEIS. As it relates to NYU’s original application, the DEIS is inadequate in scope and substance. Furthermore, the modifications have rendered the analyses presented in the DEIS largely irrelevant to the environmental effects of the new project. At the hearing held by the CPC on April 25, 2012, it was apparent that the substance of the plan is still in flux, and NYU admitted that certain components of the plan, such as the commercial overlay, are not integral to its broader purpose. A new environmental impact statement should be required so that the CPC can take a “hard look” at the impacts of the project.

#### *A. NYU’s Explanation Of Need Is Inadequate.*

Even the CPC’s own forms require a “clear and concise summary of the action(s) requested and the reason(s) for such action(s).” *See* Exhibit 11 at 7 (Department of City Planning Land Use Review Application General Instructions). The applicant has to “[e]xplain the rationale for the proposed action and how it is consistent with present or projected land use in the area,” and also “describe how it would promote the public health, safety, economic development, or provide other public benefit.” *Id.* CPC’s mandate is thus to weigh the needs of the project (and any public benefits) against the adverse impacts.

NYU's purported justifications for this project appear in the DEIS (*see* pages 1-15 through 1-28), based apparently on text written by NYU directly. In various ways, the DEIS fails to meaningfully assess NYU's purported need, which is the basis of one of the most complex and large series of zoning changes in recent memory, or, worse, accepts NYU's implicit argument that "desirability" is sufficient to request these zoning changes and variances.

Key to NYU's analysis, however, is the central assumption offered in the DEIS with no analysis behind it at all: "[t]he four new buildings proposed for these two blocks would serve the expansion needs of the existing NYU schools and divisions that are already located at the Washington Square campus and which cannot be as well served by facilities in remote locations of New York City." *See* DEIS at 1-17 (emphasis added). Of course, given the excellence of New York's mass-transit system, it is somewhat unclear what NYU means by "remote." Even now, parts of the University stretch into midtown. Putting aside the very Manhattan-centric view it implies, the statement of need defies logic and is, in any event, completely unsupported in the DEIS or in any document put before the CPC. The truth is far more simple: NYU *wants* a larger, central campus. NYU's desires, even if rational, cannot pass for "need" sufficient to justify the massive adverse impacts and seismic shift in zoning.

In other words, these buildings are significantly larger than they "need" to be exactly because they include uses that are inconsistent with empirical data, unresponsive to NYU's stated goals, and do not need to be in the superblocks for convenient use by NYU's students. Although there are many aspects of deficiency in NYU's "needs" statement, the primary insufficiencies are: (1) centralizing expansion in Greenwich Village; (2) dormitory space; (3) faculty housing; (4) hotel; (5) additional retail space; (6) athletic facility; and (7) the Institute for Performing Arts.

1. Greenwich Village Location

Given how successful NYU is, despite the diffusion of its University already, the CPC should not accept NYU's stated "need" for highly concentrated growth without more information. Saying something repeatedly and forcefully does not make it true, especially when

it stands contrary to existing reality. At the hearing, President Sexton emphasized that the plan was the minimum expansion necessary for the continued success of the University, but he offered no supporting evidence or further detail. *See* Statement of Andrew Needham, NYU Professor of History, May 3, 2012 (calling President Sexton’s stated rationale “simplistic”). If the goal of the expansion is to provide more academic space per student, it is perplexing why such a large percentage of the expansion is allotted for non-academic purposes, such as dorms, commercial space, a New York City public school, and a hotel.

Even assuming NYU had good justifications for the concentrated expansion, it has failed to articulate why a majority of the expansion must be located in a two-superblock radius in Greenwich Village. NYU is perfectly capable of locating several parts of the proposed project in the other neighborhoods, which would warmly welcome the business. The concentration of enormous construction and development in two residential superblocks is clearly NYU’s preference, but it is in no way clear that it is a necessity. If NYU believes it to be necessary, then it must explain why each particular use must be located in the core.

Furthermore, the mix-and-match nature of the intended uses makes the concentration hard to understand. The athletic facilities must be close to the performing arts center? The faculty and student housing should lie side-by-side? The hotel (which is apparently intended to help travelling faculty from NYU’s foreign graduate programs) needs to be in the undergraduate hub? Of course the faculty understands that these and other choices are not “necessary,” but that NYU is prepared to inflict adverse impacts on the community and the faculty to get its way. But the force of the faculty’s and the community’s opposition stems, in part, from the true appreciation that these “rationales” make no sense, and are merely justifications to substantiate NYU’s preference. *See* Statement of Andrew Ross, NYU Professor of Social and Cultural Analysis, May 4, 2012 (“Such a concerted opposition on the part of the faculty is unprecedented—almost unthinkable. The [CPC] should take this testimony as a record of the fact that the NYU administration does not speak for the NYU community”).

There is an alternate solution outside of Greenwich Village that can ultimately benefit the University, the City, and the surrounding neighborhoods: creating auxiliary campuses in other locations throughout the City. NYU is a university that is comprised of self-contained, smaller schools. Its current structure lends itself easily to creating auxiliary campuses in other locations.

Indeed, NYU has already embraced this structure and proven that auxiliary campuses can be successful. The NYU 2031 plan has identified three key areas outside of its core campus that have the potential to accommodate a significant portion of its growth: (1) NYU's Health Corridor, which currently houses the University's medical and dental schools, in Kips Bay; (2) Downtown Brooklyn; and (3) Governor's Island. For example, in the Health Corridor, NYU plans to acquire and develop a combination of strategic acquisitions over the next two years, which will expand existing facilities. In Downtown Brooklyn, NYU has recently affiliated with Polytechnic University, and has embarked on a program focused on expanding in that neighborhood. And, while NYU's plans for Governor's Island remain unresolved, the University has nonetheless considered this location as a viable option for expansion. It is clear that NYU believes it can successfully function as a top-rate institution through auxiliary locations that are separate from its core. NYU has failed to explain why at least some of the needs in the highly concentrated superblock cannot be met with new buildings on these locations.

For the expansion in the Village, however, the University has refused to consider alternative sites for its proposal, including Long Island City or the Financial District. The Financial District is an ideal location for NYU to channel its growth. The Financial District has a variety of convenient mass transit options, and is a short, direct subway ride away from NYU's core (not to mention only a 30-minute walk).<sup>4</sup> The University's presence would enhance the

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<sup>4</sup> The distance between the Financial District and the Greenwich Village campus is no greater than the distance between buildings on a great many college campuses. In fact, GVSHP submitted a study that demonstrates that many successful colleges spread out over a much greater area, including Cornell, Harvard, Yale, Stanford, Williams, Wisconsin, Michigan, and Middlebury. See Exhibit 28 (GVSHP Campus Comparison, June 1, 2010). Universities such as Brown, Columbia, and Harvard have also successfully partnered with cities to find suitable satellite locations in neighborhoods which can absorb that growth, and where the expansion of a university would be maximally beneficial to the city. See Exhibit 12 (GVSHP Report, Too Big to Fit, March 30, 2012).



character of this neighborhood and bring along with it broader economic benefits. NYU would add much-needed cultural, recreational, and educational facilities to the downtown area that, today, primarily depends upon the financial industry. NYU would also benefit from being in a neighborhood that actually has the capacity to handle the proposal, as well as potential to accommodate future growth. Indeed, downtown community leaders have welcomed the possibility that NYU expand in their neighborhood.<sup>5</sup>

## 2. Dormitory Space

NYU 2031 adds 370,000 total square feet to its project for additional student housing. *See* DEIS at 1-27. Nowhere does NYU claim it has insufficient dormitory space. Indeed, the NYU Housing website guarantees that University housing will be available for the entire academic career of every undergraduate candidate. *See* Exhibit 13 (New York University Life, Room Selection). NYU is not projecting growth of its student population. NYU admits that the student population will remain essentially flat for a long time to come. *See* DEIS at 1-20.

In the DEIS, NYU offers various explanations for its need for additional academic space, but it does not state that it lacks student housing. Rather, it somewhat candidly admits that 50 percent of its undergraduates live off-campus.<sup>6</sup> Of course, despite this highly-general statement, NYU does not say how close these apartments are, whether students are dissatisfied, whether the quality of the housing is better or worse than NYU-owned housing, or whether the available housing has had any impact at all on NYU's ability to attract students. Instead, NYU's statement of "need" boils down to a single sentence: "NYU believes that it is desirable for students at its schools and divisions located at the Washington Square Campus—particularly freshman, the majority of whom now come from outside the New York metropolitan area—to have the

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<sup>5</sup> *See* Exhibit 14 (Tom Topousis, *NYU to 'zero' in on WTC*, THE NEW YORK POST, June 15, 2010 ("Julie Menin, chairperson of downtown's Community Board 1, said a move by NYU to expand in lower Manhattan would find broad community support.")).

<sup>6</sup> According to U.S. News the percentage of students living off-campus is even greater at 52 percent. *See* Exhibit 15 (U.S. News, New York University).

opportunity to live in student housing within the core campus to create a strong academic community and become acclimated to the City.” See DEIS at 1-19. This rationale seems inconsistent with the apparent truth—not terribly surprising in a city like New York—that 50 percent of students choose to live off-campus despite a guarantee of four years of student housing. Obviously, student housing and proximity to the NYU core campus are not viewed as essential or even especially desirable.

### 3. Faculty Housing

NYU 2031 adds 105,000 total square feet to its project for additional faculty housing and approximately 90 apartment units.<sup>7</sup> See DEIS at 1-27. In perhaps the greatest irony of the DEIS, NYU claims its survival depends on “attracting a critical mass of faculty to live in the area.” See DEIS at 1-19. Of course, NYU has been attracting wonderful and accomplished faculty for many decades, and using the very housing environment it seeks to destroy as a major carrot for its existing faculty. This is one of the many reasons so many faculty members—29 departments in all—have passed resolutions against NYU 2031. While NYU lured faculty to the superblocks with promises of stable, affordable, and tranquil surroundings to pursue their academic mission, NYU now plans to lock them in a construction site for 20 years, in spite of the inability to mitigate the adverse impacts on their environment and quality of life.

Yet, the data show that NYU’s claimed “need”—based on an alleged shortage of faculty housing—is imaginary.<sup>8</sup> Over the past forty years, NYU faculty housing has decreased apartments by 14.2 percent, which can be directly attributed to decisions made by NYU. When construction was complete on the faculty housing buildings in 1960, the four buildings in the Washington Square Village complex housed a total of 1,296 apartments. Today, there are 13.5 percent fewer apartments (down to 1,121). *Id.*; see also Statement of Andrew Needham, NYU

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<sup>7</sup> At the April 25th hearing, an NYU administrator stated that NYU was looking to add 90 apartments of faculty housing, although the DEIS projected that up to 260 additional faculty units could be added under the project. See DEIS at 4-2.

<sup>8</sup> For a more complete analysis on faculty housing combinations and warehousing, see Exhibit 16, the GVSHP submission, “Disappearing Before Our Eyes,” March 30, 2012.

Professor of History, May 3, 2012 (“Any sense of crunch of faculty housing at NYU is erroneous. A recent count by faculty opposed to the plan has come up with 175 vacant apartments in Washington Square Village.”)

Apartment combinations are to blame. Between 1960 and 1992, the faculty buildings in the complex lost 63 apartment units due to apartment combinations. Additionally, between 1992 and 2011, there were 40 recorded applications for 80 different apartment combinations filed with the Department of Buildings. Those 40 applications resulted in the combination of 197 apartments into larger units, sacrificing another 112 apartments. These apartment combinations directly reduced the number of units available to NYU faculty.

In addition to apartment combinations, residents report that many of the apartment units throughout the Washington Square Village complex have been warehoused by NYU, remaining vacant. In particular, residents report that at least 17 apartment units at 1 Washington Square Village, 15-20 apartment units at 2 Washington Square Village, 14 apartment units at 3 Washington Square Village, and 18 apartment units at 4 Washington Square Village are currently vacant, for a total of 69 empty, warehoused apartment units in Washington Square Village. Moreover, the 2010 Census reported a 56 percent increase in the number of vacancies, as compared to the 2000 Census, in the census tract dominated by NYU housing. For NYU to suggest that a shortage in faculty housing requires an unprecedented expansion in the Greenwich Village neighborhood is unfounded and disingenuous.

#### 4. Hotel

NYU 2031 adds 115,000 total square feet to its project for a hotel. *See* DEIS at 1-27. Operating a hotel is not central to the University’s academic mission, and the transient nature of hotel clientele would dramatically alter the residential character of the Greenwich Village neighborhood. The DEIS merely claims the hotel would be “convenient,” since many of those visiting NYU “prefer to stay within walking distance of the Washington Square Campus.” *Id.* NYU apparently does not expect to use all the rooms, all the time, as it intends to “open [the hotel] to the general public to the extent that hotel rooms are available.” DEIS at 1-28.

Quite obviously, NYU does not need a hotel. NYU regularly hosts conferences and invites guests through many of its schools and divisions, and uses a network of local hotels, which provide NYU with discounted rates.<sup>9</sup> NYU nowhere provides information to suggest it has been burdened in this way, that it has been unable to accommodate visitors, or that the many local hotels (dozens of which are within walking distance of the Washington Square campus) are inadequate or insufficient.<sup>10</sup> It remains unclear why NYU wants to get into the hotel business.<sup>11</sup> Regardless of the reason it seems to *want* to do so, it hardly stands to reason that existing hotels are inadequate. Without such an explanation of need, the CPC should not allow NYU's *preference* to run a hotel serve as part of its patchwork of justifications for its massive land-use shuffle.

#### 5. Additional Retail Space

NYU 2031 adds 85,000 total square feet (including the Commercial Overlay) to its project for additional retail uses. *See* DEIS at 1-28, 1-30. In the DEIS, NYU does not explain why retail is necessary to any strategic or academic goal or how it might provide any public benefit, aside from “enliven[ing] streetscape along Mercer Street.” *Id.* Clearly, the myriad negative effects, such as increased traffic, congestion, street noise, waste, and the negative effect on neighborhood character, outweigh the stated benefit to the public.

There is no suggestion anywhere—and indeed, such a suggestion would be absurd—that Greenwich Village is lacking in retail opportunities or that increased retail is a necessary part of

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<sup>9</sup> NYU lists the following hotels that have preferred rates: Tribeca Grand Hotel; Affinia Dumont, Soho Grand Hotel, Washington Square Hotel, Holiday Inn Soho, Carlton, Club Quarters, The Gem Hotel, Courtyard Marriott Soho, Thompson Lower East Side, Duane Street Hotel, Best Western Bowery, The Cooper Square Hotel, Sheraton Tribeca, and Marcel at Gramercy. *See* Exhibit 17 (New York University Hotels).

<sup>10</sup> There are 18 hotels within a half-mile radius of the NYU core campus: Village Apartments, Elite City Stays Waverly Place, The Contempo Design Suites, Washington Square Hotel, St. Marks Hotel, The Standard – East Village, Village Lodging, Saint Marks Place Studios, Minetta Suites, Bowerys Whitehouse Hotel of NY, The Bowery Hotel, New York Central Little Italy Suites, Union Square Inn, New York East Village Suites E, W New York Union Square, The Mercer, Chelsea Inn, The Inn at Irving Place, and Jazz on the Town Hostel. There are over 60 additional hotels less than a mile away from NYU's core campus.

<sup>11</sup> Indeed, it does not appear to be well thought-out. At the hearing, NYU representatives were unable to answer simple logistical questions related to the hotel such as whether there would be a preference for NYU-affiliated visitors and how the hotel would be used during the quieter summer months.

NYU's growth. NYU is located in the center of one of the world's most commercial cities. Not only that, NYU is blocks away from the City's densest commercial corridor—Broadway. There is no need for retail to encroach further upon the neighborhood or the campus.

#### 6. Athletic Facility

NYU 2031 adds 146,000 total square feet to its project for a new athletic facility. *See* DEIS at 1-27. Even accepting the notion that NYU's existing athletic facility requires replacement, instead of renovation, there is no explanation provided as to why the facility could not be further away from the core campus. Just as many campuses are much larger and more spread out than NYU, there are equally greater distances to travel to reach athletic facilities. Columbia University has a large athletic facility located at 182nd Street, over 60 blocks from its main campus. Cornell University has a gymnasium that is located one mile away from its West Campus dorms and even further from the area where most upperclassmen reside. Other large campuses such as Yale, Harvard, Michigan, Wisconsin and Stanford have athletic facilities that are even farther away from the core campus. And in each of these examples, excepting Columbia, NYU's available public transportation options are far better. NYU has stated absolutely no reason why the athletic facility needs to be in Greenwich Village, other than a desire for it to be there.

#### 7. Institute for the Performing Arts

In perhaps one of the most unexpected aspects of the April 25<sup>th</sup> hearing, Mary Schmidt Campbell answered a question that the faculty had been asking for months: what were the supposed "academic" uses for the enormous space within the Zipper building. NYU never explained why is needed all that space, and the faculty could not understand it. *See, e.g.,* Statement of Andrew Needham, NYU Professor of History, May 3, 2012 ("President Sexton and the NYU administration have articulated a rationale for this plan that is simplistic in the extreme . . . What President Sexton has failed to do is to articulate an academic rationale for how this space will be used to improve the quality of education at NYU"). Mary Schmidt Campbell offered at least a glimpse: NYU intends to use the space for a new performing arts center.

NYU's faculty was so surprised at this revelation at the hearing that one person spontaneously shouted: "That's the hotel!" See Exhibit 18 (Lincoln Anderson, "N.Y.U. calls out the troops in support of its mega-plan," THE VILLAGER, Jan. 26, 2012).

This "April surprise" is consistent with the now well-established pattern of inconsistent or obscured messaging by NYU on exactly what constitutes the plan. The DEIS is completely vague as to what types of academic uses will be lodged in particular new buildings. According to Campbell, the performing arts center would make up a large portion of the Zipper Building's 135,000 square feet of academic use space.<sup>12</sup> However, other than this passing mention in the DEIS about limited space, NYU makes no further claim of need for a new performing arts center and provides no data to support that idea that the existing performing arts center is inadequate.

But even if it the school has outgrown its current performing arts space, it is not readily apparent, nor is there any mention of it in the DEIS, why the performing arts center would need to either be specifically located near the core campus or particularly near a dorm, faculty housing, expanded retail, and athletic facilities. The Tisch school is already spread throughout mid- and lower-Manhattan, ranging up by Union Square, Kips Bay and over into the East Village. NYU is again confusing preference for need.

B. *The DEIS Does Not Adequately Assess The Adverse Effects Of The Project.*

The DEIS grossly understates the extent of the adverse impacts that will result from the planned expansion. Indeed, in several important areas, it engages in incomplete analysis or fails to fully comply with CEQR regulations. These areas, explored in depth below include: (1) socioeconomic conditions; (2) community facilities and services; (3) open space; (4) shadows; (5) wildlife; (6) transportation; (7) air quality; (8) noise; (9) public health; (10) neighborhood character, and (11) construction.

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<sup>12</sup> The Zipper Building (1,050,000 square feet total) is currently slated for the following uses: academic (135,000 square feet), student housing (315,000), athletic center (146,000), retail (55,000), hotel (115,000), academic/conference space (50,000), and mechanical/service (129,000).

1. Socioeconomic Conditions

The DEIS conducted only a preliminary assessment—and failed to conduct a full review—to assess direct and indirect residential and business displacement. See DEIS at 3-5 (“a preliminary assessment was sufficient to conclude that the Proposed Actions would not result in any significant adverse socioeconomic impacts”). This was an error.

a. *Direct impacts*

Displacement effects merit a full review if the displaced businesses provide necessary services. The DEIS recognizes that NYU 2031 will impact the socioeconomic conditions of the neighborhood by displacing, among other things, a blood bank, a private day-care facility, and three medical offices. DEIS at 3-10. The DEIS nowhere assesses the number of residents these businesses serve, whether the services of any are essential, and whether adequate services from others can fill the need for the services provided. Rather, the DEIS casually fails to consider what the impact of the displacement will be, instead assuming that “the services that would be displaced would continue to be available to study area residents and businesses.” *Id.* Standing alone, this was error.

b. *Indirect Impacts*

i. Commercial

The DEIS is flawed in three critical respects. First, it uses the wrong analysis. Although the DEIS correctly identifies the need to determine whether the proposed action would “increase commercial property values and rents,” DEIS at 3-13, its preliminary analysis of that question is simply nonexistent. It focuses instead on whether commercial uses of NYU 2031 are “new uses” in the affected zone, without determining whether those new uses would impact values and rents. Second, it segregates the isolated impact on the added retail uses on commercial values and rents without assessing the total impact of the project. NYU’s plan will add a huge new component of commercial activity, which, in the aggregate, can be expected to drive values and rents higher, squeezing out smaller businesses and lower-income residents. Data from similar expansion projects in similarly situated areas easily demonstrates this likely impact. Third, the DEIS failed

to assess the influx of other businesses, which will support the expanded, large, new facilities, including the hotel, athletic facility, and performing arts center. Again, such businesses will drive rents higher, squeezing out smaller businesses that provide supportive retail to the surrounding neighborhood. For these reasons, the DEIS is inadequate.

ii. Residential

As the DEIS acknowledges, a project “may affect conditions in the real estate market not only on the site anticipated to be developed, but in a larger area. As this possibility cannot be ruled out, an assessment must be undertaken to address indirect displacement. These actions can include those that would raise or lower property values in the surrounding area.” DEIS at 3-5. Not surprisingly, the DEIS acknowledges a self-evident truth: “displacement impacts are considered to be significant if changes are large enough to adversely affect the character of the [impacted] neighborhood.” DEIS at 3-6. While the DEIS concludes that the percentage growth in population is not significant enough to warrant a detailed analysis, the DEIS fails to consider what percentage of the population growth will be young, transient students, and whether their addition will substantially alter the demographics of the residential real estate market conditions. The DEIS also fails to assess the likely impact on rents from the new workers at the huge, sprawling complex, and the residential values of property that, once located in a charming hamlet, now find itself next to a university behemoth. For a DEIS to have any meaning at all, a detailed assessment of these impacts was obviously required.

c. *Adverse Impact on Specific Industry*

The DEIS concludes that NYU 2031 will not result in adverse effects on specific industries. *See* DEIS 3-16. However, the DEIS fails to consider the adverse effects on a critical specific industry: the NYU faculty.

A large percentage of NYU’s faculty live in the middle of the proposed construction zone, and the assurance of quality housing for their families caused many faculty members to accept employment with NYU rather than another academic institution. These professionals are in a unique and perilous situation: they are in a newly stoked battle with their landlord, who also



serves as their employer. The DEIS has concluded that the environmental impacts of construction on air quality and noise cannot be effectively mitigated in their buildings, even with modifications to windows, HVAC systems, and other systems. NYU has conceded, in two letters, that the construction is likely to adversely affect the faculty for many years. Quite obviously, the faculty are uniquely in need of time and an environment to allow concentration, as they carry out their academic and scientific duties. The DEIS does not in any way assess the impact on NYU's human capital, which is a discernable "industry" and specifically put in harm's way due to the construction impacts.

More broadly, even if the DEIS failed to do so, the CPC should not overlook the impact of this renovation on NYU's ability to attract talented professors. Twenty-nine departments have now voted resolutions against NYU 2031. And the testimonials from the faculty have been cogent, passionate, analytical, and consistent. Those testimonials are not merely statements of self-concern: "Know that the faculty are profoundly worried that this plan will undermine NYU's academic mission and reputation." *See* Statement of Ann Pellegrini, NYU Associate Professor, Performance Studies and Religious Studies, May 4, 2012; *see also* Statement of Stephen Duncombe, NYU Professor of Media, Culture & Communications, May 4, 2012 ("I am concerned that the attention and resources of our institution are being channeled away from where it matters most"). The faculty's serious concerns, taken together with NYU's complete failure to even address them, creates a hostile work environment, which may very well detract from NYU's ability to continue to attract talented academics. *See* Statement of Suzanne G. Cusick, NYU Professor of Music, May 3, 2012 (citing concerns about "negative impacts on faculty hiring, retention, salaries, and productivity"). Add to this that the DEIS utterly failed to take into account the adverse impacts—which cannot be mitigated—on the faculty's children, and it almost appears as though the land-use system is conspiring with NYU to marginalize NYU's current faculty. *See* Statement of Carla Mariano, April 23, 2012 (the faculty's "[c]hildren will have to grow up in this chaotic, unhealthy atmosphere"). The DEIS should have, but did not, determine whether the adverse impacts of the project on the faculty will significantly

affect business conditions in the academic industry. Current faculty are more likely to leave NYU, and NYU is likely to have difficulty attracting high-quality faculty when the majority of faculty housing is in the midst of a 20-year construction zone. The impact on this particular industry was ignored, and conflicts with CEQR. *See* DEIS at 3-16.

## 2. Community Facilities and Services

The DEIS correctly cites the CEQR Technical Manual for the proposition that impacts on community services, including increased use of such services, requires a review for adverse impacts. The DEIS fails, however, to provide any meaningful assessment of the sizeable increase in NYU's "footprint" within the superblocks, the necessarily large increase on users of those facilities, and the impact on emergency services, such as police, fire, ambulance and hospital services. Indeed, the DEIS does not even summarize the availability of those services, including whether there are already existing deficiencies in service coverage.

Despite recognizing the importance of the project's impact on health-care services, for example, the DEIS omits any further mention of the project's impact on local hospitals and emergency-medical services. In this regard, the DEIS did not assess the impact of the closing of St. Vincent's in August 2010 and how that closure put strains on an already over-extended emergency-care network. *See* Exhibit 19 (Anemona Hartocollis, *As St. Vincent's Closes, Other Hospitals Get Busier*, THE NEW YORK TIMES, Apr. 11, 2010) (detailing the severe impact on other emergency rooms after St. Vincent's closed). The DEIS did not assess how a 33 percent increase in the number of nonresident visitors to the area would impact that system in light of the already critical deficiencies.

The DEIS fails to assess at all the likely impact on police and fire services, expressly claiming it can outsource this requirement to police and fire officials to "make[] any adjustments necessary." DEIS at 4-4. This is particularly surprising since the Fire Station in Greenwich Village was condemned and vacated last year, a fact the DEIS somehow missed. *See* Exhibit 20 (Thomas Dimopolous, *Greenwich delays opening bids for new fire station*, Poststar.com, Mar. 12, 2012).

The DEIS also fails to properly and completely assess the impact on local public schools. Despite the DEIS statement that NYU wants more faculty space to increase the size of its “residential academic community,” *see* DEIS at 1-19, it completely mis-analyzes the impact: it claims that new faculty units would result in only a total of 41 elementary and intermediate school students and, on this basis, refused to conduct a detailed impact statement, citing a 50-student threshold in the CEQR Technical Manual. DEIS at 4-2, 4-3. This analysis suffers from two main failings.

First, the DEIS fundamentally fails to assess the overall impact of the project on the community services. Focusing mainly on the impact of the 2,500 new students and faculty in the housing facilities, the DEIS loses the proverbial forest in the trees. The 2012 CEQR Technical Manual highlights the critical importance of not individually assessing the components of a plan, but the overall impact, including impacts from an influx of nonresidents using the proposed facilities: “A project can affect facility services when it physically displaces or alters a community facility or causes a change in population that may affect the services delivered by a community facility, *as might happen if a facility is already over-utilized or if a project is large enough to create a demand that could not be met by the existing facility.*” *See* CEQR Technical Manual (2012) at 6-1 (emphasis added). As the CPC knows, and as NYU has admitted, this project, once complete, will attract thousands more to the superblock area—to its new retail spaces, its new hotel, its new school, its new class rooms, its new housing facilities, and its expanded athletic facilities. The DEIS fails to assess whether community facilities are already over-burdened in the area surrounding NYU, such that any change could be significantly adverse, and also fails to evaluate the overall impact on the huge influx of new residents and nonresidents using the services in the area.

Second, instead of a holistic assessment, the DEIS relies almost exclusively on the CEQR Technical Manual’s “thresholds,” looking at each one individually as the basis for its determination that a detailed analysis is not warranted. In doing so, the DEIS fails to appreciate that these “thresholds” are—by their very terms—only intended as “guidance.” Moreover, on

some of the triggers, even these thresholds yield close calls: for example, the DEIS calculates the number of new elementary and intermediate school students as 41, and the “threshold” is 50. Given that the 50-student “threshold” is a guide, a close number might have a greater impact in some areas than others, and the Manual specifically mentions that the nature of the residential population needs to be assessed. In this case, the new residences will be used by adult faculty members, most of whom have school-aged children. *See* CEQR Technical Manual (2012) at 6-3 (“Depending on the size, income characteristics, and age distribution of the new population, there may be effects on the public schools, libraries, or child care-centers.”). The increase here is in an area with already over-crowded elementary and intermediate public schools. The increase here includes the likely elimination of one of the child-care centers already in use by this community. Thus, the DEIS errs in failing to assess these factors in the Community Facilities & Services Section, and instead inappropriately treats the “guidance thresholds” as steady-state rules.

The DEIS further fails to place these “close calls” in the broader context of an enormous project that will draw many people to the area, all of whom may need forms of community services and facilities. In this regard, the DEIS fails to acknowledge the CEQR Technical Manual’s specific directive that “temporary” populations—such as nonresident students, faculty, athletes, performers, shoppers, and hotel guests—all count for the purposes of assessing impacts on community services. *See* CEQR Technical Manual (2012) at 6-3. For these reasons, the DEIS erred in failing to conduct a detailed analysis of the various impacts on Community Facilities and Services.

### 3. Open Space

Pertaining to open-space impacts, the central question for the DEIS to answer was whether the project, once complete, would “overtax[] available open space.” *See* CEQR Technical Manual (2012) at 7-1. The DEIS concedes that the level of “open space” in the area is already critically below the City’s open-space-planning guidelines. *See* DEIS at 5-2. To make its assessment, the DEIS largely divided the surrounding open-space areas into “active” and “passive” use spaces, and it assessed the impact on residents and nonresidents differently.

In several critical respects, the detailed analysis included within the DEIS is wholly inadequate. First, the DEIS declined to assess the impact of increased students and workers on the “active” open spaces under the faulty and unsupportable assumption that “workers and students tend to use passive open space resources during their work day.” See DEIS at 5-17. This text seems to have been written by someone who never visited an urban campus, where workers and students often engage in healthy and active recreation when possible during the day. Second, according to a recent study, NYU 2031 will result in a 37 percent reduction of open space on the two superblocks. This 37 percent loss of open space far exceeds the minimum threshold of the five percent that requires disclosure of a negative impact under CEQR.<sup>13</sup> See Exhibit 21 at 2, 4 (Hunter College Center for Community Planning & Development, Getting to NYU’s Core: Greenwich Village Proposal Means *Less Open Space*, May 6, 2012). Third, the DEIS, although purporting to conduct a detailed analysis of the adverse impacts, failed to fully assess the changing nature of the open spaces on different age groups, which is clearly required by the CEQR Technical Manual. See CEQR Technical Manual (2012) at 7-8. Fourth, the DEIS fails to carefully assess, given the incredible change in the locations and amenities of the evolving open spaces, whether specific attributes enjoyed by the public will be gained or lost. See Statement of David Ludden, NYU Professor of History, May 4, 2012 (“The airy garden quality of a residential area that is now filled with places for kids to play and for people to sit quietly and enjoy the scenery—between West Third and Houston and Mercer and LaGuardia—would be forever destroyed”). Fifth, the DEIS fails to account for the varied utilization on certain key acres of the park, which will experience the highest user rate in light of its placement near NYU’s expanded facilities, and instead wrongly assesses all “open acres” on a one-size-fits all basis. Finally, the DEIS fails to consider—at all—the alienation of existing parkland, and the important requirement of state legislative approval before action is to be taken to disrupt the

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<sup>13</sup> The data presented in the DEIS is misleading. Instead of looking at the affected superblocks, NYU dilutes the results by assessing a nonresidential ¼ mile study area that includes Washington Square Park. Even then, it calculates that the total population increase would balloon more than 33% (see DEIS at 5-25, 5-28) while the open space increase would be only about 5%, from 13.75 acres to 14.47 acres (compare DEIS at 5-24 with DEIS at 5-32), and yet the DEIS finds, amazingly, that this somehow represents an “improvement.”

public's use and enjoyment of parkland already in use and under the control of the parks department. The CEQR Technical Manual specifically requires this important adherence to legal requirements. *See* CEQR Technical Manual (2012) at 7-4, 7-18.

NYU 2031 will impact public parkland, as NYU is seeking to have outdoor public spaces “mapped as public park *subject to certain easements to NYU.*” DEIS 2-35 (emphasis added). These easements “would allow for, among other things, construction, maintenance, and access to the block across the park strips to and from Mercer Street and LaGuardia Place ... allowing for access to and construction and maintenance of the proposed NYU facilities and existing WSV buildings.” *Id.* n.1. In other words, certain strips of land, now enjoyed as parkland, would eventually become NYU's private property. The DEIS thus admits that during the twenty years of construction, pieces of the parkland will be used for non-park periods for substantial periods of time and other pieces given away. The Court of Appeals has made perfectly clear that “legislative approval is required when there is a substantial intrusion on parkland for non-park purposes, regardless of whether there has been an outright conveyance of title and regardless of whether the parkland is ultimately to be restored.” *Friends of Van Cortlandt Park v. City of New York*, 95 N.Y.2d 623, 631-32 (2001) (emphasis added) (explicit legislative approval by state legislature required where “the public will be deprived of valued park uses for at least five years, as plant construction proceeds”). Lower courts, even recently, have overturned agency actions when public officials close and give public parkland to private entities, such as NYU. *See Brooklyn Heights Ass'n v. New York State Office of Parks, Recreation, and Historic Preservation*, No. 1120/2011 (Sup. Ct. Kings Cnty. Nov. 10, 2011) (holding that purported transfer of parkland to private entity was void for lack of specific legislative authorization from New York State Legislature).

#### 4. Shadows

The key question regarding shadows is whether the “new structures may cast shadows on sunlight sensitive publicly-accessible resources or other resources of concern such as natural resources.” *See* CEQR Technical Manual (2012) at 8-1. The DEIS identified 11 resources that

could be adversely affected by shadows caused by the proposed development. Of those 11 resources, the DEIS only identified one that would result in a significant adverse shadow impact—the LaGuardia Gardens. For the remaining 10, the DEIS determined that the level of shadowing was within acceptable limits.

For a variety of reasons, this analysis is completely inadequate. The DEIS does not analyze the collective effect of both existing and new buildings, including blocking of sunlight, diminishment of property values, reduction of plant and tree growth, or the impact on treasured community green space. In particular, the DEIS is inappropriately dismissive of the impact on the willow oaks in the Oak Grove. As the DEIS acknowledges, the willow oaks are state-endangered, as ranked by the New York Natural Heritage Program, and—as a result of new shadows—will be receiving less than the four-to-six-hour minimum threshold of daily sun recommended in the CEQR Technical Manual. *See* DEIS at 6-2, n.2, 6-3, CEQR Technical Manual (2012) at 8-24. Despite its acknowledgement that (1) the six trees are endangered, (2) the shadows will put stress on them, and (3) the fact that two are in poor condition, the DEIS surprisingly found that there would be no significant adverse impact.<sup>14</sup> The shadows analysis also deliberately failed to consider the impacts of shadows from new and existing buildings on new open spaces, and in particular the proposed Greene Street Walk, toddler’s playground, and the new dog run, which would be shadowed most of the day, year round.<sup>15</sup> *See* DEIS at 6-3; *see also* Exhibit 22 at 4 (GVSH, The TRUTH About Open Space and the NYU 2031 Plan, Feb. 23, 2012).

Finally, the DEIS does not adequately account for the serious adverse effect shadows will have on the LaGuardia Corners Garden. Although the DEIS acknowledges that the project will

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<sup>14</sup> The DEIS makes the unsupported claim that the willow oak, although technically “endangered” in New York, is common in New York City. It claims that because southern New York is the extreme north end of its habitat, it is somehow not deserving of the endangered appellation.

<sup>15</sup> The DEIS maintained that under CEQR methodology, “open space that would be developed as part of a project cannot experience adverse impacts from the project, because without the project the space wouldn’t exist.” DEIS at 6-3. This is disingenuous, as the new public space is being touted as a public good that will result from the project. If the promised public space will be immediately ruined by the other aspects of the project, it only makes sense that this would be fully analyzed and disclosed. Failure to do so substitutes technical compliance for compliance with the spirit of the law.

result in significant shadow impacts on the Garden, it does not appreciate the impact on this treasured community green space. LaGuardia Corners Garden is an award-winning public space which is currently a designated Monarch butterfly way-station. It is the oldest running community garden in New York City. Although NYU purports to mitigate the shadow damage, the garden will struggle to survive at the foot of the nearly 200 foot Bleecker Building. Moreover, the peach, crab apple, apple, black pine and pear trees will all be destroyed when the land is “temporarily” covered by sidewalk sheds and used as a staging ground for construction. After completion of construction, the old growth trees will be lost and irreplaceable until decades in the future, if ever, as the species that currently exist would require more sun than they would receive after construction is completed. *See* Exhibit 16 at 8 (*Disappearing Before Our Eyes*, *supra* note 8 at 19).

#### 5. Wildlife

The DEIS glosses over the plan’s adverse impact on the native wildlife, particularly the habitat of red-tailed hawks and other bird species which make their homes in the Greenwich Village neighborhood. The construction will deprive them of the mature trees and un-built spaces upon which they depend for nesting. Other birds would suffer as well: the current green spaces within the Proposed Development Area provide at least some nesting and overwintering habitat for native birds, and stopover habitats for migratory songbirds. *See* Exhibit 23 (Community Board 2 Resolution, Mar. 11, 2012); DEIS at 9-6, 9-7. The plan will destroy some of these spaces and decrease the already limited open space available to native and migratory birds of all kinds. Despite these obvious effects, and although CEQR explicitly lists “loss of vegetation” and the “construction of a structure that may impede animal migration and movements” as direct effects of a project, the DEIS neglects to consider, at all, the specific impacts these changes would have on the bird population. *See* CEQR Technical Manual (2012) at 11-22.

The DEIS also ignores the serious risk of increased bird collision. The Proposed Development Area currently contains buildings with windows facing the green spaces used by



native and migratory birds. Consequently, the potential for bird collision already exists, but would be vastly amplified by the Proposed Development area. The proposed buildings would increase the total amount of reflective glass in the area, thereby increasing the risk of bird mortality. *See* DEIS at 9-11, 9-12. Indeed, a rough estimate is that each new building would cause up to 50 additional bird mortalities each year. *Id.* The DEIS itself admits that lack of information about the specific design features of the proposed buildings and surrounding landscaping make it impossible for the DEIS to fully analyze the expected adverse impact on the bird population, but assumes, without any justification, that once these details are known, the impact will be insignificant. It makes no attempt, as required by CEQR, to consider “bird safe” building recommendations or other mitigation measures. *See* CEQR Technical Manual (2012) at 11-9.

#### 6. Transportation

Rather than a hard look at transportation impacts from NYU 2031, the DEIS engages in wishful underestimation. *See* Exhibit 23 at 16-17 (Community Board 2 Resolution). Greenwich Village’s street capacity is already overburdened with vehicular traffic, and the project will increase congestion and endanger safety for pedestrians and cyclists. The increase in congestion, including the large vehicles required for intensive construction, will pose a particular threat to the local population, which is characterized by a large number of seniors and families with small children. This impact will be especially adverse due to the number of streets with only one traffic lane, including Bleecker and Mercer streets.

The DEIS declined to perform a detailed analysis of the impact of NYU 2031 on the subway stops in the area, instead “an analysis of [the Prince Street] station’s stairways and control areas will be undertaken for the Final EIS and any significant adverse impacts that may be identified for these station elements will be disclosed.” DEIS at 14-18. This is not sufficient, as the significant transportation impacts should be considered now, so that the general public and the CPC can meaningfully consider them. This is particularly true here, as the DEIS admits that the feasibility of subway station mitigation measures “is yet to be determined.” DEIS at 21-12.

The increase in pedestrian traffic will dramatically exceed the 200 person threshold for both Phase I (2021) and Phase II build-outs, which will compound the heavily increased vehicular traffic and adversely impact pedestrian access, safety, comfort, circulation and orientation. Moreover, a large proportion of the increased pedestrian traffic will be university student traffic, which will interfere with the residential community character of the neighborhood.

The DEIS recognizes that NYU 2031 involves replacing a 670-space public parking garage with a 389-space accessory parking garage, and the DEIS does not take a hard look at the capacity of the area to absorb the difference in parking, but rather concludes that “this parking shortfall would not be considered significant due to the magnitude of available alternative forms of transportation.” DEIS at 14-5. This conclusion, rather casually dismisses the already critical shortage of available parking spots in Greenwich Village. There are only 280 spaces on both sides of the streets on all four sides of the North superblock. Thus, the total number of lost parking spots will outnumber those already in existence around the North superblock. Between the construction and the constant cruising, idling and double-parking that will result, traffic will be a chaotic mess and air pollution will be exacerbated. The DEIS unfortunately ignores these issues in its analysis.

#### 7. Air Quality

The CEQR Technical Manual requires an analysis of the impact on air quality. *See* CEQR Technical Manual (2012) at 17-1. But the DEIS analysis is inadequate in several critical respects. First, although it concludes that air quality will not worsen, it concedes that air quality would improve absent the project (which—in the end—is tantamount to worsening). Second, also despite the DEIS conclusion, it admits that the new buildings and associated mobile emissions would produce over 19,000 tons of CO<sub>2</sub>e annually. *See* Exhibit 24 at 31 (Gambit Consulting Report, *The Impacts of New York University’s Proposed Expansion in Greenwich Village*, Apr. 2012 [hereinafter *Gambit Consulting Report*]). Regardless of the DEIS finding, this is a significant amount of air pollution. In fact, this amount of carbon dioxide would require

3,687 acres of pine or fir forest to process. *Id.* Looked at another way, the Gambit report puts it best:

the carbon footprint of the new buildings would be 13,089 CO<sub>2</sub>e. By comparison, the newly retrofitted, 2.85 million SF Empire State Building produces 11,421 tons of CO<sub>2</sub>e a year. In other words, the proposed NYU program, although smaller, and despite the presumption of extensive use of sustainable technologies, would produce a greater carbon footprint than eight-decade old Empire State Building.

*Id.* Third, the DEIS failed to consider how the loss of open space and plants will deteriorate the air quality in the area. The loss of trees and gardens will result in less consumption of carbon dioxide. Fourth, the DEIS does not consider that reduction of this green space will also potentially make the neighborhood hotter, as trees, plants and grass play an important role in reducing the heat island effect that affects concrete-dominated urban areas. The increased cooling demands will generate additional pollution through increased HVAC use. Finally, the DEIS fails to consider that the significant underground development is especially resource intensive. Underground space will require lighting and HVAC services at all times. A more suitable location would not have these high resource demands that contribute to air and other forms of pollutants. *Id.* at 31-32.

## 8. Noise

In considering noise, the goal of the CEQR Technical Manual is to determine both a “proposed project’s potential effects on sensitive noise receptors” including residential facilities, and “the effects of ambient noise levels on new sensitive uses” of the proposed project. *See* CEQR Technical Manual (2012) at 19-1. The DEIS analysis is inadequate on both counts.

First, the DEIS concludes that a detailed mobile source noise analysis—an analysis of noise caused by automobiles, buses, trucks and aircraft—is unnecessary. This assertion is based on the unsubstantiated claim that the proposed action would not generate sufficient traffic to have a significant adverse noise impact. *See* DEIS at 17-1. The DEIS fails to consider the possibility of increased traffic noise during atypical hours—a likely scenario where a student demographic works and socializes on a schedule different than that of a typical resident (evening dormitory noise is particularly problematic). In addition, although the DEIS concludes that there

would be no adverse effect to a number of noise sources in isolation, the DEIS does not consider the combined impact of overall noise, or the possibility that the project will bring additional sources of noise into the neighborhood. For example, the addition of new student dormitories will exacerbate the problem of late-night noise from students, and the decrease in parking spaces under the plan will lead to more circling and idling of cars as they look for parking. The additional retail may further attract new visitors and accompanying noise to the neighborhood.

Second, the CEQR Technical Manual specifically requires special treatment for “sensitive areas.” For example, “if the proposed project includes a publicly accessible outdoor area requiring serenity and quiet (such as a park for passive recreation),” the CEQR Technical Manual mandates exploring the feasibility and applicability of implementing mitigation measures to bring exterior noise levels to below 55dBA L<sub>10(1)</sub>. *See* CEQR Technical Manual (2012) at 19-21. NYU’s proposed plan contemplates numerous supposedly tranquil open spaces, but the DEIS admits that ambient noise in these newly created open spaces would be greater than the 55dBA L<sub>10(1)</sub> threshold. However, instead of exploring mitigation measures as required under CEQR, it concludes that there would be no adverse noise impact because this noise threshold has often been crossed in other open spaces in New York. The DEIS should not be permitted to ignore CEQR mandates simply because other spaces have not addressed the problem.

With respect to noise actually experienced during the construction of a project, CEQR is particularly sensitive to the harms noise inflicts on a residential neighborhood. Thus, CEQR requires the DEIS analysis of noise to take into account, “factors such as the location of the project site in relation to existing residential uses or other sensitive receptors” and “the intensity of the construction period.” *See* CEQR Technical Manual (2012) at 22-6. CEQR also requires that the DEIS take into account the anticipated duration of noise when determining the significance of the impact—for example, short-term noise lasting less than two years may not require detailed analysis. *See* CEQR Technical Manual (2012) at 22-1. The DEIS claims the adverse noise impacts will last only 2-3 years. In fact, the adverse impacts on noise will last

much longer: first, when NYU moves their baffles to a new area, the sound will be deflected to the one they just left. Second, and more importantly, once someone has been exposed to noise over a period of years, the resulting sensitivity reaches a level that makes even a lesser exposure unbearable.<sup>16</sup> *See* Exhibit 23 at 19 (Community Board 2 Resolution).

#### 9. Public Health

The incredibly sparse three-page DEIS analysis of the public health impacts of this project are woefully inadequate. Indeed, the DEIS closely examines only the public health effect of noise, concluding that even with the supposed mitigation measures NYU plans to take, the CEQR thresholds for significant noise impacts would be exceeded at certain locations during some periods of time. DEIS at 18-3. This is bad enough, and noise is a lesser public health risk when compared to some of the other effects this project will cause. The DEIS ignores the fact that adding a large new population and changing the physical configuration of the neighborhood has the potential to overburden medical infrastructure, local police precincts and other emergency services. Following the closing of St. Vincent's hospital in 2010, the neighborhood already lacks adequate nearby emergency services. Moreover, NYU's plan for the North Block restricts the ability of fire and emergency vehicles to reach apartments, and the removal of through-driveways between Bleecker and W. 3rd Streets will slow the ability of ambulances to reach and depart with patients, who already face too long a ride to the closest hospital. *See* Exhibit 23 at 17 (Community Board 2 Resolution).

The failure of the DEIS to consider this decreased access to medical services is troubling in light of CEQR's specific protections for sensitive or vulnerable populations—that is, those populations that are vulnerable to the potential health impacts by virtue of their age, or those with pre-existing health conditions. *See* CEQR Technical Manual (2012) at 20-3. Greenwich Village has a sizeable senior population, as well as families with young children who need fast and reliable access to medical services, and who will be disproportionately harmed by the effects of the proposed project. The DEIS, in violation of CEQR, completely ignores the particular

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<sup>16</sup> For a further analysis of the impact of noise in construction, *see* Construction (Section 10), *infra*.

health status, disease burdens, asthma rates and hospitalization statistics of the Greenwich Village community in reaching its conclusions on public health. *See* CEQR Technical Manual (2012) at 20-3.

Finally, the DEIS also glosses over the enormous rat problem that the proposed construction will create. Big building projects, especially in old coastal cities, always drive rats up into streets and basements. This routinely happens in downtown Manhattan, and will certainly occur during this project as well, as the proposed plan entails four excavations several stories deep, in an area especially dense with rodents. According to CEQR, rats “may lead to infectious diseases, injuries, and other health problems. The increased presence of indoor pests may contribute, in sensitive persons to asthma symptoms and exacerbations.” CEQR Technical Manual (2012) at 20-6. Even the mitigation measures pose unique health risks. For example, NYU plans to contract to have the streets and basements saturated with rodenticide. *See* DEIS at 20-91. Rat poison has a broad toxic reach, killing squirrels and birds, and leaching into the groundwater. Children are at particular risk of exposure to rodenticide. Again, the DEIS fails to consider whether the “affected population [has] characteristics that may place it at greater risk of exposure to ...environmental hazards” and whether “there are many people potentially affected by the project.” CEQR Technical Manual (2012) at 20-7.

#### 10. Neighborhood Character

The DEIS widely misses the mark in concluding that “the Proposed Actions would not have a significant adverse impact on neighborhood character in the study area.” DEIS at 19-2. The addition of millions of gross square feet of new development seriously imperils the residential character of the historic Greenwich Village neighborhood. At 1.3 million square feet above ground and 1.1 million square feet below-grade, NYU 2031 is the largest development proposal ever in this neighborhood, and will more than double the zoning floor area of the superblocks.

The bulk, density, and height of the proposal are wholly inappropriate for a historic residential district. These buildings will break sky exposure planes, violate rear-yard

requirements, and breach height and setback regulations. The rezoning would drastically affect the residential character of the neighborhood, as nearly all of the new construction would be for nonresidential uses. The construction would result in thousands of new residents and would bring over ten thousand additional people into the area each day. Even after construction is completed, the requested zoning would dramatically reduce the open space in the community, which is already lacking public open space. In particular, area residents—and all New Yorkers and visitors to our city—would be deprived of the Sasaki Garden, an internationally-renowned work of landscape architecture.

The proposed construction would continue for at least two decades and would result in continuous disruption to the area, adversely affecting noise and traffic levels for two decades. The DEIS fails to adequately address the transportation impacts of the construction and the project, including adverse effects on pedestrian access to transit, vehicular traffic, and parking availability. NYU is landlord and leaseholder for the bulk of affordable housing in Greenwich Village, and the project threatens to adversely affect the community's economic integration and diversity. NYU seeks a commercial overlay area rezoning, which threatens to inundate the residential neighborhood with retail facilities targeting young adults, such as national chains and large eating and drinking establishments.

Greenwich Village is home to numerous historic iconic buildings, and it would be capricious and unwise to allow the project to proceed with the mutable proposal. The character of the University Village Towers, a New York City landmark designed by I.M. Pei, will be destroyed by tall buildings, which clearly contravene the original site plan and existing zoning requirements for open space. *See* Exhibit 24 at 3 (Gambit Consulting Report). The Washington Square Village, on the National Register of Historic Places, will be overwhelmed by two new towers that occupy the open space that was part of the design intent. *Id.* As recently evidenced by the Kimmel Center, NYU cannot be trusted to build within the character of the neighborhood. *See* Exhibit 25 (GVSHP, *After the Kimmel Center: How Can We Better Plan to Protect Our Neighborhoods, Parks, and View Corridors?*, Sept. 9, 2002). NYU 2031 seeks to circumvent

deed restrictions that run through 2021, and are integral parts of the Urban Renewal Plan. Removing these restrictions prematurely would undermine the intentions of the Urban Renewal Plan and would adversely impact the residents and businesses in the area that made important lifestyle and financial decisions in reliance of the Urban Renewal Plan.

#### 11. Construction

The DEIS does not adequately address the myriad significant adverse impacts of 20 years of construction in a dense residential area. The DEIS does not appear to adequately consider the adverse impact of construction on air quality, dewatering, or visual pollution. *See* Exhibit 23 at 19 (Community Board 2 Resolution). Dewatering a site can cause surface cracks in foundations and in pavements, uneven settlement of dry area, and possible effects on trees and other plantings. The adverse impact to air quality will be dramatic over the twenty year course of construction. And the new buildings under construction across narrow streets like Mercer and LaGuardia Place, will flood the residential buildings across those streets with intense light during nighttime hours.

The constant construction will heavily increase congestion, as heavy truck use is required to deliver construction materials and remove debris, additional private motor vehicle trips will take place to transport construction workers, which will also increase congestion as these vehicles search for parking. The DEIS does not even attempt to take a hard look at the significant adverse effects on subway stations, and suggests that mitigation measures to reduce the impacts on transportation might be infeasible.

The DEIS admits that “significant adverse noise impacts are predicted to occur for two or more consecutive years at forty-seven (47) of the seventy-three (73) analyzed receptor sites.” DEIS at 21-18. Notably, the receptors were located at grade level and on rooftops, but not on any of the floors in-between where the noise may be even greater. *See* DEIS at 20-56. In spite of this fact, a significant majority of the receptors registered noise levels greater than the CEQR threshold. The available analysis demonstrates conclusively that some of the largest impacts would be felt by the faculty buildings in the construction zone, posing particularly adverse



effects on the faculty, who often use their apartments for work-related purposes, and their children, who are especially susceptible to increased noise levels and may suffer permanent damage.

The DEIS acknowledges the particular adverse impact the noise levels will have on NYU faculty, the population living and working at the heart of the 20-year construction site. In the Washington Square Village and Silver Towers Buildings where many faculty live, the windows are only single-pane. DEIS at 21-19. For technical reasons the noise will be difficult to mitigate, *see* DEIS 20-62, and the DEIS acknowledges the likelihood that “construction activities would result in significant adverse noise impacts that would not be fully mitigated at both the Washington Square Village and Silver Tower buildings during portions of the construction period.” DEIS 21-20 (emphasis added). The DEIS should have taken a harder look at the particular impact of this non-CEQRA compliant level of construction noise, which will have a unique impact on NYU faculty and their families. The DEIS makes no mention of this at all in its analysis, a glaring and irresponsible omission.

The DEIS also acknowledges the significant adverse impact of noise on the precious open spaces in the neighborhood. The noise levels in these publicly accessible open spaces (Mercer Playground, Washington Square Village Elevated Garden, Silver Tower Oak Grove) are already above the level recommended in the CEQR Technical Manual for outdoor noise levels. *See* DEIS at 21-22. The DEIS admits that “[n]o practical and feasible mitigation measures have been identified that could be implemented to reduce noise levels below the 55dBA L<sub>10(1)</sub> guideline and/or eliminate project impacts. Consequently, construction activities would result in noise levels in open space locations that would result in a significant adverse noise impact.” *Id.*

### C. *The DEIS Does Not Adequately Consider Alternatives.*

Not only does the DEIS materially understate the negative impacts of the proposed project, its consideration of alternatives is cursory at best. Although the DEIS goes through the motions of examining alternate scenarios, and admits that various lesser density alternatives would go some way towards mitigating adverse effects, it blithely dismisses these options on the

grounds that they would not sufficiently meet NYU's goals and objectives.<sup>17</sup> These findings of no feasible alternative, however, rely on the assumption that NYU must locate its expansion on the two superblock site. As the Gambit Consulting report discusses at length, if NYU's planned expansion were instead placed in another neighborhood—the Financial District or Downtown Brooklyn, for example—NYU could easily meet its need for additional space and avoid adverse effects on the environment and on the unique character of the neighborhood. *See* Exhibit 24 at 23-24 (Gambit Consulting Report).

Of course, the one alternative that exists now, but was unknown at the time the DEIS was prepared, is the NYU Modification. That Modification, in point of fact, contains more changes than any of the alternatives set forth in the Alternatives section of the DEIS. The fact that the DEIS authors took the time to evaluate environmental impacts of lesser alternatives is proof positive that a new DEIS is required in light of the allegedly substantial changes brought about through NYU's agreement, embodied in the NYU Modification.

D. *The DEIS Does Not Adequately Consider Mitigation.*

Under CEQR, the DEIS must include “mitigation measures proposed to minimize the environmental impact” of a project. 6 N.Y.C.R.R. § 617(f)(7). The technical analysis of mitigation must be sufficient to allow the lead agency to understand how effective the mitigation would be, what effort would be involved in implementing it, and whether it would produce any new significant impacts of its own. *See* CEQR Technical Manual (2012) at 3-3. The DEIS fails to conduct this level of analysis, and would not allow the CPC to adequately assess the proposed mitigation. Instead, the measures proposed fall far short of truly addressing the negative impacts.

The DEIS admits that shadows cast by the Bleecker building would have significant adverse impacts on the LaGuardia Corner Gardens but, after dismissing more complete mitigation measures, only suggests planting shade tolerant species and/or installing raised

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<sup>17</sup> For example, NYU did not consider the use of empty classroom space. NYU reportedly has significant unused classroom space, including in the Woolworth building.

planting beds, which it admits would not fully mitigate the adverse effects to the plant life. For the most part, the DEIS defers the issue, vaguely promising that NYU will explore the feasibility of relocating the park.

Changes to Washington Square Village would remove key elements of its architectural integrity and have a significant adverse impact. Again, the DEIS includes only the least burdensome mitigation suggestions, such as preserving photo documentation and liaising with the Office of Parks, Recreation and Historic Preservation. The DEIS claims that NYU would develop a Construction Protection Plan, but does not provide the details of that plan.

The potential for increased traffic impacts, according to the DEIS, would occur at select intersections during weekday peak hours. Community Board 2 has already pointed out that this analysis is inadequate because it does not conduct an impact analysis for late night hours where there is already significant traffic, and the mitigation measures that the DEIS proposes for the effects it did analyze are also insufficient. First, the suggested measures such as changing light patterns and eliminating parking spaces require approval from the NYCDOT, and are not measures that NYU can guarantee.

The massive additional influx of students, residents, and construction workers would clog subway entrances and stairwells, and create hazardous conditions. The DEIS admits that there would be a significant adverse impact and suggests widening the tops of impacted stairways or increasing access locations, but again, these changes could only be made by the MTA and their feasibility has not even been assessed. The DEIS suggests no back-up plan if the measures are not found to be feasible. The DEIS also fails to specifically analyze the particular problem these crowded spaces will pose to the considerable senior population of Greenwich Village.

The DEIS outlines the “proactive approach” that NYU plans on taking to minimize noise during the construction period, such as using portable noise barriers, enclosures and acoustical tents, but these measures can only go so far. The DEIS concedes that even with such measures, significant adverse impacts will occur at numerous locations and again claims that NYU will examine whether there are any additional practical measures that could be used to mitigate the

adverse noise effects, but makes no promises. In addition, the DEIS drastically underestimates the extent and duration of the noise that will be caused by the extended construction, so the effectiveness of the mitigation measures should be analyzed over a longer period of time. As the plan now stands, the mitigation measures will not prevent Greenwich Village residents from being subjected to extremely high noise levels for the duration of the 20-year project. According to the World Health Organization, prolonged and daily exposure to unwanted noise at the levels the plan predicts is known to cause significantly increased risk of hypertension and ischemic heart disease, and to disrupt the sleep patterns of both children and adults in ways that negatively affect cognitive performance, even when the noise occurred during daylight hours. See Department of Music Resolution, dated May 3, 2012. The World Health Organization further reports that children who are chronically exposed to loud noise show impairments in attention, memory, problem-solving and the ability to learn to read. The DEIS fails to consider these significant adverse effects on the health and well-being of the area's residents, and the limited mitigation measures NYU suggests are grossly insufficient to address these serious health concerns.

The DEIS identifies significant adverse impact cause by the construction staging that would take place in LaGuardia Corner Park, particularly the installment of a construction shed, which would render the park inaccessible and block essentially all direct sunlight for an approximately 27-month period. The only mitigation measure the DEIS explores is the potential relocation of the LaGuardia Corner Park discussed in the shadows analysis. Should relocating the park not be feasible, the DEIS claims that NYU would explore other options, but this analysis has not yet been conducted.

The vague analyses, which run throughout the discussion of mitigation measures cannot be the basis for meaningful consideration of the adverse effects of this project. And, it is apparent that, whatever the flaws in the DEIS, it analyzes a project that is quite different from what is currently planned. The modifications made by NYU and Borough President Stringer and the fact that the final outlines of the project remain in flux render inaccurate much of the

environmental data considered in the DEIS, which dealt with the entire plan as a whole. Moreover, the modifications to the original proposal may change the phasing and construction timeline of the project, invalidating the build year used in the DEIS and rendering suspect many of its conclusions on the cumulative impacts over time. The CPC, and the public, cannot and should not be expected to determine the merits of the plan based on figures and opinions that are no longer relevant.

E. *The DEIS Does Not Consider The Particular Impact On NYU Faculty.*

The DEIS is clearly deficient in many aspects of its analysis. Yet, in at least one critical area, it engages in no analysis whatsoever. The DEIS entirely neglects to consider the environmental impact of at least 20 years of construction at the doorsteps of 40 percent of the NYU faculty and their families. Given the congestion and density in the superblocks and the high concentration of NYU faculty there, this project will have innumerable adverse impacts on their health, safety, welfare, and ability to perform their jobs. Many professors use their apartments to perform work, host meetings, and conduct some of their out-of-class academic business. Thus, at home and for much of their out-of-classroom work, they will be subjected to unremitting construction for two decades. The DEIS ignores these unique circumstances, and thus should not be considered “adequate with respect to its scope and content.” See 6 RCNY § 617.9; 62 RCNY § 6-09, 6-10(a). The DEIS would not be complete without a full evaluation of a special at-risk population, particularly one that resides in a building in connection with their employment. In its failure to evaluate the buildings currently inhabited by faculty, the DEIS could not possibly assess the direct impacts of the planned construction on building residents.

Although the DEIS says nothing about these impacts, NYU has admitted to specific harms in two memoranda to selected administration members. In these recent memos, NYU recognized that the construction would have a significant impact on the lives of the faculty who live in the affected buildings, including by increasing noise, dust, and emissions. Exhibits 26, 27 (Memoranda to NYU Deans and Directors regarding Mitigation Steps and Important Points about NYU 2031, Apr. 4, 2012). While these letters set forth vague suggestions for mitigations

such as modified construction hours and noise and dust reducing air condition units, there has been no official mention of these adverse effects or needed mitigations in the formal public review process for this plan, or even to the faculty as a whole beyond the few select administrators who received these letters. The admittedly prolonged and detrimental impacts on the faculty—who will be living and working in the middle of a construction site for 20 years, in buildings that already suffer long-standing problems themselves—were not assessed in any way in the DEIS.

The vast majority of NYU's faculty is against the expansion plan, further indicating the likely adverse effects the plan will have on faculty. In a survey undertaken by the Faculty Senator's Council, three-quarters of faculty members do not support the plan (40 percent strongly oppose). In addition, 27 of NYU's academic departments and two schools (Stern and Gallatin) have passed resolutions against the plan with overwhelming majorities.<sup>18</sup> Yet, despite this outcry, NYU neglected to assess the impact that its expansion plan will have on the very faculty that the expansion is supposedly designed to serve.

#### **IV. CONCLUSION**

Greenwich Village is a historic treasure that benefits all of New York City, with visitors and tourists drawn by its uniquely attractive residential character in the midst of the City. Adding millions of square feet of density to the heart of this neighborhood would irreparably harm this thriving community, which would effectively be transformed from a thriving diverse neighborhood into a campus. The negative impacts will spill out into surrounding neighborhoods, as students and bars overwhelm the community. The DEIS does not adequately account for these impacts, does not meaningfully consider preferable alternatives, and does not even address the current plan.

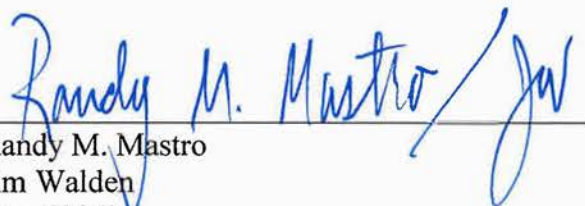
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<sup>18</sup> The complete list of departments against NYU 2031 follows: Anthropology, Art History, Center for Latin American and Caribbean Studies, Center for Neural Science, Cinema Studies, Classics, Comparative Literature, East Asian Studies, Economics, English, French, History, Humanities and Social Sciences in the Professions, Linguistics, Mathematics, Media Culture and Communications, Middle Eastern and Islamic Studies, Museum Studies, Music, Performance Studies, Politics, Psychology, Religious Studies, Russian and Slavic Studies, Social and Cultural Analysis, Sociology, and Spanish and Portuguese.

For all the reasons above, we strongly recommend denial of the NYU Core Project.

Dated: May 7, 2012

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## Press Releases

### Manhattan Borough President Scott Stringer Issues Conditional Approval for NYU's 2031 Core Campus Expansion Plan

Manhattan Borough President Scott M. Stringer today issued **conditional approval** for New York University's (NYU) 2031 core campus expansion plan. In developing his Charter-mandated Uniform Land Use Review Procedure (ULURP) recommendation, Stringer secured major commitments to and mitigations for the project, which include a significant overall density reduction; designation and preservation of public-strips as parkland; elimination of a temporary gymnasium on the site of two community playgrounds; elimination of proposed dormitories on the Bleecker Building; and an affirmation of NYU's commitment to provide space for a K-8 school.

"Today I am proud to announce my conditional approval of one of the most significant university expansion plans in our City's recent history," Borough President Stringer said. "This blueprint is the culmination of an unprecedented, five-year planning process launched by my office—a model for future growth that strikes a balance between a great university's need to grow and the importance of preserving Greenwich Village's distinctive, historic character. There was nothing easy about this: Everyone had to give up something. No one got everything they wanted. But at the end of the day, I am pleased that we came to a resolution in the best interests of the City, Greenwich Village and the University."

"This is a good and important step, and a recognition that universities need to grow to maintain excellence and that strong universities are important to keeping our city strong," said **NYU President John Sexton**. "The agreement we have reached, which comes after five years of deep involvement with the Borough President and committed efforts by him, will enable NYU to meet the long-term academic space needs of its faculty and students while being sensitive to the concerns of our surrounding community. We understand that the public review process involves many stakeholders, and we look forward to working with the City Planning Commission and the City Council to secure their support in the coming months."

"I want to thank the Borough President and New York University for the progress that has been made and for their attentiveness to the community's concerns," said **Council Member Margaret Chin**. "There is a lot of work ahead and there are many elements of this plan that still must be discussed. I look forward to working with all relevant stakeholders as the public process moves forward."

"Today's announcement is a step forward on one of the most challenging land use issues in our city," said **State Senator Daniel Squadron**. "Thank you to Borough President Stringer for his work in finding a path to reduce scale, protect more public land and preserve cherished community recreation. In New York, neighborhood needs and global institutions must co-exist in a way that makes sense for both. I look forward to continuing to work with all of the parties to ensure that residents' quality of life and the Village's unique character are protected."

"The agreement announced today by the Borough President with NYU is an important initial step that addresses major concerns identified by the community board and represents the first time NYU has committed to any changes to its massive expansion plan," said **Brad Hoylman, Chair of Community Board No. 2, Manhattan**. "We thank the Borough President for his strong stand in trying to ensure that the NYU plan preserves the character of Greenwich Village. Among other things, the elimination of a temporary gym, preservation of park strips used by the community, and removing student dormitories above the planned public school are all important community concerns addressed by the Borough President. The community board will continue to seek additional changes to the plan in the ULURP process at the City Council."

"I greatly appreciate the work of Borough President Stringer on shaping this plan and commend him on this important step forward", said **Larry Goldberg, President of Friends of LaGuardia Place**. "The elimination of the temporary gym and designation of the strips as parkland are important for the community. I look forward to working with Councilmember Chin, the City Parks Department and NYU to ensure that Adrienne's Garden and LaGuardia Gardens remain uninterrupted space and to further address neighborhood issues."

In his comments, Borough President Stringer cited the substantial economic benefits of NYU's growth for New York City. The proposed campus expansion plan promises to grow the Institutional, Cultural and Educational economy (ICE) with the creation of 9,500 permanent jobs, and as many as 18,200 new construction jobs over the next 20 years.

Today's recommendation is the culmination of over five years of work on behalf of the Office of Manhattan Borough President Stringer. Stringer's Community Task Force on NYU Development held over 50 meetings in five years and was an instrumental force in compelling NYU to take the unprecedented step of issuing a comprehensive long-range campus plan. The Borough President successfully brought the Greenwich Village community and NYU's leadership together for the first time to agree on a set of Planning Principles in 2007 that served as a roadmap for the University's 2031 proposal.

NYU is the third university expansion proposal that Borough President Scott Stringer has negotiated through ULURP since assuming office in 2006. In 2007, as Columbia University sought to expand, Stringer's approval brokered significant commitments related to affordable housing, open space, sustainable development and an historic 90-block rezoning of West Harlem. In 2009, Stringer reached an agreement with Fordham University that allowed it to expand on Manhattan's West Side while reducing the project's density by moving classroom space underground.

*Modifications to NYU's expansion plan secured by Borough President Stringer include:*

- A reduction in density of 19 percent, or 377,000 of the proposed 2 million new square feet (SF);
- Preservation of the "public land strips" around Washington Square Village and creation of new parkland by agreeing to eliminate a proposed 183,000 SF of below-grade space;
- Elimination of the 20,700 SF temporary gymnasium, ensuring that no development will occur on the northern superblock until Phase 2 of the project;

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- Commitment to make the Mercer Boomerang the final building constructed, thereby preserving Key Park playground until commencement of construction on the Mercer St. building;
  - Provision of space for a 100,000 SF K-8 public school.
  - Elimination of seven floors of dormitory slated above the public school in the Bleecker Building totaling 55,000 SF as well as an additional 10,000 SF from the basement, which will reduce impacts on the neighboring LaGuardia Community Gardens;
  - Reduction of 85,000 SF from the Mercer and LaGuardia Boomerang buildings, which will provide the flexibility necessary to make the central open space more accessible;
  - Commitment to lower the height of the Mercer Building to 162 feet, equaling the height of the existing Washington Square Village buildings;
  - Elimination of 15,000 SF by setting back a portion of the Zipper Building by 15 feet (across from the residential buildings along Mercer Street) to preserve light and air;
  - Commitment to maintain an equivalent amount of playground space throughout construction;
  - Agreement not to develop on the Mercer Plaza strip above the NYU Cogeneration Plan and maintain it as open space;
  - Commitment to exclude from the proposed commercial overlay any "eating and drinking establishments" where 80% of their projected revenue is derived from alcoholic beverages to limit the proliferation of bars in the predominately residential neighborhood. Further, NYU will continue to work to find appropriate controls on destination retail in the Commercial Overlay Area; and
  - Commitment to limit construction to the hours between 8:00 am and 4:30 pm and limit weekend construction. The University has also agreed to a series of construction mitigation including air quality, noise, environmentally sound equipment and mitigation for affected apartments with single-pane windows within the project affected area.

You can read the Borough President's full ULURP Recommendations [here](#)

Read more about the agreement in coverage from [The New York Times](#), [Crain's](#), [The New York Observer](#), [NY1](#), [WNYC](#), [Bloomberg](#), [NY Daily News](#) and [The Villager](#).

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THE CITY OF NEW YORK  
**OFFICE OF THE PRESIDENT**  
BOROUGH OF MANHATTAN

**SCOTT M. STRINGER**  
BOROUGH PRESIDENT

April 11, 2012

**Recommendation on**  
**ULURP Application Nos. C 120077 MMM, C 120124 ZSM, C 120122 ZMM,**  
**N 120123 ZRM – NYU Core**  
**by New York University**

**PROPOSED ACTIONS**

New York University (“NYU” or “the applicant”) seeks a rezoning, a text amendment, a city map amendment and a Large Scale General Development (“LSGD”) special permit to facilitate the development of four new buildings on two NYU-owned superblocks, and to allow commercial uses on the ground-floor in an area located within the neighborhood of Greenwich Village in Manhattan Community District 2. The proposed project includes the development of academic space, faculty and student housing, commercial space, and recreational facilities to accommodate the University’s long-term expansion goal in the neighborhood. The project site generally consists of three separate areas: the two University superblocks bounded by West 3<sup>rd</sup> Street to the north, Mercer Street to the east, West Houston Street to the south and LaGuardia Place to the west (“Proposed Development Area”); a group of residential and academic buildings bounded by East 8<sup>th</sup> Street to the north, Mercer Street to the east, West 4<sup>th</sup> Street to the south and Washington Square East to the west (“Commercial Overlay Area”); and an area where NYU’s existing cogeneration plant is located on Mercer Street between West 4<sup>th</sup> Street and West 3<sup>rd</sup> Street (“Mercer Plaza Area”).

Specifically, NYU seeks a **Zoning Map Amendment (C 20122 ZMM)** to rezone the Proposed Development Area from an R7-2/C1-5 district to a C1-7 zoning district; and to rezone the Commercial Overlay Area to add a C1-5 overlay to the existing R7-2 zoning district. The rezoning would facilitate the development of commercial uses, permit greater residential density in the Proposed Development Area, and allow ground floor commercial and retail uses in buildings located within the Commercial Overlay Area.

The applicant also seeks a **Zoning Text Amendment (N 120123 ZRM) to Zoning Resolution (“ZR”) Section 74-742** to waive ownership requirements for developments and enlargements within the proposed designated LSGD site; and **an amendment to ZR § 74-743 (N 120123 ZRM)** to treat mapped public parks as wide streets within the proposed LSGD to keep existing buildings in compliance. Approval of this zoning text amendment will apply to use and bulk regulations associated with the LSGD special permit.

Additionally, NYU seeks a **special permit (C 120124 ZSM) pursuant to ZR § 74-743 (Large Scale General Development) to allow the transfer of 19,214 Square Feet (“SF”) of zoning floor area between two zoning lots within the proposed LSGD in C1-7 zoning districts; to modify provisions set forth in ZR §§ 23-632, 33-432, and 35-23 (height and setback regulations); §§ 23-532 and 33-283 (rear yard equivalent regulations); § 33-26 (rear yard regulations); and § 23-711 (minimum distance between buildings regulations).** The City Planning Commission (“CPC”) may grant these waivers provided the proposed modifications satisfy the findings set forth in ZR § 74-743(b), including that:

- the modifications will result in a better site plan and a better relationship between the proposed development and its surrounding buildings and open space than would be possible, and thus will benefit the occupants of the project, the neighborhood, and the City as a whole;
- the modifications will not increase the bulk of buildings in any one block or obstruct access of light and air to the detriment of occupants of the buildings in the block or nearby blocks or to the people using the public streets;
- where a zoning lot of the LSGD does not occupy a frontage on a mapped street, appropriate access to a mapped street is provided; and
- the streets providing access to the LSGD will be adequate in handling the proposed project’s resulting traffic.

The CPC may prescribe additional conditions and safeguards to improve the quality of the proposed project and minimize adverse effects on the surrounding area.

Additionally, the applicant submitted a related **City Map Amendment (C 120077 MMM)** application to eliminate portions of Mercer Street (between West Houston and Bleecker Streets, between Bleecker and West 3<sup>rd</sup> Streets, and between West 3<sup>rd</sup> and West 4<sup>th</sup> Streets), LaGuardia Place (between Bleecker and West 3<sup>rd</sup> Streets) as public streets and authorize their disposition to NYU. The Map Amendment will additionally designate portions of Mercer Street (between Bleecker and West 3<sup>rd</sup> Streets) and LaGuardia Place (between Bleecker and West 3<sup>rd</sup> Streets) as parks with certain easements to be disposed to NYU.

## **PROJECT DESCRIPTION**

The proposed actions will facilitate the development of four new buildings on the two superblocks within the **Proposed Development Area**, mainly to accommodate NYU’s 2031 expansion plan. The Proposed Development Area is comprised of a northern (Block 533, Lots 1 and 10) and southern superblock (Block 524, Lots 1, 9 and 66), bounded by West 3<sup>rd</sup> Street, Mercer Street, West Houston Street and LaGuardia Place, and divided by Bleecker Street running in the east-west direction. Currently, the superblocks contain seven buildings with university and non-university housing, retail, classrooms, lecture halls, and recreational facilities.

The proposed program will add an approximate 2,275,506 GSF<sup>1</sup> to the superblocks' existing density of 2,117,316 GSF.<sup>2</sup> The proposal includes the demolition of three buildings and the construction of a temporary gymnasium to be demolished by the final development phase. NYU's proposed project will include new academic facilities (1,071,583 GSF), student and faculty housing (475,000 GSF), a student athletic center (146,000 GSF), retail uses (64,312 GSF), a hotel with conference space (165,000 GSF), and a potential public school (100,000 GSF). The project will also replace an existing 670-space public parking garage with a 389-space accessory parking garage (76,000 GSF) on the northern superblock.

NYU additionally proposes a commercial overlay in the area bounded by East 8<sup>th</sup> Street, Mercer Street, West 4<sup>th</sup> Street, and Washington Square East. The Commercial Overlay Area includes 26 loft-style buildings (Blocks 546, 547 and 548), of which six are residential and nearly half have legal non-conforming commercial uses on the ground floor. NYU owns 22 of the buildings, two of which contain non-academic related uses.

The **Mercer Plaza Area** is approximately 4,500 SF of public land located on Mercer Street between West 3<sup>rd</sup> and 4<sup>th</sup> Streets, between the Proposed Development Area and the Commercial Overlay Area. NYU's below-grade cogeneration plant is located here and was completed in the Fall of 2010. The approval of the proposed mapping action grants NYU ownership of the property to allow for the University's continual access to the facility. No future development is planned for the Mercer Plaza Area.

The surrounding area contains a mix of land uses including residential units, offices, ground-floor retail and commercial establishments as well as major institutions, among them NYU, Cooper Union, and the Judson Memorial Church.

### Site History

NYU's core campus in Greenwich Village has significantly changed in the last 60 years. Originally, the site was comprised of standard city blocks with mid- to low-rise warehouse and residential buildings, but was transformed under federal urban renewal programs in 1954. The City Map was amended to establish the Washington Square Southeast Urban Renewal Area ("WSSURA"). As a result, nine city blocks bounded by LaGuardia Place, West Houston Street, Mercer Street and West 4<sup>th</sup> Street were combined into three superblocks, two of which comprise this application's Proposed Development Area.<sup>3</sup>

The original WSSURA plan, however, was not completely implemented and a series of amendments followed to permit the existing development. In addition to the approval of this ULURP application, NYU seeks the dissolution of existing deed restrictions on the WSSURA

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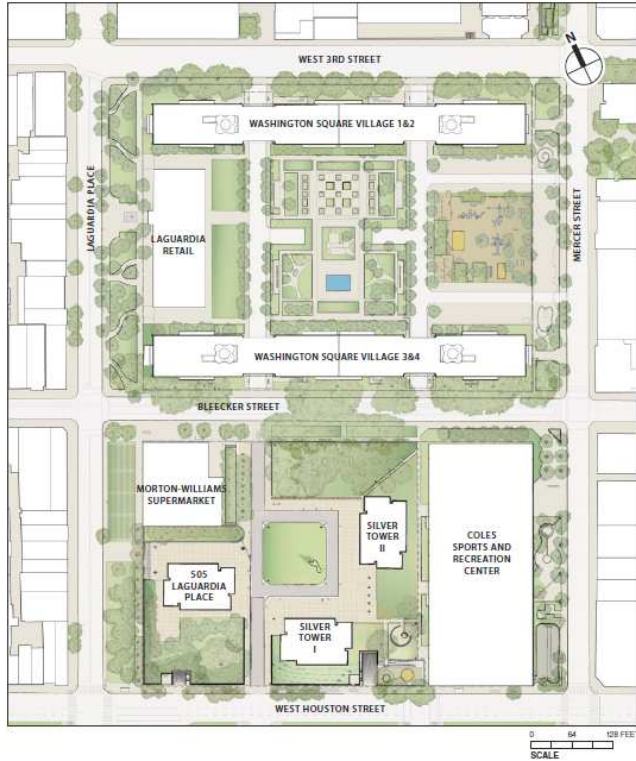
<sup>1</sup> The four new buildings within the Proposed Development Area will have a total of 2,498,709 GSF.

<sup>2</sup> The approval of this application would permit new developments in the two superblocks that could raise the total density to 4,392,822 GSF.

<sup>3</sup> The WSSURA designation in 1954 included a third superblock, or the "Education Block." This block is located directly north of the Proposed Development Area, bounded by West 4<sup>th</sup> Street, Mercer Street, West 3<sup>rd</sup> Street, and LaGuardia Place, and is not a part of this ULURP application.

site. Separate applications would need to be submitted and approved through the Department of Housing Preservation and Development (“HPD”) and the Mayor’s Office.

### Existing Site Conditions



**Figure 1:** Existing Site Conditions of Proposed Development Area  
 Source: Figure S-3 of NYU Core DEIS

**Northern Superblock** – The existing northern superblock contains two 17-story residential buildings and one retail strip. The two residential buildings contain approximately 1,290 apartment units with a total density of 1,236,672 GSF – known as Washington Square Village (WSV). Additionally, 12 businesses and institutional uses occupy the ground floors of the two buildings, five of which are non-NYU affiliated.

On the west side of the superblock is the LaGuardia retail strip, a one-story building. In the center of the superblock is a two-level, below-grade, 670-space parking garage. The garage roof is elevated and contains a landscaped garden (“Sasaki Garden”) on top. Additionally, there are two playgrounds on the east side of the block (“Mercer Street Playground” and “Key Park”). The amount of open space on the northern superblock, including playgrounds, gardens, and fenced landscaped areas, is approximately 164,406 SF (3.8 acres).

**Southern Superblock** – The southern superblock contains five buildings on three lots with approximately 228,916 SF. The site contains three 30-story towers (the university affiliated Silver Towers and 505 La Guardia Place) with 175 residential units. 505 LaGuardia Place was developed under the Mitchell-Lama program and remains a middle-income, affordable housing cooperative with a ground lease to NYU. Under the terms of the existing lease between NYU and 505 LaGuardia, the lease is subject to rest in 2014 and expires in 2063.

East of the Silver Towers along Mercer Street is the one-story Coles Gymnasium and Recreation Center (“Coles”) with approximate 136,296 GSF. The superblock also includes a one-story commercial building containing the Morton Williams Associated Supermarket on the northwest corner. In the block’s center is a non-recreational green lawn with the statue *Sylvette* by Pablo Picasso. The amount of open space on the southern superblock, including playgrounds, parks, gardens and non-accessible landscaped areas, is approximately 105,658 SF (or 2.4 acres).<sup>4</sup>

<sup>4</sup> Open space including only parks, playgrounds and gardens, and not landscaped areas is approximately 40,240 SF (or 0.9 acres).

*Commercial Overlay Area:*

The 26 buildings within the Commercial Overlay Area are of varying low- (4 to 6 stories) to mid-rise heights (7 to 10 stories), many with similar architecture to buildings in the adjacent NoHo Historic District. Currently, there are 25 retail shops within the Commercial Overlay Area. Stores in the proposed overlay boundary include university-affiliated retail establishments and local retail.

**Proposed Project**



**Figure 2:** Proposed Site Plan for Proposed  
*Source: Figure S-7 of NYU Core DEIS*

As proposed, the northern superblock will include two new academic buildings: an 8-story building fronting LaGuardia Place (“LaGuardia Boomerang”), and a 14-story building fronting Mercer Street (“Mercer Boomerang”). Additionally, four below-grade levels for academic uses are proposed to span the center of the block with approximately 770,000 GSF. NYU proposes to replace the existing garage with a 389-space accessory parking garage accessible from West 3<sup>rd</sup> Street. NYU additionally proposes a one-story temporary gymnasium to be built on the east side of the northern superblock, which will be constructed before the demolition of Coles.

The applicant also seeks two new buildings on the southern superblock. The first building would front Mercer Street (the “Zipper Building”) and the second building would front on the corner of Bleeker Street and LaGuardia Place (“Bleecker Building”). The Zipper Building is proposed as a mixed-

use building with varying street walls and heights, and four below-grade levels. The building will contain dormitories, faculty housing, academic space, retail, a grocery store and a hotel. The Bleecker Building would be 14 stories with four below grade levels, and may include a public school on the first seven floors, and an undergraduate dormitory on the building’s remaining levels.

**Table 1:** Proposed Buildings in Proposed Development Area

Proposed Buildings	Above-Grade Building Area (gsf)	Below-Grade Area (gsf)	Building Height (ft)	Stories	Res. Area* (gsf)	Com. Area (gsf)	NYU Area*** (gsf)	Comm. Fac. Area (gsf)
<b>Northern Superblock</b>								
LaGuardia Building	160,000	770,000	128	8	--	--	160,000	--
Mercer Building	250,000		218	14	--	--	250,000	--
Temporary Gym	20,700	--	38	1	--	--	20,700	--
<b>Southern Superblock</b>								
Bleecker Building	155,000	75,000	178	14	55,000	--	38,000	100,000
Zipper Building	790,000	260,000	168 to 275	10 to 26*	420,000	170,000	662,000	--

\*includes student and faculty residences

\*\*includes faculty offices, classrooms, athletic facilities, and other academic spaces

The total GSF for the overall proposal is 2,474,709 GSF of new development.

NYU additionally proposes relocating or replacing open spaces displaced by the development. The Sasaki Garden in the northern superblock would be demolished and replaced with an at-grade privately-owned and publicly-accessible open space with playgrounds, public lawns and seating areas for passive recreational activities. The proposed project construction would additionally displace a dog run park and several playgrounds, including the large Key Park and Mercer Street playgrounds.

The proposed project is organized into two construction phases; a first phase between 2013 and 2021 (“Phase 1”) and a second phase between 2022 and 2031 (“Phase 2”). The construction of the temporary gymnasium would initiate NYU’s 2031 development plan and Phase 1 of the project. The second building constructed in Phase 1 is the Zipper Building followed by the Bleecker Building. The temporary gym would then be demolished. The proposed new underground parking below WSV would begin in 2022 of Phase 2. The construction of the Mercer Boomerang would then be followed by the LaGuardia Boomerang which would conclude the project.

### Proposed Actions

The proposed project requires the approval of a Zoning Map Amendment, zoning text changes, a set of special permits associated with the LSGD, an extension of time for the requested special permits, and a City Map Amendment. Further, the project also requires the elimination of the deed restriction associated with WSSURA.



### *Zoning Map Amendment*

The applicant proposes to rezone the Proposed Development Area from R7-2 with a C1-5 overlay<sup>5</sup> to a C1-7 zoning district (R-8 equivalent). Approval of this map amendment would maintain the maximum community facility floor area ratio (“FAR”) of 6.5, but would raise the allowable residential density from 3.44 to 6.02 FAR. The zoning change would also allow a 2.0 commercial FAR within the Proposed Development Area. Additionally, the C1-7 zoning designation requires less open space for residential uses than the existing R7-2 district.<sup>6</sup>

Additionally, the applicant seeks to map a C1-5 commercial overlay north of the superblocks, which would permit a maximum commercial FAR of 2.0. Approval of the overlay would bring existing ground-floor retail establishments (70,025 GSF) into compliance, as well as permit additional commercial uses in the project area. The approval of the overlay would allow an additional 386,591 GSF of commercial uses. The proposed C1-7 and C1-5 districts allow commercial uses including hotels and local retail.

### *Zoning Text Amendment*

Two zoning text amendments are required to facilitate development in the proposed LSGD. NYU’s proposal includes properties currently owned by the City, which is not permitted under the current special permit regulations. The applicant proposes a zoning text amendment to allow the inclusion of city-owned properties in LGSD in the WSSURA.

Additionally, the proposed park strips on Mercer Street and LaGuardia Place would change the streets from wide to narrow streets as defined in the zoning resolution. The change would bring several buildings out of compliance. The applicant proposes a zoning text amendment to allow buildings with frontage along parks to be treated as buildings with frontage along wide streets, which will prevent non-compliance.

### *Large Scale General Development*

NYU additionally proposes several waivers pursuant to the LSGD special permit.

Height and Setback: Buildings located in R8-equivalent districts have a maximum street wall height of 85 feet and an initial setback distance of 15 feet on a wide street. After 85 feet, buildings may not pierce the sky exposure plane.<sup>7</sup>

The proposed buildings encroach upon the required height and setback regulations. Additionally, the proposed buildings would change the regulations and standards by which the existing buildings are analyzed under zoning. As such, while the existing buildings are currently

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<sup>5</sup> The existing C1-5 commercial overlay in the Proposed Development Area governs the LaGuardia retail strip on the northern superblock and the Morton Williams Supermarket site on the southern superblock.

<sup>6</sup> The open space required is based on the open space ratio, which is the number of square feet of open space on a zoning lot, expressed as a percentage of the floor area of that zoning lot.

<sup>7</sup> The sky exposure plane begins at 85 feet above curb level and continues to rise at a ratio of 2.7 to 1 ratio along a narrow street and a 5.6 to 1 ratio on a wide street.



compliant, several of the proposed buildings would require waivers. The proposed new encroachments are at different depths and varying heights as listed in *Table 2*.

**Table 2: Maximum Height and Setback Encroachments of Proposed Project**

Proposed and existing buildings in Proposed Development Area	On LaGuardia Place (wide street)		On Bleecker Street (wide street)	
	Max encroachment depth (ft)	Max encroachment height (ft)	Max encroachment depth (ft)	Max encroachment height (ft)
LaGuardia Boomerang	12.61	73	--	--
1 WSV	4.62	59.5	--	--
3 WSV	5.14	78.94	--	--
Bleecker Building	21.88	123	21.88	123
	On Mercer Street (wide street)		On Bleecker Street or West Houston Street* (wide streets)	
	Max encroachment depth (ft)	Max encroachment height (ft)	Max encroachment depth (ft)	Max encroachment height (ft)
2 WSV	9.08	65.45	--	--
4 WSV	8.37	73.62	--	--
Mercer Boomerang	25.77	163	--	--
Silver Tower 1	--	--	2.29*	12.8*
Zipper Building (from north to south)	42.02	113.87	20.39	116.75
	55.99	152.17	--	--
	26.1	72.19	--	--
	77	214	31.28*	214*

**Rear Yard Equivalent:** ZR §§ 23-532 and 33-283 require through-lot buildings located within a C1-7<sup>8</sup> district to have rear yard equivalents of two open areas with minimum depths of 30 feet on both ends of the through lot. The proposed dimensions of the Zipper Building would encroach on the required rear yard equivalent, and a waiver is required to achieve its intended design. Specifically, the waiver would permit the Zipper Building to encroach on a 72-foot long by 29.28-foot deep area along Bleecker Street, and a 75.16-foot long by 28.28-foot deep strip along West Houston Street, and both are located 100 feet west of Mercer Street.

**Rear Yard:** ZR § 33-26 requires buildings within a C1-7 district to have rear yards with a minimum depth of 20 feet. NYU seeks to waive the rear yard requirement in a 20 by 24 foot area in the southeast corner of the Bleecker Building.

**Minimum Distance between Buildings:** Pursuant to ZR § 23-711, buildings within R8 districts that have heights above 50 feet are required to be set apart at a minimum distance of 50 feet.<sup>9</sup> A special permit to waive the 35-foot distance between Coles and Silver Towers II was granted in the 1979 LSRD. The proposed waiver would maintain Coles' compliance during the construction of the temporary gym.

<sup>8</sup> Rear yard equivalents in residential districts provide greater open area than those in commercial districts. Since residential uses are found on the subject zoning lot (which includes the existing Coles Gym, and residential housing Silver Towers 1 and 2), the waiver is applied towards residential requirements.

<sup>9</sup> The 50 feet minimum distance between buildings is measured between the window of Silver Towers II and the wall of Coles Gym.

### *Extension of Special Permit*

Pursuant to ZR § 11-42, a LSGD special permit automatically lapses if substantial construction has not been completed within four years of when the special permit was first granted. To ensure flexibility in the phasing of construction, NYU requests an extension of the special permit's initial time period to ten years [ZR § 11-42(c)], which would be granted in conjunction with the CPC's approval of the LSGD special permit.

### *City Map Amendment*

The applicant proposes a City Map amendment to eliminate four strips of land adjacent to the Proposed Development Area and Mercer Plaza Area. NYU would take ownership of two of those strips on Mercer Street to give the applicant better access to the cogeneration plant between West 4<sup>th</sup> and West 3<sup>rd</sup> Streets (approximately 4,389 SF) and to allow the current design of the Zipper Building between Bleecker and West Houston Streets (14,703 SF) to extend beyond the existing lot line. The remaining two strips, one on LaGuardia Place between West 3<sup>rd</sup> and Bleecker Streets (23,226 SF) and the other on Mercer Street between Bleecker and Mercer Streets (18,603 SF), will be mapped as parks with NYU taking ownership of the spaces below the parks.

### **Anticipated Impacts under the Reasonable Worst Case Scenario Development**

According to the Draft Environmental Impact Study ("DEIS"), the proposed actions would lead to a number of significant adverse impacts under the Reasonable Worst Case Development Scenario ("RWCDS") in the following chapters:

- Shadows: The proposed development would introduce new shadows on the LaGuardia Corner Garden, mature trees in the immediate area, as well as new public open spaces.
- Historic and Cultural Resources: The WSV buildings and Sasaki Garden have been determined to be eligible for listing in the State and National Registers of Historic Places ("S/NR-eligible"). The project would permanently displace Sasaki Garden.
- Transportation: The DEIS identified a number of intersections in and around the project area that would experience adverse traffic impacts during both construction phases of the proposed project. Modifying the timing of traffic lights, widening streets, and re-stripping traffic lanes could mitigate the anticipated traffic conditions created by the project.

Two nearby transit stations would also be adversely impacted. The stairways at Broadway-Lafayette Street and the West 4<sup>th</sup> Street subway stations would experience an increase in users. Treatments to the subway stations and mitigation measures, such as widening the widths of affected stairways or providing additional access locations to the stations, have yet to be explored with the Metropolitan Transportation Authority and New York City Transit.

The DEIS also analyzed pedestrian conditions, and two intersections were identified to have adverse pedestrian impacts. The proposed project would impact pedestrian flows at University Place and Waverly Place, and Washington Square East and West 4<sup>th</sup> Street. This impact could be fully mitigated to improve pedestrian conditions by extending the sidewalk in two-inch “bulb-outs” at those intersections.

- Construction: A number of construction impacts would be experienced due to the proposed project including staging and temporary reductions in open space and noise.

## COMMUNITY BOARD RECOMMENDATION

During its 60-day review period, Manhattan Community Board 2 (“CB2”) held 16 public meetings where various committees reviewed and discussed the proposed actions and identified potential impacts on the community at large. CB2 unanimously voted to **disapprove** the proposed actions. At its Full Board meeting on February 23, 2012, CB2 passed a unanimous vote of 40 in favor of the disapproval.

Additionally, CB2 passed a 23-page resolution with a list of concerns that its members expressed about the proposed project while also incorporating issues they heard from the public. CB2’s major concerns are summarized in the following points:

- The project should adhere to the planning principles that resulted from the NYU Taskforce.<sup>10</sup>
- The project’s proposed height and density is inappropriate for the Village, as the new buildings would negatively impact, through long-casting shadows, the vitality of surrounding parks and community gardens, and destroy existing children’s playgrounds;
- Existing public park strips should be mapped as NYC parks and not be used by NYU for development, nor as construction staging areas and easements as those activities would uproot mature trees;
- Commercial uses such as hotels and eating and drinking establishments are not appropriate on an existing residential block, and those uses should be eliminated;
- R7-2 district should be maintained on the Commercial Overlay Area as the proposed C1-5 commercial overlay would impact the existing small mom-and-pop shop character of those blocks;
- The proposed construction phasing of the entire project would create continuous disruption to both superblocks;
- The proposed temporary gymnasium should be eliminated from the project or located elsewhere in the neighborhood to lessen impacts and delay construction on the northern superblock until 2022;
- NYU needs to show a stronger commitment to providing the community with a stand-alone public school that would not be tied to approval of this ULURP application.

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<sup>10</sup> In 2006, the Manhattan Borough President, along with other elected officials and community leaders created the Community Task Force on NYU Development. The Task Force met over a four year period and suggested a set of planning guidelines to help inform the University’s campus plan so community concerns are taken into account.

- The University should preserve and support existing affordable housing in the area and transfer its land lease at 505 LaGuardia to the residents of the building to help maintain affordable units in perpetuity;
- The existing deed restriction that governs the existing form of the superblocks should not be eliminated;

Other concerns raised in CB2's resolution spoke to the enclosed configuration of the proposed buildings on the northern block. It suggested this configuration would lead to an open space that would never truly feel public, as it would be shielded by high-rise buildings on all four sides. CB2 also raised concerns about the loss of public parking spaces on the superblocks, as that would lead to more traffic congestion in the neighborhood.

Further, CB2 rejected the proposed actions because the project would result in a number of construction impacts where mitigations have not been identified. CB2 recognized environmental impacts in areas including noise, air quality, water tables, traffic and transit that would impair the neighborhood's quality of life and leave lasting negative effects on residents' health.

## **BOROUGH PRESIDENT'S COMMENTS**

Since 1831, New York University has established itself as a preeminent learning and research center in New York City. As one of the oldest and most recognizable educational institutions in the city, the University's success contributes to the city's own economic growth and prosperity. Equally, the city's physical and cultural attractions undoubtedly enhance the University's ability to attract talented students, faculty and staff from around the world. In particular, NYU's main location in Greenwich Village — one of the most historic, culturally significant, and attractive neighborhoods in Manhattan — enhances the school's overall appeal. NYU has made a case to expand its core Greenwich Village campus to accommodate its programmatic needs and to provide the amount of space per student that is comparable to its peer universities. While space constraint is a legitimate concern for NYU, it is also essential to recognize that an out-of-scale development could potentially disrupt the character of its surrounding neighborhood which has become an enormous asset to the University. As such, it is important to strive for balance in order to ensure the continued success of NYU and the surrounding neighborhood.

### **The Expansion Plan**

Educational institutions such as NYU play an instrumental role in nurturing the city's intellectual capital that is vital to maintaining a competitive advantage over other cities. The ability to attract innovative thinkers in science and technology, as well as convene leaders in the creative and performance arts, is critical to New York City's health. Retaining individuals who advance knowledge and culture not only cements our status as a leading world city, but also creates a more livable city. The strong social and cultural values attached to university development are, therefore, widely recognized.

The current size of NYU's facilities is not adequate for its expanded academic programs. While NYU has been expanding into existing buildings throughout the Greenwich Village neighborhood, the conventional space configuration and floor plates of those buildings prevent

the development of modern performance spaces, new artist studios, and state-of-the-art science laboratories that other leading universities in the country offer. NYU has only half the space available per student than other major universities.<sup>11</sup> In a global economy where skilled workers have options of where to locate, it is critical for New York's top research institutions and universities keep pace to ensure the city does not lose intellectual and creative talent.

While NYU is known for its academic distinction in the arts and sciences, the institution is also a major economic engine in New York City. With over 17,500 employees, NYU is one of the city's largest employers. In addition, its current student enrollment (over 52,000 students) generates economic activities that benefit local businesses and the city as a whole. The proposed expanded NYU campus in Greenwich Village could potentially add 9,500 permanent jobs and create as many as 18,200 construction jobs over the next 20 years. Furthermore, the increase in construction activities and employment has the potential to expand the city's tax base, which would ultimately buttress funds for city-wide public programs and services.

An NYU expansion would also benefit the city as it is differentiated from the traditional "FIRE" (Financial, Insurance, and Real Estate) economy. The recent financial crisis demonstrated the importance of a diverse economy. While job growth and FIRE industries growth have stalled in recent years, expansion plans for university developments have continued. The city should continue to invest in other industries to further diversify its economy, with a focus on the "ICE" (Intellectual, Cultural, and Educational) sectors where many of the high-technology jobs of the future will be generated.

The positive impacts of this project reach beyond economic benefits. Universities and research institutions provide an intellectual space where great minds meet and find solutions to today's most pressing health, science and social problems, while also cultivating the next generation of problem solvers. From a borough-wide and city-wide perspective, the benefits of NYU's expansion plan are clear and compelling.

### **Expansion Impacts and Issues**

While mindful of the positive impacts this project will have on Manhattan and the city, the proposed campus expansion should not overwhelm the local neighborhood, nor should it compromise the quality of life of the neighborhood's residents. It is, therefore, important to find ways to shape the existing plan to better serve both the University's and the community's needs.

First, the Draft Environmental Impact Statement ("DEIS") for the proposed actions identified several significant impacts that must be addressed:

- Shadow impacts on LaGuardia Community Garden's and neighboring and new open spaces;

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<sup>11</sup> Comparison was made to the composite of Brown University, Carnegie Mellon University, Cornell University, Georgetown University, Massachusetts Institute of Technology, Northeastern University, Northwestern University, Princeton University, Rutgers University, Southern Methodist University, Syracuse University, Temple University, Johns Hopkins University, Tufts University, University of Illinois-Chicago, University of Minnesota-Twin Cities, and University of Pennsylvania.

- Historic and cultural resource impacts due to construction on the Washington Square Village (“WSV”) site;
- Traffic impacts resulting from proposed development and construction activities will require mitigation;
- Transit impacts, specifically the stairways at Broadway-Lafayette Street and the West 4<sup>th</sup> Street Subway Stations, which will require mitigation;
- Pedestrian impacts on two particular intersections at University and Waverly Place, and Washington Square East and West 4<sup>th</sup> Street, will also require mitigation; and
- Construction impacts on existing open space and community gardens, as well as noise impacts on the project site’s surrounding buildings, which will not be fully mitigated.

Second, Manhattan Community Board 2 and other community members have identified additional impacts and issues, such as:

- Site planning issues, including:
  - Walling-in of proposed open space in the northern superblock with LaGuardia and Mercer Boomerangs that will likely discourage public use of the space;
  - Construction of temporary structures on existing well-used public amenities; and
  - Proposed building envelopes that are too tall and wide creating shadow impacts on existing and proposed open space areas and surrounding residences; and
- Public policy issues, including:
  - Rezoning predominantly residential areas with a commercial district and overlay that will introduce uses that are not compatible in residential neighborhoods;
  - Expanding existing building footprints on a former urban renewal site that will impinge on light and air access, and diminish the *tower-in-the-park* concept and its architectural intentions;
  - The taking of public land for private development;
  - The need to protect rent-controlled and rent-stabilized tenants; and
  - Continuous construction for more than 20 years in a dense area.

### **Meeting Community Concerns**

The Manhattan Borough President’s Office recognized the need for community input to achieve a balanced expansion plan early on and convened a Community Taskforce on NYU Development in 2007. The Taskforce brought together NYU, elected officials and community stakeholders with the goal of creating a long-term campus plan and discussing responsible ways the University could expand. Over the period of four years and fifty meetings, the Taskforce agreed on a set of planning principles and recommendations to help inform NYU’s expansion plans. The recommendations put forth by the Taskforce laid the foundation for shaping the current proposal.

NYU has made changes to the expansion plan since it was initially introduced. The University withdrew plans to include a forty-story tower within the landmarked Silver Towers landscaped area and agreed to include a public school in its current proposal. While these changes are important improvements, the proposed actions still present impacts and concerns.

The Manhattan Borough President's Office, therefore, proposes a number of recommendations to reconcile NYU's expansion plan with community concerns and impacts identified in the DEIS, and to address site planning and public policy concerns and issues.

### *Lowering Overall Density*

The proposed project site is unique in that it consists of two 'superblocks' created through the demapping of Wooster and Greene Streets and the widening of West Broadway (LaGuardia Place today), Mercer, Bleecker and West Third Streets. These mapping actions facilitated the creation of the existing *tower-in-the-park* building forms that define the superblocks today. The exchange of greater height and density for the provision of surrounding open space was a key component to the initial urban renewal plan. The buildings were set back from their lot lines to promote ample light and air for the residents who moved into University Village and WSV. In turn, the design scheme enables those who live in buildings across from the towers to also benefit from less shadow impacts.

While the proposed rezoning does not increase the maximum permitted density, the residential open space requirement of the existing R7-2 zoning district limits development to only 175,000 SF on the Morton Williams site. The proposed rezoning actions would therefore add approximately 2,139,500 new GSF to the existing superblocks.<sup>12</sup> Of this development potential, NYU proposes to add 2,039,000 GSF for NYU-related programs and 100,000 GSF for a public school. This proposed development would nearly double the density on the existing superblocks. A reduction of density is appropriate as development potential of this magnitude has several impacts on traffic, shadows and mass transit.

The Mercer Boomerang and Zipper Building are the two largest buildings proposed in the project and place significant density on one side of the superblock. Both of these buildings front Mercer Street, and residents across from the development site would therefore bear the brunt of the shadow impacts and reduced access to light and air. Additionally, it is questionable whether the location and design of the Mercer Boomerang would result in a better site plan as its location blocks the new at-grade open space in the center of the northern superblock. Furthermore, the Mercer Boomerang is the only building proposed that is taller than the surrounding buildings on the site and as a result, is out of context.

In sum, NYU should reduce its overall density with a concentration on reducing the density of the Mercer Boomerang given that its alteration will achieve multiple site improvements.

### *Street/Park Strips*

To facilitate the current expansion project, NYU proposes to demap and acquire four public streets (the "strips"). Specifically, NYU proposes to map parkland on the strips bordering the northern superblock and acquire space below for academic development. NYU additionally

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<sup>12</sup> While the proposed development is over 2.4 million square feet, only 2 million square feet is considered new as the site currently contains three existing buildings, which would be demolished (Morton Williams Supermarket, Coles and the retail strip) and existing potential development of 175,000 GSF on the superblock.

seeks acquisition of thirty feet of the public street to accommodate the Zipper Building and the public street known as “Mercer Plaza,” which is north of the northern superblock. The Mercer Plaza strip currently contains NYU’s cogeneration plant. These strips assumed a public purpose in the community as neighborhood playgrounds, passive open space, dog runs and gardens.

NYU has requested the strip on the east side of the southern superblock to accommodate part of the Zipper Building. Acquisition of the Zipper strip is necessary because there are development constraints from the landmarked Silver Towers. The strip acquisition will allow the Zipper Building to have the required minimum distance from the Silver Towers and will allow the creation of a north-south walkway behind the Zipper Building. Additionally, development on the strip will allow density to be shifted away from the landmarked Silver Towers and open space. Acquisition of the strip will also result in the displacement of the actively used Mercer-Houston Street Dog Run. NYU has proposed to relocate the dog run in a space behind the Zipper Building along Houston Street. NYU should work with the dog run association to ensure that the new location maintains the same square footage and, at a minimum, the same amenities as the current location.

Further, NYU proposes to acquire the Mercer Plaza strip, which currently contains NYU’s cogeneration plant with an at-grade passive recreational space. The strip will allow NYU to own the land upon which its power plant is constructed and thereby ensure continued access. However, residents have expressed concern that NYU may seek development on the Mercer Plaza strip which currently functions as passive open space. Such a development would decrease light and air and is contrary to the original agreement that allowed NYU to build their cogeneration power plant on the site.

While NYU has made site planning arguments for the acquisition of two of the strips, it has failed to make similar arguments for the strips on the northern superblock on Mercer Street and LaGuardia Place, both between West 3<sup>rd</sup> and Bleecker Streets. The proposed LaGuardia and Mercer Boomerangs do not encroach on their respective strips at grade. The strips instead only serve the purpose of allowing NYU to create additional below-grade space. In addition, NYU’s acquisition of the strips and consequent ownership of their below-grade spaces will jeopardize a number of mature trees. Development below the strips will require NYU to demolish the existing open space and community amenities – including Mercer Playground, Adrienne’s Garden and additional open space maintained by the Friends of LaGuardia Place. Additionally, the proposed depth at less than 8 feet is not adequate to restore the trees without mounds or planters. Furthermore, the western-most strip on LaGuardia Place is currently the subject of capital improvements as part of the construction of Adrienne’s Garden. The destruction of this garden would not only represent a loss of a community-planned open space, but also a waste of capital resources. Additionally, some unique features on these strips, such as the LaGuardia Statue are not owned by NYU or the City and are, instead, owned by the Friends of LaGuardia Place.

Most importantly, the acquisition would widen the boundaries of the northern superblock without a clear purpose. Current urban planning principles value shorter blocks that encourage greater street interaction between pedestrians and the built environment. These principles of site planning have led to a nationwide trend to break up, and not assemble or enlarge, superblocks.



Extending a superblock's borders would be contrary to those values, and would instead advance an urban form that has proven unsuccessful in creating vibrant street life. While exceptions may be appropriate to balance other goals, no such benefit has been articulated on the northern superblock.

As no site planning or public benefit exists for acquiring the space below the northern superblocks, NYU should withdraw its proposal to acquire those spaces and instead map the entire volume as parkland. In addition, while it is appropriate for NYU to own the land its power plant is built upon, NYU should commit to retaining the Mercer Plaza as publicly accessible open space.

### *Temporary Gym*

NYU's current plan includes a one-story, 20,700 SF temporary gym which would replace Coles prior to the completion of the proposed Zipper Building. The gym is necessary to serve a small percentage of the student body that competes in certain college UAA sports. The temporary gym would begin construction on the northern superblock more than ten years in advance of when the first building, the Mercer Boomerang, would otherwise be scheduled for construction. This construction will cause immediate disruption to the lives of the residents of WSV and the residents living on Mercer Street. The proposed location of the temporary gym would also require the immediate displacement of two existing playgrounds, Mercer Playground and the Key Park, which are well used by children in the neighborhood. These playground facilities would not be fully replaced until the project is completed.

It is, therefore, inappropriate for NYU to include in its project a temporary structure that would add an unnecessary impact to the surrounding neighborhood. The approval of the current location would essentially destroy widely-used public benefit, namely the Mercer Street and Key Park Playgrounds, for the benefit of a small group of athletes in a private institution. NYU should work with the community to find an off-site location for a temporary gym.

### *The Placement of the Boomerangs*

The NYU plan to place the two Boomerangs on the edge of the superblocks will obstruct access to the existing and proposed open space in the center of the block. A major criticism of the existing elevated open space and Sasaki Garden is that it feels private and uninviting to the public because it is hidden from view and accessed only through narrow stair passageways. While the intention of the proposed at-grade design is to make the new open space area more accessible to the public, erecting the Mercer and LaGuardia Boomerangs would defeat that goal by creating a "walled-in" effect around the open space.

NYU has made the case that the Boomerangs are necessary for access to the underground academic space. However, reducing the density of the proposed buildings on the northern superblock would allow a site redesign on the northern superblock, which can result in improved access to the proposed open space. Of the two buildings, the Mercer Boomerang is most in need of a reduction as it will not only open up the center open space, but will also alleviate a number of pressing environmental impacts and community concerns.

The Mercer Boomerang fronts the narrower of the two streets and it would have greater shadow impacts on the buildings directly across the street than the proposed LaGuardia Boomerang.<sup>13</sup> In addition, the proposed Mercer Boomerang is the only structure that does not have an existing building on its footprint. The Mercer Building is proposed to be built on existing playgrounds, while other proposed buildings are being constructed on the former site of Coles, the existing supermarket and the existing retail strip. After the temporary gym is constructed and demolished, the Mercer Boomerang would be the next building constructed on the northern superblock. As a result, residents on Mercer Street would experience the construction of up to three consecutive buildings compounded by the immediate loss of widely used community amenities – the two playgrounds.

As such, NYU should reduce the overall density of the Mercer and LaGuardia Boomerangs to provide the flexibility necessary to redesign the Boomerangs. In addition, the Mercer Boomerang should be limited to a maximum height of 162 feet to ensure it is in context with the height of the existing WSV buildings. Finally, the Mercer Boomerang should be the last building constructed in order to minimize the disruption to neighboring residents and to preserve the playgrounds for as long as possible.

#### *Creating Quality Open Space*

Manhattan's Community District 2 has a dearth of open space and one of the lowest open space ratios in the City. This project presents an immense opportunity to create urban green space that benefits residents, workers, and visitors in the area. While the design attempts to address the inaccessibility created as a result of the elevated feature of the current WSV gardens, it still exhibits other challenges. The current design walls off the open space and, as noted above, the Boomerangs require redesign. In addition, the development as proposed would result in the loss or relocation of several public amenities, including playgrounds.

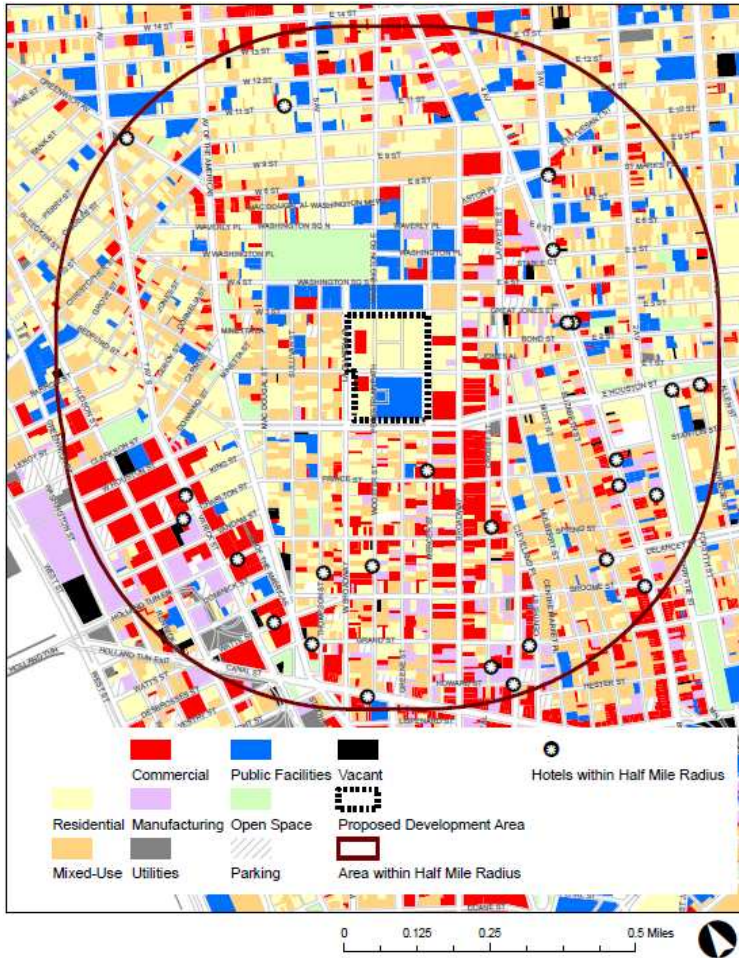
In addition to redesigning the Boomerangs to improve accessibility, NYU must ensure the community does not lose the public amenities through the construction process. NYU must guarantee that the community will have access to the same amount of square feet of public amenities through the construction process and work with the community on designing new playgrounds and parks.

#### *Hotel Development*

The superblocks and the immediate surrounding blocks are primarily residential. NYU, however, proposes an 115,000 SF hotel in the Zipper Building. Hotel uses generally generate higher amounts of traffic and introduce a more transient population. While hotels can produce good jobs and are necessary for the overall health of the city, they can also encourage the growth of commercial and retail uses that are more suitable to transient populations rather than a residential population.

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<sup>13</sup> The distance between the Mercer Building and the buildings across would be 100 feet versus the 120 feet between the LaGuardia Building and the buildings across from it.



**Figure 3:** Hotels within Half Mile of Development  
Source: NYC Department of City Planning PLUTO and LION data; Reference USA data

While currently there are approximately 26 hotels within a half mile radius of the Proposed Development Area (*Figure 3*), they are primarily located south of Houston Street, north of 8<sup>th</sup> Street and east of Broadway. The area immediately surrounding NYU is predominately residential and institutional. A hotel in the project area may result in a change in its general character.

While NYU has contended that a hotel is needed for their general purposes, the hotel does not need to be located on its core, which should focus on academic related growth. Additionally, many areas surrounding the core have experienced an influx of hotel growth that could serve NYU's needs.<sup>14</sup>

NYU should reconsider whether a hotel use is necessary at this site for its overall development plan.

### *Zipper Building Massing*

The proposed Zipper Building reintroduces a streetwall-style building along Mercer Street and replaces the outdated defensive architecture of Coles. The proposal is in line with modern urban planning principles. However, the massing includes several large towers which are closer to the street line than would otherwise be permitted by the underlying or proposed zoning. The building requires several waivers of the sky exposure plane due to the tower's placement and the demapping of the Zipper strip. The result of these waivers allows the Zipper Building to be closer to the buildings on Mercer Street than would otherwise be permitted. Residential properties near the Zipper Building are concentrated along Bleecker Street and would experience the greatest burden in terms of access to light and air.

<sup>14</sup> According to *New York City & Company*, the number of hotel development in New York City has increased from 86,230 to 89,655 rooms between 2010 and 2011

The proposed Zipper Building's massing should be reexamined to limit the impacts on residential buildings near Bleecker Street. Specifically, across from the residential buildings, NYU should set back the Zipper Building by at least 15 feet. A 15-foot setback would provide the neighboring buildings with 76 feet of light and air before the Zipper Building's street wall. This would result in the minimum of 75 feet of light and air, which is the amount necessary to be classified as a "wide street" by the zoning resolution. Further, the proposed setback will have the additional benefit of allowing for a wider pedestrian crosswalk on Bleecker and Mercer Streets to accommodate the students traveling south from NYU's campus buildings.

### *Commitment to Public School*

NYU has long promised the addition of a public school in Greenwich Village which has yet to be realized. This proposal allocates approximately 100,000 SF in the Bleecker Building to the NYC School Construction Authority ("SCA") to develop as a public school. If, by 2025, the SCA does not develop a school, then NYU would utilize that space for its own academic uses.

School overcrowding is a recurring and widespread issue in this community. Although the proposed project does not meet the threshold in the DEIS to study its impact on school facilities in the area, the project would still expand the residential population through its faculty housing, including school-aged children that would contribute to already crowded classrooms. The community has reached out to the SCA for a number of years on this issue, but schools in this district remain at or near over capacity. As an educational institution, it is appropriate for NYU to support the City's educational needs.

Unfortunately, under the proposed plan, NYU may take back the 100,000 SF of public school space if the City does not choose to exercise its rights. As such, the ultimate use of the space is still in question. In order for the school space to be realized, NYU must work with the City to secure documentation of interest to better guarantee that the public benefit will be realized for the community.

### *Bleecker Street Building*

The proposed 14-story Bleecker Building on the existing Morton Williams Supermarket site poses challenges. The 14 stories, as indicated in the DEIS, would introduce significant impact on current plant species at LaGuardia Corner Garden. The garden has a long history of over 30 years in Greenwich Village, and it is a symbol of positive civic engagement that should be preserved and celebrated. Efforts made by countless volunteers and nearby residents directly improved public safety and the local streetscape and, as a result, raised the profile of the neighborhood. Although the size of the garden is a fraction of the proposed development site, maintaining its vitality in perpetuity should be a priority.

Additionally, the proposed Bleecker Building locates a student dormitory directly on top of a potential public school. The proposed dormitory raises the cost of construction and may inhibit the ability of the City to finance a public school on the site. Furthermore, the dormitory use is incompatible with the proposed school use based on the layout of the building. The current building design places dorm rooms with windows that would face directly onto a roof-top play

area for the public school. Many parents in the community have raised concerns that the activities of college students are not complementary to those of young school-aged children, and the location of both in the same building may conflict. This potential conflict should be avoided.

To lessen the impacts of the proposed Bleecker Building, NYU should eliminate the seven stories of dormitory on top of the public school. If eliminated, a larger play space for the public school can be constructed on the roof of the building. Additionally, the elimination of the dormitory would lessen impacts on the LaGuardia community gardens.

### *505 LaGuardia Building and Preservation of Affordable Housing*

As part of the LSRD special permit approved in 1964, 505 LaGuardia was developed as a middle-income cooperative under the Mitchell Lama housing program. The program was created in the mid-1950s to provide affordable rental and cooperative housing to moderate- and middle-income families. In hindsight, this program was successful in preserving some of the few remaining affordable housing units in Greenwich Village, a neighborhood known for its high and continually rising real estate values.

Unfortunately, the proposed rezoning may affect the building's affordability. 505 LaGuardia has a ground lease with NYU. The lease terms are subject to reset in 2014 based on the value of the land which the building occupies. The rezoning and redevelopment would increase the value of the land and, therefore, put the Mitchell-Lama building at risk.

Maintaining the building's affordability in perpetuity is not only critical to its residents, but also essential to maintaining a diverse neighborhood. NYU should work with the residents of 505 LaGuardia and relevant City agencies to reach an agreement to preserve the building's affordability for existing and future families.

### *Construction Mitigation Plan*

The construction of any significant development project affects the quality of life of surrounding residents and visitors. The DEIS identified construction as a potential adverse impact category. The potential impact is particularly acute given that the construction will occur around historic structures. Appropriate mitigation is critical to ensure minimal adverse impacts on the community and existing historic buildings.

To provide reasonable assurances of safe construction, NYU should commit to implementing all construction mitigation measures identified in the DEIS. More specifically, the applicant should prepare a construction mitigation plan that includes measures for dust control, air quality and noise reduction. Moreover, NYU should agree to construction protocols that limit hours of construction and provide funding for an independent monitor to report on progress and compliance. Additionally, the applicant should continually inform neighborhood residents on the building process through NYU's construction website, and provide a liaison to the community as a direct point of contact who will resolve any construction-related questions, inquiries and complaints. Finally, as this area has several construction projects, the applicant

should agree to participate in construction coordination meetings with the residents of the surrounding buildings.

#### *Limit Size of Commercial Uses in the Overlay Area*

Finally, NYU proposes new commercial uses in the Commercial Overlay Area. Commercial uses can benefit the larger community as they enliven streets and provide uses that serve both residents and the student population. However, the residents of Greenwich Village are generally well served by a mix of retail uses. Therefore, there is a risk that the type of retail that would be attracted in the overlay area will not serve local residents, but a larger destination-oriented community. Specifically, the plan could result in a significant increase in bars and destination retail, which could not only significantly increase traffic, but also create new residential-commercial conflicts where they do not currently exist. Additionally, any new commercial overlay zone will introduce commercial uses that may result in the displacement of existing ground floor uses. Often the displacement of an individual use will not present a conflict, such as the loss of academic space for retail. However, a conflict could arise if rent protected residential units are displaced.

Therefore, to prevent such conflicts, NYU should commit to at least restricting retail in the overlay area to prevent bars and destination retail, which could draw additional traffic and create residential-commercial conflicts. Additionally, as NYU fully develops its commercial retail plan for the Commercial Overlay Area, it should commit to not displacing rent regulated units on its property for commercial uses.

#### *Conclusion*

In a memo dated April 11, 2012, NYU has committed to meet many of the concerns outlined above. While more work can be done, these changes significantly improve the project and bring it closer in line with community priorities and sound planning. Specifically, the applicant committed to:

1. Reduce the total floor area of the proposed construction by approximately 370,000 SF through the following measures:
  - (a) **Reduce the below-grade Washington Square Village density by approximately 185,000 square feet** as follows:
    - (i) **Mercer Strip.** NYU will eliminate approximately 80,000 square feet of City-owned space below the DOT mapped street (the “Mercer Strip”) along the eastern edge of the northern superblock. This land will become mapped parkland as part of the NYU Core application.
    - (ii) **LaGuardia Strip.** NYU will eliminate approximately 105,000 square feet of City-owned space below the DOT mapped street (the “LaGuardia Strip”) along the eastern edge of the northern superblock. This land will become mapped parkland as part of the NYU Core application.

- (b) **Eliminate 85,000 gross square feet from the Mercer and LaGuardia Boomerang buildings.** The University agrees to lower the height of the Mercer Boomerang, not to exceed 162 feet. NYU has agreed to work with the City Planning Commission and the City Council to review the design of the Mercer Boomerang and LaGuardia Boomerang.
  - (c) **Eliminate the approximately 55,000 square feet of dormitory space on top of the public school.**
  - (d) In addition, the University commits **to remove one level of the basement below the school to equal approximately 10,000 square feet.**
  - (e) **Eliminate the Proposed 20,700 SF Temporary Gym on the Superblocks.**
  - (f) **Eliminate approximately 15,000 square feet from the northeast section of the Zipper Building along the Mercer Street frontage.** NYU has agreed to redesign the Mercer Street frontage of the Zipper building in order to increase the sidewalk width for an additional 15 linear feet. The resulting “notch” will increase light and air to the residential buildings along the east side of Mercer Street opposite that section of the Zipper Building.
2. **Provide 100,000 gross square feet for a public school.** NYU has agreed to donate space on the corner of Bleecker Street and LaGuardia Place for the City to construct a 100,000 square foot K-8 public school. NYU has drafted and will continue to refine and then make public a Letter of Intent between the University and the City, which memorializes the agreement including the changes recommended to modify the building by the Borough President.
  3. **Delay the construction of the Mercer Boomerang.** NYU has agreed to re-phase the construction sequencing of the northern block to build the Mercer Boomerang after the LaGuardia Boomerang. Together with the elimination of the construction of below-grade space under the Mercer Strip described in item 1(a), the impacts of noise and traffic disruption along Mercer Street should be reduced.
  4. **Preserve the Key Park until construction commences on the Mercer Boomerang.** NYU has agreed to preserve the Key Park on the site until it is necessary for commencement of construction on the Mercer Boomerang.
  5. **Maintain equal or more playground space throughout the development period.** Throughout the development period NYU has agreed that it will provide the same amount of playground area within the two superblock area. NYU has further agreed to work with the local community and the District Council Member to assure that the design and the functionality of the interim and permanent playgrounds meet the standard of this commitment.

6. **Support Adrienne’s Garden.** The University has agreed to support community efforts to keep the name “Adrienne’s Garden” associated with the future garden/playground locations along LaGuardia Place.
7. **Preserve the Mercer Plaza above the Cogeneration Plant as a Public Open Space.** NYU has agreed not to build on the Mercer Plaza above the cogeneration plant in order to preserve it as public open space subject to repair, maintenance and replacement needs of the facility.
8. **Mitigate Construction Impacts.** The University has agreed to a series of construction mitigation including air quality, dust, and noise mitigation. NYU additionally will provide mitigation for affected apartments with single-pane windows mostly in Washington Square Village and Silver Towers. Additionally, NYU has committed to limit construction times to 8:00 a.m. to 4:30 p.m. and limit weekend activity. Further, NYU has agreed to fund an independent monitor to ensure compliance with these mitigations.
9. **Commercial Overlay Area.** NYU agrees to not include “eating and drinking establishments” where 80% of their projected revenue is derived from alcoholic beverages to limit the proliferation of bars in the predominately residential neighborhood. Further, NYU will continue to work to find appropriate controls on destination retail in the Commercial Overlay Area.

These improvements will significantly improve the site design of the proposed NYU Campus, reduce environmental impacts, address community concerns, and reflect sound public policy decisions. The proposed changes, in particular, will provide the necessary flexibility to redesign the northern superblock, improve the public school and protect public amenities such as playgrounds.

While these changes are significant and warrant favorable consideration of the proposed application, there remain outstanding issues that should be addressed. The community has specifically expressed continuing concern about the design of the Boomerang Buildings, the central open space, the hotel use, and the potential impacts of the Commercial Overlay Area.

#### **BOROUGH PRESIDENT’S RECOMMENDATION**

**Therefore, the Manhattan Borough President recommends conditional approval of ULURP Application Nos. C 120077 MMM, C 120124 ZSM, C 120122 ZMM, N 120123 ZRM based on the applicant’s commitment to:**


1. **Reduce the total floor area of the proposed construction by approximately 370,000 SF through the following measures:**
  - (a) **Withdraw the application to develop 185,000 square feet below the public parks proposed on WSV;**
  - (b) **Eliminate 85,000 gross square feet from the Mercer and LaGuardia Boomerang buildings and limit the height of the Mercer Boomerang to no more than 162 feet;**



- (c) **Eliminate the approximately 55,000 square feet of dormitory space on top of the public school;**
  - (d) **Remove one level of the basement below the school to equal approximately 10,000 square feet;**
  - (e) **Eliminate the 20,700 SF Temporary Gym from the proposal;**
  - (f) **Eliminate approximately 15,000 square feet from the northeast section of the Zipper Building along the Mercer Street frontage to create an additional 15 feet of separation between the Zipper Building and the residential buildings along the east side of Mercer Street;**
2. **Provide 100,000 gross square feet for a public school. NYU has drafted a letter Memorandum of Understanding between the city and the university and will make public when finalized;**
  3. **Delay the construction of the Mercer Boomerang until after the LaGuardia Boomerang to reduce construction impacts for residents along Mercer Street;**
  4. **Preserve the Key Park playground until construction commences on the Mercer Boomerang;**
  5. **Maintain equal or more playground space throughout the development period;**
  6. **Support efforts to keep the name “Adrienne’s Garden” associated with the future garden/playground locations along LaGuardia Place;**
  7. **Preserve the Mercer Plaza above the Cogeneration Plant as a public open space;**
  8. **Mitigate construction impacts including impacts on air quality, dust, and noise, and provide mitigation for apartments with single-pane windows within the project-affected area mostly in Washington Square Village and Silver Towers;**
  9. **Limit construction start times from 8:00 a.m. to 4:30 p.m., limit weekend activity, and to hire a independent monitor to ensure compliance with these mitigation;**
  10. **Not include “eating and drinking establishments” where 80% of their projected revenue is derived from alcoholic beverages to limit the proliferation of bars in the Commercial Overlay Area.**

**The Manhattan Borough President further recommends that the applicant continue to explore improving the NYU 2031 plan by:**

1. **Exploring the necessity of the hotel use;**
2. **Redesigning the Boomerang Buildings to increase access into the central open space;**
3. **Redesigning of the central open space; and**
4. **Continuing to reduce the potential impacts of the Commercial Overlay Area.**



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Scott M. Stringer  
Manhattan Borough President



THE CITY OF NEW YORK  
**OFFICE OF THE PRESIDENT**  
BOROUGH OF MANHATTAN

**SCOTT M. STRINGER**  
BOROUGH PRESIDENT

April 30, 2012

Dear Neighbor:

Thank you for contacting my office regarding the NYU 2031 core campus expansion plan. After extensive discussion with NYU and the community as part of my advisory role in the City's Uniform Land Use Review Procedure (ULURP), I issued a conditional approval of the plan based on commitments to significantly modify the project. These major modifications include a 19 percent reduction in new density, designation and preservation of public-strips as parkland, elimination of a temporary gymnasium on the site of two community playgrounds, elimination of proposed dormitories on the Bleecker Building and an affirmation of NYU's commitment to provide space for a K-8 school.

My review of this project was neither a task I took lightly, nor one that I undertook only recently. When I took office in 2006, the long-standing friction between NYU and the surrounding community had reached a breaking point. The university's plans for a new dormitory on the site of Saint Ann's Church on West 12th Street evoked a strong community backlash. At the same time, the university realized that its piecemeal approach to campus planning was inherently flawed. In an effort to find balance, I convened a taskforce of community groups, advocates and elected officials to start a public dialogue with NYU about its development plans. The goal of this taskforce was to urge the university to formulate a long-term blueprint for campus growth. The taskforce met more than fifty times over four years, and the planning principles it established led to an unprecedented agreement among NYU, elected officials, community boards and constituency groups on a roadmap for the university's expansion. In 2010, the taskforce went on to issue a report that included over 75 recommendations, setting the stage for public review at Community Board 2. Shortly after, NYU issued its first ever long-term campus plan.

After the NYU 2031 core campus plan was certified, Community Board 2 held 16 meetings during its two month ULURP review period. My staff attended every meeting to engage in dialogue with the community and better understand the impacts of the project. The board made an exceptional effort to analyze the plan and provide clear and thoughtful direction regarding the community's needs and priorities. Throughout February and March of this year, my office met with numerous community groups, representatives from the NYU faculty and residents who live, work, study and play on the superblocs to hear their concerns directly. I also took a walking tour of the superblocs with Community Board 2 members and local residents so I could visualize the impacts of this proposed expansion through their eyes. For me, these experiences reinforced the value this community places on its open spaces and amenities. It is these playgrounds, parks and gardens that truly enrich the daily lives of each resident.

After this period of intensive consultation, I analyzed the site plan for its impacts, phasing and adherence to sound planning principles. First, I knew we would have to eliminate the temporary gym and preserve the strips as parkland. We would also need to keep the Key Park open for this generation of children and make the long-promised public school a reality. It was clear that the density would need to be scaled back in those areas where it threatened to overwhelm the existing character of the neighborhood. My other focal points included preserving light and air for the residential buildings across from the proposed Zipper building, restricting potential bars in the proposed commercial overlay zone and ensuring protections for the Mercer Plaza strip.

As part of my role in the ULURP process, I issue a formal recommendation on the proposal and am able to shape and modify the plan. After I release my recommendation, the City Planning Commission and the City Council must hear the application and vote. I believe that the concessions I secured address major community concerns, mitigate many of the more harmful aspects of the project, increase benefits to the community, and provide a roadmap for the City Planning Commission and City Council to continue working with NYU on further revisions to the plan.

The list of agreed upon modifications that I secured include:

- A 19 percent reduction in new density, or 377,000 of the proposed 2 million new square feet (SF);
- Preservation of the “public land strips” around Washington Square Village and creation of new parkland by agreeing to eliminate a proposed 183,000 SF of below-grade space;
- Elimination of a 20,700 SF temporary gymnasium, ensuring that no development will occur on the northern superblock until Phase 2 of the project;
- Commitment to make the Mercer Boomerang the final building constructed, thereby preserving the Key Park playground until commencement of construction on the Mercer Street building;
- Provision of space for a 100,000 SF K-8 public school;
- Elimination of seven floors of dormitory space slated above the public school in the Bleeker Building totaling 55,000 SF as well as an additional 10,000 SF from the basement, which will reduce impacts on the neighboring LaGuardia Community Gardens;
- Reduction of 85,000 SF from the Mercer and LaGuardia Boomerang buildings which will provide the flexibility necessary to make the central open space more accessible;
- Commitment to lowering the height of the Mercer Building to 162 feet to equal the height of the existing Washington Square Village buildings;
- Elimination of 15,000 SF by setting back a portion of the Zipper Building by 15 feet (across from the residential buildings along Mercer Street) to preserve light and air;
- Commitment to maintain an equivalent amount of playground space throughout construction;
- Agreement not to develop on the Mercer Plaza strip above the NYU Cogeneration Plant and maintain it as open space;
- Commitment to exclude from the proposed commercial overlay any “eating and drinking establishments” where 80 percent of their projected revenue is derived from alcoholic beverages in order to limit the proliferation of bars. Further, NYU will continue to work to find appropriate controls on destination retail in the Commercial Overlay Area; and

- Commitment to limit construction to the hours of 8:00 am to 4:30 pm and limit weekend construction. The university has also agreed to air quality, dust and noise mitigation. Additional mitigation will be provided for apartments with single pane windows.

I believe these changes will have a significant and positive impact on the NYU 2031 plan and ensure that the university's expansion is better integrated with the surrounding neighborhood. I issued my conditional approval with the understanding that these conditions be met, and that NYU will discuss further modifications with the City Planning Commission and the City Council.

Thank you to everyone who wrote, called, emailed and personally met with me and my staff during this process. Your time and insight were critical in shaping my thinking on the plan. My full recommendation is available on my website at [www.mbpo.org/uploads/NYUULURP.pdf](http://www.mbpo.org/uploads/NYUULURP.pdf). Please feel free to contact my office at (212) 669-8300 if you would like to discuss my recommendation or other aspects of the NYU 2031 plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott M. Stringer". The signature is stylized and cursive.

Scott M. Stringer  
Manhattan Borough President

April 19, 2012

Amanda Burden  
Chair, New York City Planning Commission  
Director, Department of City Planning  
22 Reade St.  
New York, NY 10007-1212

Dear Ms. Burden:

We represent the Greenwich Village Society for Historic Preservation (GVSHP) and NYU Faculty Against the Sexton Plan (NYUFASP). We write regarding the City Planning Commission hearing currently scheduled for April 25, 2012, particularly matter Nos. 14, 15, 16 & 17, the applications by New York University (NYU): NYU Core project; ULURP Applications Nos.: 120122 ZMM, N 120123 ZRM, N 120124 ZSM, 120077 MMM.

We formally request that the City Planning Commission (CPC) postpone this public hearing until September.<sup>1</sup> Although this letter does not purport to comprise a complete list of objections to NYU's expansion plan, the draft environmental impact statement (DEIS), or the apparently modified (but as yet uncertified) revision of the expansion plan,<sup>2</sup> the hearing should be postponed for the reasons set forth below.

### **NYU's Apparent Modification**

NYU certified its expansion plans on January 3, 2012.<sup>3</sup> Since that time, there has been (according to press reports) a significant development. On April 11, 2012, Manhattan Borough President Scott M. Stringer announced that he had negotiated "major commitments

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<sup>1</sup> We hope the CPC will not reschedule during the summer months, when many decision-makers, stakeholders and community members will be away from the City for various periods.

<sup>2</sup> We intend to submit detailed objections to NYU's revised proposal, after it is certified and a new DEIS completed. Nothing in this letter shall be construed as a waiver of any factual, procedural, or legal objections.

<sup>3</sup> January 3, 2012 Press Release, NYC Department of City Planning Certifies NYU's Plan for University-Owned Superblocks, *available at* <http://www.nyu.edu/about/news-publications/news/2012/01/03/nyc-department-of-city-planning-certifies-nyus-plan-for-university-owned-superblocks.html>.

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to and mitigations for the project” with NYU.<sup>4</sup> According to Stringer, this purported “compromise” includes, among other things, a “reduction in density of 19 percent.”<sup>5</sup> While Borough President Stringer’s efforts to craft a compromise were no doubt well-intentioned, the reduction is simply too little, too late. As described, these changes are significant but still do not address the core problems with this massive plan: NYU’s oversized yet concentrated expansion would radically transform the residential character of Greenwich Village and inflict serious harm on its residents. Moreover, as described herein, Borough President Stringer’s efforts unfortunately excluded the public from participation.

Although the Borough President’s written recommendation provides a high-level overview of some details of this so-called “compromise,” this 24-page report is legally and practically inadequate to serve as a proxy for a revised and certified NYU application.<sup>6</sup> In point of fact, no modified plan has been made available to the public. CPC review of a proposal that the public has never seen completely undermines the ULURP process, the purpose of which is to “requir[e] community input on significant land use decisions regarding public land.” *District 4 Presidents’ Council v. Franchise and Concession Review Comm. of City of NY*, 856 N.Y.S.2d 497 (table), slip op. at 3 (N.Y. Sup. Jan. 30, 2008). Public comment on a plan that is not public cannot be meaningful.

Until the modified plan is made public—and a reasonable time is afforded to review and consider the plan—the public hearing will make a sham of the ULURP process. *See* 62 RCNY § 5-06(b) (documents and records to define or substantially redefine the overall scope of issues to be addressed in a draft EIS shall be circulated to all affected community or borough boards). CPC is duty bound to avoid this result.

### **The Process For The Apparent Modification**

As the CPC is aware, the Borough President’s official role is to make an advisory recommendation. *See* 62 RCNY §2-04. That his Office went farther to achieve a reduction in density is laudable, but the “compromise” was not accomplished through a public process. Obviously, the CPC has the discretion to ignore the modified plan and consider only the certified plan, but even that is now impossible: NYU’s density reduction and other concessions are, quite plainly, a confession that its “certified” plan is much larger than it

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<sup>4</sup> *See* April 11, 2012 Press Release, Manhattan Borough President Scott Stringer Issues Conditional Approval for NYU’s Core Campus Expansion Plan, *available at* [http://mbpo.org/release\\_details.asp?id=1935](http://mbpo.org/release_details.asp?id=1935).

<sup>5</sup> *Id.*

<sup>6</sup> *See* Office of the President, Borough of Manhattan, Recommendation on ULURP Application Nos. C 120077 MMM, C 120124 ZSM, C 120122 ZMM, N 120123 ZRM – NYU Core by New York University, dated April 11, 2012, *available at* <http://www.mbpo.org/uploads/NYUULURP.pdf>.

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needs to achieve its strategic goals and much larger than the Greenwich Village community can bear.

Of course, everyone already knows this; it is the proverbial elephant in the room: NYU certified a plan that deviates from its own agreed-on governing principles, one that is much larger and more highly concentrated than its needs, and it planned all along to make a series of eleventh hour concessions to appear “reasonable,” hoping this strategy would mollify critics and muzzle the community. The community saw this strategy, such as it is, coming long ago.

This would have been clear to the Borough President if he had used, as we believe was his duty, a public process to vet the “compromise” and the competing issues that counseled against it. In particular, his fact-finding should have focused on why, only now, NYU has suddenly agreed to concessions when, month-after-month, despite substantive and real objections, NYU resisted change.

In the haste required by timing, no doubt, the Borough President demonstrated minimal concern for the viewpoints and interests of his constituents. For example, in February 2012, thousands of residents—represented by GVSHP, NYUFASP, the union representing NYU graduate workers, and more than a dozen other community groups—wrote to Borough President Stringer urging that, in light of the “tremendous” public interest and concern regarding the project, he hold a public hearing on the NYU proposal prior to issuing recommendations. Although Borough President Stringer has in the past held public hearings for similar land use applications, he refused to do so in this instance.

### **Need For A New EIS**

Given the reported scope and significance of the alterations to the Sexton plan, a new environmental impact statement obviously is required. Although at present our only basis for assessing the modified plan is the limited report of Borough President Stringer, the major modifications he describes clearly will affect and change the analyses conducted in the draft environmental impact statement and could have significant environmental impacts not considered in the original DEIS, which was based on a materially different proposal. See *Matter of Develop Don't Destroy (Brooklyn) Inc. v. Empire State Dev. Corp.*, 2012 NY Slip. Op 02752 (1st Dept., April 12, 2012) (ordering the preparation of a supplemental EIS following construction-timeline modifications because the lead agency had “failed to take a ‘hard look’” at changed impacts of the proposed modifications).



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## **Admitted Deficiencies With Even The Apparent Modified Plan**

The modified plan, even as articulated by Borough President Stringer, is incomplete and requires additional fact finding and review. In his report, the Borough President explicitly acknowledges “outstanding issues” that should be addressed, including continuing concern regarding the design of major buildings, the use of open public space, and the impacts of the Commercial Overlay Area. These conclusions should be quite evident from Community Board 2’s own detailed resolution, which unanimously found the underlying plan deficient for these and other reasons, which the Borough President apparently could not address through his “compromise.” Absent amendment from NYU addressing these concerns and detailing the specific changes it intends to make to the proposal, the community will be unable to consider, comment on, or have any other meaningful input into these issues. This outcome would frustrate the governing principles set forth by the Community Taskforce on NYU Development.

## **The Community Deserves Full Process**

The CPC is the guardian of the public’s right to accurate information and meaningful participation. The ULURP process is, at every step, intended to ensure that the community has the information it needs to make an informed decision; indeed, the purpose of certification by the Department of City Planning (DCP) is to make certain that, before the community review process begins, an application includes “all pertinent information.” *See* 62 RCNY § 2-02(a)(4). The need for complete information is so critical that, if information is lacking, the DCP must provide the applicant with a list of the additional required information so that the application can be supplemented prior to public review. These principles of openness and fullness of information continue to animate the ULURP process at all stages—and particularly at the CPC public hearing. There, ULURP explicitly requires heightened public notice of the hearing and allows for extensive witness testimony. After taking into account community opinion, the CPC has the ability to modify the proposal and request additional environmental review or other additional information. *See* 62 RCNY § 2-06(c).

The process leading up to NYU’s original proposal, followed by its eleventh-hour compromise with Borough President Stringer, substantially undermines this process. Although NYU initially pledged to abide by the governing principles set forth by the Community Task Force on NYU Development, which aimed to ensure that community input was implemented in the plan and that NYU actively pursued opportunities to decentralize the campus, the proposed plan has failed to address the community’s concerns. In light of the serious community concerns with the plan as proposed, on March 11, 2012, Community Board 2 unanimously recommended rejection of the plan. Rather than consider this input or adhere to its governing principles, NYU arrived at a privately brokered, tactical



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“compromise” just as the plan was approaching review by the CPC. NYU clearly hopes to silence opposition and dupe the CPC into approving a plan which enjoys no support from local organizations.

NYU’s proposed plan lacks support even within its own community. The proposal has been met with overwhelming opposition from the university’s own faculty: the results of a recent survey of over one thousand faculty members demonstrate overwhelming hostility to the proposal. In addition, 17 departments within NYU have passed resolutions opposing the plan (a large number of which were unanimous) and no departments have supported the expansion. This broad and forceful opposition by NYU’s faculty is significant. Faculty members are residents of Greenwich Village, who have a unique interest in the continued vitality of NYU as a first-class institution. Furthermore, faculty members are uniquely at risk from NYU’s proposed expansion, as many of them not only live in the superblocks, but also conduct a significant portion of their work in their residences and will be particularly affected by the extended, adverse effects of construction.

### **The Existing DEIS Is Deficient On Its Face**

Although there are many clear deficiencies in the DEIS, which will be the subject of our written objections, one is the most glaring: the DEIS wholly fails to address the environmental impact of 20 years of construction at the doorsteps of 40% of the NYU faculty and their families. Given the congestion in the superblocks and the high concentration of NYU faculty there, this project will have innumerable adverse impacts on their health, safety, welfare, and ability to perform their jobs. After all, NYU is both landlord and employer. As NYU knows, many professors use their apartments to perform work, host meetings, and conduct some of their out-of-class academic affairs. Thus, at home and for much of their out-of-classroom work, they will be subjected to unremitting construction for two decades. In this critical aspect, the DEIS cannot be—and should not have been—deemed to be “complete.” Completeness requires an evaluation of all environmental impacts on all populations, and a ULURP application cannot be certified lawfully as complete unless and until the DEIS is “adequate with respect to its scope and content for the purpose of commencing public review.” *See* 6 RCNY § 617.9; 62 RCNY § 6-09, 6-10(a). *Certainly, a DEIS could never be complete without a special evaluation of the adverse impact on the most directly affected population, as is this case here.* In its failure to evaluate the buildings currently inhabited by faculty—including their heating, ventilation, and air condition systems, window quality, and structural stability—the DEIS could not possibly assess the direct impacts of the planned construction on building residents. The clear, prolonged, and detrimental impacts on the faculty—who will be living and working in the middle of a construction site for 20 years, in buildings that already suffer long-standing problems themselves—were not assessed in any way in the DEIS.

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Although the DEIS says absolutely nothing about the devastating impacts on this specific community, it was, in fact, required to make a full evaluation on a special at-risk population, particularly one that resides in a building as a condition of their employment. *See Chinese Staff and Workers' Ass'n v. Burden*, 26 Misc. 3d 979, 2009 N.Y. Slip Op. 29521 (Sup. Ct. N.Y. Cnty. Dec. 24, 2009) (recognizing need for an EIS to adequately address adverse impacts on specially-affected groups). And, although the DEIS says nothing about these impacts, NYU has admitted to the specific harms in a letter to selected administration members. In a recent letter, NYU recognized that the construction would have a significant impact on the lives of the faculty who live in the affected buildings, including by increasing noise, dust, and emissions.<sup>7</sup> Despite NYU's own admissions, the DEIS fails to specifically consider the impacts on this community.

In other important ways, the DEIS fails to appropriately address or take into account a number of issues and concerns mandated by law, including land use, historic landmark preservation, and environmental law. The NYU proposal fails to adequately address a number of concerns, including but not limited to:

- The addition of millions of gross square feet of new development threatens to fundamentally change the character of the Greenwich Village neighborhood. The bulk, density, and height of the proposal are wholly inappropriate for a historic residential district;
- The rezoning would drastically affect the residential character of the neighborhood, as nearly all of the new construction would be for non-residential uses;
- The result of the construction would be an addition of thousands of new residents and would bring over ten thousand additional people into the area each day;
- The proposed construction would continue for nearly two decades and would result in continuous disruption to the area, adversely affecting noise and traffic levels for 19 years;
- Even after construction is completed, the requested zoning would dramatically reduce the open space in the community, which is already lacking public open space;
- NYU's proposal includes acquisition of City-owned park strips. It is likely that these areas are protected by New York's Public Trust Doctrine, which requires specific legislative authorization from the State Legislature before any alienation;

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<sup>7</sup> See April 4, 2012, Lynne P Brown Letter to Deans and Directors, Important Points About NYU 2031.

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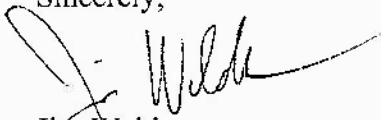
- The DEIS on which the proposals is based is inherently flawed in its consideration of the project's impact on open space and does not account for the significant adverse impacts on the quality of life for a residential neighborhood;
- NYU is landlord and leaseholder for the major stock of affordable housing in Greenwich Village, and the project threatens to adversely affect the community's economic integration and diversity;
- NYU seeks a commercial overlay area rezoning, which threatens to inundate the residential neighborhood with retail facilities targeting young adults, such as national chains and large eating and drinking establishments;
- Borough President Stringer's recommendations state that "NYU has drafted a letter Memorandum of Understanding between the city and the university" to provide 100,000 gross square feet for a public school. It is inappropriate to hold public hearings on NYU's plan before the MOU is released to the public;
- The DEIS fails to adequately address the transportation impacts of the construction and the project, including adverse effects on pedestrian access to transit, vehicular traffic, and parking availability;
- The DEIS concludes that the project will result only in temporary negative environmental impacts but fails to adequately consider the inevitable burdens on public health and safety, noise, air quality, shadows, water and sewer infrastructure, underground water, solid waste and sanitation, energy, and wildlife that will be a permanent result of the project;
- In addition to the permanent impacts on the environment, the planned construction will last for decades and will significantly reduce the quality of life in ways that are not adequately addressed by the DEIS. The public is entitled to consider and comment on the actual impacts of 19 years of continuous construction on air quality, noise, transportation, visual pollution, and other negative effects;
- In light of the enormous cost of the proposed project and NYU's relatively small endowment, there is serious concern that NYU lacks the financial wherewithal to implement the mitigation measures identified in the DEIS.

In sum, the residents of Greenwich Village have many meaningful and serious concerns about NYU's proposal. As originally proposed, NYU's plan failed to properly take into account these serious concerns, which broadly involve statutes and legal requirements

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touching on land use, preservation, environmental protection, worker safety and protection, and landlord-tenant law. Without the ability to review the apparent major modifications to the plan described by Borough President Stringer, the public cannot meaningfully consider and comment on the proposal or assess its likely impacts. It is therefore imperative that CPC delay public hearings until the details of the revised plan are publicly available and a reasonable amount of time is provided for meaningful consideration.

Sincerely,



Jim Walden  
Randy Mastro

Brad Hoylman, *Chair*  
Bo Riccobono, *First Vice Chair*  
Alison Greenberg, *Second Vice Chair*  
Bob Gormley, *District Manager*



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Keen Berger, *Assistant Secretary*

## COMMUNITY BOARD No. 2, MANHATTAN

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April 20, 2012

Amanda M. Burden, FAICP  
Chair, NYC Department of City Planning  
22 Reade Street New York, NY 10007

**Re: NYU Core Project; ULURP Applications Nos.: 120122 ZMM, N 120123 ZRM, N 120124 ZSM, 120077 MMM**

Dear Ms. Burden:

Manhattan Community Board 2 voted unanimously on February 23, 2012 to reject in its entirety the NYU Core Expansion Proposal (NYU 2031) citing in our resolution very detailed and specific objections based upon public comments collected over approximately five years and fourteen public hearings held during the months of January and February 2012.

On April 11, 2012, Manhattan Borough President Stringer proposed modifications to the plan that were accepted by NYU in a letter dated April 11, 2012, from NYU President Sexton.

The specific details of these changes have not been made available to the public, and we have received complaints from members of the public that there is not sufficient time to review and comment upon the new proposal, which may be significantly altered from the original certified plan.

We understand that there are strict parameters on the ULURP clock, but would like to ask if there are any legal mechanisms that would allow more time for community review. We are especially concerned that this project is scheduled to be finalized at the end of July, when many people are out of town for summer holidays.

Thank you for your consideration.

Yours truly,

Brad Hoylman,  
Chair  
Community Board No. 2  
Manhattan

# Community Action Alliance on NYU 2031

7 East 8th Street, #335, New York, NY 10003  
www.caan2031.org and on Facebook at CAAN 2031

*More than 30 neighborhood organizations working together against NYU's 2031 Plan*

April 20, 2012

Hon. Chairwoman Amanda M. Burden, FAICP  
New York Department of City Planning  
22 Reade Street  
New York, NY 10007

Re: NYU Core Project; ULURP Applications Nos.: 120122 ZMM, N 120123 ZRM, N 120124 ZSM,  
120077 MMM

Dear Chairwoman Burden,

We formally request that the CPC postpone the public hearing until the community has been afforded sufficient opportunity to review the plan, which was modified by NYU and Manhattan Borough President Scott Stringer on April 11. While we generally understand the ULURP process and the time constraints under which it operates, this plan is so large and affects so many people we hope that you may have a way to give the community adequate time to study it and develop their response.

The Community Action Alliance on NYU 2031 (CAAN) and its 35 constituent groups have consistently opposed the NYU 2031 Plan. The vast scale of the proposed expansion and nearly 20 years of continuous construction would destroy the residential character of Greenwich Village. Without a publicly-available revised plan and the time to carefully review it, the community cannot provide fully-informed comment at the scheduled hearing. There are many questions that the community has asked and not received responses to, such as whether NYU intends to modify the city-owned streetside open space strips on Mercer Street and LaGuardia Place to create access plazas for their proposed buildings, and whether these public lands will be used for construction staging during the building of the LaGuardia and Mercer "boomerang" buildings.

If, as NYU claims, the modifications to the plan will result in less disruption to the neighborhood, then NYU should have no reasonable objection to delaying the CPC hearing until the public has the opportunity to review and consider the implications of the modifications. Given the nearly two decades of construction contemplated, NYU would not be harmed by the relatively minor delay.

Unless the CPC's public hearing is postponed until the full details of the modified plan are released and area residents are allowed sufficient time to consider it, we ask that CPC reject NYU's expansion proposal in any form. We ask for a postponement until September, as many of those who will be affected by NYU's Plan 2031 travel from late spring until early fall and we want them to have the opportunity to provide well-informed input.

We would appreciate your prompt response and hope it will include an announcement that the CPC will postpone the April 25th hearing to September, 2012.

Sincerely,

*Martin Tessler and Terri Cude*

Co-chairpersons, Community Action Alliance on NYU 2031



DEPARTMENT OF CITY PLANNING  
CITY OF NEW YORK

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April 23, 2012

Randy Mastro, Esq.  
James Walden, Esq.  
Gibson Dunn & Crutcher LLP  
200 Park Avenue  
New York, NY 10116-0193

**Re: NYU Core Project Applications**

Dear Messrs. Mastro and Walden:

I write on behalf of Chair Burden in response to your letter, dated April 19, 2012, submitted on behalf of the Greenwich Village Society for Historic Preservation and NYU Faculty Against the Sexton Plan, regarding the applications made by New York University for the NYU Core Project which will be the subject of a City Planning Commission ("CPC") public hearing on April 25, 2012, at the Museum of the American Indian.

Your letter sets forth a number of comments regarding the merits of the NYU Core Project and alleged deficiencies with the Draft Environmental Impact Statement ("DEIS"). As you know, the purpose of the April 25 public hearing is to receive public comment on the project and the DEIS, in order to assist the CPC in making its determinations under the Uniform Land Use Review Procedure ("ULURP"). Your letter will be included as part of the public comment record for this purpose, and we look forward to receiving additional comments from you or your clients at the hearing. In that regard, I understand that the Greenwich Village Society for Historic Preservation has already submitted extensive written comments and studies to the CPC setting forth in detail its position on various aspects of the NYU Core Project. Oral testimony will be received at the public hearing, and additional written comments may be submitted for ten (10) days following its conclusion.

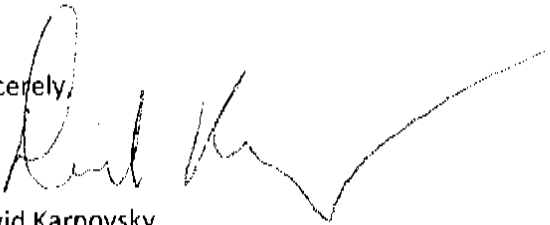
Your letter also requests that the April 25 hearing be delayed on the basis that the NYU Core Project is no longer planned for development as certified and has been radically modified to reflect the



Manhattan Borough President's recommendation for approval with conditions. Under the New York City Charter, the Borough President plays an important role in the ULURP process by making recommendations to the CPC for approval, disapproval, or modification of applications. However, it is the role of the CPC, and that of the City Council, to approve, disapprove or make modifications. The CPC will consider the recommendations of the Community Board, the Borough President, and those made by individuals and organizations such as your clients, and will exercise its discretion to determine whether these will or will not be incorporated into the certified NYU Core Project applications in the form of modifications. Your suggestion that the ULURP clock be tolled because the ULURP in progress has yielded potential modifications to the project as certified misunderstands the fundamental nature of ULURP review as a process which encourages the parties to identify possible changes responsive to community and other concerns.

The April 25 hearing will begin at 10:00 am. On April 23, at the Commission's regularly scheduled Review Session, Department staff will provide the Commission with a pre-hearing overview of the NYU Core Project, the Community Board recommendations, and the Borough President's recommendations for modifications. The Review Session is an open meeting and you and your clients are welcome to attend.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Karnovsky', written in a cursive style.

David Karnovsky

- C: A. Burden, DCP
- R. Barth, DCP
- E. Hsu-Chen, DCP
- B. Cooke, MN BP
- B. Hoylman, MN CB 2

April 24, 2012

VIA ELECTRONIC MAIL

David Karnovsky  
General Counsel, Department of City Planning  
22 Reade St.  
New York, NY 10007-1212

Re: NYU Core Project Applications

Dear Mr. Karnovsky:

I write on behalf of the Greenwich Village Society for Historic Preservation (GVSHP) and New York University Faculty Against the Sexton Plan (NYUFASP) in response to your letter, dated April 23, 2012, regarding the City Planning Commission (CPC or Commission) public hearing on the NYU Core Project, scheduled for April 25, 2012.

We reiterate our request that the CPC postpone the public hearing, which is currently scheduled for tomorrow. Amid all of the arguments put forward for apparently refusing to heed the community's request for *even a short period of delay*—which I explicitly confirmed in writing to you before you misleadingly presented my application at yesterday's open meeting (see attached email from Jim Walden to David Karnovsky, dated April 23, 2012)—you lose sight of the CPC's role as it relates to this hearing: to make sure the public has adequate time and information to meaningfully comment. Moreover, although we understand well ULURP and its function and processes, you lose sight of the fact that (a) NYU has already committed—in writing—to the modifications (see attached NYU letter), and the fact the modifications were brought about by the Borough President is irrelevant; (b) the CPC will, in reality, only be considering the revised plan, as yesterday's open meeting made clear, because NYU has conceded it does not need the original plan; and (c) as with the Atlantic Yards, the modifications changed the construction schedule, which the public has a right to understand (and the CPC should explore more fully) to give meaningful feedback to the CPC at the hearing.

You need to understand that the wide-spread perception of this process is uniformly negative already. People believe, in good faith, that back-room lobbying has made approval a foregone, political conclusion. Yesterday's action only serves to reinforce those negative impressions when, in point of fact, we had already clarified our request for even a short delay, which is within the ULURP schedule, and yet it was misleadingly described to the

David Karnovsky  
April 24, 2012  
Page 2

Commissioners as “inappropriate” and “unprecedented.” Let us be clear: we request that you correct that false characterization, no doubt unintended, and give us the opportunity to make our case directly to the Commission today. We are available at your convenience.

Delaying this hearing is right and proper if the CPC wishes to serve its function to the people of this City, as opposed to the elected officials who appoint its members. The need for public consideration of the modified plan is premised not on Borough President Stringer’s non-binding conditions, but on NYU’s acceptance of these conditions. The original NYU Core Proposed Project is no longer the operative plan, and the modification is the new plan. The details should be made available to the public before the CPC hearing. Forcing the public to comment on the original plan and depriving them of the details of the revised plan is fundamentally unfair, wasteful, and diminishes the ULURP process. The public should not be penalized because NYU chose to reach a back-room political compromise rather than engage directly with the public.

Moreover, our clients have serious grounds for concern that NYU does not intend to implement the NYU Core Proposed Project as described, and is possibly financially unable to do so in recognizable fashion. During a meeting with NYU faculty in November 2011, a senior NYU administrator admitted that NYU did not have the resources to begin the construction on the NYU Core Project. While the plan contemplates immediate and aggressive construction in order to complete the expansion in 19 years, the NYU official stated that NYU, in fact, planned only to undertake enough construction within a 10-year window to ensure that NYU’s right to expand in the future would vest. Also, during a separate meeting with NYU faculty on April 20, 2012, another senior NYU official repeated to the faculty that while NYU was continuing with the ULURP process, it had no plan to begin construction beyond the minimum amount necessary to guarantee vestment under zoning laws.

NYU’s plan claims that construction will last nearly two decades, an unreasonably long period to disrupt the residential character of the neighborhood. Now it appears that NYU will not even attempt to adhere to that schedule and may only undertake enough construction to ensure that it can continue to expand at its leisure. The First Department has made clear that changing the length of construction of a certified project requires an environmental impact statement assessing the new construction schedule. *See Matter of Develop Don’t Destroy (Brooklyn), Inc. v. Empire State Dev. Corp.*, 2012 N.Y. Slip Op. 02752 (1st Dep’t Apr. 12, 2012). This expanded schedule raises the prospect of decades and decades of the burdens of construction. The very purpose of the ULURP process is to allow public comment on the environmental impact of a proposed plan. It is absurd to conduct a public hearing on a plan that NYU has no intention of carrying out. NYU should reveal its true intentions in detail to the public, and the CPC should ensure that the public hearing satisfies

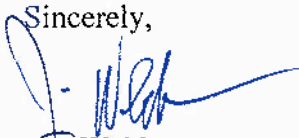
David Karnovsky  
April 24, 2012  
Page 3

the spirit and the letter of ULURP, which is intended to allow meaningful public consideration of land use proposals.

We confess disappointment at the Commission's reaction to our request for more time and more information, as if our clients were somehow burdening the process. This process is intended to protect them, not the plan's powerful proponents, including elected-official supporters. If there is an unprecedented aspect to NYU's application and this process, it is the mad rush to judgment when—in point of fact—the detrimental impact on the faculty have not been studied, deed restrictions are in place, parkland is being alienated, and the Community Board has unanimously voted against this plan. These and the many other issues should cause the Commission to show more deference to the public it serves, especially when a short adjournment is the only issue at stake.

We formally repeat our request that the CPC delay the public hearing until the public is afforded the details of the modified plan and a meaningful opportunity to assess the modified plan. Please afford the public this courtesy, which is also its right. At the very least, if the CPC is unwilling to postpone the public hearing, the CPC must demand that NYU answer questions regarding its intention and financial ability to carry out the plan as presented to the CPC. NYU must explain why it is telling its own faculty that the NYU Core Proposed Project is nothing more than a legal placeholder to allow NYU to expand at some point in the future—whenever and however it sees fit.

Sincerely,



Jim Walden  
Randy Mastro

the village  
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this ~~shit~~ up.**

# NYU Students: Debt and Debtor

## NYU is number one in student debt. But is it really worth it?

By **Nick Pinto**, Photographs by **Nic Alegre**

published: November 09, 2011

nicallegrephotography.com



Andrew Jenks



Andrew Jenks and masked NYU students during the 'Casualties of Debt' protest.

Walking around Greenwich Village, it's easy to find reinforcement for the popular stereotype of New York University as a rich-kid school. On a fall evening, the bars and restaurants near the campus can feel completely overrun with a swarming mass of fashionably dressed students splashing out on Mom and Dad's credit card, apparently heedless of the recession and living the downtown dream.

Lyndsey always resented that stereotype. That's not to say she doesn't acknowledge some truth to it, but she knew it didn't apply to her. Like so many undergraduates, she came to NYU because it was her dream school, but it wasn't a dream she came by easily. Lyndsey financed her NYU education in large part with loans, which she is now paying back a little at a time.

When Lyndsey is done paying them, she will be 54 years old, and she will have spent more than a third of a million dollars on her undergraduate education.

During her college years, as it became clear to Lyndsey just how deep in the hole her education was going to put her, she dialed back her living expenses to a bare-bones survival budget. She moved out of the overpriced university dorm and into a tiny apartment off campus, dropped out of the meal

plan, and put herself on a strict \$20-a-week regimen for food and entertainment.

"I joined clubs just because they had food at the meetings," Lyndsey says. "I knew all the popular meeting places, and I always had tinfoil and plastic bags with me to snatch up anything on the table. If I came across a leftover pizza, I'd take the whole thing and put it in my bag. When I did buy groceries, it was in Chinatown, and I'd haggle for everything. I'd buy things that I didn't even know what they were, just because they were cheap."

Upon graduation, it became obvious to Lyndsey that what she wanted to do with her life—why she'd gone to NYU and into debt—wasn't going to pay the bills as her loans started coming due.

"My dream career was to be a cinematographer on films about nature, to be involved with shaping how the public perceives nature and our relation to it," Lyndsey says. "It became clear that that wasn't going to pay nearly enough. I had a six-month grace period after graduation to get a job and start paying back those loans, so I got work that paid better in a field completely different from why I wanted to go to school in the first place."



And so began a blurred, twilight existence that has lasted years for Lyndsey. She works nine-to-five in a surgical-simulation lab at a medical school, then rushes home to immediately start her other job, working until 10:30 as tech support for a company in California.

"It's pretty murderous," Lyndsey says. "There's no time in my day to think, to breathe, to eat, to shop for groceries. Weekends I try to catch up on laundry, get groceries, cook as much as possible, and see my friends if I can."

Still, the punishing work schedule was better than the alternatives Lyndsey sometimes considered. "I'm basically trying to avoid the more extreme ways of doing it: stripping and prostitution," she says. "Stuff you can't tell your parents and your friends about."

Working 70 hours a week, Lyndsey was able to stay on top of her \$1,232 monthly loan repayment and even put a little aside. But it wasn't sustainable: She was chronically exhausted, her relationships were suffering, and she was miserable. Earlier this year, her boyfriend moved out, and she found herself scrambling to make rent by placing a rotating series of Craigslist roommates on the couch of her one-bedroom apartment in South Williamsburg.

Now the possibility of getting behind on her loans, or even defaulting, seems perilously close. But there's no way out. Bankruptcy wouldn't clear her obligations, and if she falls behind, the bank wouldn't just come after her, but also after her mother, who took on much of the debt. Their salaries could be garnished and so could her mother's Social Security benefits.

Lyndsey doesn't want to use her full name in this story. She's worried that if she ever does default on her loans, her comments might be used against her in court. Worse yet, she says, they could be used against her mother.

But even trapped in this untenable situation, when she's asked if she wishes she hadn't gone to NYU in the first place, Lyndsey doesn't have a simple answer. She's angry at NYU, feels used and misled by the school, sure. Yet she's got nothing but good things to say about the schooling she received.

"Would I want a different education? I have to say, the education I got was pretty great," Lyndsey says. "I got to know this city that I love. And going to NYU has made people look at my résumé that wouldn't have if I went to UMass Amherst. Do I wish I hadn't gone to NYU at all? It's not that easy."

In the clutches of the great recession, after the home-borrowing bubble burst, the education-borrowing bubble lives on. Teenagers continue to borrow tens and hundreds of thousands of dollars to finance their educations, even as they increasingly find there aren't jobs waiting for them on the other side. Down in Zuccotti Park, Occupy Wall Street protesters are talking about demanding student-loan forgiveness.

In some respects, NYU is the poster child for the excesses of 21st-century student debt in America. Although most NYU undergraduates haven't borrowed as much as Lyndsey (who owes \$165,000 and will end up paying \$350,000 because of interest), the average student is still a whopping \$35,000 in debt when they graduate, a figure \$11,000 higher than the national average. In fact, NYU creates more student debt than any other nonprofit college or university in the country. The only schools putting students into more debt are the kind of for-profit diploma mills currently being investigated by the United States Senate.

But at the same time, NYU's status as an iconic and prolific generator of student debt is an awkward fit with the populist outrage of national education funding activists and Occupy Wall Street protesters. Prospective NYU students have less-expensive options, and NYU isn't exactly positioning itself as an affordable institution for the masses. In fact, its tuition is so high and its financial aid so low precisely because the university is on a multi-decade spending spree, attempting to launch itself into the highest tiers of elite universities with a state-of-the-art campus and top-notch faculty.

That sort of aspirational spending—the idea that, as former NYU president L. Jay Oliva once said, "There's no way to get excellence, other than buying your way into it"—is, of course, only the institutional mirror of the aspirational spending NYU's students are doing when they pay their tuition bills. For many, the belief that a diploma from a prestigious school like NYU can catapult a student into a higher socioeconomic register makes NYU's staggering tuition seem worth it.

There is a significant difference between these double strands of big dreams and lavish spending, though: NYU is financing its dreams with student tuition. The students are financing theirs with enormous loans that can weigh on them and limit their options for decades to come.

Why does NYU put its students in so much debt? Some of the answers are obvious and come quickly to the tongue of university spokesmen when asked the familiar question: NYU is in the heart of New York City, one of the most expensive real estate markets in the world. Everything is more expensive here, from buildings to salaries to food and laundry.

School officials also point to the school's relatively meager endowment. At \$2.5 billion, NYU's endowment sounds like a lot until you start comparing it with those of the big-name schools with which NYU competes: Five miles uptown, Columbia has \$7.8 billion. Yale has almost \$20 billion. Harvard has \$32 billion.

Schools like these can use the interest accrued by their massive endowments to help cover their costs, lessening their reliance on tuition and increasing the generosity of their financial aid. Princeton funds nearly half of its operating budget with its endowment. At NYU, the figure is 5 percent.

But while NYU pleads poverty to its students, it's worth understanding why its endowment is so small. For one thing, NYU hasn't been around collecting compound interest for as long as some of its ivy-covered brethren. It was founded in 1831, nearly 200 years after Harvard. And for much of its history, NYU wasn't exactly serving the sort of old-money elites and future captains of industry that could be counted on to give generously to their alma mater.

For most of the past century, NYU was a modest regional commuter school. Most of its operations were in the Bronx, in a spacious, conventional campus in University Heights. But faced with a financial crisis in the early 1970s, the school's board of directors began implementing a sort of moon-shot effort to save the school. If the challenge was to go big or go home, NYU was going to go big.

It sold the Bronx campus, now home to Bronx Community College, and rebranded itself as the school in the heart of downtown. President John Brademas launched a billion-dollar fundraising campaign. But contrary to conventional doctrine, NYU socked little of the money away, instead going on a spending spree, expanding the university's Greenwich Village footprint, and upgrading its existing facilities.

Longtime residents fought back against this construction boom and the institutionalization of their neighborhood, but though the resistance to NYU's ongoing expansion is still noisy, in decades of struggle, they have had little success in reining in the NYU juggernaut.

The development was mostly for dorms and academic buildings, but NYU's holdings also include a lot of swanky faculty housing, which, combined with a generous war chest, have helped to lure big-name professors who would never have considered NYU 30 years ago.

The spending spree struck many at other universities as risky and dangerous. Spending so much and saving so little allowed NYU to grow rapidly in size and stature, but it left the school with little to fall back on in hard times and placed an outsize share of the burden of running the school on the backs of students.

Still, by most measures, the strategy was an unqualified success. Forty years after its near

bankruptcy, NYU's Hail Mary transformation is complete. The Bronx now far behind, the school is firmly entrenched in the Village, with 15 million square feet citywide. It has a world-class faculty and now competes for some of the best students in the world.

But the school isn't stopping its spendthrift strategy. It's not even slowing down. If anything, NYU's metastatic expansion is only speeding up. Last year, the school announced plans to grow its space by another 40 percent, further saturating the Village and expanding into Brooklyn and Governors Island. And the school isn't confining itself to New York City. Last year, it opened NYU Abu Dhabi, a sort of clone of itself in the United Arab Emirates. In 2013, the school plans to do it again, this time in China. These global forays are for the most part funded by their host countries, but many students see this relentless focus on growth as coming at their expense.

NYU's thirst for money to fuel its rocket ride to the top has certainly led it to some unsavory places. In 2007, then-attorney general Andrew Cuomo busted the school for a kickback scheme involving student loans. When students were accepted to NYU, the school would direct them to Citibank as its "preferred lender" for all private loans. In return, Citi would kick back a percentage of its loans to the school. NYU's take amounted to \$1.4 million over five years.

Citi did offer lower rates than the seven other institutions that vied to be NYU's preferred lender, and NYU says the money was plowed back into student aid anyway. But the relationship was still unsettlingly cozy.

Lyndsey, the alumna who will have paid \$350,000 for her NYU education, went to Citibank for her private loans because NYU directed her there. When she was accepted in 2003, she was ecstatic. That enthusiasm dimmed somewhat when she saw the meager financial aid package NYU was offering her. If she wanted to attend her dream school, she'd be paying for 90 percent of it with loans.

Despite living in a swanky suburb northwest of Boston, Lyndsey's parents were hardly wealthy. Her mother ran a café, where Lyndsey often helped out. Her father worked in sales for the telecom industry but had lost his job, and the past few years had been difficult. Lyndsey's mother had never gone to college. Her father is English, and had no familiarity with the American university system.

"We relied on the University to help explain it to us," Lyndsey says. "We didn't take it lying down. We called financial aid to ask what was up. They told us that NYU has a fairly high dropout rate, so to protect themselves, they don't offer a lot of financial aid the first semester, but we could expect the financial aid to increase in future semesters."

With that reassurance, Lyndsey and her mother inked promissory notes to Citibank. But when the second semester started, Lyndsey's financial aid didn't change. The next year, tuition went up, and her aid actually went down.

"The relationship with Citi just shows how little incentive NYU had to limit their tuition or offer me better financial aid," Lyndsey says. "They were getting my \$40,000 in tuition plus a 15 percent kickback for everything I borrowed. Everybody was winning: NYU was getting paid; the bank was getting a guaranteed revenue stream of 8.5 percent interest guaranteed by the government. Everyone was winning but me."

The feeling that her education financing had turned her into an indentured servant made Lyndsey political. Her activities have connected her with a network of other NYU students and alumni saddled with crushing debt and looking to do something about it. A Facebook group she runs called "The \$100,000 Club" for students with six figures of debt has more than 60 members. Some students have staged publicity-ready actions like storming into the NYU bursar's office and attempting to exchange their diplomas for a full refund.

In 2009, the "Take Back NYU" occupation of the school's student center was motivated in no small



part by frustration at ever-increasing tuition and the administration's refusal to reveal meaningful details about how it spends its money. But these were larded up with nearly a dozen other demands, including opening the school library to all and offering 13 scholarships to Palestinian students. By the time the occupation ended, it had become caricatured in the media as an unfocused tantrum by privileged kids.

Last winter, the NYU debt protest movement got another shot in the arm as MTV's Andrew Jenks used NYU as the backdrop to his "Casualties of Debt" demonstration. On a cold February day, Jenks organized students in Washington Square to don Anonymous-style masks and T-shirts emblazoned with their amount of debt.

The event was long on theatricality, but Jenks wasn't exactly a terrific spokesman for the movement. When MSNBC's Dylan Ratigan asked him what the masks were all about, he said, "We're all wearing masks to show that as a whole, right now, we may not be doing enough, and we sort of have these blank faces, and we're looking around, and we're not sure what to do."

A more cogent perspective came from Charlie Eisenhood, then an NYU senior and the editor of school's unofficial newspaper, *NYU Local*.

"When you think about it, people trying to make a financial decision that's going to affect the next two decades of their life when they're 17 and 18 years old is crazy," Eisenhood told Ratigan. "A lot of the time, they don't understand what they're getting into, and it's really up to the universities and Congress to make sure that the banks and the universities are focused on making sure these young students are making financial decisions that aren't going to leave them penniless when they're 25 and 30 years old."

Talking to the *Voice* this fall from Abu Dhabi, where he is working for NYU, Eisenhood elaborated: "It seems to me that the libertarians are off-base when they say, 'Well, they're adults, they should know better,'" he says. "There needs to be more information from universities and the government and even from banks—you know, 'Are you sure you want to take on this debt to get this degree? It's not free. It seems free now, maybe, but you're going to have to pay it back.'"

That call, for NYU to take more responsibility for educating prospective students about the realities of debt, is actually one that the university has heeded to some extent.

In 2009, NYU called more than 1,800 of 7,300 accepted students whose scholarship packages wouldn't come close to covering their tuition and asked if they were really sure that going to NYU was such a good idea.

But that gesture generated its own backlash. Some students who received the calls told the press they found them discriminatory, and an editorial in the student-run *Washington Square News* worried the calls would discourage lower-income students from enrolling. "If promising and motivated students choose not to attend, and any student able to pay the bill fills their spot, NYU risks undermining both its prestige and its socioeconomic diversity," the piece stated. "NYU must turn inward and ask itself which quality it values more in its students: motivation, or financial solubility?"

In this instance at least, NYU found itself damned either way. If it made it easy for students to finance their educations with massive loans, it was guilty of economic exploitation and collusion with banks to create a generation of highly educated wage slaves. If it took steps to counsel students about the real consequences of those loans, it was shutting the door to a transformative opportunity to the people who could most benefit from it.

As much as students and activists blamed the university for greasing the wheels on their precipitous roller-coaster dive into crippling debt, many were profoundly uncomfortable with the idea of the university doing anything that would limit enrollment to students who could put cash down on the

spot.

Zac Bissonnette, a UMass graduate who wrote *Debt-Free U: How I Paid for an Outstanding College Education Without Loans, Scholarships, or Mooching off My Parents*, was unimpressed by what he saw as an ineffective infantilism in the NYU debt protests.

"Protesting the amount of money you decided to borrow in order to go to NYU is sort of like moving to New England in the middle of January and then holding signs protesting the cold temperatures and abundant snow," Bissonnette wrote on Daily Finance. "NYU students have a legitimate concern—the amount of money that they're borrowing is insane—and the way that they should handle it is to vote with their feet. Transfer to another school. Deprive NYU of its source of revenue and save yourself in the process. But voluntarily borrowing huge amounts of money to give it to a school while simultaneously shaking your fist at it doesn't help anyone."

Bissonnette's critique is a striking one, because it brings home what makes NYU's debt debate different from the national one. If states are gutting funding for public universities, as they are, that has profound implications for access to education in this country. If a burgeoning industry of for-profit schools is going to extraordinary lengths to put those most in need of education into massive debt for often worthless degrees, that's criminal.

But if NYU thinks it can fund its ascent to the top tier of universities by charging massive tuition and offering minimal student aid, it's not as though prospective students don't have other options. Schools with even better reputations than NYU have more generous aid packages, and there are literally scores of other colleges that offer "the New York experience" where you won't have to put your life in hock for a diploma. Yet last year, 42,242 students applied to the school—the largest applicant pool ever. What gives?

Talking to undergraduates and recent alumni, it seems the answer has a lot to do with youthful optimism and with a vision of their lives that extends through their happy days of schooling in the great metropolis but perhaps not much further.

"Students go to NYU because it's in New York City," Eisenhood says. "When I applied, they had a question on their application: 'Other than living in New York, why do you want to attend NYU?' And I was like, wow, that's actually really hard. I forget what I said—'Great research opportunities,' or something, but I didn't really believe it."

But as much as NYU sells itself on its location, it has some strong programs to recommend it. The university's Stern School of Business is ranked number five among undergraduate business programs by *U.S. News & World Report*, and students can reasonably expect that between their degree and some well-chosen internships at New York firms, they will be well-poised for a career that will allow them to easily pay back any debt they take on.

Other NYU programs, if equally well-regarded, can't promise the same financial return on investment, but that doesn't stop students from signing on for the ride. Ryan Hamelin, in his last semester of a film and television major at NYU's Tisch School of the Arts, has borrowed roughly \$24,000 per semester to finance his education but feels confident he'll be able to make the \$1,000 monthly payments when he graduates. He's pulling together his portfolio in the hopes of getting some directing gigs. If that doesn't work out, he plans to fall back on crewing for shoots across the city, something he has already done a bit of.

Early last semester, the reality of his financial situation—even for graduates of the celebrated Tisch program, the jackpot of a directorial gig right out of college is rare—finally sank in. "I was thinking, 'Shit, why did I do this?'" Hamelin says. "I was having anxiety attacks about it."

Now, with a few months to go before his first payments come due, Hamelin is more reconciled to

where his path has taken him. "Once this kicks in, I don't see myself being able to do the things I want to be doing for a number of years, which is really a drag," he says. "But that's what you get when you go to NYU: You get NYU, and you get paying for NYU. I'm not going to go down to Wall Street and yell and scream and hope that will make my debt go away."

Lyndsey says she isn't wishing for her debt to go away. "I never want to not pay for what I got," she says. But there are government actions that would make her life easier without giving her a free ride.

"Even changing the interest rate on the PLUS Loans to 3 percent would cut my repayment time in half," Lyndsey says. "Or give us the right to refinance. Banks are borrowing money for free right now, and students are locked in to paying banks back at 8 percent or more."

Since she graduated, Lyndsey has paid back about \$40,000 of her loan. But because her loans carry 8.5 percent interest with no chance of refinancing, that \$40,000 has put only a tiny dent in her actual balance.

"Do I wish I had been more savvy about how financial aid worked? Of course I do," Lyndsey says. "I'm now guaranteed locked into the system for the rest of my working life to make money for Citibank."

And sure, sometimes Lyndsey fantasizes about what would have happened if she hadn't gone to NYU or to college at all, if she had instead spent her money on high-end film equipment and made the kind of documentaries she had in mind when she enrolled at the university.

But like many NYU students mired in debt, she doesn't think that should be the only choice—between an NYU education and a lifetime of debt or forgoing the university entirely.

"There are so many people with so much potential, and they're going to school because they have visions of what they want to do and be and accomplish and contribute to the world," Lyndsey says. And because of the way we're doing things now, they get locked down, and they have to pay these bills, and they don't get to follow through. And that's a waste."

[npinto@villagevoice.com](mailto:npinto@villagevoice.com)



November 17, 2011

**MEMORANDUM**

TO: Members of the Senate Financial Affairs Committee

FROM: The University Faculty Senators Council (UFSC)

RE: 

Recommendations to the Administration On Matters Pertaining to Faculty Compensation For the Academic Year 2012-2013
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**On Matters Pertaining to Faculty Compensation**

The Faculty Senators Council is mindful of the many demands that the University faces, for example, the expansion of the faculty. While we applaud the administration's efforts in addressing these needs, we are very concerned about the significant erosion of the faculty's standard of living.

For a number of years the merit pool for faculty salary increases has failed to keep pace with cost of living in the New York Metropolitan Area. During the last nine years 2002-2011, continuing faculty salaries increased at an average compounded rate of 2.38% yearly (compounded). At the same time period, inflation averaged 2.91% yearly (compounded). Thus, as the data in Table 1 below shows, the standard of living of faculty at NYU (salaries adjusted for inflation in the NYC metropolitan area) has deteriorated by 6.20% since 2002.

In comparison with NYU tuition increases, the relative decline in NYU faculty salaries is much more pronounced. In the period 2002-2011, tuition increased at an average rate of 5.08% per year (compounded), approximately 214% faster than the average yearly (compounded) rate of increase of continuing faculty salaries, which was 2.38%.

Additionally, the administration has shifted much more of the burden of health care costs onto its employees, while raising rents on faculty housing. Faculty housing rents have increased on the average between 6 and 7 percent yearly, almost three times as fast as faculty salaries. After a number of increases in health care premiums and deductibles repeatedly over a number of years, faculty are asked to pay 8% higher premiums in 2012-13 on top of a 10% increase in 2011-12.

We fear that these circumstances will have a very adverse effect on faculty morale, retention, and recruitment.

To offset the real income declines for continuing faculty, the UFSC recommends an increase of 6.20% in this year's faculty salary pool, of which all faculty will receive a minimum corresponding

to the amount of the NYC cost-of-living index. The Council notes that the full 6.20% increase to the pool is quite conservative and will only restore continuing faculty to their real earnings of year 2002.<sup>1</sup>

**Table**

<b>ACADEMIC YEAR</b>	<b>NEW YORK CONSUMER PRICE INDEX<sup>2</sup></b>	<b>NYU CONTINUING FACULTY SALARY INDEX</b>	<b>FACULTY MERIT SALARY INCREASE</b>	<b>NYU TUITION INDEX</b>	<b>NYU TUITION INCREASE</b>
2002-3	100	100		100	
2003-4	103.11	100	0.00%	106.9	6.90%
2004-5	106.53	103	3.00%	112.89	5.60%
2005-6	110.88	106.09	3.00%	118.87	5.30%
2006-7	116.05	109.27	3.00%	125.29	5.40%
2007-8	118.24	114.74	5.00%	132.18	5.50%
2008-9	124.57	118.75	3.50%	139.98	5.90%
2009-10	123.40	118.75	0.00%	145.37	3.85%
2010-11	125.10	120.53	1.50%	150.45	3.50%
2011-12	129.50	123.55	3.00%	156.17	3.80%
2012-13 <sup>3</sup>	131.20				

Percentage salary merit pool increase in year 2012-13 required to restore faculty to their standard of living in academic year 2002-13 is 6.20% =  $131.20/123.55 - 1$ . That is, a merit pool increase of 6.20% would bring the faculty salary index in 2012-13 to 131.20 and match the CPI.

<sup>1</sup> Despite talk about deflation or lack of inflation, the New York-Northern New Jersey-Long Island Consumer Price Index as reported by the US Bureau of Labor Statistics increased at a rate of 3.51% in year 8/1/2010 to 8/1/2011. This is a significant inflation acceleration.

<sup>2</sup> We use the New York-Northern New Jersey-Long Island NY-NJ-CT-PA Consumer Price Index (CUUSA101SA0) as reported by the US Bureau of Labor Statistics. As the USBLS notes, “The New York-Northern New Jersey-Long Island, NY-NJ-CT-PA consolidated area comprises the five boroughs of New York City, Nassau, Suffolk, Westchester, Rockland, Putnam, Dutchess, and Orange Counties in New York State; Bergen, Essex, Hudson, Hunterdon, Mercer, Monmouth, Middlesex, Morris, Ocean, Passaic, Somerset, Sussex, Union, and Warren Counties in New Jersey; Fairfield County and parts of Litchfield, New Haven, and Middlesex Counties in Connecticut; and Pike County in Pennsylvania.” This area is wider than where NYU faculty live, and there is some evidence that price increases have been higher in NYC, which would have resulted in higher CPI increases. The CPI is calculated September to August to correspond to NYU budget years.

<sup>3</sup> The predicted inflation rate for 2012-13 is the average of the inflation rates of the last three years. We note that this is a very conservative prediction since inflation has increased significantly from 1.38% in the year 8/1/09 to 8/1/10 to 3.51% in year 8/1/2010 to 8/1/2011. If we were to use this year’s inflation rate (8/1/2010 to 8/1/2011) as a projection for 2012-13 inflation rather than the three year average, the predicted consumer price index for 2012-13 would be 134.05 (instead of 131.20) and the percentage salary merit pool increase in year 2012-13 required to restore faculty to their standard of living in academic year 2002-13 would be 8.50% =  $134.05/123.55 - 1$  instead of the 6.20% that we very conservatively ask for.



# Department of City Planning

22 Reade Street, New York, NY 10007-1216

# Land Use Review Application

## General Instructions

## Form GI

### PURPOSE

Land Use Review forms provide the City Planning Commission (CPC), Department of City Planning (DCP), community boards, borough presidents, the City Council and other interested parties with information needed to evaluate applications for many land use actions subject to city review. The information asked for on the forms will or may be useful in this evaluation; it is, however, the City Planning Commission's or City Council's resolution, as applicable, that determines the parameters of the actual approval and any conditions attached to the approval. A completed application package and prescribed number of copies, including all required attachments, must be submitted to the Department before formal review can begin.

Most land use actions are subject to the Uniform Land Use Review Procedure (ULURP), a public review process mandated by Sections 197-c and 197-d of the City Charter that prescribes review by community boards, borough presidents, borough boards, the City Planning Commission and the City Council, as required. Zoning text amendments follow a similar process but are not subject to ULURP. Other actions require approval by the City Planning Commission or its chair but are not subject to ULURP. Such actions include zoning authorizations, certifications, review of Charter Section 197-a plans, UDAAP area designations and project approvals, business improvement districts, and modifications or follow-ups to previous land use actions.

### PRE-APPLICATION MEETING AND ASSISTANCE

Pre-application meetings are **recommended** for most applications since they will facilitate application submission and subsequent processing. They are mandatory for the following types of actions:

- Changes in the City Map
- Urban renewal projects
- Special South Richmond Development District actions
- Special Natural Area District actions
- Modifications or follow-ups to previous actions
- Special Hillside Preservation District actions
- Zoning resolution text amendments

You can arrange a pre-application meeting or obtain assistance by contacting the appropriate DCP office. A list of all DCP offices is provided on page 2 of these instructions.

- General information on application submission, fees and processing may be obtained from the Land Use Review Division.
- General information about land use and development proposals may be obtained from the appropriate DCP borough office.
- Technical information and assistance may be obtained from the Technical Review Division, with the exception of the following actions:

- Loft Conversion, Special Districts, Dispositions,

197a plans and Urban Renewal/UDAAP (Applicable Borough Office)  
- Landfills (Waterfront Division).

### FORM OF APPLICATION

An application for a land use action consists of the following:

#### 1. BASIC FORM

Form LR requests information common to all types of actions and must always be submitted. When an entry does not fit into Form LR's allocated space, the entry should be placed on a separate blank sheet, appropriately labeled. When completing *Item 2: Site Data* if the site contains more than one property, use the pre-formatted attachment sheet titled "Land Use Review Application (LR).. Item 2. Site Data Attachment Sheet".

#### 2. SUPPLEMENTAL FORMS

Supplemental forms requesting additional information are required for the following actions:

Action	Form
● Changes in the City Map	MM
● Zoning map amendments	ZM
● Zoning text amendments	ZR
● Special permits, authorizations, and certifications	ZS/ZA/ZC
● Site selection, acquisition for public facilities	PF
● Disposition of real property	PD
● UDAAP	HA

Other actions do not require supplemental forms.

#### 3. ATTACHMENTS

All applications require a set of attachments. The Attachment Check List specifies which attachments are required for each type of action. A detailed description of each attachment follows the Check List.

For modifications or follow-ups to previous actions, the applicant must arrange a pre-application meeting with the appropriate DCP office to determine which attachments must be submitted.

Specific attachments may be waived by DCP upon determination at a pre-application meeting that such attachments are not applicable to a specific proposal.

#### 4. SUPPLEMENTAL INFORMATION

Additional information and other requirements may exist under Zoning Resolution (ZR) provisions or other relevant laws. Applicants should consult such provisions before submitting an application. In addition, DCP or CPC may request additional or revised information as necessary.

#### 5. TERMINATION OF APPLICATION

DCP may, at its discretion, terminate an application in the event an applicant fails to provide, in a timely fashion, information necessary to complete the application.

**HOW TO SUBMIT AN APPLICATION**

Pre-printed application forms, the fee schedule and CD's with all of the forms and related information are available at DCP's Map and Book Store, Ground Floor, 22 Reade Street, New York, New York 10007. These instructions and forms are also available on City Planning's web site at [www.nyc.gov/planning](http://www.nyc.gov/planning).

The requisite number of completed applications (forms may be either pre-printed or computer-generated), including all forms and required attachments, must be submitted in fully assembled sets, together with a check or money order payable to the Department of City Planning for the total amount of the required fees, to Land Use Review, Central Intake, Room 2E. **All attachments must be folded to a maximum size of 8 1/2 x 14 inches.** Rolled plans will not be accepted. The number of application copies required for each action is specified on the Attachment Check List. If you are requesting multiple actions, submit the greatest number of sets required for a single requested action. Only one copy of each attachment is required per set, regardless of the number of actions involved. Only one original signature is required per submission.

Applications must be typed or printed on a standard DCP application form. If forms are computer-generated, applicant may not alter, or in any way revise either the format or content of the forms provided on CD by DCP. If the format or content of an application form is altered in any way, the application may be considered incomplete and returned to the applicant.

All attachments must be assembled and identified according to the numbering system of the Attachment Check List (e.g. "Attachment 1" is a property survey, "Attachment 4" is a zoning analysis, "Attachment 8" is a tax map, etc.). Information relating to two or more attachments may be consolidated into a single attachment, but must be identified accordingly using all applicable numbers (e.g. a site plan with zoning analysis would be numbered "Attachment 2, 4").

**NOTE: AN APPLICATION THAT IS NOT COMPLETELY FILLED OUT OR LACKS A REQUIRED FORM, ATTACHMENT OR CHECK FOR THE APPROPRIATE FEE WILL NOT BE ACCEPTED FOR PROCESSING**

**ENVIRONMENTAL REVIEW**

Certain land use actions are subject to City Environmental Quality Review (CEQR).

- CEQR review proceeds independently of the land use application review. However, a land use action cannot be certified as complete until a CEQR determination has been made.
- Contact DCP's Environmental Assessment and Review Division (EARD) to determine if your application will require an environmental review and how to proceed if it does.

**COASTAL ZONE CONSISTENCY REVIEW**

Land use actions within the Coastal Zone Boundary are subject to Waterfront Revitalization Program (WRP) review to determine consistency with local WRP policies. The WRP consistency review is coordinated with CEQR and other required state and federal permit programs, such as the state wetland program.

Contact DCP's Waterfront Division to determine if the application will require WRP review. If the application requires WRP review, you must submit all necessary information as required by the Waterfront Division. If the application relates to property in Staten Island, you must also contact DCP's Staten Island office for information about wetland regulations.

**FOR FURTHER INFORMATION**

The following offices of the Department of City Planning are located at 22 Reade Street, New York, NY, 10007-1216, except as noted:

Office	Room #	Phone #/Fax # (Area code 212)
Map and Book Store	Ground Floor	720-3667/720-3646
Land Use Review	2E	720-3382/720-3356
Zoning and Urban Design	3N	720-3691/720-3244
Waterfront	6E	720-3525/720-3490
Environmental Review	4E	720-3423/720-3495
Technical Review	3W	720-3251/720-3244
Transportation		442-4630/442-4724
2 Lafayette Street, 12 <sup>th</sup> Fl. New York, NY 10007		

**DCP Borough Offices are located as follows:**

Office/location	(Area code)	Phone #/Fax #
Bronx 1 Fordham Plaza, 5th Fl. Bronx, NY 10458-5891	(718)	220-8500/584-8628
Manhattan 22 Reade Street, 6 <sup>th</sup> Fl. New York, NY 10007-1216	(212)	720-3480/720-3488
Brooklyn 16 Court Street, 7th Fl. Brooklyn, NY 11241-0103	(718)	643-7550/596-2609
Queens 120-55 Queens Blvd, 2 <sup>nd</sup> Fl. Kew Gardens, NY 11424	(718)	286-3170/286-3183
Staten Island 130 Stuyvesant Pl., 6 <sup>th</sup> Fl. Staten Island, NY 10301-2511	(718)	556-7240/556-7305



# Land Use Review Application ATTACHMENT CHECK LIST

Changes in City Map  
Zoning Map Amendment  
Zoning text amendment  
Zoning special permit  
Zoning authorization  
Zoning certification  
Public facility  
Disposition  
Urban Development Action Area - UDAAAP  
Urban renewal project/  
Housing Plan & Project  
Major Concession  
Revocable consent  
Landfill  
Franchise/  
Modification/Other

	MM	ZM	ZR	ZS	ZA	ZC	PF	PD	HA	*	*	*	*	*
1. SURVEY	√			A	A	A								√
2. SITE PLAN				√	√	A	√	C	√	A	√	√	√	√
3. LANDSCAPE PLAN				A	A									
4. ZONING ANALYSIS		√		√	√	A	B		√					A
5. ENCROACHMENT DIAGRAMS				A	A									
6. FLOOR PLANS				A	A					A				
7. ZONING SECTIONAL MAP	√	√		√	√	√	√	√	√	√	√	√	√	√
8. TAX MAP	√	√		√	√	√	√	√	√	√	√	√	√	√
9. AREA MAP	√	√		√	√	A	√	√	√	A	√	√	√	√
10. FACILITY OPERATIONS MAP							√							
11. DISCUSSION OF FINDINGS				√	√	√								
12. AFFECTED PROPERTY LIST	√													√
13. DRAWING OF PROPOSED CITY MAP CHANGE	√													
14. DRAWING OF PROPOSED CONSTRUCTION												√		
15. PHOTOGRAPHS	A	A		A	A	A	A				√	√	A	
16. URBAN RENEWAL PLAN								D		A				
17. URBAN RENEWAL SUMMARY								D	D	√				
18. SITE DATA SHEET/FACT SHEET								√	√	A				
19. FAIR SHARE							A							
20. REQUEST FOR PROPOSAL (RFP)														
21. OWNER'S AUTHORIZATION				√	√	√						√	√	

Consult with City Planning for required attachments

To be determined at pre-application conference

Number of application packages required    A    14    A    14    10    9    14    14    12    12    14    14    14    A

For multiple actions, submit the maximum number of application package copies required for any requested action. Include only a single copy of each attachment per application package.

Two or more attachments may be consolidated into a single attachment if it is identified accordingly as, for example, "Attachment 2,3 and 9".

Specific attachments may be waived by DCP if, after a pre-application meeting, they are deemed inapplicable or unnecessary for review of any specific proposal.

- NOTES: A. Depends on specific action. To be determined at a pre-application meeting.  
 B. Required only for new developments or enlargements.  
 C. Required only for restricted or negotiated dispositions of housing sites or designated sites in URA's.  
 D. If applicable.

\* No supplemental form required



**DESCRIPTION OF REQUIRED ATTACHMENTS**

(See Attachment Check List for required attachments for each application type)

**1. Survey**

An official survey of the property must be prepared by a licensed land surveyor, showing metes and bounds and area of the site, as well as existing structures, adjoining streets with mapped lines and grades, and shore line, if applicable.

For applications involving sites within a Special Natural Area (NA) District, the Special South Richmond Development (SRD) District, or Special Hillside Preservation (HS) District, the survey must include topographic information and show natural features in accordance with the requirements of Zoning Resolution sections 105, 107 or 119. Contact the appropriate DCP Borough Office to arrange a pre-application meeting for further instructions.

For city mapping applications, the survey must show existing conditions and include all utilities within subject and boundary streets, parks and public places and other information requested at the pre-application meeting.

**2. Site Plan**

To the extent relevant to the requested action, the site plan must be fully dimensioned, showing the size and location of all existing and proposed development and open spaces. Required information will depend upon the action requested but may include buildings (indicating height and number of stories), parking and loading areas, vehicular entrances and driveways, distances from buildings or other structures to lot lines, distances between buildings on the site, the proposed use of all buildings (if the application includes actions relating to the use of buildings), size of courts, required yards and screening, location and design of plazas.

Site plans for landfill applications must delineate the area of landfill and show existing and proposed bulkheads, breakwaters, wharves, marginal streets, docks and dry docks or slips and the mean high water line.

Site plans for special permits, authorizations or certifications must be signed and sealed by a NYS registered architect (RA) or professional engineer (PE).

**3. Landscape Plan**

Certain actions may require a landscape plan in addition to a site plan. These actions include:

- Special South Richmond Development District applications.
- Special Natural Area District applications.
- Special Hillside Preservation District applications.
- Waterfront developments or landfills which require public access to the water in accordance with waterfront zoning or WRP guidelines.
- Special permits or authorizations involving findings related to good site plan, urban design or landscaping.
- Applications involving a discretionary bonus for public open space.

If you are uncertain as to whether your application is included in the above list, you should contact the applicable DCP Borough Office and the Zoning Division for a determination. The landscape plan must include:

- a) an existing conditions plan showing utilities, structures and trees;
- b) a schematic landscape plan showing proposed plantings, grades, finishes (e.g., paving), design

- elements (e.g., lighting and street furniture), spot elevations; and
- c) any additional information, as required by the Borough Office or the Zoning Division.

Landscape plans must be signed, sealed and dated by a NYS registered architect (RA), landscape architect (LA) or professional engineer (PE) as appropriate.

**4. Zoning Analysis**

A zoning analysis is required for certain special permits, authorizations, site selections for public facilities, UDAAP applications and zoning map changes as described below.

**a) Zoning Map Change**

The zoning analysis must compare the zoning requirements of the existing zoning district to those of the proposed district. This must be done in clear tabular form for easy comparison. Items to be listed must, where applicable, include use groups, FAR, OSR, lot coverage, density requirements, yard requirements (front, side, rear), height and setback controls (maximum height of front wall, front and rear sky exposure planes, applicability of tower regulations, height limits, mandatory street walls, etc.), parking regulations, loading regulations, any urban design or street-scape controls (trees, curb cuts, retail continuity, etc.). The percentage of conformance/compliance of the subject area(s) to the existing and proposed zoning must be provided. If the action includes multiple blocks, data must be shown on a block by block as well as an overall basis.

*Note: If you are proposing an as-of-right development, do not include any calculations for that development.*

**b) Special Permit, Authorization, Certification**

Zoning computations relevant to the requested action, (use, bulk, parking and loading, etc. as they apply to the proposed action), must be provided. Include only those computations which are pertinent to the action being requested.

Computations should be presented clearly, in a tabular format with basic data such as zoning district and lot area at the top. Each item must specify the basic requirement (minimum or maximum) as compared to the proposal. The applicable ZR section number must also be indicated for each item.

All instances for which modification or waivers of zoning are being requested must be identified, together with the ZR section(s) being modified/waived and the ZR section(s) allowing the modification/waiver. A list summarizing all zoning modification or waiver requests must be provided on the computation sheet.

A statement indicating that the proposed development complies with all zoning regulations which are not specifically being modified/waived must be included on the computation sheet.

Special instructions for waterfront zoning certifications are available from DCP's Zoning and Urban Design division. These special instructions are provided to assist applicants for certification of waterfront public access and visual corridor requirements pursuant to Section 62-711 of the Zoning Resolution.

**c) Site Selection**

The zoning analysis must identify the zoning district

and categorize the public facility by zoning use group. The lot area of the site and the total proposed floor area (as compared to the maximum floor area permitted for that use in the zoning district) must be indicated. A statement must be included indicating that the proposed facility will meet all zoning regulations without the need for any future zoning actions. If, however, the facility cannot be built as-of-right, the item of non-compliance or non-conformance must be identified and the means by which the issue will be addressed must be described (e.g., special permit, variance, rezoning, override, etc.).

#### d) UDAAP

The zoning analysis should include only basic zoning data involving lot area, floor area and floor area ratio, open space ratio and parking. Other zoning data should be provided only if there is a related request for a zoning permit, authorization or certification.

### 5. Encroachment Diagrams

These drawings are diagrammatic building profiles of the building(s) as viewed from the front, rear and sides, with reference to street lines, lot lines, existing and legal grades, and diagrammatic site plans showing building footprints, roads, yards and any other information relevant to the action being requested.

Encroachment diagrams must be provided for all matters for which waivers or modification of bulk regulations are being requested. Such diagrams must be fully dimensioned, clearly indicate the location and extent of all proposed modifications or waivers and include all other information relevant to the requested action, such as building height(s), size and location of setback(s) (in feet and stories), sky exposure plane(s), required setback line(s), profiles of adjacent buildings, building lines and required yard lines.

ZR sections which are proposed to be modified/waived and sections which permit each waiver/modification should be indicated on the drawings.

Encroachment diagrams must be signed and sealed by a NYS registered architect (RA) or engineer (PE).

### 6. Floor Plans

Where relevant to the requested action, submit floor plans of the building (or part thereof) which is the subject of the application, drawn to scale, fully dimensioned and showing existing and proposed uses with appropriate zoning use group designations. Floor plans should be submitted only when they are necessary to specify or quantify the extent or type of action being requested. They should show only that portion of a building which is relevant to the requested action. Drawings must be signed and sealed by a NYS registered architect (RA) or engineer (PE).

### 7. Zoning Sectional Map

The subject site must be outlined on the most recent zoning sectional map. For rezoning requests, mark the area to be rezoned and indicate the proposed zone. These maps may be purchased from DCP's Map and Book Store, Ground Floor, 22 Reade Street. Do not cover or otherwise obscure the area proposed to be rezoned or existing zoning lines/designations with shading, crosshatching or heavy lines.

### 8. Tax Map

The subject site must be outlined on the tax map. For rezoning requests, delineate and dimension the area to be rezoned and indicate the existing and proposed zones. Do not obscure existing lines, dimensions or other information. Tax maps may be purchased from

the Real Property Assessment Division, Department of Finance, at 66 John Street, 12<sup>th</sup> floor, in Manhattan or from the Real Property Assessment Office in the borough where the property is located.

### 9. Area Map

Submit a diagram of the area showing existing development on property within 400 feet of all boundaries of the subject property or area.

The diagram must show street names for mapped, built, or record streets, street widths, traffic directions, block numbers (in bold numerals), lot numbers (circled), lot lines, building footprints with number of stories indicated thereon, and street addresses (indicated at front lot lines).

The major classifications by land use for each building or each lot must also be shown. Such classifications include residential, offices, stores, factories, warehouses, parking garages, schools, churches, marinas, etc. Abbreviations or symbols to denote land use may be used, but must be explained in a legend on the drawing.

Your site or project area must be clearly outlined on this diagram. Existing zoning district lines should be clearly shown. For zoning map change actions, proposed zoning lines must also be shown and be either dimensioned or their specific location otherwise fixed.

For revocable consents and major concessions, the area map must also include street treatment, street furniture and above ground utilities in the vicinity of the proposed improvement (e.g. hydrants, lampposts, curb cuts, and subway structures. For proposed tunnels, also show street vaults and underground utilities.

For major concessions in parks, (mapped or unmapped) or other natural areas, show any unique or unusual natural features; (e.g., steep slope, water course, rock outcropping, mature trees etc.). If the site occupies, blocks or otherwise impacts significant view corridors, vistas or other unique natural features, please identify and describe with appropriate drawings or diagrams and before and after photographs, showing how these features would be affected by the proposal.

*Note: Prior to certification, applicant may be required to provide one copy of the map at a scale of approximately 1" = 60 feet for presentation purposes.*

### 10. Facility Operations Map

This attachment, required for site selection applications, may be a land use or sectional map published by DCP, or other street map of similar scale. One copy, attached to the original application must be at least 20" x 30" for presentation purposes. The map must show the facility's service area, other related facilities, public transportation routes, and access routes for trucks or other vehicles used in the operation of the facility.

### 11. Discussion of Findings

If the City Planning Commission, the Chair of the Commission or the Director of the Department of City Planning must make findings in order to grant a special permit, authorization, certification or other action, the applicant must submit an analysis which states specifically how the proposed development will satisfy each of the findings.

If the analysis fits on the bottom of the ZS/ZA/ZC form (Discussion of findings), it may be placed there instead of on a separate attachment.

If reports or other supporting documentation are needed to substantiate the findings, include this material with the attachment. The nature of the supporting

documentation will be determined at a pre-application meeting.

**12. Affected Property List**

This attachment constitutes a list of all properties (by block and lot number) immediately affected by the action being requested. For each parcel, identify the owner shown on City tax map records and the owner's address. Properties to be identified are as follows:

- For City Map Changes, all properties underlying and/or abutting the proposed map change. Any properties that would be subject to condemnation by the City in order to implement the change must be identified accordingly.
- For landfills, all properties underlying and adjacent to the landfill area.

All affected property owners must be notified of the proposed application. Proof of such notification shall be a condition of certifying the application as complete.

**13. Drawing of Proposed City Map Change**

A drawing of the proposed map change and surrounding area must be submitted in accordance with guidelines explained at a pre-application meeting. The drawing must show the existing street system, mapped and unmapped; proposed private streets; boundary line of the applicant's property; existing and proposed easements; street widths and grades; street and sidewalk condition; whether open or closed to traffic; direction of traffic movements; location and size of any utilities in beds of streets proposed to be changed. (Property ownership and block and lot must also be indicated on each lot.)

**14. Drawing of Proposed Construction**

A drawing showing the extent and type of construction proposed and its relationship to existing structures or conditions must be submitted. The drawing should show the construction in plan view and elevation, as well as in cross-section (if necessary for clarity). It must be fully dimensioned, show facade treatment, fenestration, lighting, and indicate key distances such as: vertical clearance above street grade, distance to curb, street line, nearest intersecting street, pierhead line or shore line, as applicable.

A copy of the consent petition filed with the Department of Transportation should be included with this attachment.

**15. Photographs**

One set of photographs, either color or black and white must be submitted. Each photograph must be identified by a number or letter keyed to an accompanying map showing the location and direction of the photograph. The area map or other map may be used as the key map for this purpose.

For revocable consents, include photographs taken from opposite directions of the street showing the proposed structure superimposed at the proposed location.

*Note: For special permits or other actions that have findings relating to neighborhood character or impact on adjacent development, submission of photos may be required at any time during the review period.*

**16. Urban Renewal Plan**

This document, constituting the plan for an urban renewal project, must comply with Article 15, Section 502, Subdivision 7 of the General Municipal Law. One copy of a map identifying the urban renewal area, project boundary and urban renewal land use, of a

size large enough to be used for presentation purposes must be attached to the original copy of the application.

**17. Urban Renewal Summary**

This is a one or two page summary of the provisions of the urban renewal plan that apply to the subject sites. If the application involves changes to an urban renewal plan, the summary must identify the existing provisions and the proposed changes.

**18. Site Data Sheet/Fact Sheet**

A description of all parcels that are the subject of the application must be entered on Site Data Sheet (Form H) for UDAAP or urban renewal actions, or on a Property Fact Sheet for other actions. A computer printout or other site data form may be used if it contains all the information requested on Form H/Property Fact Sheet.

**19. Fair Share**

Refer to Fair Share Criteria. A Guide for City Agencies, available at the Department of City Planning Map and Book Store for instructions on preparing this document.

**20. Request for Proposal (RFP)**

This is the document/material that is distributed for the purpose of soliciting specific proposals for the subject development or provision of service as it relates to land use. If the RFP is not complete, or includes material or information that is not related to land use, a summary of its relevant provisions may be submitted instead.

**21. Owner's Authorization**

If the applicant is not the property owner, a notarized authorization by the property owner must be submitted. The owner's statement should explain that he or she is fully aware of the actions concerning the property that are being requested by the applicant.

Follow numbers on forms

## Form LR

### 1. Applicant and applicant's representative

Provide specified information for the applicant and the applicant's primary representative. Unless the applicant is an individual, the applicant name should be an agency, company or other entity. Also provide requested information on other applicant representatives. Co-applicant information appears in item 11 of the form.

### 2. Site data

Provide all applicable information requested pertaining to the property or area that is the subject of the application.

If the site contains more than one property, complete "LR Item 2: Site Data Attachment Sheet".

Enter complete street address and any alternate addresses which may apply, such as 150-160 Avenue A (also known as 36 Smith Street.)

The description by bounding or cross streets should allow the property to be located on a map or at the site; for example, west side of Fifth Avenue 100 feet north of 57th Street.

Be sure to indicate any special zoning district designation which may apply by using the standard special district symbol shown on the zoning map; for example C5-3 (MID) or R3-2 (SRD). Commercial overlays must be referenced to the underlying residential district; for example, C1-2 in R6.

List all subject properties by block and lot. If you do not know the community district, existing zoning district, special zoning district (if any) or zoning sectional map number, you may call the DCP Borough Office or the Technical Review Division for assistance. Consult the listing of phone numbers in the General Instructions (Form GI).

For information on New York City designated landmarks, contact the Landmarks Preservation Commission at (212) 487-6782.

### 3. Description of proposal

Give a clear and concise summary of the action(s) requested and the reason(s) for such action(s). Explain the rationale for the proposed action and how it is consistent with present or projected land use in the area. Describe how it would promote the public health, safety, economic development, or provide other public benefit. If the action is related to a proposed development, explain how it would facilitate such development.

Typical descriptions might be:

- The applicant intends to develop a church on the site. Since the site is zoned M1-1, a special permit pursuant to Section 74-92 of the Zoning Resolution is required.
- The applicant's property is zoned R5 and he/she intends to construct a row of stores on the site. The establishment of a C1-2 overlay is necessary to facilitate construction of the stores.

For UDAAP projects, include items such as the proposed uses, the size and height of any proposed buildings, number of apartments, targeted population, any special services or facilities that will be provided for any targeted population, and note if the project is part of a specific program such as HUD 202 or Partnership.

For zoning text changes, attach a copy of the current text proposed to be changed and a copy of the text showing the proposed changes using strikeout (line drawn through) for text proposed to be eliminated, and either a

gray tone or underlining for text which is proposed to be added.

The description should provide enough information to allow a complete review of the request; therefore it may be necessary to attach a longer description as part of the submission. Approvals of zoning map changes are based on the appropriateness of the proposed rezoning and unless there is a related request for a special permit, authorization or certification, it is not necessary to describe in detail any specific development plans the rezoning would facilitate. **BE CLEAR AND CONCISE.**

If the application is for a renewal, modification or follow-up to a previous action by the Commission, describe briefly the previous action and explain what aspects of the previous approval are affected by this request. For example, do the changes affect the site plan or restrictive declaration? What Commission action is required for the current submission? What was the term and expiration date of the action that is being renewed? A follow-up action could, for example be a request to change the hours that a public open space is open to the public, or it could be a CPC determination that a public amenity required by the previous action was in fact completed and is available to the public.

For major concessions, also include a description of the proposed use, the expected maximum capacity, approximate size and general description of the facility, including its general massing and location of major elements and ancillary facilities. Primary access, as well as other major access points and type of access (e.g. vehicular, waterborne etc.) should be indicated. If parking is provided, indicate its general location, access points and approximate number of spaces.

### 4. Actions requested and fees

Check all actions being requested in this application. A renewal of a previous action is processed as a new action and must be requested by checking the appropriate box (e.g., special permit, revocable consent etc.) If you are requesting a modification, follow-up, renewal or other action related to a previous CPC action, also check the appropriate box on the right and indicate the relevant application number of the previous action. Information concerning previous CPC actions must also be entered in Item 7 of the application form.

If you are requesting a modification of a previous action, you must arrange a pre-application meeting to determine whether the modification will be subject to ULURP or other procedure. Please note that a request for a modification of a restrictive declaration constitutes a modification of the original land use action.

A follow-up action is a subsequent action that was required at the time of the original approval of an application. (e.g., approval of a landscaping plan prior to the issuance of a certificate of occupancy).

Consult the fee schedule and enter the correct fee for each requested action. If the requested action does not require a fee, enter "N/A" next to it. Add the fees for the requested actions and enter the total fee for the application (The maximum required fee is 200% of the single highest fee). Include a check or money order payable to "Department of City Planning". If the applicant is a government agency or a corporation or association organized and operated exclusively for religious, charitable or educational purposes, check the fee exemption box and state the basis for the applicant fee exemption claim. If you are unsure of your fee status, contact DCP's Land Use Review Division for assistance prior to submitting your application.

**5. Environmental Review**

A LAND USE ACTION WHICH IS SUBJECT TO CITY ENVIRONMENTAL QUALITY REVIEW (CEQR) CANNOT BE CERTIFIED AS COMPLETE UNTIL A CEQR DETERMINATION IS MADE.

Contact the Environmental Review Office (see listing in the General Instructions) or other CEQR lead agency for information as to whether an Environmental Assessment Statement is required.

**6. Coastal Zone Management**

Coastal zone boundary information is available for purchase at DCP's Map and Book Store at 22 Reade St. Coastal zone maps may be viewed at DCP's borough offices and Waterfront Division, located at 22 Reade St., 6th fl.

**7. Related actions by City Planning**

Complete this section if any actions (other than CEQR or waterfront consistency) related to the present proposal are either pending or have been reviewed by DCP or CPC. Typical description might be 'urban renewal plan, zoning special permit, site selection' etc. Disposition might be "preliminary staff review, currently in ULURP review, CPC approved, denied" etc. Fill in the appropriate calendar number and date, if applicable. All past CPC actions related to the site should be included.

**8. Related actions by other agencies**

**Form MM/ZM/ZR**

**General information**

Applications for changes in the City Map (MM - streets, parks, etc.) or changes to the Zoning Map (ZM - zoning designations), are subject to ULURP review. Applications for changes to the text of the zoning resolution (ZR) are not subject to ULURP review, but require a public hearing and approval by the City Planning Commission and City Council. Applications are referred to affected community board/borough board.

A pre-application meeting to insure that the appropriate information is submitted in the proper form is mandatory for City Map (MM), Zoning Text (ZR) and certain other actions (see General Instructions). Please arrange for a pre-application meeting with the Technical Review Division (for City Map changes), the appropriate DCP borough office (for Zoning Map changes) or the Zoning Division (for text changes). See list of phone numbers in the General Instructions.

**City map change (MM)**

City Map applications are subject to pre-certification technical review by various city agencies, utility companies and other affected organizations. This review is generally accomplished at a meeting known as an inter-agency conference at which the applicant and all of the involved agencies and utility companies have the opportunity to comment on the **technical aspects** of the proposal and address issues which may arise.

Upon submission of the application, the applicant must notify by certified mail, return receipt requested, the owner (as shown on city tax records,) of each property underlying or abutting a proposed change in the City Map. The notice must include the DCP application (ULURP) number, a reduced copy of attachment #13 'Drawing of Proposed City Map Change' and advise the

Complete this section if any actions (other than CEQR) related to the present proposal are either pending or have been reviewed by other city, state or federal agencies. Some typical examples of other agencies are the Buildings Department, Board of Standards and Appeals, State DEC, HUD etc.

**9. Future actions required**

List any additional actions by City Planning or other city, state or federal agencies that will be necessary to implement your proposal. For instance, if the site is in a designated historic district or contains a designated landmark, the application may require review by the New York City Landmarks Preservation Commission; a site in an Urban Renewal area may require review by the Department of Housing Preservation and Development; a site in a wetlands area may require review by the New York State Department of Environmental Conservation etc.

**10-11. Signatures**

The application must be signed by the appropriate authorized individual(s). If the applicant is a company, an officer with proper authority must sign the application. Any document affirming the individual's authority to sign on behalf of a corporation or partnership should be attached to the LR form. If the applicant is a city agency, only a commissioner, deputy commissioner, assistant commissioner or equivalent may sign. The authorized individual's title or position must be entered next to his or her name and the name of the organization or agency must be stated in full directly below it.

owner that comments on the proposed action may be

submitted to DCP/Technical Review Division at 22 Reade St. NY, NY 10007.

All return receipt cards and returned undelivered notices must be submitted to DCP/Technical Review prior to the interagency conference.

If the mapping action requires that any private property be acquired by the city, by condemnation or other means, the applicant must notify the owner or owners of the property in question by certified mail (to the last known address of such owner or owners, as shown on the City's tax records) not later than five (5) days prior to any public hearing on the application to be held by the community board, borough board or City Planning Commission. An affidavit attesting to the mailing and a copy of the notice shall be submitted to the Department of City Planning prior to the Commission's public hearing. The notice must also contain the following statement:

"A plan for this proposed mapping action is on file with the City Planning Commission and may be seen at the Technical Review Division, Room 3N, 22 Reade Street, New York, NY 10007."

**Submission requirements:**

The number of application copies which must be submitted may vary depending on the nature, location and scope of the map change. The applicant will be informed at the pre-application meeting how many copies to submit. Attachments larger than 8½ x 14 inches must be folded so as not to exceed that size.

**Zoning map change (ZM)**

For each type of change, indicate the existing and proposed zoning district designations, including any commercial overlays or other district designations. For example, change # 1 might be from R1 to R2; change # 2 might be from R6 to R6/C1-2. Use a separate line for each change being proposed. Delineate and identify, by change #, each proposed change on the zoning map (attachment # 7.)

**Zoning text amendment (ZR)**

List the number(s) of the Zoning Resolution section(s) affected by the proposed amendment and give the full title of each section. If a new section is proposed to be added, write 'new' for section number. The specific changes being proposed should be included under item # 3 of Form LR, 'Description of Proposal' (see instructions for Form LR.)

**Form ZS/ZA/ZC**

**General information**

Zoning special permits (ZS) are site specific discretionary actions which are subject to ULURP and are granted by the City Planning Commission. They are subject to elective review by the City Council.

Zoning authorizations (ZA) are site specific discretionary actions that are not subject to ULURP but require City Planning Commission approval.

Zoning certifications (ZC) are administrative actions not subject to ULURP. Depending upon the particular section of the Zoning Resolution, a zoning certification may be granted by the Commission or by the Chair.

Applications that require both ULURP and non-ULURP actions are generally reviewed simultaneously and under the ULURP time frames.

**Action(s) requested pursuant to ZR**

Check the type of action(s) requested and list the specific Zoning Resolution section and title pursuant to which each action is being requested. Use only the specific number(s) and title(s) shown in the Zoning Resolution. If more than one action is being requested

under the same ZR section, list each action separately and specifically identify the nature of the request. For bulk modifications, where appropriate, the relevant ZR section numbers should be indicated on the site plan. If you need more space you may attach a separate sheet, listing additional actions in the same manner and labeling actions consecutively. (Note on this form the inclusion of any additional sheets).

**Property ownership/interest**

Fill in the appropriate box in the left column. If the applicant is a city, state or federal agency, a box on the right column must also be checked.

**Supporting statements**

Use this section to describe specifically how the proposed or existing development meets the requirements of the Zoning Resolution as stated in the specific section(s) pursuant to which the action is being requested. Do not simply restate the ZR findings. Rather, provide an explanation of how the proposal meets or complies with each of the findings. For certifications, the statement must describe and affirm the existence of the conditions of the certification. The ZR section relating to each specific statement should be clearly identified.

**Form PF**

**General information**

For applications that request acquisition by the City, other than by lease, the applicant must notify the owner or owners of the property in question by certified mail (to the last known address of such owner or owners, as shown on the City's tax records) not later than five (5) days prior to any public hearing on the application to be held by the community board, borough board or City Planning Commission. An affidavit attesting to the mailing and a copy of the notice shall be submitted to the Department of City Planning prior to the Commission's public hearing.

*Refer to numbers on application.  
Check appropriate boxes or complete the blank lines.*

**1. Requested action and proposed facility**

- a) Both boxes may be checked. The selection of city-owned or private property and acquisition of private property (whether by condemnation, purchase, lease or exchange) by the city for public facilities or other public purposes is subject to ULURP.
- b) An existing facility is one that has previously been approved at the location pursuant to ULURP or equivalent procedure for a limited period, for which an application to continue the use (e.g., lease renewal or acquisition in fee) is being filed. A new facility is one that does not presently exist at the proposed location. A facility currently operating on a temporary basis, pursuant to a license or other temporary occupancy agreement, is

considered a new facility. An expansion is an increase in the site area, (or leased area in the case of leased space), of a facility that has previously been approved for a particular location.

**2. Existing conditions of proposed site**

Enter the information requested relating to the actual site which is the subject of the application.

- a) Check the appropriate boxes. If the site is owned by the city, state or federal government, indicate the name of the agency which has jurisdiction.
- b) Describe the existing improvements on the site, such as the number and types of buildings and the types of existing uses. If the site is currently vacant or substantially vacant but has been occupied within the past 2 years, briefly describe these past uses.

**1,2,3)** Provide requested information for existing uses.

**4)** If displacement of existing uses is necessary, briefly state if relocation of existing businesses is proposed.

**3. Proposed facility**

- a) Indicate the site area and floor area of the **proposed facility** or expansion. If an expansion, also indicate, in parenthesis, the area of the **entire facility** after the expansion. Show the zoning use group designation for the proposed use. Also

indicate the most recent capital budget line (and fiscal year) relating to the facility.

- b)** Indicate the number of employees anticipated to be working at or from the site. Employees that report in at the site but generally work elsewhere should be listed as working off-site. If there are multiple shifts, show the information for each shift.
- c)** If the facility will be a garage or service facility, or if motor vehicles are required for its operation, indicate the number and types of vehicles involved and whether they will be stored on or off- site.
- d)** Indicate the number of off-street accessory parking spaces that will be provided for employees, on or off-site.

If "yes", answer questions 4(b), 4(c) and 4(d) and attach a Fair Share Analysis. If a fair share analysis is not required, please explain.

- b)** If the proposed facility is listed in the Citywide Statement of Needs, indicate "yes" and the latest year in which it is included.
- c)** If the affected borough president proposed an alternate site, pursuant to Section 204 of the City Charter, check "yes" and identify the site.
- d)** Indicate whether the proposed facility is a local/neighborhood facility or a regional/citywide facility based on the definitions contained in the fair share criteria.

**4. Fair Share**

- a)** Indicate whether the application is subject to review pursuant to the Criteria for the Location of City Facilities (Fair Share Criteria), adopted by the City Planning Commission on December 3, 1990.

*Please note that certain facilities may be subject to Fair Share and not subject to ULURP.*

**Form PD/HA**

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**General information**

This form covers all types of ULURP dispositions of City-owned property, whether by sale or lease, through auction or negotiation or for unrestricted or restricted use. The top portion of the form (PD) should be used for all ULURP dispositions. The bottom portion of the form (HA) should be used only for ULURP dispositions for which UDAAP area designation and project approval are requested.

Most dispositions of City-owned real property are subject to ULURP. However, some UDAAP dispositions (generally those which require the rehabilitation or conservation of existing residential buildings or the new construction of 1-4 unit homes) are not subject to ULURP.

The bottom portion of the form (HA) should be used for requests for UDAAP designation and project approval.

**Specific instructions**

**1, 2. Type of disposition/restrictions and conditions**

Check the type of disposition and indicate if development will be restricted to specific conditions, uses or purposes. If restrictions apply, list or describe those restrictions in the space provided.

A "general" disposition may be implemented by any method permitted by applicable law. A "direct" disposition may be implemented by any method other than an auction sale or sealed bid sale under Section 384(b)(1) of the City Charter.

**3. Direct disposition**

Complete this section only for actions involving direct disposition to an agency, pre-selected individual or organization.



# Too Big To Fit:

*How NYU's Controversial Plan to Add 2.5 Million Square Feet  
Of New Space In the Village  
Contradicts How University Growth Needs  
Are Being Addressed Across the Country*



**Greenwich Village Society  
For Historic Preservation**

[www.gvshp.org](http://www.gvshp.org)

232 East 11<sup>th</sup> Street

New York, NY 10003



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## Executive Summary

New York University is seeking to overturn long-standing neighborhood zoning protections, gut open-space preservation requirements, lift urban renewal deed restrictions, introduce commercial zoning in a residential area, and take over publicly-owned park space in order to facilitate their development of 2.5 million square feet of new facilities – the equivalent of the Empire State Building – in the blocks south of Washington Square Park. The plan has elicited a firestorm of opposition from NYU’s neighbors, faculty, and students. But the university claims that such a plan is not only necessary for it to grow, but the only way for it to do so.

However, NYU’s situation is hardly unique. Universities in other cities have had to confront the tension between their need or desire to expand and the limitations of the urban environment in which they are located and the desires for the preservation of neighborhood character and quality of life by surrounding communities.

What is different, however, is NYU’s approach. Other universities and other cities across the country have handled this challenge very differently, and successfully managed to balance these sometimes competing needs. Instead of seeking to shoehorn more and more facilities into an area with limited capacity to handle that growth, universities and cities have partnered to find nearby locations which can absorb the growth, and where the expansion of a university would be maximally beneficial to the city and leave room for continued growth of the university.

The following case studies are presented for the development of satellite campuses for Emerson College, the Georgia Institute of Technology, Suffolk University, Brown University, Harvard University and Columbia University.

Partnering with local elected leaders, the business community and residents, these institutions are or will be building satellite campuses in areas that were identified as targets for redevelopment or in underutilized, non-residential areas. This type of development for universities is a stark contrast to the approach NYU is advocating of continuing to chip away at or overwhelm an existing, vital neighborhood.

# Brown University Satellite Campus Case Study

## *Summary*

Brown University in Providence, Rhode Island, is a leading institution of higher learning noted for its exceptional liberal arts programs. Founded in 1764, the school expanded rapidly from 1938 to 1975 adding new academic programs and buildings to house them. After 1975 Brown University not only continued to construct more facilities but the size of the buildings themselves grew exponentially. In recent years the school has strived to build new science, medical, and research facilities to be more competitive.

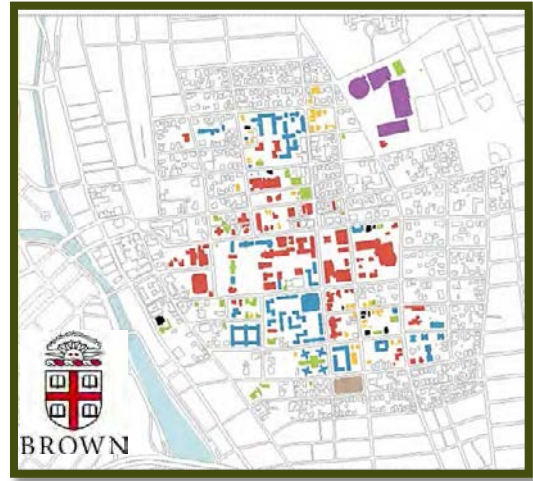
Brown University's 143 acre campus is located in College Hill, a richly historic residential neighborhood defined by its low sale brick and wood buildings that was the first permanent colonial settlement in Rhode Island. Brown University is also located in and surrounded by four historic districts.

**More than ten years ago Brown University completed master plan studies to guide its long term campus planning. These studies determined that expansion in College Hill was not viable for the large scale expansion needed to meet Brown University's needs. The solution was to develop a satellite campus in Providence's Jewelry District, a formerly robust manufacturing area that had been in decline for decades.**

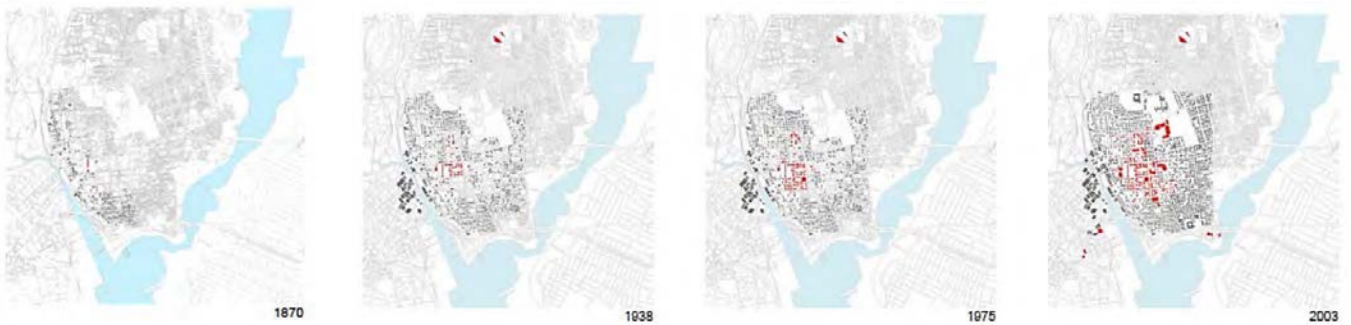
This area was identified by the City for redevelopment to bring knowledge economy industries to Providence to revitalize the underutilized area and the region's economy. The Jewelry District offered many unimproved lots and former factory buildings with large footprints that were far better suited for the Brown University's long term growth than continuing to build in College Hill. Brown's construction and renovation of buildings in the Knowledge District has been well received by its students, faculty, College Hill neighbors and the city of Providence.

## Brown University and Its Campus

Brown University is an Ivy League institution founded in 1764 in Providence, Rhode Island that is ranked 15<sup>th</sup> among the nation's universities by *U. S. News & World Report*.<sup>1</sup> It has more than 8,000 students including 6,100 undergraduates and 2,300 graduate and professional students served by 3,600 employees including 700 full time faculty members. Brown's main campus comprises 236 buildings, totaling approximately 6.8 million square feet, on 143 acres in the College Hill neighborhood. The campus is located within and bounded by four city and/or National Register Historic Districts.



Most of the physical growth of Brown University occurred between 1938 and 1975 when dozens of academic, research and residential buildings were constructed to accommodate a growing student body. After 1975 new construction created larger, specialized buildings for the University's expanding athletic, science, engineering and medical research programs.<sup>2</sup>



*Expansion of Brown University Campus – 1870-2003 (campus buildings in red)*

## The City of Providence, Rhode Island



Providence, the capital of Rhode Island, is the state's most populous city. The Providence metropolitan area has more than 1.5 million residents.<sup>3</sup> Brown University is the city's second largest employer and the state's 7<sup>th</sup> largest employer.<sup>4</sup> Other institutions of higher

education in Providence include Johnson & Wales University, Providence College, Rhode Island College and the Rhode Island School of Design. Formerly centered on manufacturing and transportation, today Providence's economy is driven by the education and health services sectors.<sup>5</sup>

### *Brown University and the College Hill Neighborhood*



The neighborhood Brown University is located in, College Hill, is the city's most affluent with a median annual household income of more than \$100,000.<sup>6</sup> As the site of the first permanent colonial settlement in Rhode Island, it is steeped in history and its rich architectural fabric has been recognized with designation as both a local

and State/National Register Historic District. Though primarily residential, the neighborhood has vibrant commercial and retail corridors and is home to Brown University and the Rhode Island School of Design.

The Rhode Island School of Design and Brown University began with small footprints and have grown exponentially into the surrounding residential areas in the post-war era. In the 1950's Brown demolished or moved nearly 100 houses to construct new residential quadrangles, permanently altering the character of this historic neighborhood.<sup>7</sup> These actions drew such outrage from the community that the Providence Preservation Society was founded as a result.<sup>8</sup>

In charrettes held with members of the College Hill community by the Providence Department of Planning and Development, campus-edge conflicts were a recurring theme. Residents cited displeasure with the density, height and massing of Brown's buildings, as well as clashes between institutional, commercial and residential uses in



*"The impacts of Brown and RISD (Rhode Island School of Design) are both cultural and physical, affecting quality of life, community character and the physical development of the neighborhoods."*

Providence Department of Planning and Development



the area.<sup>9</sup>

## *Brown University and the Development of a Satellite Campus*

More than ten years ago Brown University launched a long term planning initiative to guide future campus expansion that included a number of master plan studies to determine the best way forward. As a result of these studies the University decided that construction of new facilities to serve an expanding student body and more academic programs must be guided by a responsible and sustainable approach to the campus' physical development. Recognizing both the limitations and inappropriateness of planning for new construction within the College Hill neighborhood, two strategies were developed to accommodate the school's growth plans: 1) consolidation of buildings within the campus core and 2) developing satellite campuses away from College Hill.<sup>10</sup>

To consolidate the core, campus leadership at Brown University decided to cluster academic departments within existing buildings; explore adaptive reuse of underutilized historic buildings on campus; and to keep low scale historic structures in place at the campus edge to have a more contextually appropriate "face" to the community and serve as a barrier from larger campus buildings.<sup>11,12</sup>

*"I guess that we and the trustees ultimately realized that the neighbors were right - Brown is in a very fragile and beautiful setting ... I think that you've got to see any entity as part of a larger community and part of a larger environment."*

Frances Halsband of R. M. Kliment and Frances Halsband Architects, developer of Brown University Master Plan



Collaborating with the city and state governments, Brown University sought out potential satellite campus sites that not only offered a significant amount of developable land and/or underutilized buildings, but were also areas where Brown's presence would contribute to the economic and development goals of the City of Providence. Several potential long term satellite campus sites were identified throughout Providence and East Providence.<sup>13</sup> The first of such campuses to be developed is in a former industrial area known as the

*“Once brimming with so many jewelry companies that Rhode Island was called the Jewelry Capital of the World, the district went into a tailspin 20 years ago...Left behind in the jewelry district were blocks of huge red-brick factory buildings. The vacant and deteriorating structures...were a depressing reminder of the industry's woes. They also posed a challenge to city planners, who wondered what they could do with them.”*

## Jewelry District.



Formerly a bustling industrial area along the Providence Harbor, the Jewelry District had declined into a neglected and largely underutilized area marked by a number of vacant parcels and surface parking lots. In

the 1960's part of Interstate 195 was built through the District creating a barrier that cut it off from downtown. More than two decades ago it was announced that Interstate would be realigned opening up a large amount of land and reconnecting the Jewelry District with downtown Providence.

Aligning the development plans for the area with goals to revitalize the regional economy by fostering growth in the knowledge economy, the City identified the Jewelry District as a potential “Knowledge District,” a hub for biotechnology, life sciences, information technology and green technology industries.<sup>14</sup>

Following other successful planning models of this type, the City determined that a key component to the success of the Knowledge District would be anchoring it with local institutions like Brown University and nearby Johnson & Wales University to



## Jewelry District

help foster new enterprises.<sup>15</sup> For Brown the Knowledge District was an ideal location for a satellite campus – it offered a number of vacant parcels, large industrial buildings primed for adaptive reuse, was within a mile and a half of the main campus, and even closer to downtown. It should be noted that many of the buildings are within the Jewelry Manufacturing Historic District and the large buildings with tremendous square footage that constitute the district were well suited for adaptive reuse as institutional buildings.<sup>16</sup>



In the last decade Brown has acquired several buildings in the Knowledge District and converted them into facilities for its expanding biomedical science, research and related technology programs. The Laboratories for Molecular Medicine are housed in a former Speidel Chain Company factory, facilities for Psychology and Human Behavior Training and Research are in the 1920's Coro manufacturing

building and administrative and support facilities are located in Davol Square, a group of buildings that formed the complex of the former Davol Rubber Company.

In addition to facilities for Brown University, many of the school's buildings in the Knowledge District offer space to other institutions creating an environment of synergies and knowledge sharing. The Coro building also houses the Bradley Hasbro Children's Research Center and the Rhode Island Center for Innovation and Entrepreneurship has space in Davol Square.

In 2006 Brown acquired the former Brier Manufacturing Company building to convert the 137,000 square foot structure into a permanent home for its medical school. In the summer of 2011 Brown officially opened the Alpert Medical School its first dedicated building in the school's history. This new facility will enable Brown to increase its medical school enrollment by 20%. The restoration cost \$45 million, a fraction of what the university would have spent on new construction.





*"To have found a home in this beautiful building which exemplifies the sustainable, vibrant, and historic spirit of this renaissance city of ours is simply icing on a very sweet cake."*

Patrick Worth, M.D. 2011, former president of the Medical Student Senate, Brown University

Today there are about 1,000 Brown University students, faculty and staff working and learning in the Knowledge District and the response has been very positive. The proximity to downtown and other medical and research entities has been a boon.

While still transitioning into the "Knowledge District" from its former identity as the Jewelry District, the area has clearly progressed out of neglect and is on track to lead the city into the Knowledge Economy. Since the development of Brown's satellite campus there are residential units in the area, restaurants, a myriad of services, a children's museum, award-winning arts and design firms, as well as pioneering technology and biomedical research entities. In 2009 *Bloomberg BusinessWeek* listed Providence as one of America's best small cities for startups.

# Emerson College Campus Relocation Case Study

## *Summary*

Boston, Massachusetts' Emerson College began as a small law school for working students. As it developed into one of the best universities in the northeast, its approach to campus planning was to buy or rent non-purpose built buildings in the Back Bay, a neighborhood that developed in the mid to late 1800's.

The popularity of its flexible academic programs led to a marked growth in the number of applicants starting in the 1990's. Emerson College's facilities were not able to accommodate this growing demand and there were no viable options for large-scale expansion with the Back Bay, which is protected with designation as a local historic district. Emerson considered relocation out of Boston before deciding to move its campus from the Back Bay to Boston's former red light district.

The campus relocation to former red light district was aligned with the city's goals to redevelop the area. In 1983 Emerson College purchased a derelict historic theatre and rehabilitated it leading the school to purchase several other buildings in the area. By 2006 Emerson College had officially relocated from the Back Bay to what is now known as the Midtown Theater District. The move has been a success for the school enabling it to double its square footage, increase enrollment and its endowment. It has also been a success for the Midtown Theater District which has become a hotbed of development activity.

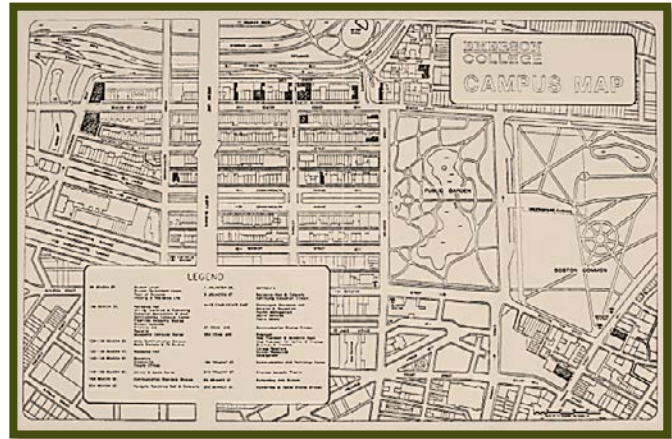
## Emerson College and Its Campus



What is today known as Emerson College was opened in 1880 as The Boston School of Elocution, Oratory and Dramatic Art with 10 students in rented space in downtown Boston, Massachusetts.<sup>17</sup> Since then the school has been lauded as a top-ranking college in the northeast by *U.S. News and World Report* and *The Princeton Review*, and has expanded to offer degrees in mass

communications, theatre arts, literature and publishing to more than 4,000 undergraduate and graduate students.<sup>18,19</sup>

As Emerson grew, it acquired space for its campus in a piecemeal manner by renting and buying non-purpose built structures in Boston's Back Bay, a largely residential neighborhood known for its rich collection of 19<sup>th</sup> century homes. When the student population grew by 66% between the late 1970's and 1980's, this approach became unsustainable.<sup>20</sup>



1992 Emerson College Campus Map, college buildings in black

## The City of Boston, Massachusetts



Boston, the largest city in New England, is also the capital of the state of Massachusetts. One of the nation's ten largest metropolitan areas with a population of more than 4.5 million, Boston has a diverse and robust economy fueled by the finance, publishing, tourism, management consulting and technology industries.<sup>21,22</sup>

To say that Boston is a college town would be an understatement. There are more than 100 colleges and universities in the Greater Boston area including Harvard University, the Massachusetts Institute of Technology, Northeastern University and Tufts University, and nearly 10% of those employed in Boston work in higher education.



*Colleges and universities in the Boston Metropolitan area*

### *Emerson College and the Back Bay Neighborhood*



The Back Bay neighborhood is one of the most affluent and historic neighborhoods in Boston. Once a bay between Boston and Cambridge, its creation from fill as a high-end residential district was the brainchild of architect Arthur Gilman. A planned neighborhood that developed in phases from the 1850's to the 1890's, the area's streetscapes are highly uniform while also representing the diverse architectural styles popular during the era of construction, including Italianate, Gothic, Queen Anne, and Beaux Arts. The Back Bay is designated as both a local and National Register Historic District.<sup>23</sup>

In no small part due to Gilman's master plan for the neighborhood which established mandatory building setbacks, limited building heights and restricted building materials to stone and brick, the Back Bay looks much the same today as it did in the 19<sup>th</sup> century.<sup>24</sup>

After 60 years of functioning by renting space, Emerson College made the eastern section of the Back Bay its home in the 1930's when it made its first real estate purchases starting with an apartment building at 373 Commonwealth Avenue for student housing and two brownstones at 128 and 130 Beacon Street to house administrative offices and the school's first theater in the carriage house behind them.<sup>25</sup> In the 1960's, a post-war boom in enrollment led to the acquisition of apartment buildings in the western section of the Back Bay for student housing.



*Back Bay properties owned by Emerson College including left to right: 126- 130 Beacon Street the Division of Mass Communications, 303 Berkeley Street which housed the Division of Humanities and Social Sciences, the Student Union at 96 Beacon Street and 4 Charlesgate, a freshman residence hall*

*"Emerson College has for many years owned a maintained a number of historically significant buildings. The College has not demolished or significantly altered the exteriors of any of its buildings...Emerson recognizes the importance of preserving historic exteriors and restoring exteriors that have been significantly altered by others."*

While a good steward for its buildings in the Back Bay, Emerson College was aware of the limitations on its physical growth posed by the building size, scale and historic fabric of the neighborhood. Recognizing that staying in the Back Bay was no longer viable to meet the future needs of the College, its leadership explored a number of options including relocation to suburbs outside of Boston.<sup>26</sup>



## Emerson College and the Decision to Relocate Its Campus

The 1980s were a critical period for Emerson. It was seeing a tremendous rise in applicants while its ability to admit more students and expand its programs was severely hindered by its facilities in the Back Bay. Knowing that its buildings were inadequate, Emerson spent most of the decade, and a great deal of resources, attempting to move its campus to various suburbs of Boston - Bedford, Lexington, Beverly and Lawrence, Massachusetts where it ultimately failed in 1989.<sup>27</sup>

*"We knew we had to do something different. Emerson was in a lot of financial trouble and ordinary solutions wouldn't have worked."*

Robert Silverman, Vice President of Administration and Finance, Emerson College (1992-2006)

At the same time as the College was exploring its options outside of Boston, it also evaluated financially feasible relocation options within Boston. Among the sites that were included in these discussions was a downtrodden neighborhood known as the "Combat Zone" in downtown Boston.

The Combat Zone had once been a fashionable commercial and entertainment district with large movie houses, theaters, office buildings, stores and restaurants. Like so many of America's cities in the 1960's, areas of downtown Boston, including the Combat Zone, fell into decline through a combination of urban renewal



*"Once upon a time, there was a slice of Boston called the Combat Zone... What it was, was a rodeo. On any given night from the '60s into the '80s, you'd find scores of prostitutes on parade. They worked the sidewalks like they owned them, which they did."*

projects and flight to the suburbs. The Combat Zone's deterioration was accelerated when an urban renewal project to create a new government center demolished Scollay Square, the heart of the vice zone at that time, pushing the red light district into the Combat Zone. The city of Boston put its stamp of approval on this degradation when it zoned the area an adult entertainment district in an attempt to contain

vice activity.<sup>28</sup>

By the 1980s the city had a change of heart and identified the Combat Zone as a target for redevelopment citing both its numerous surface parking lots and “handsome but underutilized” buildings.<sup>29,30</sup> The Combat Zone, rebranded as the Midtown Cultural District/Theater District, had also come to the attention of Emerson College for similar reasons.

In 1983 while still struggling with its suburban relocation plans, Emerson purchased a derelict 1903 movie house on Tremont Street in the Combat Zone with the intent to restore it to its former glory and utilize it as a performance space. The renovation of the Cutler Majestic Theatre was a resounding success and continues to be a beacon of progress for the university and the neighborhood.



*Emerson College’s Cutler Majestic Theater in 1983 during renovations, left and today, at right*

Under the leadership of new President Jacqueline Weiss Liebergott and Vice President of Administration and Finance Robert Silverman, Emerson took a closer look at the Theatre District as a site for expansion and ultimately relocation. The area offered a number of large historic office buildings and theatres that were ripe for renovation and in many ways ideal for the types of academic programs offered at Emerson.

Following the tremendous expenses incurred from the failed moves, Emerson’s financial resources were limited but real estate prices in the “Combat Zone” were quite low. Emerson had a history of owning and renovating historic buildings so the older (often landmark protected) building stock in the area was viewed positively. And unlike the spread out campus in Back Bay, Emerson would be able to acquire adjacent properties to create a more campus-like experience.

In 1992 Emerson acquired a 14-story building that was once the Boston Edison Co. at \$25 a square foot, considered a phenomenal deal. Emerson purchased and restored several more

historic buildings in the Midtown Theater District financed by the sale of its assets in the Back Bay. By 2006 Emerson had officially relocated its campus to the Theatre District.

*"The result is an urban college that is rapidly distinguishing itself as a hip place where students can sharpen performing arts skills, get the kind of training that Hollywood or New York demands, and, most importantly interact with leaders of the entertainment industry, thanks to a growing list of successful alumni getting involved."*



The relocation of the Emerson College campus to the Theater District was unquestionably a success for the school and the city of Boston. Emerson doubled the square footage of its buildings; has been able to increase its national reputation (today 4/5 of its students are from out of state compared to 2/3 before the move); increased enrollment from 2,600 to 4,000 students while raising its admission standards; and has increased its endowment from \$4 million in 1992 to \$87 million in 2005.<sup>31,32, 33</sup> The streets are now populated with a vibrant community of students and theater goers and a number of other new developments have also been completed.

The Theater District has been restored to its former glory and Emerson was recognized with a number of awards for its work to revitalize the area including the National Preservation Honor Award (2004) from the National Trust for Historic Preservation, the Massachusetts Historical Commission Preservation Award (2003), the Historic

*"I've watched Emerson from a distance with admiration. A number of things have come together. The move to downtown was absolutely brilliant, both for the city in terms of revitalizing the area and for Emerson."*

Richard Freeland, Massachusetts Commissioner of Higher Education, former President Northeastern University (1996-2006)



Preservation Award by the Boston Society of Architects and twice recognized as the Best of Boston (1989, 1992) by *Boston Magazine*.

# Georgia Institute of Technology Satellite Campus Case Study

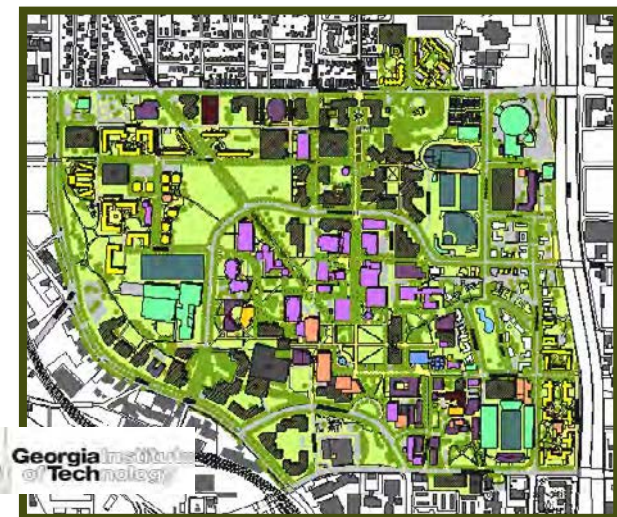
## *Summary*

Founded in 1888, the Georgia Institute of Technology in Atlanta has a 400 acre campus to accommodate its 20,000 students. It is a top 50 university and consistently highly ranked for its engineering programs. Like many other universities, the post-war baby boom led to expansive physical growth for Georgia Tech to meet higher student enrollment. In this era Georgia Tech expanded into adjacent historic residential and commercial enclaves, wantonly demolishing structures.

By the late 1990's the school realized that its facilities were suffering from deferred maintenance and were not up to the standard of its academic reputation. Additionally, master plan studies identified the need for an additional 3 million square feet of facilities. Neighborhood groups mobilized when Georgia Tech announced more development in these historic areas. At the same time a business improvement district in a distressed, underutilized area known as Midtown began seeking the school's support for its redevelopment plans.

What began as a small construction project for Georgia Tech in Midtown blossomed into a 3 million square foot, four block mixed-use development known as Technology Square and Centergy. These facilities included academic, research, business development, conference, retail and office space and became the key to fostering additional development in the area. **Georgia Tech's expansion into Midtown was a success for the area and the University, whose endowment has grown tremendously along with its research funding since the development was completed.**

## *The Georgia Institute of Technology and Its Campus*



The Georgia Institute of Technology was founded in 1885 in Atlanta as the Georgia School of Technology to help the post-Reconstruction South move into the Industrial era. Georgia Tech has grown from a regionally focused trade school to one the nation's top 10 public universities with a top five ranked school of engineering.<sup>34</sup> It has a large 400 acre campus in central Atlanta totaling more than 7 million gross square feet to accommodate

more than 20,000 undergraduate and graduate students and 4,000 faculty and staff members.<sup>35</sup>

While a leader in its academic programs, Tech struggled for many years to accommodate its large student body and felt hindered by facilities that did not meet the state of the art needs of an institution focused on science and technology-based fields.<sup>36</sup> A master plan study completed in 1996, the first in 25 years, found that the University needed more than 3 million additional square feet of facilities and that 75% of its academic space was in poor condition and/or obsolete.<sup>37</sup> In addition, prior to the construction of facilities and housing at the campus for the 1996 Summer Olympics in Atlanta, Georgia Tech was only able to provide housing for 35% of its students.<sup>38</sup>



*The development of Georgia Tech's campus left to right: 1920's, 1950's, 1960's and 1990's*

## The City of Atlanta, Georgia



Atlanta, Georgia, one of the largest cities in the South, has a population of more than 5 million people in the metropolitan area.<sup>39</sup> Unlike other cities of the South that developed around the shipping industry like Charleston and Savannah, Atlanta was a hub for railroad transport and had a number of manufacturing concerns helping to sustain its economic viability beyond that of its peers. Today, its

economy is robust in so small part due to it being the home of Fortune 100 companies including United Parcel Service, The Coca Cola Company and The Home Depot.<sup>40</sup>

While other cities have been experiencing population decline, the metropolitan Atlanta area has gained more than a million residents from 2000 to 2008.<sup>41</sup> The city boasts a highly educated population; 43% of adults have a college degree compared to the national average of 27%.<sup>42</sup>

The city is lush and green but bisected by numerous highways and roads. Virtually without natural barriers – mountains or bodies of water – Atlanta’s growth has been expansive. Nevertheless its neighborhoods and their connectivity are hindered by the highway, road and rail systems. Despite this infrastructure, the population boom in Atlanta has exceeded the capacity of the roads, earning Atlanta the number one spot on *Forbes’* list of worst cities for commuters in 2008.<sup>43</sup>

## Georgia Tech and Its Impact on Surrounding Neighborhoods

As it expanded from 4 to 400 acres, Georgia Tech swallowed up entire neighborhoods in Atlanta. The school consumed the Hemphill Avenue neighborhood in the 1960’s; forever changed the face of Bellwood and has taken chunks of Home Park for its campus.

In 1965 a master plan was developed for Georgia Tech to address the potential for enrollment to grow to 25,000 students by 1985. This master plan established the need to expand the campus from its 153 acres to 400 acres in anticipation of

*“The place we now know as west campus was, at one point, a vibrant neighborhood. The Couch Building was an elementary school ... The Burger Bowl functioned as a city park ... and a portion of (the) Woodruff dorms sit where there were once churches. Unfortunately, it was a neighborhood in the wrong place at the wrong time.”*



the larger student body.<sup>44</sup> The means to achieve the additional 250 acres was by tearing down the bordering Hemphill Avenue neighborhood. The school had been growing in small bursts since its founding this expansion into the Hemphill Avenue area as the first large scale campus expansion in its history. This massive expansion of Georgia Tech's campus demolished more than 200 buildings in a once-vibrant though poor neighborhood that is now completely gone.

The Bellwood neighborhood developed along Marietta Street, a lively corridor of retail and industrial activity, surrounded by worker housing. The neighborhood fell into decline as the manufacturing sector weakened and people moved to the suburbs in the 1950's and 1960's. Georgia Tech seized upon the area's decline as an opportunity for its expansion and bought up wide swaths of retail buildings for its West Campus, replacing the historic fabric with brutalist style buildings surrounded by surface parking lots.<sup>45</sup> Today, because of the school's development activity, little is left of this once vibrant neighborhood.

Home Park was rural until the Atlantic Steel Company built a major manufacturing facility in



*Marietta Street in Bellwood in the 1880s, left and today, right (Tech facility pictured)*

the area in the early 1900's.<sup>46</sup> Other large manufacturing concerns soon followed fostering a boom of residential development. By the 1920's Home Park had developed into a charming neighborhood of low slung, arts and crafts style bungalows that earned it the designation of "Atlanta's best kept secret."<sup>47</sup>

Georgia Tech had expanded into this neighborhood in the 1950's, buying up homes and demolishing them. The neighborhood came under siege in the late 1990's when a





large developer, Turner Broadcasting, and Georgia Tech developed plans for major non-contextual construction in the area that would involve demolition of buildings.<sup>48</sup> Faced with these daunting projects and concern about the impact on the neighborhood, the Home Park Community Improvement Association was formed to organize the community and protect the neighborhood.<sup>49</sup>

### *Georgia Tech and Its Decision to Build a Satellite Campus in Midtown*

In 1996 Georgia Tech had a new president, Wayne Clough, who found its physical plant did not meet its reputation. The school was saddled with significant deferred capital investment and obsolete facilities that limited its competitiveness. Clough initiated a master plan study that identified the need for an addition 3 million square feet of space and recommended further expansion into the adjacent Bellwood and Home Park areas, in addition to infill construction.<sup>50</sup>

While Georgia Tech was considering campus expansion into these residential neighborhoods, it was ignoring the adjacent Midtown neighborhood, which was directly east of the campus but had been separated from it by the construction of Interstate 75/85 in the 1950's. The highway was widened to 14 lanes in the 1980's as part of the infrastructure improvements for Atlanta's winning Olympic bid.

Midtown was once a high-end residential neighborhood at what was at the time then the northern boundary of the city limits. The area flourished as streetcar lines were built and its main streets were among Atlanta's most popular shopping destinations.



The creation of the Interstate in the 1950's erased a number of Midtown's streets and buildings, creating a tremendous physical and psychological boundary.<sup>51</sup> The construction of the interstate system quickened the exodus to the suburbs of area residents, aiding the downfall of Midtown. By the 1960's Midtown's fine homes were being used as rooming houses and a significant number of them were burned or demolished by desperate owners.<sup>52</sup> The construction of the MARTA Rail line led to additional disruptions and demolitions. By the early 1990's the area was marked by vacant lots and underutilized buildings and had earned a seedy reputation, though it was in close proximity to the blossoming central business district.

In the 1980's the Midtown Alliance was formed by business leaders to promote redevelopment. The activities of the Alliance came to Georgia Tech's attention in the late 1990's, and land was

purchased in the area initially only for Georgia Tech’s continuing education and hospitality programs.

*“Universities have grown to be such large institutions that they have a moral and practical obligation to take leadership roles in their communities to improve them.”<sup>1</sup>*

Wayne Clough, President Emeritus, Georgia Institute of Technology

From its founding as a technical school to its mission today, supporting business development is at the core of Georgia Tech. Soon, Tech realized that its modest plans for Midtown would not really be of much help with the area’s redevelopment goals.<sup>53</sup>

Midtown offered large parcels of vacant land, parking lots and underdeveloped sites that were

ideal for the large scale development that Georgia Tech needed to fulfill its goal of building an additional 3 million square feet. Working with local political and business leaders, in 2001 Georgia Tech embarked on the development of a number of facilities in Midtown including a new school of business, a hotel and conference center, a global learning center, an economic development institute, business incubator and state of the art facilities



for technology, media, engineering and research programs.

Completed in 2003, the four-block mixed use development known as Technology Square and Centergy, with ground floor retail, restaurants and office space, has become the “beta project” of the redevelopment of Midtown.<sup>54</sup>

Since the construction of Technology Square and Centergy, Georgia Tech’s campus has gained an

*“This will change the way we are perceived by the business community. It will provide an opportunity to bring people in and expose them to the quality of our students and staff.”*

Nathan Bennet, Associate Dean, DuPree College of Management, Georgia Institute of Technology

additional 4 million square feet of space and seen its



endowment quadruple.<sup>55</sup> The departure from a traditional campus setting has also been well received by students who appreciate being able to study, shop, work, play and live in the new setting. The school has

*"The Georgia Tech Technology Square  
– Centergy project in Midtown shows,  
quite dramatically how a university  
can serve as a significant generator of  
economic opportunity and health for  
a changing economy."*

also benefitted from being physically closer to the business community.

To facilitate ease of access and reduce the impact of the highway the Atlanta Department of Transportation is creating pedestrian friendly bridges to cross the Interstate and reconnect Midtown with western neighborhoods.

The completion of Georgia Tech's development has been a success for Midtown, the neighborhood has since added thousands of residential units and millions of square feet of new office space and real estate prices have quadrupled.



# Suffolk University Satellite Campus Case Study

## *Summary*

Suffolk University was founded more than 100 years ago in Boston, Massachusetts. From its beginnings as a law school for part-time students it has become one of the fastest growing schools in the Northeast. Suffolk University was a commuter school until the mid-1990's when it constructed its first students dormitory. Striving to break out of this categorization and to be more competitive, the university wanted to offer more student housing, better athletic facilities, and enhanced students services.

With more than 10,000 full and part time students in undergraduate and graduate programs, Suffolk University had begun to outgrow its facilities in Boston's Beacon Hill, a residential area whose architectural and historic significance is recognized with both a local and national register historic districts. Starting with a Massachusetts Supreme Court battle in the 1970's that blocked construction of a building proposed by the University, the Beacon Hill Civic Association has vigorously fought the school's development plans. The most recent clashes led to covenants barring the school from developing within the residential core of the neighborhood as well as capping its enrollment to 5,000 full time students.

**Consulting with the Boston Redevelopment Authority and a stakeholder task force, sites for Suffolk University's expansion were identified in areas of downtown Boston that were physically more appropriate for the school's needs and in close proximity to its Beacon Hill campus. As a result, Suffolk University began rehabilitation of underutilized buildings in Downtown Crossing, an area that was once considered Boston's Main Street. These developments have offered the university the appropriate building scale and footprint to meet its needs and have been welcomed by the Downtown Crossing neighborhood.**

## Suffolk University and Its Campus



Suffolk University was founded in Boston, Massachusetts in 1906 by attorney Gleason L. Archer as a law school for working students. Today, the former ‘night school’ offers a dynamic array of academic programs and degrees to nearly 10,000 full and part-time graduate and undergraduate students while still catering to meet the needs of non-

traditional learners through day, evening, online and yearlong academic offerings. Its academic reputation has earned it recognition from The Princeton Review and *U. S. News and World Report* as one of the country’s “best colleges.”<sup>56</sup>

The desirability of Suffolk’s offerings has appealed to both traditional and non-traditional students. The number of undergraduates has doubled since 1996 and the University has seen the number of new applicants increase by 137% between 2002 and 2007.<sup>57</sup> With more than 90% of incoming freshman requesting on-campus housing, Suffolk built its *first* residence hall in 1996 and is working to meet the goal of housing at least 50% of its full time undergraduate students.<sup>58</sup>

	1996-1997	1997-1998 <sup>2</sup>	1998-1999 <sup>2</sup>	1999-2000	2000-2001	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007	2007-2008 <sup>2</sup>	Total Percent Change 1996 to 2008
Undergraduate	2,515	2,535	2,795	2,900	2,950	2,906	3,169	3,469	3,833	4,178	4,612	4,945	96.6%
Graduate	782	738	708	732	802	811	914	951	958	992	1,007	998	27.6%
Law School	1,503	1,487	1,488	1,466	1,471	1,456	1,471	1,471	1,480	1,484	1,459	1,399	-6.9%

Since the 1990’s Suffolk has strived to be more competitive in the academic marketplace, in particular working to shed its image as a “commuter” school by offering on-campus housing, more athletic facilities and enhanced student services. These efforts have been met with resistance by its Beacon Hill neighbors.

## The City of Boston, Massachusetts



Boasting a metro area population of 4.5 million, Boston is one of the largest cities in the northeast United States. The city is well known as the Silicon Valley of the east coast and a center for business and management consulting. Its leading edge in these industries is in part fueled by the density of institutions of higher learning in the metro area, including more than 100 universities and colleges.

This has also created a unique problem for the city. The severe deficiency of on-campus student housing has unleashed a flood of students into the retail rental market. Not only has this inflamed longstanding town-gown conflicts but also inflated the rental market as student renters (often many to one apartment) have driven up housing costs, pushing families out of neighborhoods.<sup>59</sup> To address this problem, Boston's Mayor Thomas Menino issued an order in 2008 requiring that all universities provide housing for at least 50% of their students and limiting the number of students that can occupy an apartment to no more than four.<sup>60</sup>

*"Universities and colleges are crucial to Boston's economy and prominence but, institutional expansion needs to be done in a way that is in harmony with our great neighborhoods."*

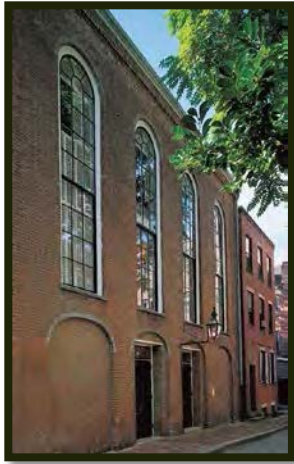
Mayor of Boston, Thomas Menino

## Suffolk University and the Beacon Hill Neighborhood



Beacon Hill developed at the turn of the 18<sup>th</sup> century in three parts - the residential areas of the South Slope and the North Slope and the commercial area known as the Flat of the Hill. From 1800 to 1850 the South Slope developed as a residential community of brick row houses for Boston's elite, known as the Boston Brahmins.<sup>61</sup> It is quite picturesque with cobblestone streets, brick

walks and Federal and Greek Revival Style rowhouses. The South Slope of Beacon Hill was designated an historic district in 1955.



In contrast to the aristocratic residents of the South Slope, the North Slope developed as a community of free African-Americans, many of whom worked for the Brahmins. Its buildings were mostly simple wood or brick structures that were replaced by tenements in the 1900's but the area is rich in history with stops on the Underground Railroad, the first public school for African Americans and the first integrated school in America.<sup>62</sup> In the middle of the 20<sup>th</sup> century the North Slope was a target for an urban renewal project, leading Beacon Hill residents to advocate for an historic district to protect what remained. The South Slope was designated as an historic district in 1963.

While a wonderful neighborhood, Beacon Hill's historic building fabric and lack of open sites for development was less than an ideal location for Suffolk University to expand. Its highly active and civically-minded residents were staunchly opposed to the University's continued growth in Beacon Hill.



In 2003, Suffolk announced plans to construct another out-of-scale, non-contextual building in Beacon Hill. The proposed 22-story tower was met with staunch resistance from the community, ultimately leading to Boston Mayor Menino nixing the plan.<sup>64</sup>

Starting with a successful lawsuit that challenged Suffolk University's plan to construct a nonconforming building in 1970, the Beacon Hill Civic Association has led the charge in preventing the University from overdevelopment in the area.<sup>63</sup> Following the construction of a high rise dormitory in 2003, Suffolk announced plans to construct another out-of-scale, non-contextual building in Beacon Hill. The proposed 22-story

*"We know we don't have to worry about Suffolk building in certain areas anymore. We had reached a saturation point where we really couldn't take anymore."*

Robert Whitney, Board Member,  
Beacon Hill Civic Association

In 2008 the struggle between the school and the neighborhood over another new building led to a landmark pact between the Suffolk University and the Beacon Hill neighborhood, which left the residents with the upper hand. The agreement created a non-expansion zone that limited Suffolk from expanding its footprint within a certain perimeter of the core residential area of

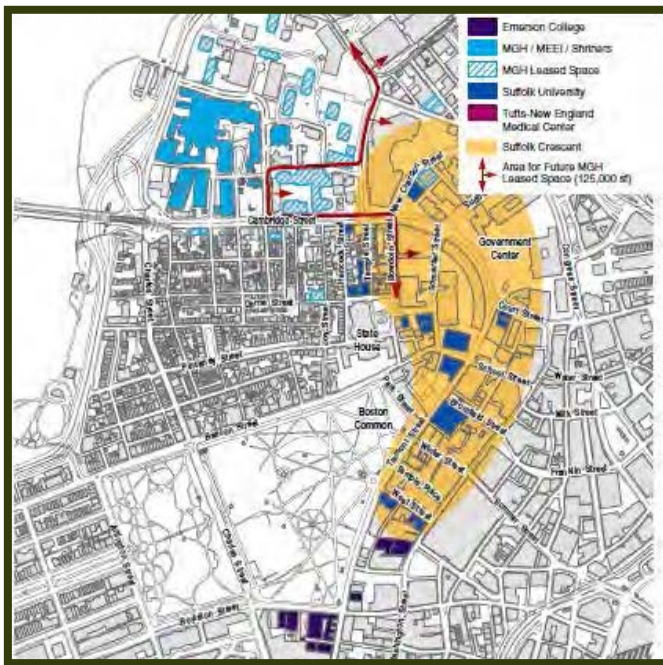




Beacon Hill as well as limited enrollment of full-time undergraduate students to no more than 5,000. As a result to agreeing to these concessions, Suffolk University was allowed to build a 9-story academic building in Beacon Hill.<sup>65</sup>

### *Suffolk University and the Move to Downtown Crossing*

When Suffolk University submitted its master plans for campus expansion in the early 2000’s, the Boston Redevelopment Authority (BRA) decided that a task force of community stakeholders should be involved in the process to mitigate the conflicts between the school’s growth goals and the community’s preservation interests. A number of meetings were held and studies were undertaken to aid in the development of a ten year plan for the university.



One of the recommendations to come out of these efforts was that Suffolk University should develop outside of Beacon Hill in clusters that would be more suitable for the school’s needs and the larger community.<sup>66</sup> These clusters focused on moving campus facilities and any new development towards Boston’s Government Center, Financial District and the Theatre District and Downtown Crossing, areas that were targeted by BRA for redevelopment.

The cluster approach and the selection of sites for future development led to what the University refers to as the ‘Suffolk Crescent,’ areas of development east and south of Beacon Hill. All of these areas are far more suitable for the university’s long term needs. The existing buildings are larger and taller, there are undeveloped and underdeveloped sites for new construction and areas like Downtown Crossing and the Theater District, both part of Boston’s former red-light district, were redevelopment priorities for the City. In addition, all of the cluster areas are within walking distance to the Beacon Hill facilities and are well-served by mass transit.

*"Getting someone to do something about the Modern that is financially feasible is such a win for everyone. The dorms are a good use, that building has been just sitting there and this is a great opportunity."*

Anne Meyers, President of the  
Downtown Crossing Association "

At the suggestion of the BRA and the task force, Suffolk University responded to a request for proposals for the development of the Modern Theatre, a nearly 100 year old historic theatre that had been vacant since the 1980s.<sup>67</sup> The Modern Theatre along with other historic buildings in the area had been in such dire straits that they had been placed on the National Trust for Historic Preservation's List of Most Endangered Places.<sup>68</sup> The completed renovation of the Theater provided performing space as well as much needed dormitory space for 200 students.

*"I'm delighted to see Suffolk University joining the Downtown Crossing community. Suffolk students will greatly add to the vitality of this area and ensure that it remains vibrant at all hours of the day."*

Suffolk has developed other residence halls in Downtown Crossing including the acquisition of a failed condominium conversion of a former office



building that is now a dormitory for nearly 300 students.

The University continues to pursue development opportunities outside of Beacon Hill and is currently investigating the potential to redevelop the former Filene's Department Store site in Downtown Crossing.

# Harvard University Satellite Campus Case Study

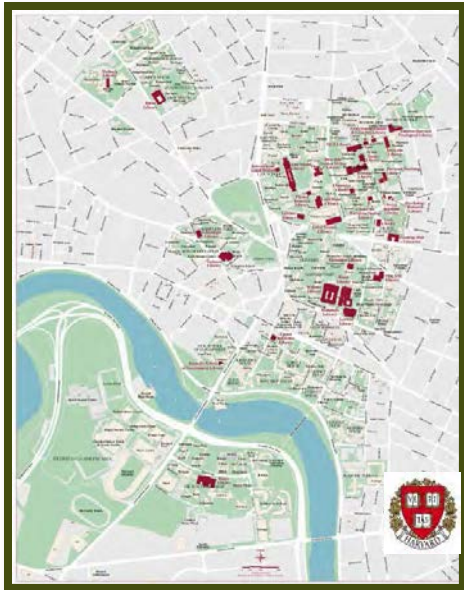
## *Summary*

In the 1980's Harvard University embarked on a bold plan for its future. The University, which has a 200 acre campus in Cambridge, Massachusetts, began acquiring parcels of land in nearby North Allston, an underutilized industrial area near its athletic facilities and School of Business. Today, Harvard University owns 350 contiguous acres in North Allston to be developed into a satellite campus.

Through its expansion over the years, Harvard University's campus had become the physical core of Cambridge, a community of 120,000 outside of Boston. With such a large footprint, the University abuts and is a part of several densely populated residential areas. Over the last 30 years, public displeasure with Harvard's expansion into residential areas has led to efforts to block and restrict its new construction plans.

The driving force for the expansion was that Harvard University also wanted to be more competitive in the fields of science and technology, like its Cambridge neighbor the Massachusetts Institute of Technology. The satellite campus offered the school the opportunity to build new facilities to enhance science and technology programs, as well as providing a bank of land for a multitude of long term projects. Stalled due to the recent recession, the University is investigating its options to move forward with construction projects in Allston which it plans to resume by 2013.

## *Harvard University and Its Campus*



Founded in 1636 in Cambridge, Massachusetts, Harvard University is this nation's first university and among its most distinguished. Though highly selective in its admissions, there are more than 20,000 undergraduate, graduate, and postgraduate students enrolled in Harvard University's programs.

Harvard's home in Cambridge is across the Charles River, approximately three miles, from Boston. It boasts a 200 acre campus with 380 buildings encompassing 15 million square feet of space in the heart of town. Though its campus is quite large, the town of Cambridge is only 7 square miles so Harvard University physically dominates the city from its central location.

In the 1980's Harvard developed a 50 year master plan, and one of its primary goal was to make its science and technology offerings more robust to be more competitive in these fields.

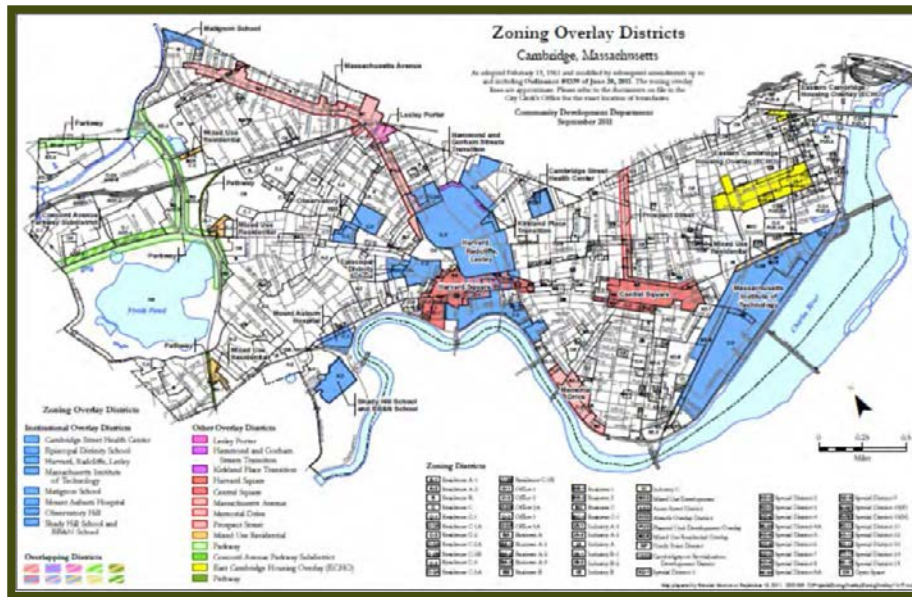
## *The City of Cambridge, Massachusetts*



Cambridge is located within the Greater Boston area and has a population of 120,000. Formerly one of New England's most active industrial cities, being the home of Harvard and the Massachusetts Institute of Technology (MIT) has enabled Cambridge to transition into one the nation's hubs of the information technology and biotechnology fields. Its economy is robust with only 4% unemployment.<sup>69</sup>



Not only does the presence of the universities foster business development in Cambridge, Harvard and MIT employ nearly 20,000 of Cambridge's residents, making them the city's largest employer.<sup>70</sup> Cambridge is only 7 square miles and high demand for housing has made it one of the country's most expensive housing markets, with the median price for a single family home costing nearly \$700,000.<sup>71</sup>



*Universities in Cambridge in blue, Harvard in the middle and MIT on the right*

## Harvard University and Its Neighborhoods

Harvard University is so large that its campus stretches across five neighborhoods, including Agassiz and Riverside.



Agassiz, home to Harvard's North Campus, is a moderately-dense residential neighborhood with a commercial core located in Harvard Square, the southernmost part of the area. The neighborhood is rich with highly ornated Victorian-era homes that were built following the development of railroads in the late 19<sup>th</sup> century.

Following the post-war enrollment boom, Harvard University began acquiring homes in Agassiz, many of which were demolished for

campus facilities.<sup>72</sup> Some of the properties were held by the University for decades for potential future development without the community's knowledge. Following the release of a Harvard University Master Plan in 1975, the school's ownership of these properties became public knowledge. The outrage in the community over the school's stashed real estate holdings forced the school selling off many of the homes in the 1980's.<sup>73</sup>

The conflicts between the Agassiz community and Harvard University are long-standing. In 2003, a Memorandum of Understanding (MOU) was developed between the parties to mitigate the impact of the University's development in the area. This 25-year MOU included restrictions on how much new space Harvard could build, and required that it add community enhancement features, incorporate robust construction mitigation procedures and traffic calming measures for any new projects.<sup>74</sup>

Riverside is a primarily residential neighborhood that developed in the 1800's along with the book bindery and printing companies Little, Brown & Company and the Riverside Press (Houghton Mifflin). The working-class neighborhood had charming wood frame houses that remained relatively untouched until the 1940's and 1950's, when many of these structures were blighted and demolished for public housing.



*"Riverside is such a pleasant little neighborhood – tree-shaded streets, and small houses, and all that – except for those three ugly concrete towers that Harvard has just built."*

In the 1960's and 1970's Harvard University built Peabody Terrace, a complex of tall, brutalist towers for student housing that stand in stark contrast to the low-rise character of Riverside.<sup>75</sup> In addition to separating the community from its waterfront, these "tower in the park" type structures were built with



inward facing courtyards and no relation or connection to the surrounding built fabric.<sup>76</sup>

These neighborhoods, while distinct, share a certain low-scale, residential density that is not well suited for the intensity of use, scale, bulk or height that Harvard University wants to construct to meet its long-term needs.

## *Harvard University and the Its Decision to Develop a Satellite Campus*

Faced with the reality that opportunities for large scale, long-term growth in Cambridge were limited, Harvard University looked to nearby areas for development opportunities to enable growth for decades to come.

Harvard University has long had facilities in North Allston, Massachusetts, a small town directly across the Charles River from Cambridge. Harvard's athletic facilities have been sited there since 1903, and its renowned School of Business moved there in 1926.<sup>77</sup> Excluding Harvard's facilities, land use in North Allston was largely industrial with former manufacturing sites, storage lots and disused rail yards.



Harvard University identified Allston as the site for its future-long term growth because it would allow the school to build a significant land bank for immediate and long term building needs. The site was ideal for the school's plans because property could be had for fractions of the cost of acquisitions in Cambridge; there was an abundance of undeveloped and underdeveloped sites; and it was literally across the river from Harvard's main campus. In the 1980's Harvard began

acquiring land in North Allston around its current School of Business and athletic facilities. Today the school owns more than 300 acres in North Allston.<sup>78</sup>

Harvard's ambitious 50-year plan for the site includes new academic facilities, student housing, a theater, and museum. These plans were stalled in 2008 when the school's endowment took a major hit as a result of the economic recession. Currently, Harvard plans to resume construction in 2013 and is also exploring options to partner with private developers to move the project forward.<sup>79</sup>

Though the construction of a satellite campus for Harvard University was halted leaving vacant parcels, unfinished construction projects and disappointed Allston residents, the merits of decision to expand into and underutilized, development hungry area like North Allston is unquestionable.

# Columbia University Satellite Case Study

## *Summary*

There have long been tensions between Columbia University and the Morningside Heights community due to the school's encroachment into the neighborhood. In the 1960's the University's proposal to build a gym in Morningside Park led to infamous protests, and the plan was halted due to the backlash. The school's relationship with the neighboring community continues to bear the scars from this and other development battles.

Columbia University has moved three times since it was founded in 1754. By the late 1980's, Columbia was beginning to outgrow its beautiful McKim, Mead and White-designed campus. With competition for top professors, talented students and research funding reaching a fever pitch among Ivy League institutions, Columbia began to look at alternative locations for large scale campus construction to strengthen its position as a leading institution.

The site Columbia University selected was a 17 acre parcel in West Harlem. Mostly industrial, Columbia chose this site for its satellite campus which will include 6.8 million square feet for classrooms, research, and housing to avoid further conflict in Morningside Heights over new construction.

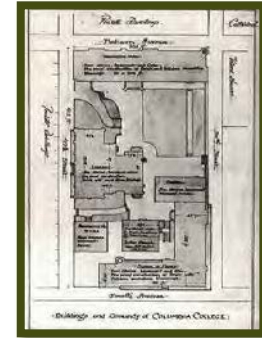


## Columbia University and Its Campus



Columbia University is the oldest college in the state of New York. It was founded in 1754 as King's College with classes held in the school of Trinity Church in lower Manhattan. Soon thereafter King's College moved to a dedicated building near Park Place.

In 1857 Columbia University relocated to a purpose built campus at East 49<sup>th</sup> Street and Madison Avenue. The move gave the school much more space, helping it expand into a



university with a number of new programs and academic offerings including schools of law and engineering.<sup>80</sup>

Under the direction of University President Seth Low, in 1896 Columbia University moved to its present location in Morningside Heights, which was not highly developed at the time. The move was triggered by the need for more space and the desire to create an “academic village.” The campus master plan was developed by renowned architects McKim, Mead & White.

Like so many American universities, Columbia experienced a building boom in the 1960's following the increase in enrollment in the post-war era. To manage this larger student body, the school began acquiring residential buildings in Morningside Heights and constructing new facilities. Today, Columbia University's 32 acre campus accommodates 27,000 students in undergraduate, graduate and professional programs.

*“As knowledge grows and fields grow, we need more faculty, you need a certain scale. And we need places to put them. Now, a number of young faculty share offices. Our science departments have lab conditions that don't compare to what other top universities have.”*

Columbia University President Lee Bollinger

Seeking to maintain its leading position in the academic marketplace, Columbia University is looking to develop large-scale, state-of-the-art facilities for its science and research programs and new space for other academic programs, student and faculty housing, and services.

As part of its justification for the need for significantly more space to remain competitive,

Columbia University cited its having significantly less space per student than other leading universities. Based on a 1998 survey Columbia University had 194 square feet per student; compared to its peers Princeton University which had 561 square feet, the University of Pennsylvania with 440 square feet, and Harvard with 368 square feet per student.<sup>81</sup>

### *Columbia University and the Morningside Heights Neighborhood*



Morningside Heights is a unique neighborhood on the Upper West Side of Manhattan that is flanked by two magnificent greenspaces – Morningside Park and Riverside Park. The neighborhood has come to be defined by the number of large institutions located there. Nonetheless its residential buildings (brownstones and apartment buildings) are among the most notable and distinct in Manhattan.

Morningside Heights was sparsely developed until the late 1800's when a number of institutions including Columbia University, the Cathedral of St. John the Divine, Barnard College, Riverside Church and St. Luke's Hospital were constructed near the newly completed Morningside Park.

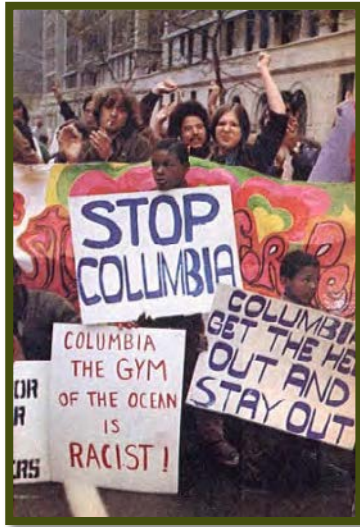
Residential construction followed with most building in the area occurring between 1900 to 1915, with the IRT Subway line opening in 1904. Along with the subway came handsome rowhouses and apartment buildings for the middle class.<sup>82</sup> Over the years the institutions in Morningside Heights, excluding the Cathedral, continued to grow beyond their original footprint, consuming the area's residential fabric either directly through demolition or ownership of buildings.



Starting in the late 1950's, Columbia University evicted nearly 7,000 residents from properties it owned in the neighborhood, many of whom were poor minorities; others became the University's tenants.<sup>83</sup> This shift in control over the neighborhood increased the tension in the densely-populated area.

Columbia University has proposed a number of projects that have left residents in Morningside Heights angry over its treatment of the community. A turning point came in 1961 when the

University obtained a contract from the City to build a gymnasium in Morningside Park.<sup>84</sup>



Constructing a private facility in a public park was unconscionable to many. Further inflaming town-gown tensions, the design of the publicly accessible part of the gymnasium revealed that it was quite small and only accessible from a lower level back door. Many felt that this marginalization was symbolic of how Columbia University felt about the community.<sup>85</sup> By 1968 the community outcry led to a number of protests by community groups, residents and students. Though excavation had already started, the highly visible protests which garnered

national attention caused the school to abandon the project.

In 2003 Columbia University considered development of campus buildings on the grounds of the Cathedral of St. John the Divine. However, the University backed away when community opposition grew heated once again.

*"If Columbia were like another private developer, most would say it has no responsibility. Developers are private sector entities whose purpose is to make money. But Columbia is a nonprofit institution. It gets substantial public benefits and thus has substantial obligations as a property owner."*

Peter Marcuse, Professor of Urban Planning,  
Columbia University

### *Columbia University and the Move to West Harlem*

Columbia University dominates Morningside Heights both physically and psychologically. In the past, to accommodate its growing need for space, Columbia had built new buildings within its campus, squeezed non-contextual buildings into Morningside Heights' residential fabric, and acquired a number of the areas buildings for future development. This piecemeal approach was not only incompatible with the neighborhood of Morningside Heights, but also not a practical way to build that massive amount of square footage that Columbia indicated it needed.

With that knowledge, the university looked to areas of New York City that were close to its existing campus and would enable it to build out large facilities over a long time period. The university was also seeking to avoid further conflicts with the Morningside Heights community.

*“Columbia hopes to avoid the kind of community opposition and campus rebellions caused by its past attempts to expand, or its effort in 1968 to build a gymnasium in Morningside Park. To that end, the university is focusing on a run-down industrial area of warehouses, auto-repair shops and a meatpacking plant, avoiding a string of apartment buildings.”*

In 2003 Columbia announced plans to develop a satellite campus in an area of West Harlem referred to as Manhattanville. The 17-acre parcel that Columbia selected was dominated by industrial uses with auto shops, storage facilities an MTA garage and approximately 400 residents.<sup>86</sup> The University began buying parcels of land in the area in the late 1960’s.

Columbia University intends to build out over time nearly 6.8 million square feet of space for classrooms, housing, research, parking and student services. The first phase of the project is intended to be completed in 2015 will include new buildings for science, art and business programs. The second phase which includes new dormitories, athletic facilities and academic buildings will be built out over a 25 year period.<sup>87</sup>





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# Room Selection

2012 - 2013 Undergraduate Re-application and Room selection is a three-phase process beginning in March with re-application and concluding in May with room selection.

Students are guaranteed University housing for their entire undergraduate academic career (provided that they continue to meet all application, payment, registration and occupancy conditions) and are able to participate in this process to secure housing for the 2012-2013 academic year. Please be sure to review the [key components of the process](http://www.nyu.edu/content/nyu/en/life/living-at-nyu/on-campus-living/housing-lottery-and-applications/reapp/terms-of-participation.html#quintBox_nyurichtext) ([http://www.nyu.edu/content/nyu/en/life/living-at-nyu/on-campus-living/housing-lottery-and-applications/reapp/terms-of-participation.html#quintBox\\_nyurichtext](http://www.nyu.edu/content/nyu/en/life/living-at-nyu/on-campus-living/housing-lottery-and-applications/reapp/terms-of-participation.html#quintBox_nyurichtext)) prior to completing Phase 1.

## **PHASE 1 - Re-Application & Deposit** **([http://www.nyu.edu/content/nyu/en/life/living-at-nyu/on-campus-living/housing-lottery-and-applications/reapp/Phase-1.html#tripleBox\\_nyurichtext](http://www.nyu.edu/content/nyu/en/life/living-at-nyu/on-campus-living/housing-lottery-and-applications/reapp/Phase-1.html#tripleBox_nyurichtext))**

Phase 1 will begin on March 6, 2012 and will be open through 5pm EST on March 21, 2012. This is the only Phase required to secure housing for the 2012-2013 Academic Year. Students must complete the online re-application and submit the \$1000 non-refundable/non-transferable deposit by March 21, 2012. (Online payments must be made using the **eDeposits** tab in NYU's eSuite via Albert. Please **do not** use the "Make a Payment" button for your deposit.) Once students have completed Phase 1, they are guaranteed placement even if they choose not to participate in Phase 2 or Phase 3.

## **PHASE 2 - Group Registration** **([http://www.nyu.edu/content/nyu/en/life/living-at-nyu/on-campus-living/housing-lottery-and-applications/reapp/Phase-2.html#tripleBox\\_nyurichtext](http://www.nyu.edu/content/nyu/en/life/living-at-nyu/on-campus-living/housing-lottery-and-applications/reapp/Phase-2.html#tripleBox_nyurichtext))**

Phase 2 will begin on April 3, 2012 and will be open through 5pm EST on April 17, 2012. Students who complete Phase 1 can create a group with other students to go through the Phase 3 room selection process together. Students who wish to select a room as an individual need not complete Phase 2.

## **PHASE 3 - Room Selection** **([http://www.nyu.edu/content/nyu/en/life/living-at-nyu/on-campus-living/housing-lottery-and-applications/reapp/Phase-3.html#tripleBox\\_nyurichtext](http://www.nyu.edu/content/nyu/en/life/living-at-nyu/on-campus-living/housing-lottery-and-applications/reapp/Phase-3.html#tripleBox_nyurichtext))**

Phase 3 will begin on April 24, 2012 and will be open through 5pm EST on May 4, 2012. Students who completed Phase 1 will receive a selection time that will allow them access to the housing inventory. Students will be able to browse through the available spaces and select a room. If there are no spaces available at the time of selection, students will be administratively assigned over the summer months.

Early in the spring term, detailed information on the Re-Application and Room Selection process is made available to all residents through information sessions, meetings with Residence Hall staff, individualized mailings and on-line instructions. Please click [here](http://www.nyu.edu/content/nyu/en/life/living-at-nyu/on-campus-living/housing-lottery-and-applications/reapp/terms-of-participation.html#quintBox_nyurichtext) ([http://www.nyu.edu/content/nyu/en/life/living-at-nyu/on-campus-living/housing-lottery-and-applications/reapp/terms-of-participation.html#quintBox\\_nyurichtext](http://www.nyu.edu/content/nyu/en/life/living-at-nyu/on-campus-living/housing-lottery-and-applications/reapp/terms-of-participation.html#quintBox_nyurichtext)) to continue to review the details of this process.

## ***Relevant Information & Forms***

Fall 2012 Payment Coupon (<http://www.nyu.edu/content/dam/nyu/resLifeHousServ/documents/Fall2012RUDEpCoupon.pdf>)

Fall 2012 Study Away Notificaiton & Cancellation Request Form (<http://www.nyu.edu/content/dam/nyu/resLifeHousServ/documents/Fall2012StudyAwayNotificaiton&CancellationRequestForm.pdf>) (NYUHome login will be required)  
(<https://housing.nyu.edu/housingqservices/cancelform.aspx>)

2012-2013 Housing License (<http://www.nyu.edu/content/dam/nyu/resLifeHousServ/documents/AY2012-2013HsqLicense.pdf>)

2012-2013 Proposed Housing Rates (<http://www.nyu.edu/content/dam/nyu/resLifeHousServ/documents/AY2012-2013HsqRatesProposed.pdf>)

## **Spaces Available**

Below you will find the approximate number of spaces that are still available in each hall for general room selection. This will be updated four times a day at approximately 11am, 1pm, 3pm, and 5pm. Please keep in mind that this is an overall count and is not broken down into spaces available in particular room types or spaces available based on legal sex and/or gender preference.

## **As of 11:04am on May 4, 2012**

Building	# of Available Spaces
2nd Street	0
7th Street	0

Alumni Hall	0
Brittany Hall	6
Broome Street	0
Carlyle Court	0
Coral Tower	0
Gramercy Green	0
Greenwich Hotel Residence	0
Lafayette Street	0
Palladium	0

## Important Updates

***You can now view the number of spaces still available for the general room selection process below!***

### Phase 3 begins on April 24!

Please read about [Phase 3](http://www.nyu.edu/content/nyu/en/life/living-at-nyu/on-campus-living/housing-lottery-and-applications/reapp/Phase-3.html#tripleBox_nyurichtext) ([http://www.nyu.edu/content/nyu/en/life/living-at-nyu/on-campus-living/housing-lottery-and-applications/reapp/Phase-3.html#tripleBox\\_nyurichtext](http://www.nyu.edu/content/nyu/en/life/living-at-nyu/on-campus-living/housing-lottery-and-applications/reapp/Phase-3.html#tripleBox_nyurichtext)) before the process starts.

### The Brittany Project

Check out the great offerings we have at [Brittany Hall](http://www.nyu.edu/content/nyu/en/life/living-at-nyu/on-campus-living/housing-lottery-and-applications/reapp/reapp-special.html#tripleBox_nyurichtext) ([http://www.nyu.edu/content/nyu/en/life/living-at-nyu/on-campus-living/housing-lottery-and-applications/reapp/reapp-special.html#tripleBox\\_nyurichtext](http://www.nyu.edu/content/nyu/en/life/living-at-nyu/on-campus-living/housing-lottery-and-applications/reapp/reapp-special.html#tripleBox_nyurichtext)) for the Fall 2012 semester only!

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Updated: Tue., Jun. 15, 2010, 5:38 AM

## NYU to 'zero' in on WTC

By TOM TOPOUSIS

Last Updated: 5:38 AM, June 15, 2010

Posted: 3:17 AM, June 15, 2010

New York University officials are eyeing lower Manhattan -- including a tower at the World Trade Center -- as part of their 20-year plan to dramatically expand campus housing, classrooms and other services, The Post has learned.

In a letter to the Port Authority and Lower Manhattan Development Corp., NYU Vice President Lynne Brown has requested a meeting with rebuilding officials to determine which downtown sites are available for campus expansion.

The university is planning to add 6 million square feet of new space, about half of which would be built in the college's core area in and around Greenwich Village. But Brown said the university can't meet all of its needs in the historic neighborhood.

"For that reason, we would like to discuss lower Manhattan as part of our exploration of remote sites," she wrote in a letter dated June 11.

Brown cited community officials who have advocated that NYU move into the World Trade Center's yet-to-be-built Tower 5, which is slated for the site of the former Deutsche Bank building now being demolished.

Tower 5 is expected to include 1.3 million square feet of space. The PA is looking for a developer willing to build either an office tower or a combination hotel and housing high-rise on the site after it's cleared by the end of this year, which would fit in with NYU's plans.

"We're certainly willing to meet with NYU and pleased that there is so much continuing interest in the site during its building," said a PA spokesman.

Brown said she wants to meet with LMDC officials to learn about any opportunities available downtown and "to assess whether there is some role that the university can play to help revitalize and diversify the area."

Under NYU's expansion plan, the university's campus would grow by 40 percent over the next two decades.

So far, officials have identified Downtown Brooklyn, a corridor along First Avenue in Manhattan -- near NYU's medical center -- and Governors Island as possible sites for growth.

Sources familiar with the university's plans insist that Tower 5 would not be used to replace a proposed 40-story tower that NYU still wants to build on Bleecker Street, which is the most controversial element of the expansion plan.

Julie Menin, chairperson of downtown's Community Board 1, said a move by NYU to expand in lower Manhattan would find broad community support.

"I raised this idea a number of weeks ago," Menin said. "I'm very pleased they are taking this idea seriously.

"I think it makes sense for a whole lot of reasons. Tower 5 is perfect for them."

*tom.topousis@nypost.com*

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Home > Colleges > New York University



# New York University

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- Academic Life
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#33 National Universities

### Summary

New York University is a private institution that was founded in 1831. It has a total undergraduate enrollment of 22,097 and its setting is urban. It utilizes a semester-based academic calendar. New York University's ranking in the 2012 edition of Best Colleges is National Universities, 33. Its tuition and fees are \$41,606 (2011-12).

New York University's primary campus is located in the lively Greenwich Village neighborhood of Manhattan. NYU is a true city school, with no borders separating a distinct campus from the streets of the Big Apple. Students are guaranteed housing for all four years in the many residence halls throughout Manhattan, but many upperclassmen choose to live off campus in apartments around the city. NYU has a small but active Greek life with more than 25 fraternity and sorority chapters. There are hundreds of student organizations on campus, such as NYU-TV, which operates both the University Channel and the Movie Channel to provide entertainment and information to the university community.

NYU is divided into a number of schools and colleges, the largest of which is the College of Arts and Sciences. For those interested in drama or film, the renowned Tisch School of the Arts is the place to go, offering both undergraduate and graduate programs in acting, dance, dramatic writing, film, television, and more. Former Tisch students include directors Martin Scorsese and Spike Lee.

### Quick Stats

70 Washington Square S  
New York, NY 10012  
[\[map\]](#)  
Phone: (212) 998-1212

**2011-2012 Tuition**  
\$41,606 tuition and fees

**Students**  
22,097 enrolled  
39% male / 61% female

**Admissions**  
Jan. 1 application deadline  
38.1% accepted

[More Information](#)

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Other graduate programs include the highly ranked [Stern School of Business](#); [Steinhardt School of Culture, Education, and Human Development](#); [School of Law](#); [School of Medicine](#); [Silver School of Social Work](#); and [Robert F. Wagner Graduate School of Public Service](#).

#### School mission and unique qualities (as provided by the school):

New York University, a member of the distinguished Association of American Universities, is the largest private university in the United States, with a...

#### [Read More](#)

### General Information

School type	<b>private, coed college</b>
Year founded	<b>1831</b>
Religious affiliation	<b>N/A</b>
Academic calendar	<b>semester</b>
Setting	<b>urban</b>
2010 Endowment	<b>\$2,409,929,177</b>

### Applying

When applying to New York University, it's important to note the application deadline is January 1, and the early decision deadline is November 1. Scores for either the ACT or SAT test are due January 1. The application fee at New York University is \$65. It is most selective, with an acceptance rate of 38.1 percent.

For more information about the tests, essays, interviews, and admissions process, visit the [Applying to College knowledge center](#).

Selectivity	<b>most selective</b>
Fall 2010 acceptance rate	<b>38%</b>
Application deadline	<b>January 1</b>
SAT/ACT scores must be received by	<b>January 1</b>

[More About Applying](#)

### Academic Life

The student-faculty ratio at New York University is 11:1, and the school has 59.4 percent of its classes with fewer than 20 students. The most popular majors at New York University include: Visual and Performing Arts; Business, Management, Marketing, and Related Support Services; Social Sciences; Liberal Arts and Sciences, General Studies and Humanities; and Communication, Journalism, and Related Programs. The average freshman retention rate, an indicator of student satisfaction, is 91.8 percent.

Class sizes

**Location**

Within  miles of

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#### What will be your primary resource to help pay for college?

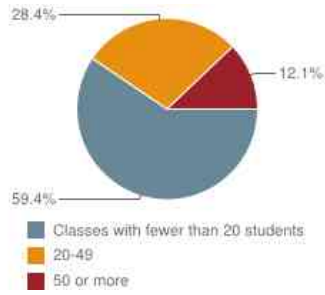
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- Not helping

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Student-faculty ratio **11:1**

4-year graduation rate **78% - High**

Five most popular majors for 2010 graduates

Visual and Performing Arts	<b>20%</b>
Business, Management, Marketing, and Related Support Services	<b>19%</b>
Social Sciences	<b>15%</b>
Liberal Arts and Sciences, General Studies and Humanities	<b>8%</b>
Communication, Journalism, and Related Programs	<b>7%</b>

[More About Academic Life](#)

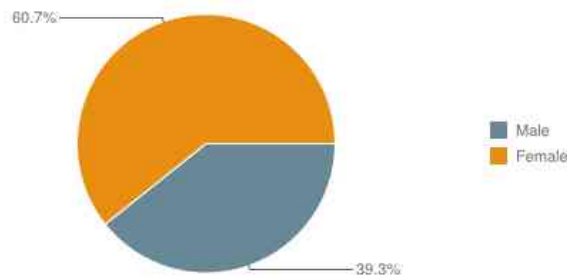
**Student Life**

New York University has a total undergraduate enrollment of 22,097, with a gender distribution of 39.3 percent male students and 60.7 percent female students. 48.0 percent of the students live in college-owned, -operated, or -affiliated housing and 52.0 percent of students live off campus. New York University is part of the NCAA III athletic conference.

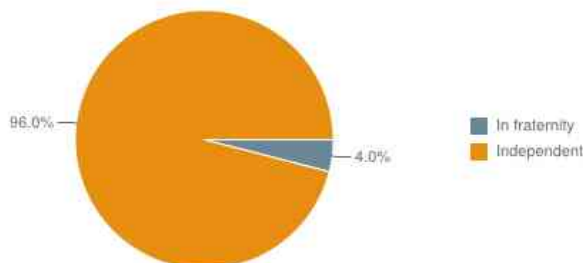
[See what students are saying about life at New York University.](#)

Total enrollment **43,797**

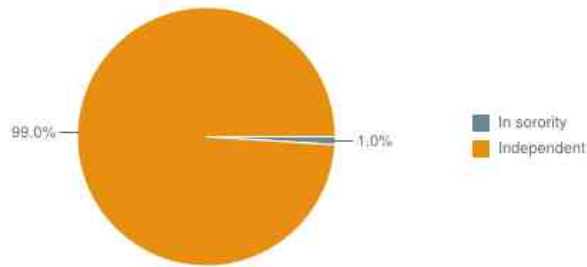
Student gender distribution



Undergraduate men who are members of a fraternity



Undergraduate women who are members of a sorority



Collegiate athletic association

**NCAA III**

[More About Student Life](#)

### Campus Info & Services

New York University offers a number of student services including nonremedial tutoring, women's center, placement service, health service, and health insurance. New York University also offers campus safety and security services like 24-hour foot and vehicle patrols, late night transport/escort service, 24-hour emergency telephones, lighted pathways/sidewalks, student patrols, and controlled dormitory access (key, security card, etc). Alcohol is permitted for students of legal age at New York University.

Students who have cars on campus

**N/A**

Health insurance offered

**Yes**

Students required to own/lease a computer

**No**

[More About Campus Info & Services](#)

### Paying for School

At New York University, 54.0 percent of full-time undergraduates receive some kind of need-based financial aid and the average need-based scholarship or grant award is \$18,459.

Paying for college doesn't have to be difficult or devastating. Go to the [Paying for College knowledge center](#) to get advice on raising cash and reducing costs.

Tuition and fees

**\$41,606 (2011-12)**

Room and board

**\$15,182 (2011-12) - High**

Financial aid statistics



[More About Paying for School](#)

### Student Reviews

There is no school spirit at NYU. There is no sense of community. It is incredibly easy to become detached from

NYU, since no effort is made to integrate students into the City. Overall, it's a depressing place with no campus where students can only feel alone despite the thousands of people surrounding them.

**Mike** Freshman

The greatest thing about NYU is the location! Where else can I see Mario Bertolli walking up and down 5th Ave. in his orange crocs? Or see Robert DeNiro pushing his kids in a stroller? Everything is so convenient, and I feel like I am being a good person because I walk everywhere instead of driving. One thing I would change is the cost! It's mad expensive here- not just attending, but living in the city, period. It's the perfect size for me. I know it's really like, what, 40,000 students or something? But I don't see them all- I have some really big classes, and then I have recitations and...

[Read More](#)






**KaseyMarie** Freshman


My first three semesters at NYU were difficult. I didn't feel like I had found a place for myself or a group of friends that I really connected with. NYC is a huge city and it is overwhelming at first. It may take longer to get settled at NYU than at what NYU students fondly refer to as "campus colleges", but once you do you can't imagine going to school anywhere else. The residences are mostly converted from apartment buildings so you have your own kitchen, common room and bathroom. There is the option to do all your own grocery shopping and cooking or eat in the dining halls. Security personnel are friendly and courteous. NYU does an impeccable job of keeping its students safe. As a student at NYU you will feel like you are a true resident of New York City. Its were you will eat and socialize and walk everyday. I wouldn't say that there is as much of a school pride at NYU as there is a NYC pride.

**Madeleine** Junior

[More student reviews](#)

\* Overview details based on 2010 data

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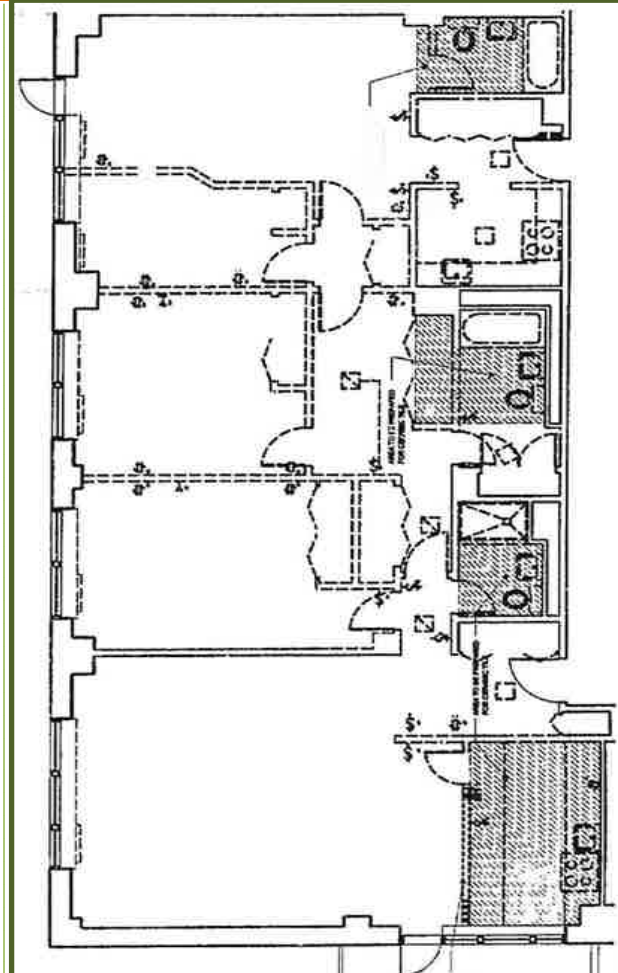
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Mayo Medical School enrolls the fewest students of any medical school. Check out U.S. News Med School Compass for more!

# Disappearing Before Our Eyes:

*How NYU Has Eliminated and Warehoused  
Faculty Housing Units  
in Washington Square Village,  
Even As They Ask to Overturn Zoning Rules  
To Build More Faculty Housing*



**Greenwich Village Society  
For Historic Preservation**

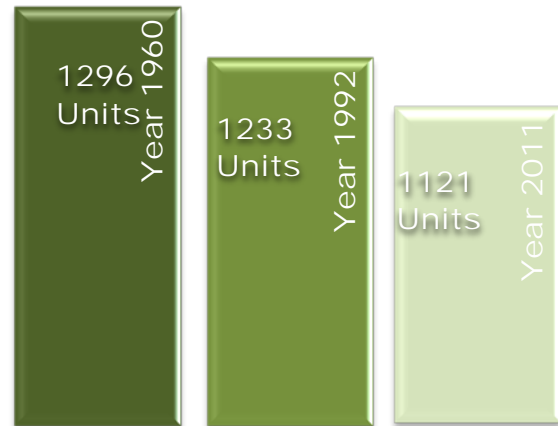
[www.gvshp.org](http://www.gvshp.org)

232 East 11<sup>th</sup> Street

New York, NY 1003

## Apartments Sacrificed by NYU at Washington Square Village for Combinations

- Currently there are a **total of 1,121 apartments** in the four buildings that comprise the Washington Square Village complex.
- According to the **1992 Certificates of Occupancy** the buildings had **1,233 apartments** or **112 more units than** today.
- When construction was completed in **1960** the buildings had **1296 apartments or 175 more units than today.**
- The number of units in the buildings is significantly reduced, **today there are 14.2% fewer apartments than when built,** because of apartment combinations made by New York University over the years.
- Between **1960 and 1992 the buildings lost 63 apartments** likely to combinations.
- Between **1992 and 2011 there were 40 applications for 80 apartment combinations** filed with the Department of Buildings.
- These 40 applications recorded that **since 1992, 197 apartments were combined into larger units, sacrificing 112 apartments.**
- Residents report that units are being warehoused (left empty) throughout the complex: at least 17 units in 1 Washington Square Village, 15 to 20 units in 2 Washington Square Village, 14 apartments at 3 Washington Square Village, and 18 apartments in 4 Washington Square Village.
- The **2010 Census reports a 56% increase in the number of vacancies compared to the 2000 Census** and a total of 288 vacant units in the census tract dominated by NYU housing.



*Reduction in Units in Washington Square Village  
1960, 1992, and 2011*



## **Attachments**

- I. Change in Apartment Units from 2000-2010 Census**
- II. Floor Plans for Apartment Combinations at Washington Square Village**
  1. 4 Washington Square Village Combination of Units 17P, S & T
  2. 2 Washington Square Village Combination of Units 2P, R, T & V
  3. 3 Washington Square Village Combination of Units 3B & D
- III. Certificates of Occupancy for Washington Square Village**
  1. 1959 and 1960 Housing Classification for 1 & 2 Washington Square Village
  2. 1992 Certificate of Occupancy for 1 & 2 Washington Square Village
  3. 1960 Certificate of Occupancy for 3 & 4 Washington Square Village
  4. 1992 Certificate of Occupancy for 3 & 4 Washington Square Village
- IV. New York University Correspondence with Department of Buildings**
  1. November 12, 1992 Letter to Department of Buildings Regarding Ongoing Apartment Combinations
  2. March 9, 2004 Letter to Department of Buildings Regarding Objection to Not Filing for Amended Certificate of Occupancy
- V. Washington Square Village Building and Apartment Floor Plans**
  1. Floor Plan for 1 & 2 Washington Square Village
  2. Floor Plan for 3 & 4 Washington Square Village
- VI. Department of Buildings Records of Permit Applications for Combinations, 1992 - 2011**
  1. Permit Applications for 1 Washington Square Village
  2. Permit Applications for 2 Washington Square Village
  3. Permit Applications for 3 Washington Square Village
  4. Permit Applications for 4 Washington Square Village

### Local Hotels

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DUANE STREET HOTEL  
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Union Square Supplement

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Monday, May 07, 2012

## N.Y.U. calls out the troops in support of its mega-plan

January 26, 2012 | Filed under: News | Posted by: adm in

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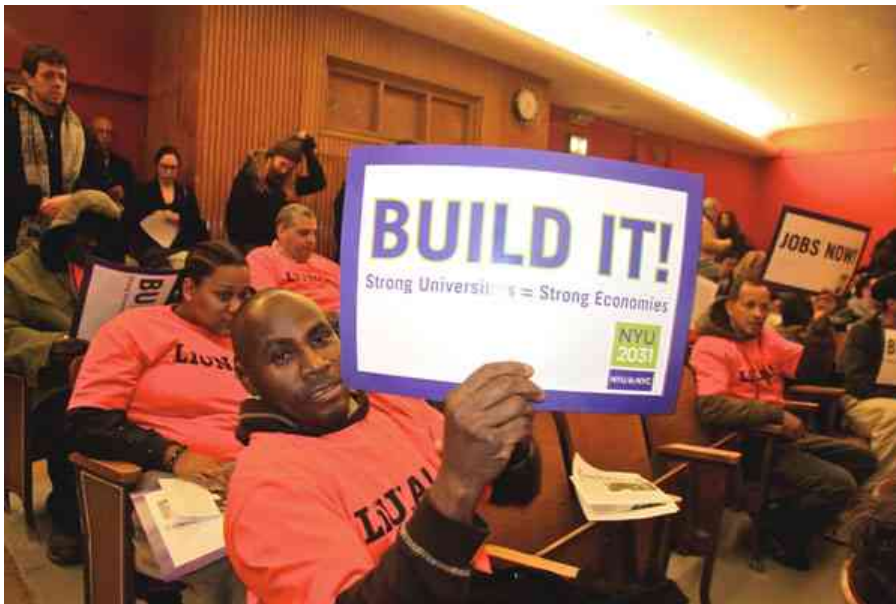


Photo by Tequila Minsky

Construction workers wearing orange shirts held up signs backing the N.Y.U. 2031 project at Thursday's full Board 2 meeting.

BY LINCOLN ANDERSON | In what opponents blasted as an "orchestrated" show of support for N.Y.U.'s 2031 large-scale development plan, union construction workers — along with university deans and even the women's basketball team coach — testified on behalf of the ambitious development scheme at Community Board 2's packed full board meeting last Thursday night.

And, in a first, a lone local resident spoke in favor of the plan. But the crowd mockingly accused him of being paid off.

Meanwhile, local residents among the 300-person audience at P.S. 41 repeatedly told N.Y.U. and

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the construction workers to “Build it Downtown!” — meaning the university should develop its new space nearby in the Financial District where Community Board 1 has an open invitation for N.Y.U. to come grow.

Several N.Y.U. faculty members also spoke against the plan, saying it would disrupt both their classrooms and their families’ lives.

Brad Hoylman, C.B. 2 chairperson, said 1,000 people had turned out at the board’s previous five hearings on the N.Y.U. “Core Proposal” this month. He noted the board had “avoided a melee” after the first of these hearings, when the auditorium at the A.I.A. Center proved to be too small for the overcapacity crowd, and the meeting had to be quickly moved to Our Lady of Pompei Church’s basement.

Hoylman said, at this point, the board will send a formal letter to N.Y.U. regarding the plan, asking the university to respond to it in writing. Following that, there will be a second round of meetings on the 2031 plan by the C.B. 2 committees during February.

Then, on Mon., Feb. 20, the board’s N.Y.U. Working Group, co-chaired by David Gruber and Terri Cude, will take all the resolutions from the various committees and use them to draft a comprehensive “omnibus resolution” on the N.Y.U. plan.

On Thurs., Feb. 23, the full community board will vote on this resolution — which is sure to be a lengthy one — which will then be sent to the City Planning Commission as the board’s advisory recommendations as part of the ULURP (uniform land-use review procedure) for the proposed plan. It’s the same procedure that C.B. 2 followed in its ULURP review of Rudin Management’s residential redevelopment scheme for the former St. Vincent’s Hospital site — which was approved on Monday by the Planning Commission.

The board didn’t pass any resolutions on the N.Y.U. plan at last Thursday night’s meeting, since it’s only midway through its 60-day ULURP review for the university’s application.

N.Y.U. is asking the city to lift development and open-space restrictions on its two superblocks south of Washington Square so that it can add 2.5 million square feet of space, with 1.5 million of that aboveground and 1 million underground.

In total, four new buildings would be added on the superblocks, located between Houston and W. Third Sts., including a new dorm, a replacement gym and an N.Y.U. hotel on the southern block, plus two academic “Boomerang Buildings” in the Washington Square Village courtyard on the northern block.

In addition, N.Y.U. will provide space for the city’s School Construction Authority to build a new public school at the southeast corner of Bleecker St. and LaGuardia Place. Initially, N.Y.U. had thought it would be constructing the “core and shell” for this public school, but now is only providing the land for free. In an e-mail, Alicia Hurley, the university’s vice president for government affairs and community engagement, explained that, at first, the university thought it might be putting the school in the planned, mixed-use “Zipper Building,” to be developed on the Coles Gym site on Mercer St., or possibly one of the new “Boomerang Buildings” in Washington Square Village, in either of which case it would have built the public school’s basic structure. But the situation changed, Hurley said, after N.Y.U. scrapped plans for adding a fourth slender tower (not well suited for a public school) within the landmarked Silver Towers complex and decided instead to build on the adjacent Morton Williams supermarket site, which is better configured for a public school; the revised proposal now calls for an S.C.A.-built public school in this planned building’s base, topped by an N.Y.U. dorm.

One of the building trades officials at last Thursday’s full board hearing noted that N.Y.U. is an “economic driver” for the city, generating \$2.5 billion for the economy and providing 25,000 jobs. The 2031 plan, he added, would provide 2,400 construction jobs over the next 20 years. Hard hats in the audience, who were all wearing orange T-shirts, cheered and held up “Build It!” and “Build Now!” signs.

However, Steve Ashkinazy, a C.B. 2 member, said if N.Y.U. instead built in the Financial District it would still mean the same number of new construction jobs — only not in the Village. Local residents in the audience cheered their approval.

Dennis Lee, of Local 79 of the masons and carpenters union, said New York needs the educational power of N.Y.U. to keep pace with global competition.

“I think our thoughts really do have to go back to our kids,” said Lee, a hulking figure who looked like he could play for the football Giants. “This is a worldwide economy, and we’re getting left behind.”

Jennifer Falk, executive director of the Union Square Partnership business improvement district, similarly said that the area’s large institutions, N.Y.U., The New School and Beth Israel Hospital, “are all major economic drivers. The economic impact that N.Y.U. has had... They shop in our shops, they use our services. I strongly urge everyone in the room to work to make this plan happen

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for the benefit of the entire city of New York.”

As she spoke, an opponent called out, “Downtown!” and someone else chided her, “Shame on you!”

Scott Dwyer, the lone Village resident — not counting N.Y.U.-affiliated employees — to testify in favor of the scheme, said, “The current superblocks are monolithic failures, and the city and N.Y.U. are to blame.” He said the superblocks’ main feature is “private, walled-off gardens.”

“How much did they pay you?” audience members called out derisively. No residents had spoken in favor of the plan at C.B. 2’s five previous N.Y.U. meetings in January.

Mary Brabeck, dean of N.Y.U.’s Steinhardt School of Culture, Education and Human Development, said the new construction would allow Steinhardt to centralize its faculty, now scattered over four different spaces, in one location.

Mary Schmidt Campbell, dean of N.Y.U.’s Tisch School of the Arts, said, “Greenwich Village is one of the world’s great artistic centers. For the past 50 years, the Tisch School has been a part of that.” She added that there would be a new performing arts center at Houston and Mercer Sts.

“That’s the hotel!” one anti called out incredulously. Indeed, N.Y.U. has not mentioned an arts center being part of the planned “Zipper Building” up to this point.

Calling the 2031 plan “elegant,” Janice Quinn, the N.Y.U. women’s basketball team coach, stated, “I say this as a neighbor, and not as an employee.... I think it’s time for us [N.Y.U.] to improve.”

Also testifying in support of N.Y.U. were representatives of social-service organizations, including the Bowery Residents’ Committee and University Settlement House.

“N.Y.U. has been a really excellent partner in helping those in need,” said the University Settlement representative. She said the Lower East Side settlement house supports N.Y.U.’s “ability to grow and remain a resource.”

The pro-N.Y.U. speakers were weighted toward the first half of the meeting. Hoylman said one person had signed them all up — which is allowable. About midway through the meeting, some N.Y.U. officials, including Hurley and Senior Vice President Lynne Brown, and the construction workers left. The plan’s opponents angrily said they felt “disrespected” by the N.Y.U. officials for not staying to hear all the criticisms of the plan. However, John Beckman, the university’s spokesperson, did stay for most of the full 2½ hours of public testimony. He later noted that Hurley had already attended five meetings on N.Y.U. that month — plus, no resolution on N.Y.U. was being voted on that night.

Former Councilmember Carol Greitzer recalled how 50 years ago the community had fought N.Y.U.’s effort to obtain the two superblocks, which were part of a federal Title I urban renewal area. The original developer wanted to get out of the deal, and so the property should have gone to a bidding process — but the city wanted the university to get the blocks, Greitzer said. To appease the community, the university agreed to give one of the new Silver Towers — 504 LaGuardia Place — as a residential building for Villagers. In addition, the university promised to create an N.Y.U.-run, experimental public school on the present Coles Gym site, yet this was never built, Greitzer said.

“This is infill infamy, and we can’t let this happen again!” Greitzer declared as the crowd cheered.

Beth Gottlieb, president of the Mercer-Houston Dog Run, said, “The buildings and scale of this project do not belong in the Village. We do not want to be homogenized, overbuilt or Gap-ified.” Warning politicians who will vote on the plan as part of ULURP, Gottlieb said, “To Councilmember Chin, Borough President Stringer and all our elected officials who say you represent us — do it! If not, you’ll hear from us on Election Day.”

Matt Viggiano, Councilmember Chin’s land-use planning director, said he knows people are eager to know Chin’s position on N.Y.U. 2031. The superblocks are in her district, and her stance presumably would have a major influence on the Council’s vote on the ULURP.



Photo by Tequila Minsky  
Mary Brabeck, dean of N.Y.U.’s Steinhardt School of Culture, Education and Human Development, said the 2031 plan would centralize Steinhardt’s scattered faculty offices.

“It’s a little early for us,” he said of Chin revealing her full position on the project. “Over the next few months, the councilmember will continue to meet with residents and the community board. We have serious concerns about the size and impact of the 2031 plan.”

Nina Hernandez, an N.Y.U. alumna who lives on Mercer St. across from the “Zipper Building” site, said, “I know we need the jobs. But we need our community, we need our light, we need our air. I don’t want to live in a canyon.”

Mary Johnson, a former C.B. 2 member who lives east of Washington Square Park, said recent N.Y.U. projects, like its co-generation plan upgrade, turned the neighborhood into a nonstop construction zone.

“N.Y.U. has been renovating buildings, putting things on top of roofs, digging holes, connecting the co-gen to every area — it ain’t fun,” she said. “Eighteen to 19 years of that would be hell.”

Also, she said, the residents of the so-called “loft blocks” east of the park don’t want N.Y.U.’s proposed rezoning to add commercial uses in this area.

“We have plenty of shops on Eighth St. and Broadway,” she said.

Fearing the construction’s fallout and its impact on air quality, Laurence Maslon, a professor at the Tisch School, said, “What happens in my classroom when I have to take my 6-year-old to the doctor because he has a lung infection? Faculty housing is a covenant between a university and its faculty,” said Maslon, who lives on the superblocks. He said if a project of this magnitude were proposed at a small liberal-arts college like Wesleyan or Oberlin, the faculty would revolt.

Gary Anderson, a Steinhardt professor, referred to Villagers’ past battles to beat back the neighborhood-destroying plans of Robert Moses.

“They know they’re on the wrong side of history,” he said of N.Y.U.

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**Mstults1313**

How soon they forget! I find the showing of union support at this meeting ironic. As I recall, NYU had a little trouble with the union when constructing their dorm on the old Paladium site on 14th Street back in the late '90's. Regarding, the two union spokesmen who touted the value of education - I seriously doubt they would send their kids to NYU considering its sky-high tuition costs.

3 months ago 2 Likes

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**Rackow**

Bringing the construction workers in was really no surprise. We sympathize with their need for employment. But not hearing from elected officials is really disgraceful. Mrs. Chin and Boro President Stringer know that the community is majority opposed to NYU 2031 plan. Why are they not representing our community. The so-called public school building topped by a student dorm will never be built despite NYU's promises. It's time for NYU to develop more realistic plans.

Sylvia Rackow  
Committee to Preserve our Neighborhood

3 months ago

Like Reply



**Jblake1960a**

NYU and Unions! What a joke! NYU is anti-union, always has been. Their facade work was all done by non-union labor. They tried to stop the grad students from forming a union. What were you paid to attend the meeting?

We are not against NYU expanding, but give the Village a break!

You union workers should have the buildings built in your neighborhoods - think of the short commute you will have. Think of the vitality it will bring your neighborhoods. Think of all the locals that will be working there! Think of all the foreign students and the culture it would bring!

NYU - I call on you to share the wealth with the rest of the city! Build in Brooklyn and Queens and the Bronx and lets not forget Staten Island. Heck, even build in NJ! And give the Village area residents; you know the ones that have been putting up with the noise and pollution from your Non-Profit High Tuition school since NYU first opened.

3 months ago

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April 11, 2010

# As St. Vincent's Closes, Other Hospitals Get Busier

By ANEMONA HARTOCOLLIS

Outside St. Vincent's Hospital Manhattan over the weekend, the streets of Greenwich Village and Chelsea were busy with the usual assortment of nightlife inhabitants. But inside the hospital, in operation since 1849, the emergency room was strangely deserted.

For the first time in as long as anyone could remember, ambulances were no longer delivering patients — except psychiatric patients — and the atmosphere in the emergency room was funereal.

For doctors at other hospitals, it was a first sampling of the types of patients — drunken bar hoppers who have gotten into fights or fallen down stairs; young adults who have overdosed on pills; and tourists and residents suffering from more ordinary aches, pains and mishaps — that the future will bring.

The effects of the emergency room's closing, the first step in closing down the entire hospital, may be felt more deeply than many suspect. St. Vincent's has a fleet of five ambulances that cover the area from Battery Park City up to the garment district on the West Side, said Patrick Bahnken, president of Local 2507 of District Council 37, which represents emergency medical technicians and paramedics in the Fire Department.

Within that area, even people who might not ordinarily go to St. Vincent's to see a doctor could, if they called 911, be picked up by a St. Vincent's ambulance. Depending on location, traffic, how busy other hospitals are and the patient's own choice, St. Vincent's ambulances will now go to other nearby hospitals — some, like St. Luke's-Roosevelt Hospital Center on West 59th Street, a considerable distance from St. Vincent's.

Over the weekend, Beth Israel Medical Center and Bellevue Hospital Center — both east of St. Vincent's — reported an increased number of emergency patients from the Village area.

Dr. Marc Felberbaum, an emergency room attending doctor at Beth Israel, said he had come to work at 8 a.m. Sunday to find about 25 people still being cared for in the emergency room,

instead of the usual four or five.

“Half of them were drunks from the St. Vincent’s late-night bar scene,” Dr. Felberbaum said. “They get into fights, they fall down.”

Bellevue and the Tisch Hospital emergency room of NYU Langone Medical Center saw a rise in suicidal and depressed young adults over the weekend, including a man with a slashed neck and someone else who took 30 pills, even though St. Vincent’s was still supposed to be taking psychiatric emergencies, Dr. Lewis Goldfrank, chairman of the emergency department at Bellevue, said Sunday.

Dr. Goldfrank said there was evidence that the closing of St. Vincent’s had created a sense of disorganization beyond even the emergency room. He said a man had brought his wife, who had Alzheimer’s, to Bellevue, after their home attendant from St. Vincent’s failed to show up.

Several doctors at St. Vincent’s said they had heard that Bellevue and Beth Israel had been so overwhelmed by St. Vincent’s patients at various points since Friday that they, too, had gone on “diversion,” meaning they had stopped taking ambulance traffic for some periods of time. But both Dr. Felberbaum and Dr. Goldfrank denied that, suggesting that it was part of the rumor mill of anxiety surrounding the closing.

Dr. Goldfrank said Bellevue had rarely gone on diversion during his 30 years of running the department, and that he had met with his doctors, nurses and clerks and reiterated his belief that they should not go on diversion because of St. Vincent’s closing.

“Bellevue is built to handle disasters; we are the backbone of care for Lower Manhattan,” Dr. Goldfrank said Sunday. “I think we have to be open.”

Paramedics from St. Vincent’s interviewed at area hospitals on Saturday and Sunday said that their trip times had increased, and that although there had been no serious consequences yet, they believed that it was only a matter of time before the combination of longer trips and more crowded emergency rooms led to problems for patients.

“We’re concerned for the neighborhood we work in,” Damon Garcia, a St. Vincent’s paramedic, said Saturday night.

Mr. Garcia picked up a man from a soccer field at West Street and West Houston Street that evening and took him to Beth Israel. “It took me 19 minutes to get here,” he said, after dropping the man off. “If I went to St. Vinny’s, it would have been less than five.”

He said he had not used lights and sirens, because the patient was stable, but the trip across

town meant that he would not be available immediately for another run, which might be more of an emergency.

Another paramedic, Patrick Powers, said he had picked up a patient at Grove and Bleecker Streets early Sunday and taken him to Beth Israel. "We drove right by St. Vincent's," Mr. Powers said. "There is going to be a tragedy. I guarantee it."

St. Vincent's stopped accepting 911 ambulance calls (except for psychiatric patients) at 10 a.m. Friday, as part of the phased-in closing of the hospital.

At St. Vincent's, Dr. Maria Rolon, an attending physician, said she considered herself a witness to history: the prolonged death of the last Roman Catholic general hospital in New York. She said she was not worried about herself — she has found a new job at [Maimonides Medical Center](#) in Brooklyn — but she was worried about the neighborhood.

"The drop in patient volume is equal to the drop in morale of the entire staff," Dr. Rolon said. "It's demoralizing to witness this place as busy as it was not so long ago, now almost empty."

St. Vincent's is still taking walk-in patients, and Dr. Rolon said that since Friday, several patients had walked into the hospital and been admitted, including one with acute appendicitis and another with an inflamed gall bladder.

Dr. Rolon recalled how the hospital treated a patient last week who had anaphylactic shock after eating a cookie with nuts. He was able to walk across the street to the hospital, but, she said, transporting him 10 minutes across town might have meant his death.

At least one hospital said it would be happy to take in more patients from St. Vincent's. At [New York Downtown Hospital](#), near the financial district, the hospital's emergency room, expanded with a grant from Lehman Brothers after 9/11, currently receives about 40,000 patients a year, and has the capacity to take 20,000 to 25,000 more, Dr. Warren B. Licht, chief medical officer, said Sunday.

Dr. Licht said his hospital had offered to take over three of St. Vincent's fleet of ambulances, two immediately and a third within 60 days.

Dr. Licht said that because the financial district is quiet on weekends, New York Downtown tends to be less busy on Saturdays and Sundays than other hospitals.

Mr. Bahnken said it was likely that St. Vincent's ambulances would be phased out and replaced with city ambulances beginning in about a week.

Meanwhile, St. Vincent's ambulances are still running, if not to St. Vincent's.

On Saturday night, Mr. Garcia's ambulance picked up a patient at 38th Street, and paramedics decided that the best hospital would be Roosevelt at 59th Street. It took seven minutes to get there, he said.

The patient, Grace Schofield, 23, a tourist from England, was getting ready for her birthday dinner Saturday night, when she started feeling abdominal pain, and her friends called 911. Her friends said she seemed to be all right, and they had another New York story to tell.

"I got to do the horn and the siren," said Sarah Sharp, 23, a veterinary nurse from England. "I had quite a lot of fun with that."

*Reporting was contributed by Al Baker, Niko Koppel, Colin Moynihan and Rebecca White.*

## Greenwich delays opening bids for new fire station

MARCH 12, 2012 9:22 PM • [MEETING CAPSULE BY THOMAS DIMOPOULOS](#)

### Meeting

\* Greenwich Village Board regular monthly meeting, Monday night

### Top story

\* The board announced it would wait one month to open design bids for a new fire station. The delay will give the village time to ensure the 19th century structure can be demolished. The building, located adjacent to Village Hall, housed the fire department before it was condemned and vacated last year. Officials hope to build a new station in the same location. Eight firms have expressed interested in designing the new structure. The bids will be opened at 7 p.m. April 30.

### Other news

\* The board declared village-owned property at 184 Main St. as “surplus property.” As such, it will be listed for sale. The lot, appraised by a Realtor for \$109,000 to \$129,000, is adjacent to property leased from the village by the YMCA. The YMCA will have the right of first refusal and the opportunity to match any purchase offers.

\* The board scheduled a meeting for 6 p.m. Monday to discuss the proposed budget. The board also unanimously approved a local law to override the state’s tax levy increase cap, though Mayor David Doonan said he was “pretty confident” the tax levy would remain at, or just under, 2 percent. The village approved a \$1.59 million spending plan last year, with property taxes accounting for about \$990,000 of revenue.

### Next meeting

\* 7 p.m. April 9 in Village Hall, 6 Academy St.



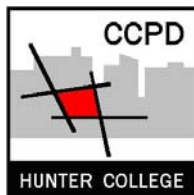


# **GETTING TO NYU'S CORE: GREENWICH VILLAGE PROPOSAL MEANS *LESS OPEN SPACE***

May 6, 2012

Prepared for:  
LaGuardia Corner Gardens  
Lower Manhattan Neighbors' Organization, Inc.

by



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# Executive Summary

⇒ *Net Loss of Open Space*

This report challenges NYU's claim that its Core Proposal would increase publicly accessible open space by more than three acres by the year 2031. We find instead that **NYU's planned development on two Greenwich Village superblocks would:**

- **Eliminate 2.84 acres of open space**—a 37% reduction of open space on the two superblocks. The Washington Square South Urban Renewal Plan was founded on the principle of protecting open space and ensuring access to light and air for residents; the 2012 NYU plan violates these principles behind the urban renewal plan that created the current residential community.
- **Result in a significant negative environmental impact.** The 37% loss of open space exceeds by far the minimum threshold of 5% requiring disclosure of a negative impact under the city's Environmental Quality Review Guidelines.
- **Privatize most of the remaining open space on the superblocks** by creating quad-like interior courtyards with its proposed new buildings, fences and barriers, and continuing past practices that make public places exclusive enclaves serving NYU's purposes.
- **Result in the privatization of .47 acres of the Coles public strip** and other publicly-owned open space adjacent to the two boomerang buildings.
- **Eliminate current plantings on the Mercer Strip, including the LaGuardia Corner Gardens and Time Landscape** (1.56 acres) and place in jeopardy an additional .39 acres of publicly-owned open space that NYU promises to restore by 2031, or states will not be affected by the construction.
- **Burden the residential neighborhood with inappropriate commercial uses,** through zoning changes that fail to respect the neighborhood character and sense of place.
- **Eliminate the environmental benefits of the trees and vegetation on the public strips.** The Sasaki Gardens, for example, store more than **1,200,000 pounds of carbon a year.**

⇒ *Broken Promises and Lack of Trust*

**This report questions NYU's capacity to properly steward publicly accessible open space, based on its current and past practices.** Over the years, NYU's management of these superblocks have produced a deep mistrust among local residents and open space advocates. The university has made and broken promises, neglected both publicly-owned and private land for which it is contractually obligated to care, and created roadblocks for many neighborhood groups such as the LaGuardia Corner Garden, Lower Manhattan Neighbors Organization (LMNO(P)), the Mercer-Houston Dog Run Association, and Manhattan Community Board 2, to name a few. Why should we trust that NYU will build an accessible playground, open gates, remove barriers, and maintain and enhance green space, when they haven't followed through with similar promises in the past?

⇒ *Loss of the Environmental Benefits of Green Space*

The trees and vegetation in the two blocks strips around the Sasaki Gardens store more than **1,200,000 pounds of carbon** a year. Most of this and other environmental benefits are jeopardized by the project, particularly during construction. NYU has argued that the green space on the public strips affected by new construction will be restored by 2031. This report shows that **it will take more than 40 years to replace the environmental benefits provided by the 121 trees on the public strips and the 180 specimen trees in Sasaki Gardens and adjacent areas.** Indeed, many of the environmental benefits will never be restored. Virtually all of the public strips would be covered in shadows and the growth of trees will be greatly inhibited if this project is approved. The elimination of trees runs counter to the objectives of PlaNYC2030 and the city's million trees initiative.

⇒ *Recommendations: Map All Public Strips as Parkland, Reject Commercial Rezoning*

**We recommend that all public strips be mapped as Parks to fully protect them and prevent the privatization of public space in the future.** This must include **LaGuardia Corner Gardens**, the oldest community garden in the country, and the **Time Landscape**. Many people are under the impression that the community gardens are already Park property. They are not, and NYU has indicated that it will not support this level of protection.

We also recommend that the City Planning Commission **reject the requested commercial rezoning** which allows for building bulk and heights far above current residential limits. This, too, would contribute to the permanent and irreplaceable loss of valuable open space resources.

# GETTING TO NYU'S CORE: GREENWICH VILLAGE PROPOSAL MEANS *LESS OPEN SPACE*



⇒ **NET LOSS OF OPEN SPACE**

## **NYU's Core Proposal Means Less Open Space, Not More**

NYU's Core Proposal claims that the project will increase publicly accessible open space by more than 3.1 acres. A careful look at the numbers, however, reveals a loss of 2.84 acres of open space by 2031, a 37% reduction. This in a neighborhood that is drastically underserved by open space and is far from reaching the City Planning Commission's minimum open space guidelines.

NYU's Core proposal would jam more than two million square feet of building space into two city blocks. The university's colorful maps showing the two blocks in 2021 and 2031 give the impression that there will be lots of added green so that there would be "No Significant Negative Environmental Impact" on open space resources.

As Manhattan Borough President stated in testimony at the 2011 EIS scoping session,<sup>1</sup> "retaining the park strips is an important community goal...Community District 2 has some of the lowest open space ratios of any neighborhood in the City." He noted that the CEQR Technical Manual defines the area as "underserved" in open space. In this section we show that

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<sup>1</sup> Scoping Session before the Department of City Planning, May 24, 2011

if the proposed project were to be built, there would be a reduction in open space on the superblocks.

### **NYU Admits to “Temporary” Loss of Open Space During Construction**

NYU admits that many of the existing open spaces will be “temporarily” lost while it is constructing its new buildings and can only claim a return of open space by 2021 by including interior space in the proposed Zipper building. They argue that more open space will be put back by 2031 by taking public space on the strips and by claiming the Sasaki Gardens as found open space, yielding a net gain in open space in the long run.

In the short term, the noise and dust from construction would render open areas in the entire area inhospitable. The few areas designated for playspace will be unusable. Nearby residents will be forced to go elsewhere to walk their dogs or play with their children. But will things improve after 2021? This scenario is problematic for several reasons:

- Construction delays in New York City are common. Any number of problems with financing, permissions, contractors, or subcontractors could result in significant delays.
- NYU could change its mind; decades from now, residents of the new NYU enclave may not know what had been promised in 2012, just as many today have no idea of the mandate to provide open space in the original urban renewal plan for the superblocks. As in the past, NYU could effectively turn what was supposed to be public open space into its own private turf.
- There are no significant penalties for NYU if it does not fulfill its promises or guarantee accessibility.
- Therefore, in the DEIS, **the Reasonable Worse Case Scenario should be a net loss of open space in 2031.**

### **The loss of open space is likely to be permanent and not temporary.**

NYU’s open space calculations are fundamentally flawed and misleading. NYU uses “creative accounting” to reach a conclusion that the amount of open space will increase by the year 2031. Indeed, their numbers game flies in the face of plain logic. If you add four massive new buildings that enclose interior spaces, then take away existing open space strips on the streetfronts, how can you wind up with more and not less open space?

We counted existing and future open space in three different ways, and in each case there was no gain in open space and the loss went from small to medium to large. If we count everything except building footprints as open space, then there is a net loss of 1.43 acres. If we count the Coles Gym roof deck, there’s a net loss of 2.84 acres. And if we only count the publicly owned strips on Mercer Street and LaGuardia Place, there is still a loss of .47 acres. (See Appendix for details).

NYU performs the magical feat of producing a net gain in open space by:

- Undercounting existing open space
- Obscuring the impacts of the new buildings
- Falsely claiming portions of NYU's private building space as public open space

### UNDERCOUNTING EXISTING OPEN SPACE

The City Environmental Quality Review (CEQR) technical manual defines open space as land that is *"set aside for the protection and/or enhancement of the natural environment."* NYU excludes some existing open spaces from its count by considering them to be private or inaccessible. However, the definition explicitly includes even private open space that enhances the natural environment. The critical point here is that by not counting some existing open spaces that NYU has itself rendered inaccessible, it can then claim a gain in open space, even if, on the ground, it turns out to be a net loss. All open areas on the superblocks, excluding the building footprints, meet the broad CEQR definition of open space and should be included in the open space analysis. We have done this in our calculations.

NYU is inconsistent in its methodology when it includes the Sasaki gardens in its open space analysis, while excluding the corresponding open space in the southern block, the Oak Grove and the Silver Towers central plaza (denoted by the letter "Q" but not even given a name in the open space inventory<sup>2</sup> so as to draw less attention to the contradiction in methodology).

By unlocking gates NYU itself has erected and padlocked, NYU claims it is giving open space to the community; in fact, this is disingenuous at best, since they have made promises over the years to properly maintain and make available spaces which they have subsequently neglected.



**NYU GATES**



**IN RED, THE 2.43 ACRES OF UNDERCOUNTED OPEN SPACE**

<sup>2</sup> DEIS, p. 5-9

### The Public Strips: Key Public Open Space Assets

The most valuable public open spaces on these two superblocks, both now and in the future, are the public strips on Mercer Street and LaGuardia Place. They total 1.93 acres of public open space<sup>3</sup>. NYU's plan treats them as mere remnants that get used for construction staging and eventual decoration at the borders of their giant new residential enclaves. Parts of these strips will become walkways that feed into their building complexes. What remains of green will be little more than window dressing.

NYU's map of the two-block project area in 2031, with all its misty green hues, shows fully restored green strips along LaGuardia Place: Time Landscape, a rebuilt LaGuardia community garden, a new LaGuardia Play Garden,<sup>4</sup> and other areas that NYU failed to count in its inventory of current open space.

### The LaGuardia Strips

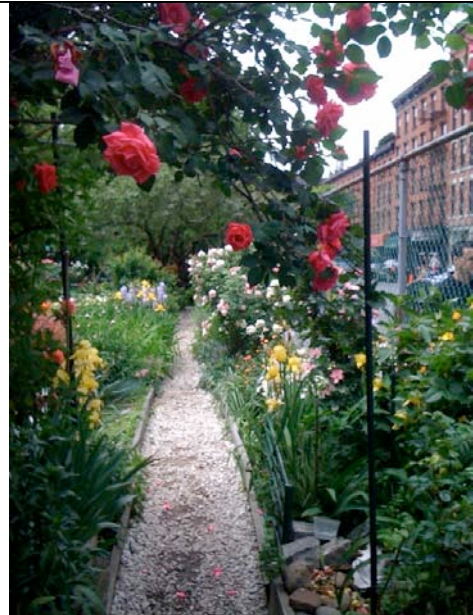
NYU's open space inventory classifies two well known and obvious public spaces as private: The La Guardia Corner Gardens and the Time Landscape. This lets them claim an increase in open space if and when these are restored by 2031. Let's look more closely at these examples of curious accounting.

### The LaGuardia Corner Gardens (approximately .15 acres) and Time Landscape (.19 acres)

The LaGuardia Corner Gardens is an active and successful community garden in the city's Green Thumb program. It is the oldest running community garden in the city. Green Thumb's mission is to "foster civic participation and encourage neighborhood revitalization while preserving open space." LaGuardia Corner Gardens was established in 1975 and incorporated in 1980.



Many volunteer hours have transformed a formerly unremarkable open space.



<sup>3</sup> According to Sanborn maps, the Mercer public strips are 54' wide; the LaGuardia public strips are 45' wide.

<sup>4</sup> Also called Friends of LaGuardia Association or Adrienne's Garden.



Through volunteer community labor and private fundraising, the Corner Gardens has become a well established community institution.<sup>5</sup>

The DEIS treats LaGuardia Corner Gardens as “private open space.” The reason given is its “limited hours of public accessibility.” By this reasoning, most public parks and playgrounds would be “private.” La Guardia Corner Gardens is publicly accessible in accordance with the mandates set forth by the NYC Greenthumb program. The Gardens has public and educational programs during volunteer hours. Needless to say, it is on publicly-owned land. In fact, there is much more “public” in the Gardens than, for example, the Coles Gym rooftop or the Coles interior athletic space, which were supposed to be accessible to the public.

The LaGuardia Corner Gardens includes peach, crabapple, apple, black pine and pear trees, as well as vegetables, herbs and flowers. These would be destroyed when the land is “temporarily” covered by sidewalk sheds and used as a staging ground for construction of the proposed Bleecker Building. After completion of construction, the gardens would struggle to survive at the foot of the new 178-foot Bleecker Building, and be virtually unusable for growing vegetables, herbs and flowers that require at least partial sunlight. The old growth trees that would be lost could not be replaced until decades in the future, if ever, since the species that currently exist require more sun than they were receive after construction is completed.

The Time Landscape Garden should be transferred from D.O.T. Green Streets and be mapped as parkland. Created by artist Alan Sonfist (1946- ), the Time Landscape was conceived “as a living monument to the forest that once blanketed Manhattan Island. After extensive research on New York’s botany, geology, and history, Sonfist and local community members used a palette of native trees, shrubs, wild grasses, flowers, plants, rocks, and earth to plant the ¼ acre plot. In place since 1975, it is a developed forest that represents the Manhattan landscape inhabited by Native Americans and encountered by Dutch settlers in the early 17th century, the only dedicated native landscape in Manhattan.”<sup>6</sup> This

**Future Conditions  
2031 Full Build**

- Encroachment on Public Space
- New Building Footprints and Additional open space removed due to proposed project
- Existing Building Footprint



<sup>5</sup> This community garden and Time Landscape are separate and distinct from the Friends of LaGuardia Association landscape on the northern superblock.

<sup>6</sup> NYC Department of Parks and Recreation, sign denoting the significance of the Time Landscape

landscape should be permanently protected and mitigated—not moved or otherwise encroached upon.

Many of the existing plants in the gardens will not survive under the harsh conditions of construction and, the replacement plants will have to be shade tolerant plants since the flowering vegetation and edible plants that are there now will not survive the shady conditions in the shadows of the Bleecker or Zipper Buildings. It should also be noted that the Borough President and NYU sponsored a white paper<sup>7</sup> extolling the benefits of urban food production, only to turn around and effectively quash the production of food on this highly visible, accessible and active community garden.

NYU suggests that the community gardens be temporarily relocated, but the CEQR map for this underserved area shows that there is no available open space for relocation within a ¼ mile radius. “Temporary” relocation would most likely result in a permanent loss.

### **The Mercer Strips**

The proposed Zipper Building would shut down all open spaces on Mercer Street’s southern block. The entire Coles strip, now owned by the City and under the jurisdiction of the Department of Transportation, would be completely eliminated. The Mercer-Houston Dog Run would be displaced to a slightly less accessible area. Coles Playground and Coles Plaza would be removed. This would result in the loss of .47<sup>8</sup> acres of public open space.

The current Coles Plaza, Coles Playground and Dog Run are all currently city-owned, but with the proposed plan, they would be replaced by a narrower concrete walkway with a proposed toddler playground on the west side of the new Zipper building, buried deep in the south block, away from the block perimeter. In the shadows of the proposed Zipper Building and Silver Tower, and set back beyond the proposed Dog Run, this facility is likely to be perceived, and used, as a strictly private facility, if it is found at all. If NYU’s track record of managing the .53 acre Washington Square Village “Key Park” Playground is any indication of future performance, access to the proposed Toddler Playground will be tightly controlled, unlike most public playgrounds in the city.

The replacement of the Coles Strip eliminates land at the perimeter of the block where it is now highly visible and accessible and tucks it away within the block. The displacement of the public strip on Mercer Street to the interior courtyard spaces of Greene Street walk is another example of the privatization of public land by making it inaccessible. Below we show how this is done on a massive scale with the enclosure of Sasaki Gardens.

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<sup>7</sup> “FoodNYC, A Blueprint for a Sustainable Food System,” February, 2010.  
[http://www.mbp.org/uploads/policy\\_reports/mbp/FoodNYC.pdf](http://www.mbp.org/uploads/policy_reports/mbp/FoodNYC.pdf)

<sup>8</sup> 378’x54’, the length of the south block times the width of the public strip.

NYU's calculations are founded on unsupportable bases—namely that the *interior* and exterior of Coles gym contribute 4.82 acres<sup>9</sup> to the open space inventory and are defined as publicly accessible open space—while, at the same time, it disqualifies a total of 2.43 acres of grade-level open space<sup>10</sup> as not publicly accessible. One cannot have it both ways—either *everything that is unbuilt on the block is open space, or only public lands, such as LaGuardia Corner Gardens, the Mercer Street Playground, the Time and LaGuardia Landscapes and Coles Plaza, are open space.*

The contention that NYU is adding to the open space is founded on the assumption that the current Coles Gym rooftop *and* the interior space are viable publicly accessible open spaces. NYU claims that this space currently adds up to 4.82 acres, and then implicitly indicates that equal open space will be available within the proposed Zipper building.<sup>11</sup>

The 2031 future build conditions hinge on the inclusion of the proposed athletic facility in the Zipper building as open space<sup>12</sup>—an odd contention since the multi-leveled roof will not provide even the amount of active open space currently on the Coles track. Does the inclusion of the athletic facility in the proposed Zipper building mean that New York City should revise its open space inventory criteria to include Crunch, Reebok and every other private gym in the City? Indeed, interior gym space is never included in open space inventories and cannot be equated with Washington Square Park, a community garden or a grade-level playground.

### **Mercer Street Playground and Adjacent Landscape**

Though it appears that NYU has agreed to withdraw its proposal to construct a temporary gym, Mercer Street Playground would eventually be destroyed and encroached upon by the Mercer Boomerang Building—another example of privatization of public space. Though NYU states it supports the eventual remapping of Mercer Street Playground as parkland—after it has demolished the current playground in the construction phase—the Playground would be much reduced in size and would cease to exist in any recognizable form. While the proposed tricycle area is euphemistically named a garden, in fact it appears to be almost exclusively a concrete plaza—a continuation of the Mercer Street plaza just to its south.

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<sup>9</sup> DEIS p. 5-12.

<sup>10</sup> Open spaces are identified in the DEIS, pp. 5-9 to 5-12 by the letters B, E, F, G, J, N, O, P, Q, R, T, W, X, Z and additional land which NYU overlooks entirely (M1, G).

<sup>11</sup> The January presentation to CB2 includes the addition of open space within the Zipper building, but does not provide any details.

<sup>12</sup> But the January 2012 report to the Community Board does not specify how much space will be made available to the public within the proposed Zipper building; specifics were not found elsewhere.

Lower Manhattan Neighbors' Organization {LMNO(P)} was founded in 1991 by several parents and organized as a not-for profit in 1992 in part as a response to an attempt by NYU to remove the then-existing open space on DOT property used by the public as a playspace for older children. At the time, NYU was seeking to install "viewing gardens" which the community felt would detract from the active open space that existed previously. Community response was particularly negative because NYU had just installed a key system to control entry to the Key Park, which had previously been open to the public. After about 3 years of negotiation with NYU and DOT, DOT issued a permit to Parks that enabled the community group to fund raise in earnest for the playground. Through auctions, street fairs, private fund raising and other events, they raised almost \$200,000 which they lovingly poured into the Playground, designing and commissioning the fabrication of the fence according to Park's criteria.



Photo Credit: The Stuyvesant HS Spectator

Additional fencing was required to enclose the small gardens at both ends of the block, which the group had to give up in negotiations with NYU. NYU also required LMNO(P) to retain fire lanes, requiring the fabrication of giant swinging gates, controlling access to the space; tellingly, the fire lanes, so important to NYU in 1991, are eliminated in the current 2012 plan—apparently, the gates were not so necessary after all. LMNO(P) paid for these fences and equipment directly to NYC Parks—an affirmation that this playground is and should remain a *public park*, and should not be encroached upon by NYU's current plan.

Over and over again, NYU has neglected to maintain the property under the original agreement with the Parks Department—the founding members have good reason to doubt that they will do a better job in the future.



Sasaki Gardens

### Obscuring the Impacts of the New Buildings: From Sasaki Gardens to Dark Inner Courtyard

The building footprints of the proposed four new buildings alone would *decrease* open space by at least one acre.<sup>13</sup> NYU magically transforms this net loss into a gain by first failing to count

<sup>13</sup> The difference between the existing building footprints and the proposed footprints, plus the "moats" that partially surround the proposed boomerang buildings.



existing open space such as Sasaki Gardens, and after hemming in the same space with two new buildings calling it public open space!

In its open space inventory NYU considers the landmark-eligible Sasaki Gardens (1.34 acres) as private. This interior space on the north block is now accessible to the public, but with limitations that are no more onerous than other public spaces on the blocks. NYU would have us believe that after they completely close the interior space by erecting two new buildings on the east and west ends of the block and redesigning access points, the resulting interior courtyard, in virtually permanent shadows, would be public open space. With the addition of the proposed LaGuardia and Mercer buildings, **this space will effectively become an interior courtyard** and less accessible to the public than the existing elevated gardens. The enclosure produced by the two new buildings will create new visual barriers. Landscape design and signage at the entry points to the courtyard could change over time without oversight or approvals and further create barriers to public access. Furthermore, NYU would be replacing old growth trees and vegetation of Sasaki gardens with a highly-privatized concrete plaza embellished with an occasional tree, thus losing the peace and tranquility, not to mention the environmental benefits, of the 180 trees, herbs, flowers and edible plants.



**NYU's neglect of open space (above) contrasts with the care of community groups**



NYU also counts open space *within* the proposed gym and in *below-grade "light wells"* or moats 3 floors below grade, that partially surround the boomerang buildings to create the illusion that it will be adding publicly accessible open space in the colorful drawings, further degrading the public accessibility of the inner courtyard. The proposal is designed in such a way that the only people who will benefit from these spaces are NYU students, faculty and tenants who pay for access, not the public.

## ⇒ NYU's Poor Track Record as a Steward of Open Space

NYU has a history of failure to implement commitments to provide and preserve open space, thus violating the public trust. NYU has installed padlocks on gates, erected fences and walls, and raised sidewalk levels on and near its property. This has had the effect of limiting public access to the superblocks. With the express intent of meeting the narrowest of CEQR guidelines, nothing would stop NYU from doing what it has done in the past, limiting access to areas they promised would be open and accessible.

Much of the natural beauty presently in the two superblocks can be credited to the sustained hard work and fundraising of community members, often over the objection of NYU itself. Trees, bulbs, shrubs and other vegetation have been paid for and planted by members of the community, while NYU has allowed open spaces to sink into the ground or has otherwise neglected open space that it was legally bound to maintain.

A review of correspondence and community board records shows that only after community groups have complained in a sustained manner were some of the gates opened and improvements made. This is the case for the dog run, Coles and Key Park Playgrounds, Sasaki Garden, the community garden and the Coles athletic facilities.

### **Promises Made/Promises Broken—a Brief History of NYU's Soured Relationships with the Community**

NYU has historically made and then broken promises to the community so that it could acquire property, variances or certain benefits. Property has been so badly maintained in some cases that the university has had to close areas off entirely. Signs, padlocks, fences or walls have been erected to prevent the public from passing through areas that were to be publically accessible. This history has tarnished the institution's reputation in the community and engendered a lack of trust and wariness that future promises would be kept.

Even today, the DEIS does not make clear whether any space in the new Zipper building will be made available to the community. The 2021 scenario does make mention of the addition of athletic facilities that will replace the Coles gym, but there is no information given about public accessibility nor does it quantify the amount of open space that will exist in the Zipper building.

Given NYU's poor record of managing and making its open space accessible, there is no guarantee that even the dwindling fractions of open space in NYU's complex will be available for the use and benefit of the public.

## **Coles Gym**

- Access to active open space on the roof of Coles gym has been consistently curtailed, despite years of discussion and negotiation with the Community Board. The building of Coles and the widening of Mercer Street was granted under the condition that the roof space would be accessible to certain community members, thereby taking the strain off the limited active open space in the study area.
- Original plans included a playground that was to be available for public use. However, the area includes a padlocked sinkhole and sparse and poorly kept concrete areas, hardly the model of public stewardship that one would expect from a leading institution.
- The “shared use” of Coles as a community sports facility, and its specific membership details, were requirements placed on NYU by the Board of Estimate when it approved the addition of Coles to the urban renewal plan in 1979. The rezoning from residential/open space to educational use required Coles to grant access to the community. However, Coles gym continues to suffer from years of neglect and poor maintenance; the interior shows signs of minimal upkeep; the rooftop has been closed for more than 4 years, except for track use; the rooftop surfacing was never maintained so that the outdoor tennis courts have been closed for years. Furthermore, tennis memberships offered to community members in the “shared use” agreement have long been discontinued; the tennis courts were closed for seven years until only recently.

## **Washington Square Village “Key Park”**

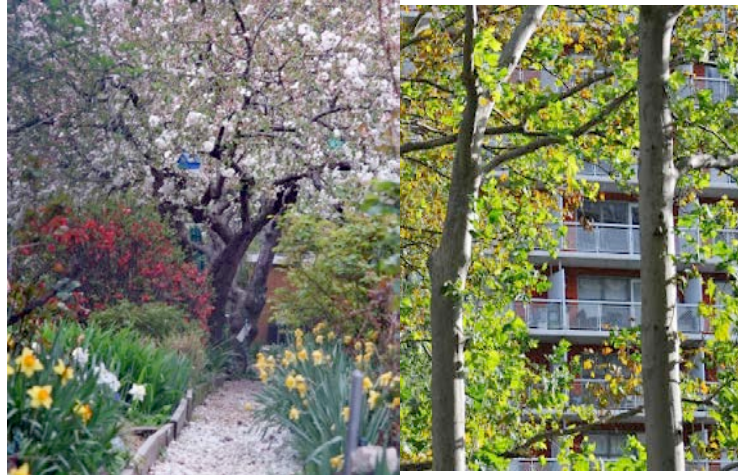
- Community parents have faced administrative hurdles in order to get access to the Key Park, contravening the proscribed “shared use” requirement. Like Coles, it is up to community residents to navigate the arcane system; they share and pass on keys and help newcomers to overcome obstacles to admission. Applications take 4-5 years for a ruling on acceptance, and the system is not transparent.
- Since keys are never “recalled” and children grow up and families move, several decades of keys are counted as proof of “overuse,” of the park, allowing NYU to limit access to community families, thus effectively privatizing the space. A daily body count of children reveals under-use of the pleasant park. By all accounts the Key park is a premium playground, underused in a neighborhood categorized by the Parks Department as underserved by public playground space.

## **Dog Run/Playground**

- The playground and dog run were left in a deplorable state of neglect, sinking into the ground, for years, until Councilman Gerson’s office found and forwarded to President Sexton a record of NYU’s 1979 agreement to “rebuild and maintain” the Mercer strip. It



was not until 2009 that the dog run conditions were improved—again, at the behest of the community who wished to use the space, conveyed to the public according to the original urban renewal plan.



**La Guardia Corner Gardens.**  
**There are at least 121 trees in the public strips and 181 in Sasaki Gardens.**

## ⇒ Environmental and Economic Value of Trees

Trees and vegetation convey considerable economic and environmental value to the surrounding areas. New York City has set tree planting goals (one million trees planted by the year 2030) to realize increased environmental benefits and offset negative anthropogenic factors. Unfortunately, NYU’s proposed expansion would cost the lives of most of the over 300 trees in the public strips and Sasaki Gardens (see Appendix for details). If the trees are not actually felled, they will be cast in the shadows of buildings and sidewalk sheds and covered in dust. One way or another, most of them will not survive.

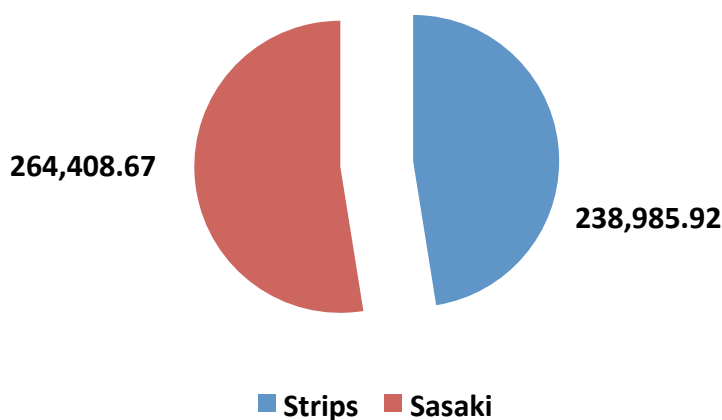
Thanks to the computer modeling program I-Tree Streets, we can quantify the benefits and costs of trees, their value in cleaning the air, storing carbon, and diverting stormwater from our aging water system; we can also quantify the degree to which they cool the air, thus mitigating the urban heat island effect. This program has been used in an analysis of the New York City urban forest, commissioned by the NYC Department of Parks and Recreation; it provides a fascinating insight into the ways that trees enhance the urban environment.<sup>14</sup>

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<sup>14</sup> Peper, Paula J., McPherson, E. Gregory, Simpson, James R., Gardner, Shirley L., Vargas, Kelaine E., Xiao, Qingfu. (2007). *City of New York, New York, Municipal Forest Resource Analysis, Technical Report to Adrien Benepe, Commissioner, Department of Parks & Recreation.*

To obtain a fine-grained analysis of the benefits of the trees on the public strips on the two NYU superblocks, we joined with Carsten W. Glaeser, Ph.D., a professional arborist, and local residents. We identified tree species and the size of trees in the LaGuardia Corner Garden, the Time Landscape, Friends of LaGuardia, the Mercer Dog Run, the entire Coles strip, and the areas in and around Sasaki Gardens. We entered the data into the I-Tree Streets program to analyze their benefits and calculate the air quality improvements conveyed by trees through their ability to reduce temperature (via shading and transpiration), remove, intercept or avoid air pollutants such as carbon dioxide (CO<sub>2</sub>), nitrogen dioxide (NO<sub>2</sub>), ozone (O<sub>3</sub>), sulfate dioxide (SO<sub>2</sub>) and particulate matter (PM<sub>10</sub>), and store carbon dioxide. We also quantified the reduction of energy use by adjacent buildings, thereby reducing the pollutants emitted by the utility facilities and other gaseous emissions.

### Total stored CO<sub>2</sub> (lbs)

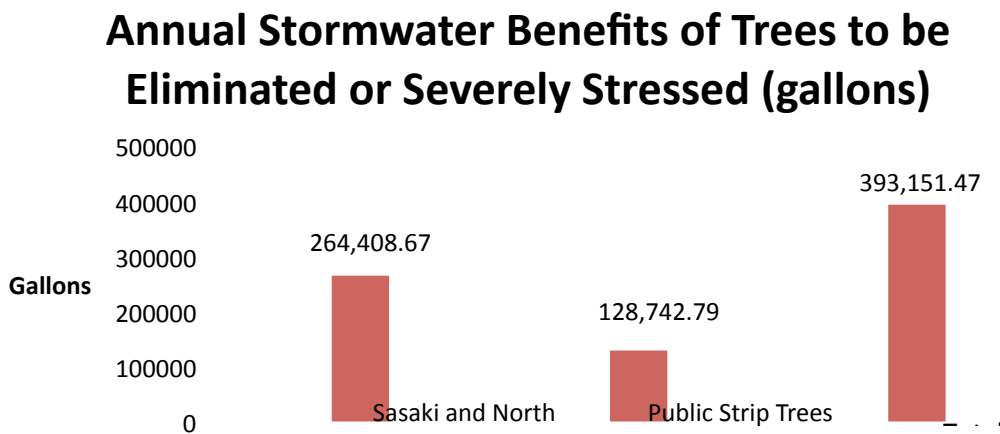
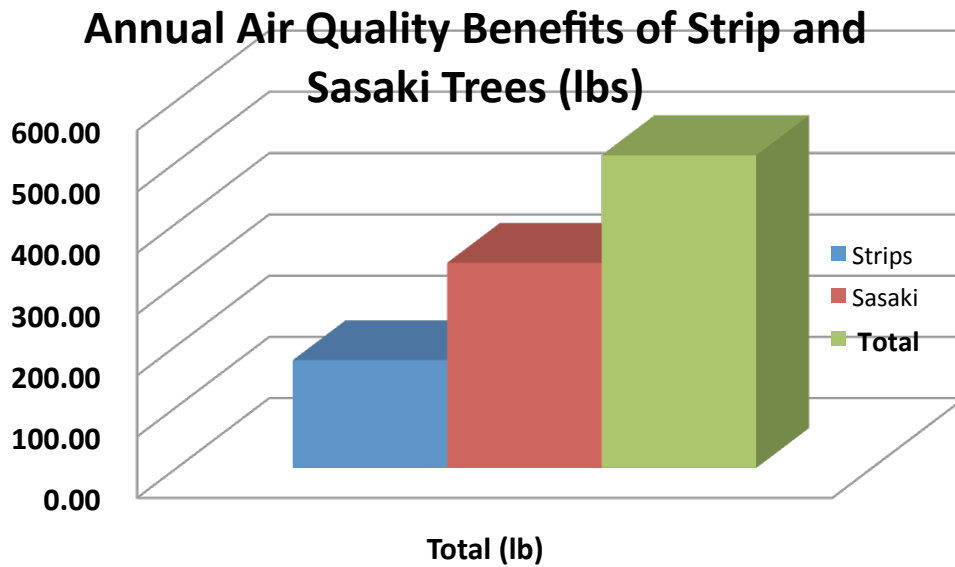


### Carbon Stored by Public Strip Trees

Currently, the trees planted on the public strips and in and around the Sasaki Gardens store more than **503,395 pounds of carbon a year**, bestow annual air quality benefits of these trees total 370 pounds of air pollutants such as carbon dioxide (CO<sub>2</sub>), nitrogen dioxide (NO<sub>2</sub>), ozone (O<sub>3</sub>), sulfate dioxide (SO<sub>2</sub>) and particulate matter (PM<sub>10</sub>) which the trees currently remove, intercept or avoid.

The trees also support ecosystem functioning by providing food for passing birds and wildlife. Fallen leaves and debris decompose to nurture the soil. Their roots soak up rainwater, reducing

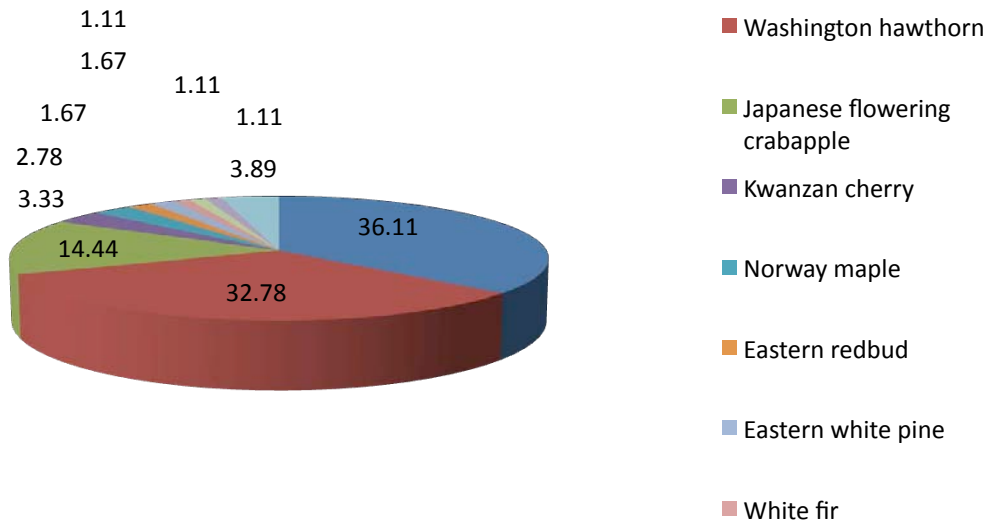
stormwater overflows in the combined sewer system in heavy downpours—the number and severity of which are increasing due to global warming. The ITree analysis finds that over **393,151 gallons of rainwater are intercepted by the trees annually.**



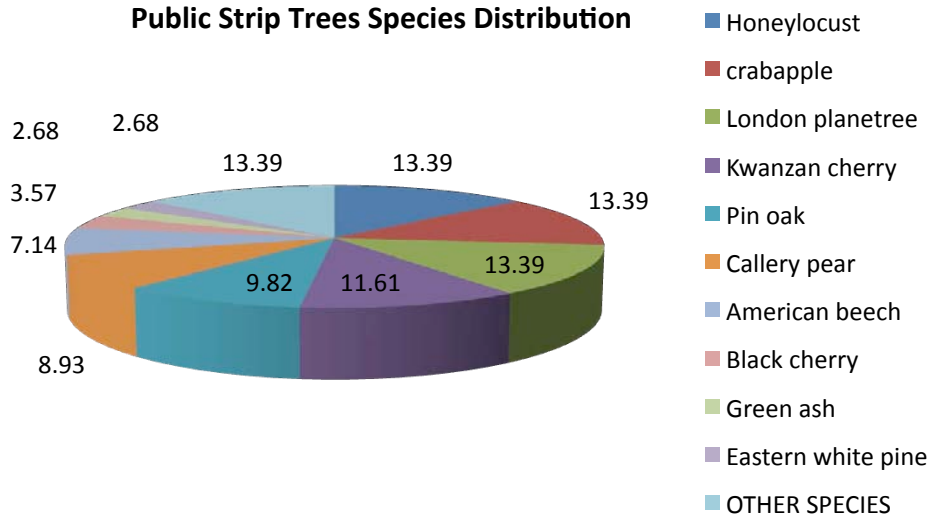
It takes years for trees to convey the environmental benefits that the 15 different species currently convey to the neighborhood. NYU cannot just replace the old-growth trees and realize the same environmental and aesthetic value. Larger and older trees provide more ecosystem services than younger and smaller trees. The diversity of species and age protects the tree inventory from total annihilation should a disease affect one species.

Will community groups be as active in caring for and maintaining young trees planted by NYU or the City after they see their years of hard work destroyed by the bulldozer? Will NYU nurture and maintain newly planted trees as poorly as it has taken care of its open space in the past?

**Sasaki and Surrounding Trees: Species Distribution**



**Public Strip Trees Species Distribution**



## ⇒ CONCLUSIONS AND RECOMMENDATIONS

In this report we have shown how the NYU Core Proposal would result in less open space and exacerbate the current severe lack of open space resources in the neighborhood. We have given many examples of NYU's long history of poor stewardship of public open space and the deep lack of trust of NYU among residents.

We have demonstrated the substantial quantitative and qualitative environmental benefits of the existing open space and shown how the NYU proposal would severely reduce them.

The rezoning that NYU seeks provides for a substantial increase in bulk on the two superblocks. At the same time open space requirements under the zoning are severely reduced.

Therefore, the City Planning Commission should reject the NYU Core Proposal.

### **Map All Public Strips as Parkland, Reject the Rezoning**

The City Planning Commission should map all open space strips as parkland and support their transfer to the Parks Department, thus guaranteeing their preservation. In 1995 NYU specifically opposed a proposal to do so. The community groups that have cared for this land have been lobbying to designate these open space resources as parkland for 30 years, but NYU has only negotiated with the Parks Department to protect and map as parkland the public strips on the northern superblock. The Borough President's amendment does not offer parity with the same parkland mapping to the valuable green resources on public strips on the southern superblock. The Time Landscape and LaGuardia Corner Gardens should be mapped as parkland and receive protection as the valuable open spaces they are.

The City Planning Commission adopted the urban renewal plan in the 1950s largely because they believed the taking of private lands was justified because it enabled the creation of both the "Park" and the "Tower," thus safeguarding open space without sacrificing density. The current NYU plan bids adieu to the "Park" part of the "tower in the park" urban renewal construct. As noted in *The Impacts of New York University's Proposed Expansion in Greenwich Village* prepared by Gambit Consulting, the proposed zoning would reduce the open space to about 38% of the superblock, down from the currently allowed 85% for open space. Notably, the fact that NYU is requesting so many changes in zoning lays bare the fact that its plan reduces open space; if its plan truly *added* to open space as it contends, many of the requested zoning changes would not be necessary.

**NYU's Proposal Turns Away From Its Obligations Under the Original Development Plan. The City Planning Commission Should Insure That All Future Obligations Are Binding in the Long Term.**

When, in 1953, the City Planning Commission approved the acquisition of Washington Square Southeast property under Title I of the National Housing Act of 1949, it did so to “permit the development of playscapes and landscaped areas and provide for arrangement and spacing of buildings to permit maximum light and air.”<sup>15</sup> The Commission subsequently modified the Redevelopment Plan to *decrease* density, and *increase* landscaped and playground areas.<sup>16</sup> The current NYU proposal goes in the opposite direction and the current ULURP process would thus legitimize, after the access-limiting behavior that NYU has actively pursued over the years.

The City Planning Commission should reconsider whether to “retire” the original urban renewal plan. That plan stated that the area was to “be developed largely for residential purposes...[accommodating commercial space] not exceeding two stories in height...[and to accommodate] maximum population density of 375 persons per acre of the two superblocks...residential land coverage by buildings will not exceed 24 percent of the net residential area.”<sup>17</sup> Not only does the proposed plan significantly increase density, it fundamentally replaces the Urban Renewal vision of the block as being primarily residential in nature. NYU would make it an institutional block, designed by and for the private institution, not the public, and expand commercial uses in a way that is incompatible with the residential neighborhood.

We are at a crossroads in 2012, as we were in 1953, and the City Planning Commission must again take into consideration the public interest and weigh this against the private interests of a developer that has already gained significant benefits as the result of public actions.

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<sup>15</sup> CP-10203, p. 1061

<sup>16</sup> CP-10203, p. 1063

<sup>17</sup> CP-10203. December 9, 1953 p. 1059



## Appendix

### I. AREA CALCULATIONS

Total unbuilt area on superblocks:  $11.85\text{acres} = (474.08 \times 605.8\text{sf}) + (605.09 \times 378.44)^{18}$

#### **Scenario #1: Everything is open space EXCEPT building footprints**

Total Area on superblocks: 11.85 acres

Minus building footprints: 4.1 acres

Before: Total Open Space  $11.85 - 4.1 = 7.75$  acres existing open space

After: MINUS the difference in the building footprints (1 acre if you include the light wells that are below grade); minus Loss of Coles (.43 acres) and building footprints (1 acre) = 1.43

**Before: Total Open Space  $11.85 - 4.1 = 7.75$  acres**  
**After:  $7.75 - 1.43 = 6.32$  acres**  
**-18.45% decrease**

#### **Scenario #2: Everything is open space EXCEPT building footprints and Coles Roofdeck**

Before: 7.75 acres + 61062sf (1.41 acres) = 9.16 acres

After: Loss of Coles roof (1.41 acres), Coles Strip (.47 acres), difference building footprints (1 acre)

= 2.88 acres (can't count the roof of the new Zipper building because it's going to be different levels)

$7.75 - 2.88$  acres = 4.87 acres remaining

**Lose 2.84 acres**  
**Percent change = -37% change**

#### **Scenario #3: Only the public strips are accessible open space: Lost Publicly Owned Property**

Coles Strip is .47 acres

Before: 4 public strips = 1.93 acres PLUS Bleecker St strip = .18 = 2.12 acres Public Open Space

After:  $2.12 - .47$  (Coles Strip) = 1.65 acres public open space remaining

**Before: 2.12 acres publicly owned open space**  
**After: 1.65 acres publicly owned open space**  
**Loss of .47 acres publicly owned open space**  
**-25% change in publicly owned open space**

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<sup>18</sup> From Sanborn maps.

**AFTER Proposed Development**, according to AKRF maps Total acreage of block (should they receive zoning approvals:

- South Block 644.89 x 378.44=5.6 acres
- North Block 474.08 x 693.97=7.55 acres

Total Acreage after proposed development=13.15 acres

**13.15-11.85acres=1.3 acres added acreage on block accomplished by takeover of public open space, namely public strips.**

## II. TREE INVENTORY

<b>Species</b>	<b>#</b>
<b>Friends of LaGuardia (from 3rd St heading south to Bleecker)</b>	
Little Leaf Linden	2
Crabapple (multi)	13
Pagoda	6
London Plane	3
Pear	1
Callery Pear	10
Honey Locust	8
Mulberry	1
	<b>44</b>
<b>LaGuardia Corner Garden</b>	
Peach	1
Black Pine	1
Crabapple	2
Pear	1
	<b>5</b>
<b>Time Landscape</b>	
White Oak	1
Green Ash	2
Pin Oak	3
American Elm	2
Ash	1
Black Cherry	2

Red Oak	1
American Beech	4
American Beech	3
Black Cherry (double)	2
Locust (double)	1
Witch Hazel	2

**24**

**Dog Run sidewalk**

Honey Locust	2
Pin Oak	1

**3**

**Reflecting Garden (sinkhole)**

Kwanzan Cherry	5
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**Water Playground (sinkhole)**

Honey Locust	6
Eastern White Pine	3
Weeping Birch	1

**10**

**Coles Entry Plaza**

Pin Oak	6
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**Bleecker St  
Cherry Grove**

Kwanzan Cherry	8
London Plane	2

**10**

**LMNO(P) - Mercer Playground**

London Plane	10
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**Sasaki Gardens and  
Surrounding**

**Section 1: Between  
Citibank and the WSV**

**Sasaki Garden**

Hawthorns	8
Hawthorns	6
London planetrees	12
London planetrees	11

**Section 2: WSV Sasaki  
Garden**

Japanese maples	2
Silver maples	2
Redbuds	3
Dogwoods	7
Hawthorns	10

Crabapples	15
Apple	1
White mulberry	1
Eastern white pines	3
firs ( <i>Abies</i> )	2
Weeping willow	1
Hawthorns (south) 5"	21
Weeping cherries	3
Weeping cherries (east)	3

**Section 3A: Between WSV  
Sasaki Garden and east  
edge of the Key Park  
playground**

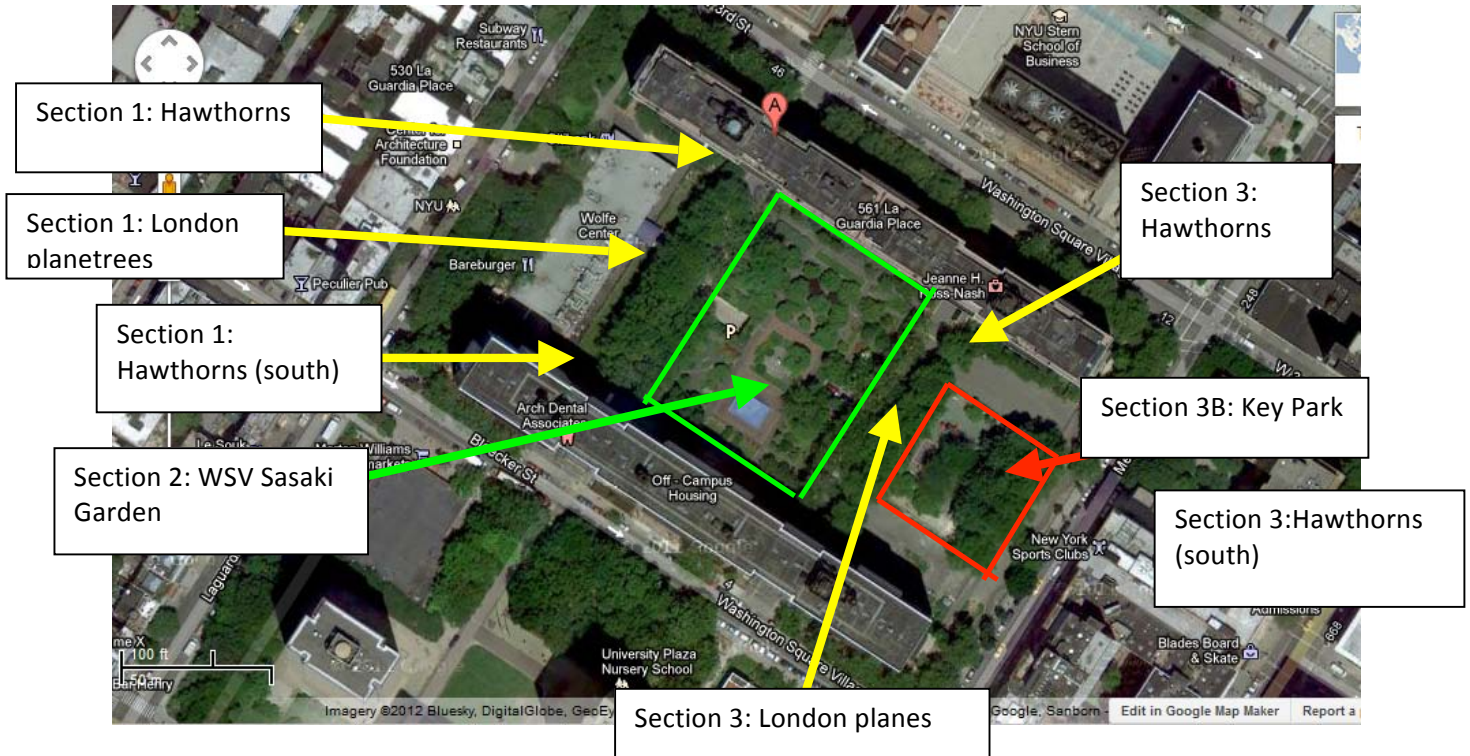
London planetrees	21
Hawthorns	15

**Section 3B: In Key Park**

Crabapples + misc	11
Honeylocust	2
Norway maple	5
London planetree	6

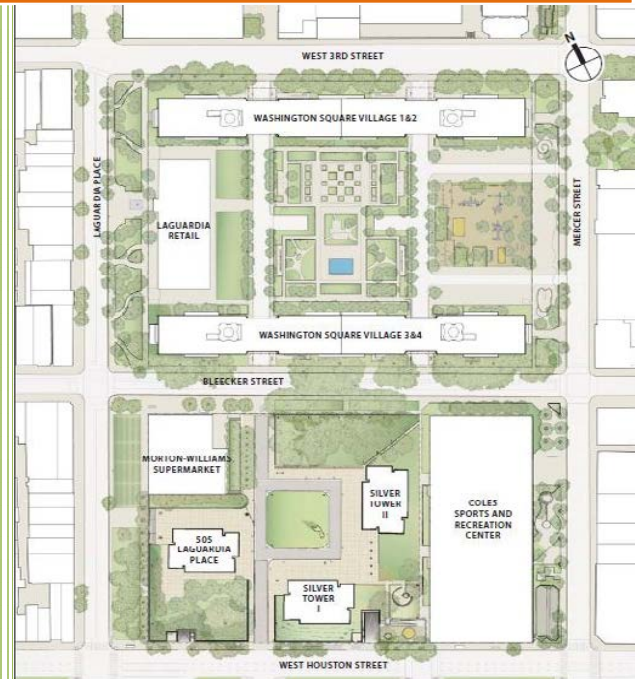
### III. TREES LOST

#### Sasaki Gardens—181 trees lost



**Sasaki Gardens presently feature 181 trees in addition to many other shrubs and plants. They will be destroyed by the NYU proposal and replaced mostly by a concrete plaza.**  
Photo and Graphics: Georgia Silvera Seamans

**The TRUTH About Open Space and  
The NYU 2031 Plan:**  
*Less Open Space  
Less Sunlight  
More Shadows*



**Greenwich Village Society  
For Historic Preservation**

[www.gvshp.org](http://www.gvshp.org)

232 East 11<sup>th</sup> Street

New York, NY 10003

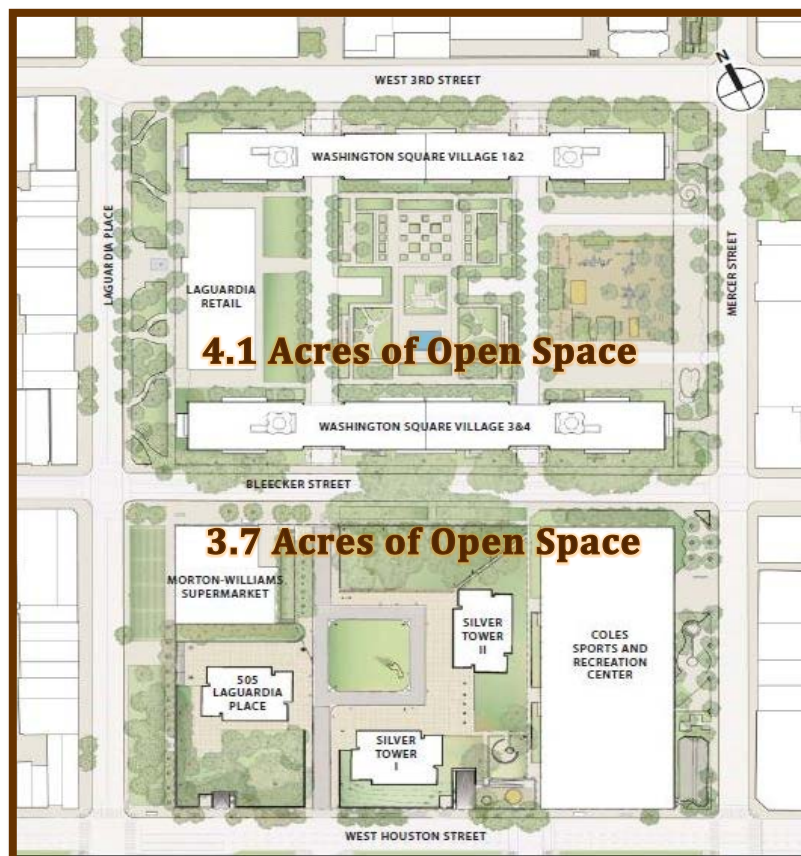
# Open Space at Washington Square Village and Silver Towers Superblocks

According to NYU, there is less than an acre of open space on the Washington Square Village and Silver Towers superblocks, and when construction is complete the NYU 2031 plan will add 3.1 acres of open space.

**In reality, the NYU 2031 plan will eliminate more than one acre of open space, and with its new construction encase much of the remaining open space in permanent shadows.**

Currently there are 4.1 acres of open space at the Washington Square Village superblock and 3.7 acres on the Silver Towers block.

## Open Space at Washington Square Village and Silver Towers Blocks



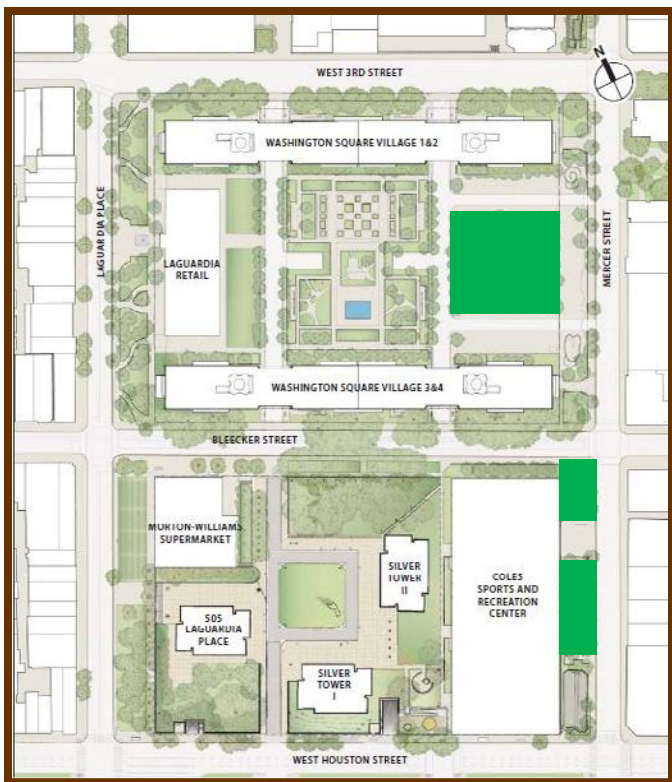


# Open Space According to NYU Draft Environmental Impact Statement

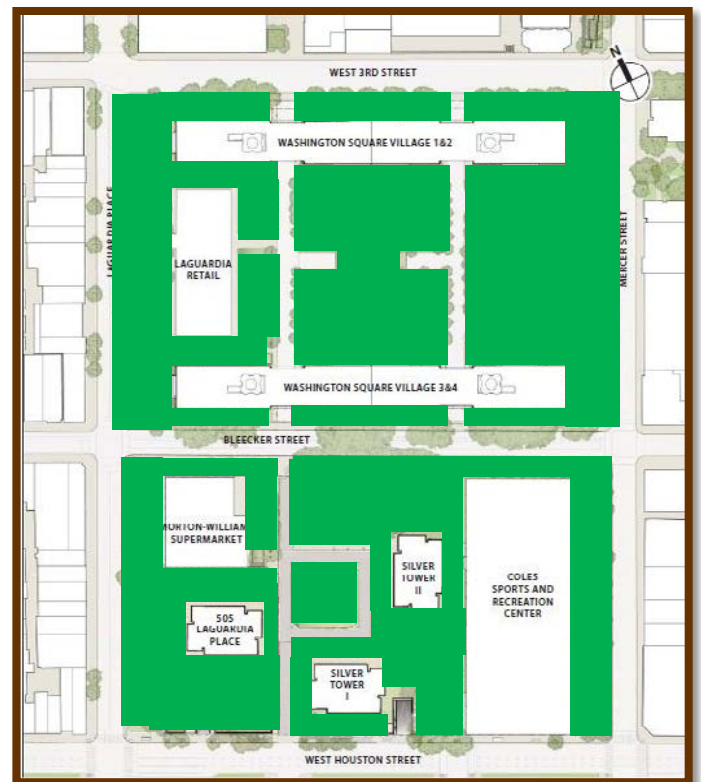
In the Draft Environmental Impact Statement, NYU states that there are .58 acres of open space on both of the superblocks. To arrive at this number, NYU is counting only the Mercer Street Playground in the Washington Square Village superblock and the Coles Plaza and Playground at the Silver Towers block as open space.

**This completely ignores the variety of passive and active use open space throughout the blocks, which totals nearly 8 acres.**

Open Space According to NYU



Actual Open Space



## Open Space at Washington Square Village and Silver Towers Superblock after NYU 2031 Construction

The proposed LaGuardia and Mercer buildings have a combined lot coverage of 45,059 square feet, which is more than one acre. **This means that when construction is complete there will be only 3 acres of open space at the Washington Square Village superblock, compared to 4.1 acres today.**

### Open Space with NYU 2031 Construction



### Current Open Space



# Increased Shadowing and Darkness Created by NYU 2031 Construction

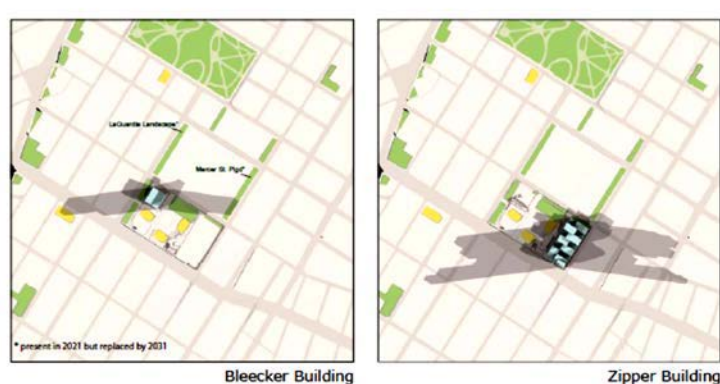
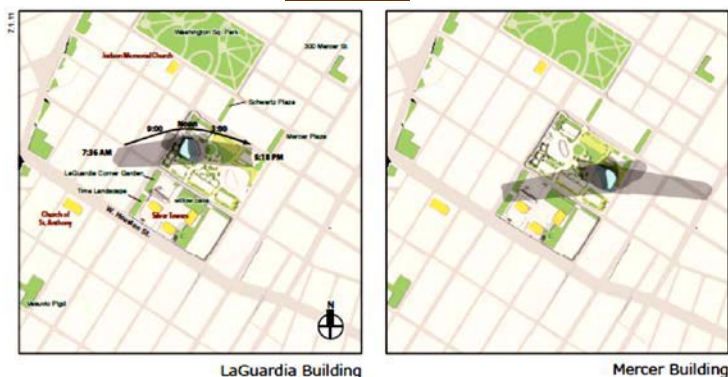
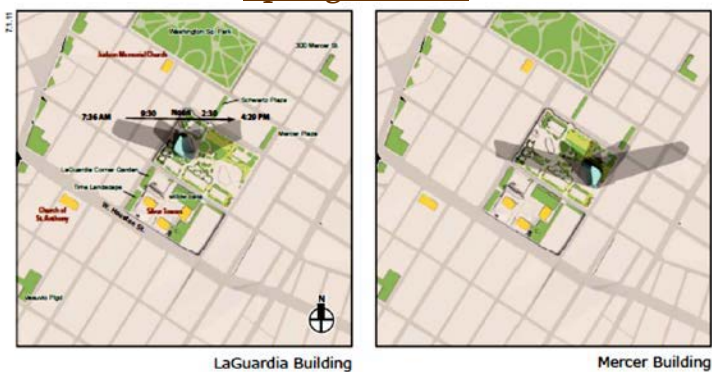
The four new buildings proposed for the NYU 2031 Plan will not only add light-blocking density, but with heights ranging from 158 to 300 feet will also cast large shadows over the open space in the Washington Square Village and Silver Towers superblocks and the surrounding areas.

**In particular, the Zipper Building will darken the Silver Towers block significantly. The proposed Greene Street Walk, toddler’s playground, and new dog run would be shadowed most of the day, year round.**

## Shadows Created by New Buildings

### Spring and Fall

### Summer







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March 11, 2012

Amanda M. Burden, FAICP  
Chair, NYC Department of City Planning  
22 Reade Street New York, NY 10007

**Re: NYU Core Project; ULURP Applications Nos.: 120122 ZMM, N 120123 ZRM, N 120124 ZSM, 120077 MMM**

Dear Chair Burden:

At the recommendation of its New York University (“NYU”) Working Group, Manhattan Community Board No. 2 (“CB2”), having held a duly noticed public hearing on the above-referenced ULURP application numbers, adopted the following resolution at its meeting on February 23, 2012 by a unanimous vote in favor.

The resolution recommends **denial** of each application for the detailed reasons stated in the “Community Board 2 Response” below.

### **PROPOSED ACTIONS**

NYU is requesting a series of public actions as part of its ULURP submission for an expansion of their Greenwich Village campus core.

As part of NYU Plan 2031, the University seeks to add 2.4 million gross square feet (“gsf”) of new development by the year 2031 for academic, faculty residential, student dormitory, athletic facilities, hotel and retail uses on two primarily residential “superblocks” bounded by West 3rd Street to the north, Houston Street to the south, Mercer Street to the east and LaGuardia Place to the west (“Proposed Development Area,” divided by Bleecker Street into a “North Block” and “South Block”), and to expand retail uses in the blocks to the east of Washington Square Park (“Commercial Overlay Area”), bounded by Washington Square East and University Place to the west, Mercer Street to the east, West 4th Street to the south and the northern boundary of the existing R7-2 zoning district near East 8<sup>th</sup> Street to the north.

This project specifically proposes:

- Two new buildings (“Mercer Building” and “LaGuardia Building”) in the North Block, with a combined total of 341,482-gsf above ground, and 770,000-gsf below ground to be built under the entirety of the block.
- Two new buildings (“Zipper Building” and “Bleecker Building”) in the South Block, with a combined total of 773,658-gsf above ground and 318,000-gsf below ground.
- Demapping two strips of land (“Park Strips”), located on the west side of Mercer Street (between West 3rd and West 4th Streets and between Houston and Bleecker Streets), currently owned by the New York City (“NYC”) Department of Transportation (“DOT”) and mapped as streets, and transferring ownership to the University.
- Demapping two additional Park Strips, also currently owned by NYC DOT, located on the west side of Mercer Street and the east side of LaGuardia Place, both between Bleecker and West 3rd Streets, and transferring ownership to the NYC Department of Parks and Recreation (“Parks Department”), but with a permanent easement to NYU to allow access over and under the land in perpetuity.
- Expanded commercial uses in both the Proposed Development Area and the Commercial Overlay Area.
- Redesign of the current open space in the Proposed Development Area with the stated goal of making it publicly accessible (this property, however, is already open to the public with nighttime restrictions).
- Constructing a 30,000-gsf temporary gym on the site of an existing children’s playground on the North Block.
- Making 78,000-gsf available to the NYC School Construction Authority (“SCA”) for a new public school in the Bleecker Building on the South Block, with NYU academic space below and student dormitory space above.

In order to facilitate this plan, a number of specific public actions are required, the most important of which for CB2 review include:

#### Zoning Map Amendments

- Rezone the Proposed Development Area from R7-2 and R7-2/C1-5 to a C1-7
- Rezone the Commercial Overlay Area to C1-5 to allow expanded retail development

#### Zoning Text Amendment to Sections 74-742 and 74-743

- Permit the Park Strip on Mercer Street, South Block, to be included in a LSGD
- Permit the Park Strips on the North Block to be treated as wide streets, not parkland

#### LSGD Special Permit (ZR Section 74-743)

- Allow the transfer of air rights between zoning lots on the two superblocks, to waive certain height, setback and rear yard requirements for the proposed four new buildings, and extend the duration of the permit from four to ten years

#### Related Mapping Application

- Requests to facilitate the disposition and transfer of public land, currently owned by NYC and mapped as streets

## Elimination of NYC Department of Housing Preservation and Development (“HPD”) Deed Restrictions on Blocks 524 and 5333

- Elimination of existing urban renewal deed restrictions which were part of the original land disposition agreements and prohibit new development until expiration in 2021

### **BACKGROUND**

NYU has had a presence in Greenwich Village since 1835 when the University building opened on Washington Square East. The University greatly expanded its presence in the local community when it sold its Bronx University Heights campus in 1973 and relocated the main campus to the current site.

NYU is one of the largest, most prestigious nonprofit institutions of higher education in the United States. CB2 appreciates the University’s need to expand and upgrade its citywide facilities and infrastructure to remain competitive and recognizes the value of having a university of such caliber in its midst. NYU is an economic engine, patronizing local businesses and employing many residents. It provides support to numerous community organizations and is an important arts and cultural resource. Its faculty, administration and students are valued members of the local community. Moreover, NYU is the landlord for one of the largest stocks of affordable housing in the area.

Many “town-gown” dynamics are contentious. NYU’s relationship with the local Greenwich Village community is no different, but seems to be particularly fraught perhaps because it is situated in a dense, residential neighborhood. In recent years, tensions with the local community have been further exacerbated by NYU’s ambitious building campaign; the construction of a series of buildings alongside historic Washington Square Park and in residential neighborhoods that have been poorly-received by the public; and the University’s perceived poor stewardship of public spaces.

One of NYU’s most unique features is its location and context within historic Greenwich Village, which it markets to attract thousands of students from across the world. This irony is not lost on CB2 -- for through its 2031 Plan, NYU threatens to destroy the very essence of the local neighborhood from which it benefits handsomely. As explained below, the current proposal is far too big for a dense residential neighborhood such as Greenwich Village and would have severely damaging and long-lasting consequences to the neighborhood’s essential character and resources, including its socioeconomic diversity, public open space, historic preservation and quality of life.

The proposed actions by NYU comprise the largest ULURP application ever considered by CB2. NYU announced its intention to pursue a campus expansion plan in the CB2 area approximately five years ago through a series of meetings with the community where it previewed various options and potential designs. All of the proposals had basically the same volume and bulk attached to them.

In 2006, the Manhattan Borough President joined with elected officials, community stakeholders, and NYU to create the Community Task Force on NYU Development to begin a public dialogue about NYU’s campus planning and ensure that future campus development properly balanced respect for the community with the University’s stated need to grow. From 2006 to 2010, the Task Force held more than fifty meetings to discuss priorities and develop guidelines for expansion.



On January 30, 2008, through the efforts of the Task Force, a set of Planning Principles were signed by NYU<sup>1</sup> stating that NYU, among other things, would work with the community to:

- Identify and actively pursue opportunities to decentralize facilities;
- Emphasize contextual development that would be sensitive to building heights, densities and materials;
- Prioritize reuse of existing buildings over new development; and
- Actively solicit, utilize and implement input from the community

After the initial announcement of NYU's 2031 Plan, the Task Force presented to the University a detailed set of recommendations,<sup>2</sup> formally endorsed by CB2 on March 25, 2010.<sup>3</sup> These recommendations echoed the NYU Administration's stated commitment that any development must be carefully designed with community input so as not to overwhelm the "fragile ecosystem" of historic Greenwich Village<sup>4</sup> and the goal of pursuing locations for expansion outside the NYU campus core area. The Task Force recommendations identified significant community concerns about the potential impact of NYU's expansion in Greenwich Village and established the framework for CB2's review of this project.

Upon conclusion of the Task Force's work, CB2 began a series of information sessions exploring different aspects of NYU's proposed project. CB2 created the NYU Working Group, comprised of representatives of five CB2 committees utilizing their expertise to analyze different aspects of the proposal. The Working Group held a series of community input sessions during the evaluation of NYU's Draft Scope of Work for the Environmental Impact Statement. This input informed CB2's extensive response to the EIS that was delivered to the City Planning Commission at its Scoping hearing on May 24, 2011.<sup>5</sup>

The NYU ULURP application was certified as complete on January 3, 2012. CB2 held the required presentation and public hearing on January 9, 2012 at a joint meeting of the Working Group and Land Use and Business Development Committee. Throughout January 2012, further public hearings were held by the following CB2 committees, jointly with the Working Group: Traffic and Transportation; Parks, Recreation and Open Space; Environment and Public Health; and Social Services and Education. A second series of public hearings was held throughout the month of February by these committees.

Public interest was extremely high. Hundreds of community members attended each meeting, in some cases requiring a move to larger venues, with testimony lasting hours and supplemented by electronic submissions. The CB2 response to the NYU ULURP is based the community's testimony plus additional discussion by CB2 members.

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<sup>1</sup> See Appendix A for a copy of the Planning Principles.

<sup>2</sup> For a copy of the Community Task Force recommendations go to:  
[http://www.nyc.gov/html/mancb2/downloads/pdf/task\\_force\\_recommendations.1.pdf](http://www.nyc.gov/html/mancb2/downloads/pdf/task_force_recommendations.1.pdf)

<sup>3</sup> Community Board No. 2, Manhattan, August 2010 Resolution.

<sup>4</sup> "Postings: 'This Fragile Ecosystem': NYU Head's View on Village," The New York Times, February 16, 2003.

<sup>5</sup> CB2's response to the EIS is available online at:  
[http://www.nyc.gov/html/mancb2/html/nyu\\_2031/nyu\\_2031.shtml](http://www.nyc.gov/html/mancb2/html/nyu_2031/nyu_2031.shtml)

Based on this public process, along with meetings with other stakeholders, including local block associations and community groups, elected officials, and NYU, the community came to the following conclusions:

1. A blanket rezoning of the superblocks is inappropriate. The bulk, density and height of the NYU ULURP are dramatically inappropriate for this long-standing and diverse residential community, which, except for NYU's own buildings on the superblocks, is generally low scale and, in large part, designated as an historic district. The superblocks departed from this general neighborhood pattern but provided publically accessible open spaces to compensate for the height and bulk of their buildings. The vast amount of new building called for in the NYU 2031 Plan would destroy the planning principles that justified formation and development of the superblocks at their present scale.
2. All of the City-owned public park strips on the superblocks should be mapped as New York City parkland, transferred in their entirety to the NYC Parks Department with no NYU acquisition, easements, equipment or structures on or below grade. These open spaces should not be used for construction staging or laydown.
3. Commercial uses, especially a hotel as well as eating and drinking establishments, are not appropriate for the superblocks that comprise the Proposed Development Area.
4. The University should not be granted a rezoning of the Commercial Overlay Area, when NYU has stated a more modest goal of increasing retail use by only 23,000 square feet in six buildings.
5. The proposed phasing would impose decades of continuous disruption to the area.
6. The temporary gym location as planned by NYU is unacceptable. The community would lose use of playgrounds and public open space on the North Block for a lengthy period. If NYU truly needs a temporary gym, it should be located on a vacant site outside of the immediate neighborhood.
7. NYU should honor its previous commitment outside of the ULURP process to provide a new public school, including the "core and shell," and make public its discussion on this topic with the City.
8. Existing affordable housing must be supported and maintained.
9. The deed restrictions governing NYU property on the superblocks should not be removed.
10. NYU must adhere to the Planning Principles it agreed to in 2008.

## **COMMUNITY BOARD 2 RESPONSE**

CB2, after extensive review and discussions with stakeholders throughout the area, strongly opposes the NYU 2031 Plan. Its effects would forever change the character of this historic neighborhood, dramatically increase built-upon land at the expense of the light, air and recreation opportunities of existing open space, convert city-owned land to largely private use even if access is permitted, imperil affordable housing stock, significantly reduce residents' quality of life, have adverse effects on local infrastructure and subject residents to decades of construction and its effects.

## **I. THE BULK AND DENSITY IN THE PROPOSED DEVELOPMENT AREA WOULD DESTROY THE NEIGHBORHOOD CHARACTER**

*CB2 rejects NYU's request for a blanket re-zoning of the Proposed Development Area from R7-2 to C1-7, and the establishment of a Large Scale General Development Special Permit that would facilitate four new buildings because it would forever alter the character of this historic neighborhood.*

The bulk and density allowed by a C1-7 (R8 equivalent) zoning may be appropriate in midtown or downtown, but not in the historic core of Greenwich Village. A blanket rezoning that would allow building on the open spaces, especially at heights that exceed the current structures and with a bulk that would more than double the density with above and below grade new construction, would destroy an iconic neighborhood. This requested upzoning creates a zoning envelope with enormous implications:

- NYU's plan to build 1.3 million square feet of above ground development and 1.1 million square feet below-grade makes this the largest development project ever in CB2, and will more than double the zoning floor area on the superblocs (from under two million to more than four million square feet).
- This zoning would completely change the neighborhood residential character of the superblocs, because nearly all of the new building will be for non-residential uses, including hotel, dormitory, public school, athletic facility, academic and ground floor retail uses (approximately 2.2 million sq. ft.).
- The plan projects that NYU would add 1,500-2,000 new residents (students, hotel guests and faculty families), and bring 10-12,000 additional people daily into the area.
- The requested zoning would reduce by half the existing Open Space Ratio. The newly designed public spaces include walkways and pedestrian paths designed without public consultation and would replace treasured community parks, playgrounds and gardens, reducing the amount of open acreage that provides light and air to the interior of the blocks.
- The height and bulk of the new buildings will tower above the neighborhood, negatively impacting both residences and open space. The DEIS indicates that they will cast shadows as far as Washington Square Park.
  - The Mercer and LaGuardia Buildings rise to 282 ft. and 186 ft., respectively (blkh. roof), and would dwarf Washington Square Village which features two of the tallest buildings in Greenwich Village at 160 ft.
  - The mass of the Zipper Building, which is 333 ft. tall on Houston, 232 ft. tall on Bleecker and 292 ft. tall just south of Bleecker, will detract from the special character of I.M. Pei's University Village buildings and landscape, which were designed as "towers in a park," and recently designated a landmark by New York City in recognition of their historic and unique contribution to the built fabric of the city.
  - The lower-scale private loft buildings on LaGuardia Place and Mercer Street would be overwhelmed by this project, with loss of sight lines, light and air. The buildings on the west side of LaGuardia Place would be facing the 235 ft. Bleecker Building and the LaGuardia Building.
  - The residential buildings on the east side of Mercer Street would be even more severely impacted with a full block of the massive Zipper Building, built right to the lot line, and the towering Mercer Building keeping them in shadow most of the day.
  - The shadows cast by the proposed Bleecker Building would severely harm the LaGuardia Corner Gardens, a community garden for more than 30 years.

The existing R7-2 designation is already one of the largest zoning envelopes in our district. (The only higher zoned areas are wide streets and commercial thoroughfares.) R7-2 was applied here to accommodate the two residential superblocks that were created under the Title I Urban Renewal program with the intent to provide quality housing for the neighborhood. Rules were established that specified the amount of land that could be covered by buildings to ensure that there was sufficient open space to compensate for the height and density of the development. The South Block is built to the allowable FAR, and the North Block is overbuilt because it predates the 1961 ZR. Additional bulk and density is inappropriate on the superblocks.

New commercial uses would be allowed in this proposal, but CB2 believes any increase of these uses is inappropriate on the superblocks. The current zoning includes a commercial overlay that permits, for example, the Morton Williams supermarket in its current location. This site, which has housed a much-needed supermarket since at least the 1950's, is already far to the east of the wide community that is otherwise underserved by similar amenities. Moving it even further east would be a hardship to the many elderly and mobility-impaired residents who depend on it.

The plan also includes a new hotel. Hotel use should not be considered as central to the University's academic mission and is not appropriate on the superblocks. There are many hotels in the area with which NYU's hotel would compete, including locally-owned establishments, and there is evidence that they are not at capacity.

A Large-Scale General Development Special Permit is requested in order to facilitate the four outsized buildings being proposed for the superblocks. These buildings would break sky exposure planes, violate rear-yard requirements, breach height and setback regulations, and penetrate the sky exposure plane. The existing buildings on the superblocks are currently in compliance and the special permit would not otherwise be required.

Finally, Deed Restrictions were placed on the properties in order to implement the Urban Renewal Plan. They are integral parts of the Urban Renewal Plan. Because of significant amendments to the Plan, the Deed Restrictions are now set to expire in 2021. The removal of these restrictions would violate the intentions of the Urban Renewal Plan and the resulting development would violate the expectations of the residents and businesses in the area, who have made lifestyle and financial choices based on the terms of these restrictions.

## **II. PHASING OF PLAN WOULD CAUSE 20+ YEARS OF CONSTRUCTION**

*CB2 has significant concerns about the phasing of the 2031 Expansion Plan. An enormous amount of new construction is planned that would cause decades of disruption, but there is no assurance now that these structures will actually be needed in 20 or more years. CB2 is especially concerned about including a temporary gym in the first phase.*

NYU says it currently faces a shortage of academic facilities, specialized teaching and performance spaces, faculty offices and student housing. Both in testimony before CB2 and in the DEIS, NYU maintains it needs to expand their facilities immediately, or risk falling out of the category of elite American universities. NYU also claims that it wants to build on its own property in the campus core in order to create an environment where different disciplines can "cross-pollinate" ideas among faculty and student peer groups.

Two facts lead CB2 to question the need for such a broad expansion:

- The University states that they are now at a virtual stopping point in growth and project an average annual increase of only .5% for the next 25 years.

- In Phase One of NYU’s plan in the years 2012-2022 only 17.5% of the square feet to be developed in this project is for academic use. The remainder of the initial expansion is devoted to nonacademic uses, including a hotel, retail, dormitories, athletic facilities, and a public school. Construction of the majority of the academic space (82.5%) does not begin for 10 years, and is not scheduled for completion until 2031.

CB2 contends that because the University’s growth has already occurred and very little is projected for the next 25 years, it is unnecessary to approve such a large expansion at this time.

NYU’s phasing plan starts activity on the north superblock with a temporary replacement for part of the current Coles Gym, and ends two decades from now (assuming no construction delays) with a building also on the North Block. Were it not for the temporary gym placement, the only activity on the North Superblock would start 10 years from now. This calls into question the legitimacy of including the north superblock in this ULURP application at all. NYU essentially is asking for a “blank check” they may or may not need in the future.

CB2 does not accept the need for a temporary gym in the Proposed Development Area. It is currently sited for the existing “Key Park” playground, which serves many families with children in the wider area. To move the temporary gym to this site, NYU proposes first moving the Key Park to the Sasaki Garden, taking that away from the community as well a decade before construction of any permanent buildings are planned.

It is unnecessary to shuffle vital and treasured amenities for neighborhood residents, resulting in the north block to be under continuous construction for 20 years. NYU should seek to accommodate their UAA sports teams elsewhere, as they currently do with many of their existing sports programs.

Possible reductions in future enrollment, potential venue changes in education delivery (e.g., online courses) and other unforeseen changes may reduce pressure on NYU’s existing buildings and eliminate the need for the later-phased buildings. This opens the possibility that the structures would be built with a Community Facility FAR but might not be ultimately used for community facilities.

### **III. ACQUISITION OF THE CITY-OWNED PARK STRIPS IS HARMFUL AND UNJUSTIFIED**

*CB2 strongly objects to the proposal to transfer ownership of two of the publicly owned strips of land on the west side of Mercer Street (between West 3<sup>rd</sup> and West 4<sup>th</sup> Streets, and between Bleecker and Houston Streets) to NYU. CB2 further objects to allowing easements to NYU over and below the Park Strips along LaGuardia Place and Mercer Street on the North Block. In addition, we object to using the strip on LaGuardia Place between Bleecker and Houston Streets as construction staging, covering it or casting a permanent shadow over it.*

CB2 advocates for the preservation of the public ownership of the Park Strips, and for their immediate transfer to the Parks Department, along with the additional strips on the south side of West 3<sup>rd</sup> Street and the south side of Bleecker Street between Mercer Street and LaGuardia Place.

CB2 has supported all efforts to develop public uses on these strips and has long favored mapping of these open spaces as parkland. NYU opposition has prevented this. It would be a mistake to reward the University’s intransigence on this issue by turning the full or partial control over these properties to NYU, whether by transfer of fee ownership, extensive easements, allowing them to be demolished for below-grade construction or use as staging locations, or design concessions to substantially convert their use to access plazas for private buildings.

These properties are City-owned and currently dedicated to uses typical of city parks. The Doctrine of Public Trust may apply to at least some of these areas, and whether it does or not, the City should honor the past and current public uses and guarantee their protection and improvement for the future.

In each case, while there may be room for improvement in design and use, the spaces are an important part of the history of the blocks, legacies of the seminal and successful neighborhood battle against the proposed Lower Manhattan Expressway which would have done great harm to the future of downtown Manhattan and the City as a whole. The status of each area also reflects the 40 years of efforts by volunteer community groups to create and maintain public open space in a park-starved neighborhood. The boulevard feel they create on LaGuardia and Mercer are key elements of the character of the area and the feeling of openness that is retained despite the bulk of the superblock structures that exceed the norm for the neighborhood.

#### Mercer Street and LaGuardia Place, North Block.

The strip on the east side of the block includes the Mercer Playground, built and managed by the Parks Department after an energetic and extended initiative by the parents group “LMNOP.” The playground offers a kind of hardscape open space that allows for uses that are not supported in other nearby areas, and is valued by the community. LaGuardia Park, on the west side of the block, includes many mature trees in planted areas featuring ivy ground cover. It provides a central location for the statue of Fiorello LaGuardia. Improvement of the area has been led by the efforts of Friends of LaGuardia Place, a community group that also led a successful, but not yet implemented, effort to develop a Parks Department playground on the site.

The transfer of these properties to the Parks Department, now supported by NYU, is the sound approach, but the proposed design and the placement of the large Mercer and LaGuardia Buildings take away more than the change of jurisdiction gives, and the larger use of the resource is ceded to NYU access purposes. On the east side, the proposal includes a small section of the strip as part of a larger “Tricycle Garden,” and on the west side it includes locations for the LaGuardia Statue and Adrienne’s Playground. Both of these new playgrounds would be overwhelmed by the huge adjacent buildings with doors opening directly onto parkland, and the much larger portions of the spaces are designed and designated as major entry plazas to the intensely developed academic buildings serving more than 5000 students at a time. Student movements and uses between classes would dominate these spaces. The proposed Tricycle Garden would see little sun as it wraps around the north and east sides of the large Mercer Building, and the area is included as a “filter entry” to the proposed development on the block, creating conflicting uses.

Parks serving neighborhood needs cannot coexist on these strips with the buildings as currently planned, as will be discussed further below. In addition to access easements requiring Parks to cede ultimate control of the plaza areas, easements would be needed to accommodate underground university facilities beneath the parkland, giving the university control for long periods of construction and later for structure maintenance. The underground use would require removal of the mature trees. With replacements to be planted as much as 20 years later, two generations would pass before the stands of mature trees return.

#### Mercer Street, South Block

The current public uses of this strip were created as part of the agreement allowing the construction of the Coles gym in 1979-1981 on land previously used as a sandlot ball field. Because NYU abdicated its commitment to maintain the strip, the condition and use of this area is poor with the exception of a popular dog run that is well maintained by a membership association. Soon after construction, the water playground and “reflecting garden” sitting area were closed because the ground subsided, and they have not been restored.

Regardless of the current deficiencies of the area, the plan to move the building footprint east to eliminate public land and create a public walk to the west would negatively impact the area’s balance of open space. The building line of the massive Zipper Building will project past the building lines on the blocks

to the north, creating a crowding effect, and the special open character of Mercer Street would be largely lost, just as the projection of the Bobst Library did substantial disservice to the boulevard feel of LaGuardia Place.

Experience with off-street retail plazas such as the proposed walkway on the west side of the new building should counsel against this effort to shift pedestrians away from the street, where New York retail thrives. Use by the general public would be limited because the walkway would primarily serve as access to a university building with intense student use. There is merit to aligning the west side of the building with the buildings on the west side of Greene Street, south of Houston, but not at the expense of the openness of Mercer Street which will be all the more important if a taller building is on the site.

CB2, without reservation, rejects the proposal for a new building and retail at this site. Should the community board's recommendations not be heeded, any new building should be built on the existing footprint or a narrower one that aligns both sides of the building with existing streets, and any new retail should be focused on the north and south facades of the building to allow transfer of the strip to Parks with improved public open space uses.

#### Mercer Street Cogeneration Park.

This attractive park was recently built by NYU to restore the public land used during construction of the cogeneration plant built underground per terms on a consent agreement with NYC DOT. The park was designed with extensive community input in a process developed as a result of the agreement. The agreement allows for future maintenance needs of the cogeneration plant and no persuasive argument has been made for transfer of this public open space to private control. Even with an agreement for future public use in place, experience with publicly accessible private plazas gives reason for concern that the long-term public good would not be well served if the ownership is transferred to NYU. Instead, the land should be transferred to Parks, with continuation of the existing agreements that were crafted to serve public and private needs.

#### LaGuardia Place, South Block.

This property is not part of the future development, but the plan proposes to use the gardens as a construction staging area or to cover it with a construction shed; both are destructive and unnecessary propositions, and the proposed Bleecker Building would limit future plantings to shade-tolerant species. The land includes two open space areas managed by volunteer gardeners. Time Landscape is on the southern half, and supports a grove of mature trees. LaGuardia Corner Gardens, on the northern half, is a thriving community "Green Thumb" garden, created and maintained on an abandoned lot by energetic and passionate volunteers. It is lovingly planted with vegetables, flowers, perennials, and flowering trees. It is open to the public on a schedule and welcomes school groups. However the project proceeds, the property should be transferred to Parks and the space should be restored, including a sufficiently sunny area for the gardening to continue to serve the entire community in its current manner.

#### Bleecker Street and West 3rd Street Strips.

These narrow strips are also not part of the proposed changes to the superblocks, but they deserve mention because they enhance the quality of the streetscapes. While these areas may have little potential for recreational use, they do add to the public sphere and help to retain the urban quality of these blocks. They should not be allowed to transition to the more private character of a university campus. If portions of these strips need redesign to support any development ultimately approved for the blocks, accommodation should be made without transfer of the property. Opportunities for redesign and renovation include the interior sidewalk on Bleecker Street that could be incorporated into the plantings.



#### **IV. THE PLANNED NEW OPEN SPACES ARE ILL-CONCEIVED AND UNACCEPTABLE**

*CB2 is extremely disappointed in the plans presented for newly designed public open space in the Proposed Development Area, which were designed without the input of local stakeholders, and is adamant in its assessment that there will be significant adverse impacts on the quality of life for the long-standing residential neighborhood.*

NYU has based its proposals on the DEIS, but that analysis fails as a quantitative assessment because it uses strictly technical definitions that exclude substantial existing open space, including some well-used areas. If the popular open spaces were included, the assessment would show a substantial decrease in available space 10 years into the project, and only a very small increase upon its completion with a net loss of uncovered land.

Among the significant displacements would be Mercer Playground/LMNOP, LaGuardia Park/Friends of LaGuardia, LaGuardia Corner Gardens, the south block Mercer strip with the Dog Run, the “Key Park” playground and WSV Sasaki Garden. While the proposed open space plan claims to be more visible from the street, inviting, accessible, and public, it is mostly inward facing space surrounded by huge buildings whose large student populations would move through the spaces on a constant basis throughout the day. The trade-offs are not beneficial to the broader community. This proposal results in a university-focused campus approach, effectively an NYU quadrangle, with buildings opening onto open spaces that would be dominated by students during class hours and very likely unused when students are absent.

##### **Deficiencies in the DEIS**

The quantitative analysis provided in the DEIS estimates that there will be 3.80 acres of project-generated publicly accessible open space and 0.68 acres of displaced such space for a net increase of 3.11 acres. This analysis excludes certain spaces based on the guidelines provided in the CEQR Technical Manual. Appendix B lists some of these spaces, the reasons given for excluding them, and reasons why the absence of additional quantitative analysis from the assessment prevents the full picture from being shown.

- Alternate quantitative analysis: This would include a total of 3.72 additional acres. The areas marked \*\* totaling 0.55 acres will be not be displaced by the project, but still affect public open space ratios for the study areas. The CEQR guidelines recognize that some projects require additional analysis. By using only the strictest interpretation of the CEQR guidelines, the quantitative assessment devalues actual public uses of open space in the project area. Hundreds of residents attending CB2 hearings spoke passionately of the importance of these open spaces to their lives in exactly the terms that people traditionally defend urban open space. The effect is that the quantitative assessment is skewed in a way that should have initiated *additional analysis*, especially given the substandard ratios of open space to residents in the study areas and the large influx of new residents and daytime users the project will bring to the area. The intent of the CEQR guidelines is to measure actual impacts and it is the responsibility of the applicant and agencies to craft a process to the particularities of the site. In this DEIS open space analysis, the numbers largely distort the open space impacts.
- Indirect impacts of increased demand for active recreation: Citing CEQR guidelines, the DEIS does not study the increased demand for active recreation within the non-residential study area because “worker” populations are less likely to increase the demand for active recreation. But the daytime population of the development area would be mostly students in an age group with greater need for active recreation resources. This would cause significant strains and displacements at nearby active recreation resources including Passannante Park, West 4<sup>th</sup> Street Courts, and other nearby parks. The current abuse of Washington Square Park lawns by NYU students seeking areas to play Frisbee is already causing damage to these lawns, recently restored

at great public expense for passive recreation. NYU responded inappropriately to a question from CB2 regarding this impact of the project by stating that the abuse was beyond its control since it does not have responsibility for enforcement in the park. Bringing so many students to a concentrated area requires provision of more open space for active recreation so that nearby parks are not overburdened.

- Impacts on Most Affected are Undervalued: The CEQR guidelines require study of the impact on day time populations within a quarter mile and residents within a half mile. The nature of the proposed project is to superimpose a huge new development in an area now occupied by a much smaller one, so simple application of the guidelines misses the assessment of impacts of the group most affected by the project, the people who live in or immediately adjacent to the study area. The existing open spaces are important parts of the quality of life in these areas, compensating per their design for the taller buildings, and the changes would affect these residents most directly. This creates a need for an additional assessment, not diluted by including larger populations, of impacts on the smaller area.
- Shadows: While the shadow study addresses shadow impacts of new buildings on existing open spaces, it fails to consider the impacts of shadows from new and existing buildings on new open spaces, which is especially significant for children's playgrounds which should not be located in areas of winter shade.
- Phasing: The DEIS fails to evaluate the impact of proposed phasing decisions on open space and to evaluate alternatives. For example, by starting the project by relocating the Key Park to enable construction of a temporary gym, a large portion of the Sasaki Garden would be displaced by the temporary playground, and by building the entire north block site as a single project, the entire project area would have no real children's playground for ten years beginning in 2022 (see Appendix C). The DEIS fails to consider an alternative use of off-site spaces as an alternative to staging construction on the project's open spaces, including the green spaces to be mapped on the northern superblock. NYU's plan would render those open spaces unusable for a decade or more. As mitigation, NYU should be required to restore those spaces to public use during the intervals between the construction phases rather than leave them unusable by the public during those intervals.

### **Proposed New Public Spaces**

- Philosophy Garden: At 2.37 acres, this area represents 62 percent of the open space planned for the entire project. It includes the entry plazas to be built on public land transferred to the Parks Department, and much of the area where the Sasaki Garden is now. The Sasaki Garden is a 1.34 acre open space that has been open to the public. As an early work of Hideo Sasaki, the garden has recognized architectural and historic significance as a modernist landscape. The garden remains a tranquil space offering a place for respite amid tall buildings. The Philosophy Garden completely displaces the Sasaki Garden, an integral part of the WSV complex that has been deemed eligible for the State and National Historic Register of Historic Places. The Philosophy Garden is planned as a more visible and accessible at-grade space. It includes space for lawns for combined passive use and informal active recreation, and wide entrance plazas built on land proposed for transfer to the Parks Department. These plazas would serve little use other than for entrances to the new buildings and the open space between them. The large open space would be surrounded on all sides by tall buildings that would keep the space mostly in shadow through the winter. It would be in-facing and strongly associated in design and use with the buildings whose entrances would open directly onto the open space areas. Large areas of hardscape would be needed to accommodate emergency fire trucks and the high volume of students who would access the classrooms in the buildings and the four underground stories. While more attractive in design than Gould Plaza on East 4<sup>th</sup> Street, the space would function in the same way in relation to NYU

classroom buildings with little likelihood for casual use by the broader community. CB2 resoundingly rejects the plan for the Philosophy Garden because it essentially would create an uninviting, closed quadrangle mainly for benefit of NYU, although the plan purports otherwise. A successful plan for true public open space at this location would have designed buildings that respect the importance of the open spaces relating directly to LaGuardia Place and Mercer Street, and primary building access would be through the existing driveways under the Washington Square Village buildings instead of across public parks.

- Washington Square Village Play Garden: At only .34 acres, this proposed playground is 36 percent smaller than .53-acre Key Park, the often overcrowded playground that will be eliminated at the start of the project if a temporary gym is placed at this location. While access to the Key Park is limited by NYU to residents of a large area of CB2 living within about a 10-minute walk, its replacement, while open to all, would serve fewer people. The new playground is inappropriately sited because it would be directly adjacent to three tall buildings with its only openness facing north, so it would be in the shade most of the day for much of the year.
- Greene Street Walk: This area to the west of the proposed Zipper Building widens a rarely used walkway. It would function as access to university facilities and retail uses and is intended to double as public open space. Off street retail has not worked well in Manhattan where the street is the marketplace, but even if this strip were to succeed and the area becomes a good place for students to congregate, the kinds of open space use provided would be unlikely to serve the broader community, especially since, like Schwartz Plaza, the area would be in shadow most of the day. While the existing public areas to the east of Coles are poorly maintained by NYU, the openness is an important part of the Mercer streetscape and the existing strip could be improved to provide more usable open space to both the community and the university than the proposed in-facing solution.

## **V. THE STOCK OF AFFORDABLE HOUSING NEEDS TO BE PROTECTED**

*NYU is the landlord and land leaseholder for the major stock of affordable housing in Greenwich Village, including rent stabilized units in Washington Square Village and Washington Place and units in the Mitchell-Lama Program at 505 LaGuardia Place. CB2 urges NYU to provide a commitment that the units under its jurisdiction will remain affordable to the public and regulated in perpetuity.*

Many low and moderate income residents, including senior citizens and those on fixed incomes, reside in housing under the jurisdiction of NYU, which includes units in Washington Square Village, Washington Place and 505 LaGuardia Place. This housing has sustained the local community's economic integration and contributed to its diversity and vibrancy.

However, NYU's treatment of this affordable housing stock is of great concern to CB2. Testimony has indicated that when a regulated apartment becomes vacant, efforts are made to effectively deregulate apartments by either allowing them to remain vacant or providing them for faculty and staff. At a time when affordable housing is so badly needed in our community, and when this Community Board has made it a priority to see new units of affordable housing created, it is simply unacceptable that NYU is further reducing the number of affordable and regulated apartments under its jurisdiction in Washington Square Village and Washington Place.

As part of the original urban renewal superblock development, since 1967, 505 LaGuardia Place, a Mitchell-Lama Cooperative, has provided an important source of affordable housing in Greenwich Village, with 174 affordable units. NYU owns the land lease for the Cooperative, which is scheduled for renegotiation in 2014. The terms of the lease will dictate whether this project remains truly affordable.

Regardless of the outcome of this ULURP application, CB 2 believes that NYU should consider selling the land lease outright to the Cooperative, in order to ensure that this project remains affordable in perpetuity. CB2 also rejects any LSGD which draws lines that exclude existing “parties of interest” that could be negatively impacted by the proposed plan.

## **VI. COMMERCIAL OVERLAY AREA REZONING IS INAPPROPRIATE**

*CB2 opposes a zoning change to create a C1 commercial overlay on six blocks east of Washington Square Park.*

NYU is proposing this overlay for the stated intent of “enlivening the streets,” bringing existing non-conforming retail into compliance, and allowing development of ground floor retail uses. However, the street activity level is excellent, adequately serving the current mix of residential and institutional uses and the grandfathered uses are by definition compliant, and are functioning well. NYU has appropriate recourses within the zoning text at its disposal to meet limited retail needs in a few buildings. CB2 opposes this zoning change.

For the DEIS, NYU selected a Reasonable Worst-Case Development Scenario based on conversions of only six buildings for which they have current plans to develop only 23,000 gsf of retail use. However, a likely development scenario will include many more locations because the market driven values in an area adjacent to high rental Broadway retail areas will create strong incentives for many more conversions, especially if initial retail uses are successful. The young adult market is particularly strong for national chains and for the large eating and drinking establishments that have saturated nearby areas. Most of the buildings on the blocks have high ceilings and large footprints that are attractive for such high intensity retail users, with well over 200,000 square feet in 26 buildings ultimately available on first and second floors and potentially basements as well.

The area is currently well-served by the kind of retail anticipated by C1 overlays, the purpose of which are to serve the "local retail needs of the surrounding residential neighborhood." An overlay in this area is more likely to attract a combination of uses serving regional and NYU markets, with a potential to drive out existing non-conforming businesses when the expansion of stores is allowed. An area should be rezoned when there is a need that is typical of the area, not isolated to the needs of one property owner at a few locations within it, and transgressing this principal risks unanticipated and unstudied transformation of area, with possible unwanted impacts on the existing neighborhood which currently has a strong and successful character with an appropriate mix of residential and institutional uses.

The overlay would also bring retail uses close to Washington Square Park (including the eastern boundary), which is currently surrounded by blocks with very few stores, all non-conforming. The special character of a park is substantially influenced by the surrounding neighborhood, accounting in large degree for the differences between Washington Square, Union Square, and Madison Square, for example. The DEIS fails to evaluate the potential for profound negative impact on this historic and open space resource if as-of-right retail development is allowed on the adjacent blocks.

## **VII. A TRANSPARENT COMMITMENT FOR A PUBLIC SCHOOL IS REQUIRED**

*At the moment, there is no commitment from the NYC Department of Education to approve a new public school in the location proposed by NYU. Without this, there is widespread concern that should the NYU ULURP move forward the site designated by NYU could revert to NYU’s own, unspecified use as a windfall. Moreover, the details of any conversations between NYU and the DOE have not been made*

*public. Also, the terms of NYU's promise for a new school have changed, including the extent of the university's donation to such a school and whether it was predicated on the approval of the NYU ULURP.*

In 2008, NYU attended a CB2 meeting on school overcrowding and announced its intention to create a new K-8 public school. It was CB2's understanding that this meant the university would provide the "core and shell" of such a building and that this offer was not contingent upon the University's ability to gain approvals for zoning changes that would enable their expansion in the Greenwich Village core. CB2 is concerned that should the City and NYU not reach terms for a new school before the completion of this ULURP, NYU would be under no obligation to build a public school and would benefit from the windfall from the proposed upzoning, which it could use for dormitory space. CB2's examination of this part of the ULURP proposal has been hampered by NYU's lack of public disclosure of the details of the discussions with the City, making the community board's review of the school proposal nearly impossible.

In addition, since the NYU ULURP was filed, the University has declared that the offer to make land available to the City for a public school is contingent upon the approval of the project. In addition, apparently contrary to earlier promises by the university, NYU states that it will not contribute to the core and shell of the building, instead only donating the land beneath such a location, which consists of 78,000-100,000 square feet of space to be built between NYU academic space below ground and seven floors of student dormitory use above.

In the absence of this ULURP application, CB2 would be very supportive of the donation of a new K-8 public school by NYU, which is sorely needed in the Greenwich Village area due to local classroom overcrowding. However, it is problematic that NYU has apparently reduced its commitment to such a new school and is now basing it upon approval of NYU's proposed project.

Other concerns about NYU's proposed K-8 public school proposal include:

- The proposed plan calls for the only recreation to be a play area on top of a seven-story high rooftop, to substitute for an actual playground. There are concerns that an elevated playground would be unsafe and not pass FDNY inspection (it is CB2's understanding that a similar proposal at the Millennium School in Manhattan was rejected recently for being hazardous). In addition, the challenge of moving large groups of students by means of an elevator would pose serious logistical problems, which possibly would lead to less recreation time for students.
- The NYU plan for this site also proposes a building with a student dormitory on top of a public school, including dormitory windows overlooking the rooftop play area for young children. These are potentially incompatible adjacent uses between college students and young children, such as noise, smoking, etc.
- The plan for this site does not appear to have made adequate provisions for loading and unloading. Delivery trucks and parent and bus drop-offs/pick-ups would be required to park or double park on Bleecker Street or LaGuardia Place, creating dangerous congestion on these narrow and busy streets. This would create an unsafe environment for children, NYU students and local residents.

CB2 has repeatedly asked NYU to support CB2's efforts to develop new public schools outside of their ULURP application at other locations such as the underutilized New York State-owned building at 75 Morton Street, as the University is both partly responsible for enrollment increases in local public schools and an academic resource for the study and analysis of the issue of school overcrowding. CB2 believes this should be a mutual goal.

## VIII. TRANSPORTATION IMPACTS

*It is CB2's opinion that the DEIS grossly underestimates and does not adequately study the true effects of this project. Because of the tremendous increase in living, working and visiting populations and the accompanying activities that would be engendered, there would be severe adverse impacts on all aspects of transportation, from vehicular movements to pedestrian access to transit ridership to the availability of parking.*

These negative impacts are especially egregious in view of the NYC Department of Transportation's recent efforts to create a more equitable balance of street space between pedestrians, vehicles and other transportation modes in order to improve livability for all users. By following rigid formulas that allow for things to get worse and that make use of hackneyed and often ineffectual mitigation measures, this plan both flies in the face of DOT's progressive goals and misses a timely opportunity to look for and implement improvements from the outset that can benefit businesses, residents and NYU alike.

- Vehicular traffic, which already overburdens street capacity, would increase substantially, intensifying congestion and compromising access and safety, not only on weekdays, but also on weekends and in the night, when tourists and hotel guests join residents, students and faculty in using incoming/outgoing cars, taxis and limousines to recreational and other activities.
- Added turning movements at already dangerous turning areas, increased delivery trucks and service vehicles, and the general proliferation of cars, taxis and school-related transportation, bringing added congestion and decreased safety on the streets, would be especially daunting for a population with many seniors and families with small children, besides overwhelming the general populace.
- Streets with one traffic lane, like Bleecker and Mercer, would be particularly stressed, with Mercer suffering heavy truck activity to the new Zipper Building loading docks and blockages from hotel drop-offs/pick ups by taxis, cars and limousines. Bleecker Street already experiences heavy traffic impacts from frequent truck deliveries and oversized tour buses and would suffer further delays and noise. Multi-lane streets would also be encumbered, like Houston Street, a major through thoroughfare, and LaGuardia Place.
- Intensified congestion, loading/unloading and other street blocking activities would increase emergency vehicle delays. The response given to CB2 that "emergency vehicles can maneuver around and through congested areas because they are not bound by standard traffic controls" does not alleviate our concerns.
- Potential mitigation approaches, such as small re-timings of traffic signals and added signage, would be insufficient to offset significant adverse vehicular impacts identified at several locations, and in some cases would be hazardous, e.g., adding green time at dangerous crossings like Houston Street at LaGuardia Place.
- Pedestrian trips would far exceed the 200 threshold for both the Phase I (2021) and Phase II (2031) build-out, greatly interfering with pedestrian access, safety, comfort, circulation, and orientation (which would be further harmed by the heavy vehicular traffic). Heavy platoons of pedestrians at corners and in crosswalks would both block passage and make crossing more hazardous.

- The vastly overcrowded sidewalks and streets, teeming with a huge expanded volume of university-related pedestrian traffic, also would interfere with the community-friendly character and neighborhood-scale dynamic that give this area its special quality and appeal.
- The suggested pedestrian mitigations would not be a cure-all. In fact, one statement claims: “crosswalks and street corners are not easily measured in terms of free pedestrian flow.”
- The significant adverse transit impacts that are expected at subway station stairways and entrances would strongly interfere with accessibility and convenience for the numerous people in the area who rely on the subway. Furthermore, it is stated that subway station mitigation measures may be infeasible, and if so, the impacts would remain unmitigated, meaning there would be no attempt at all to alleviate these crowded and untenable conditions (an unwarranted discomfort in view of the unnecessarily excessive scale of this project).
- Replacing the current 670-space below-grade parking garage in Washington Square Village, which includes public parking, with a 389-space below-grade accessory parking facility would result in a loss of roughly 110 to 135 public parking spaces. This parking shortfall might not be able to be accommodated by other public parking facilities in the area, some of which are slated to be replaced by new buildings, others fully occupied, and others an undesirable distance away. A sizable number of on-street parking spaces would also be eliminated, further displacing parkers. Even if automobile use lessens, there still will be drivers who need to park. A parking shortfall as anticipated would lead to increased circling and cruising for spaces, meaning less safety on the streets, added congestion, and more polluting emissions.

## IX. ENVIRONMENTAL IMPACTS

*CB2 finds it impossible to agree with the conclusion of the DEIS that NYU’s expansion plan will have only temporary negative impacts and that the levels of potential danger fall into an acceptable range and/or can be sufficiently mitigated.*

The superblocks and Commercial Overlay area would experience a range of negative effects if NYU’s 2031 Plan were to proceed. Even if there was less total square footage built and less commercial space allowed, these impacts – in addition to and lasting far beyond those discussed in the Construction Impacts section – would endanger the health and well-being of those in the general area, put an added burden on infrastructure and services, and significantly reduce quality of life for thousands of people.

### Environmental Impacts Of Concern Include:

- Public Health and Safety: Adding a large new population and changing the physical configuration by the proposed 2031 Plan has the potential to overburden medical infrastructure (already diminished by the closing of St. Vincent’s Hospital) and local police precincts. NYU’s proposal for the North Block restricts the ability of fire and emergency vehicles to reach apartments, and the removal of through-driveways between Bleecker and W. 3<sup>rd</sup> Streets will slow the ability of ambulances to reach and depart with patients.
- Noise: Late-night noise from students is already a major problem in our community. The addition of dormitories will only exacerbate this problem. Increased vehicular traffic would also increase horn honking and idling noise.
- Air Quality: Increased congestion, both traffic and pedestrian, may elevate ozone and particulate pollutants. Reduction in mature trees could contribute to a long-term rise in greenhouse gas



emissions, creating health hazards and potentially increasing the asthma rate throughout the area. The proposed buildings would change air patterns, creating “wind tunnels.”

- Shadows: New buildings would cast shadows on many structures, plantings and people. The DEIS also does not take the collective effect of both existing and new buildings into account, including blocking of sunlight, diminishment of property values, reduction of plant and tree growth, impact on treasured community green space (e.g., the award-winning LaGuardia Corner Garden which is currently a designated Monarch Butterfly Waystation and Backyard Wildlife Habitat), and the impact on the proposed location of the replacement children’s playground in Washington Square Village. In addition, the South Block’s landmarked area would suffer significant shadowing from the proposed buildings, also changing the view of the Picasso “Bust of Sylvette” sculpture.
- Water and Sewer Infrastructure: Thousands of new residents and tens of thousands of people using the area daily would tax the City’s already aging water and sewer infrastructure. Water main breaks and sewer overflows are already an issue, and the added structures would further stress these systems. Less absorption of rainwater and increased storm water runoff also present unmitigated negative impacts.
- Underground Water: The “bathtubs” created by NYU’s huge underground plans would divert underground water which may affect foundations of nearby buildings, and dewatering may cause permanent changes in the surface of the area.
- Wildlife: Red-tailed hawks, recently making their homes in the neighborhood, would lose the mature trees and unbuilt spaces that they depend upon. Additional garbage flows from the new buildings would also bring vermin, and the poisons used to control these rodents also imperil these birds as well as other animals in the area.
- Solid Waste and Sanitation: The proposed increase in residences as well as other uses will greatly increase the pressure on solid waste collection and disposal. Late-night trash collection is already a problem in the area, and will only increase.
- Energy: While the proposed new facilities may be connected to NYU’s new co-generation facility, that system will reach capacity and then an added burden will be placed on the grid/systems. A loss of passive solar energy due to shadows would also add to energy use.

## **X. CONSTRUCTION IMPACTS**

*In a dense residential area, construction projects create noise, dust, dirt, vibration, vermin and other health and safety challenges for residents and businesses. CB2 is very concerned about the potential negative impacts of this project, many of which are acknowledged in the DEIS, especially since they will be felt for 20 years.*

The ramifications of 1.1 million sq. ft. in four stories of underground construction on both superblocks over the course of 20 years is not adequately addressed in the DEIS, and would be staggering. In addition, the proposed above-ground construction in conjunction with the below-grade excavation would have a devastating effect.

### Transportation

Unrelenting construction activities over the duration of this project will have heavy transportation impacts in all areas. The cumulative effect of heavy truck use generated by deliveries, movement of materials and removal of debris, extra construction worker pedestrian trips, and an expected increase in private motor vehicles (and the accompanying increased parking demand), would exacerbate congestion and create hazardous conditions on both streets and sidewalks. The adverse transit impacts predicted at subway station stairways and entrances will be more severe because of the substantial number of construction worker subway trips. The DEIS suggests that mitigation measures could be infeasible. These factors, coupled with the setting up of temporary structures, such as sheds, construction bridges and a gym (blocking access and flow), along with continuous relocations of such items, will lead to twenty years of unrelenting obstruction to safety, flow, orientation and access in every transportation mode.

### Noise

The DEIS states that there will be adverse noise-related effects, but claims they will only last two or three years. This is incorrect for two reasons: first, when NYU moves their baffles to a new area, the sound will be deflected to the one they just left. Second, once someone has been exposed over a period of years, the resulting sensitivity reaches a level that makes even a lesser exposure unbearable. In addition, the expected noise will be a significant disruption to residents and visitors; an increase of even one DBA constitutes a tenfold increase. Constant monitoring of noise and suppression of any noise in violation of city codes should be part of the on-going environmental commitments.

### Air Quality, Emissions, Dust and Pollutants

Contrary to the conclusions in the DEIS, CB2 believes this plan would cause significant negative impacts on air quality. It is during construction when the major assault on air quality would take place. The plan as proposed would create a 20-year tightly compressed construction zone.

### Dewatering

Another issue of concern to CB2 is that dewatering a site can cause surface cracks in foundations and in pavements, uneven settlement of dry area, and possible effects on trees and other plantings. CB2 encourages the Freeze Method should be investigated, aside from dewatering

### Visual Pollution

NYU's proposed new buildings, placed directly across narrow streets like Mercer and LaGuardia Place, will flood the residential buildings across those streets with intense light during nighttime hours. This will have an adverse effect on the residents of those buildings. Thus far, there has been no discussion of design that incorporates technology that reduces lighting intensity and glare.

### Construction Monitoring

Stringent monitoring and regulation of construction activities, including limitations on hours of construction related truck movements, forbidding truck idling, use of low sulfur fuels, closed truck beds, noise dampened construction equipment, commitment to no after hours or weekend work, etc. is required to keep the neighborhood safe and livable. In the event any part of the NYU plan is approved, there must be established and enforced through a restrictive declaration the mitigation measures described above including traffic controls, noise and light suppression, off-site construction staging and laydown, restoration of the public open spaces to public use between project phases, etc. NYU's compliance with these measures should be monitored and enforced through appointment of an environmental compliance monitor as has been done in the case of Columbia University. The monitor should have the authority to halt any construction activities that violate the terms of the restrictive declaration and to report on a regular basis to CB2 and the Borough President, Council Member and City Planning Commission.

## **CONCLUSION**

The world-famous character of Greenwich Village is a major asset for New York City. The Village continues to be popular with residents and visitors of all ages drawn to its unique mix of small town charm and urban density. The superblocks, with their dramatic scale and integral open space, function as a central counterpoint to the dominant low-scale townhouse and loft structures typical of the rest of the area.

Shifting the university center south and establishing a more intense campus environment on the superblocks would forever destroy a thriving residential community and transform it into a private NYU campus, changing the character of the area forever. It would also have significant negative impacts on surrounding neighborhoods to the east, south and west such as NoHo, SoHo, and the West Village - areas where students are not a dominant presence. Sidewalks would become crowded with students, existing retail would be displaced and open space would be oriented towards classrooms, instead of the kinds of places that support the vibrant and diverse community that currently exists.

**For the reasons outlined above, CB2 recommends denial of the NYU Core Project.**

## **APPENDIX A**

### **NYU Planning Principles**

#### **Establish criteria for development within the existing NYU footprint in the University's campus core and the surrounding neighborhoods that would prioritize**

- Identifying opportunities to decentralize facilities and actively pursuing these opportunities;
- Contextual development that is sensitive to building heights, densities and materials;
- Reuse before new development; and
- Consider mixed use facilities that complement Manhattan's mixed neighborhoods, particularly in regard to ground floor uses.

#### **Identify solutions to maximize utilization of existing assets by consulting with the community on:**

- The types of facilities that can be decentralized from the Village campus core and surrounding neighborhoods and cultivating locations outside these areas;
- Preferences for appropriate places for vertical additions;
- Encouraging programmatic and scheduling efficiencies; and
- Opening new and re-envisioning existing recreational spaces to better serve both the student population as well as the community at large.

#### **Make thoughtful urban and architectural design a priority by:**

- Respecting the limitations of the urban environment, including the impact on New York City's infrastructure;
- Improving the quality of open spaces; and
- Actively soliciting, utilizing and implementing input from the community in the design process.

#### **Support community sustainability by:**

- Preserving existing diverse social and economic character through the support of community efforts to sustain affordable housing and local retail;
- Exploring the utilization of ground floors of buildings for community-oriented uses such as local retail, gallery spaces for local artists, non-profit users and other providers of community services; and
- Generating a tenant relocation policy for legal, residential tenants, in the event that construction or conversion necessitates the relocation of tenants.

#### **Respect the community's existing quality of life including but not limited to:**

- Taking measures to mitigate effects of construction such as: noise, dust, work hours; sound mitigation for mechanical equipment; and construction staging;
- Reaching out early and often for community consultation related to major construction;
- Creating a website for ongoing constructions; and
- Committing to a community-oriented public process for reviewing NYU's proposed projects and developments.

### **Borough President's Task Force on NYU Development**

*August 2007*

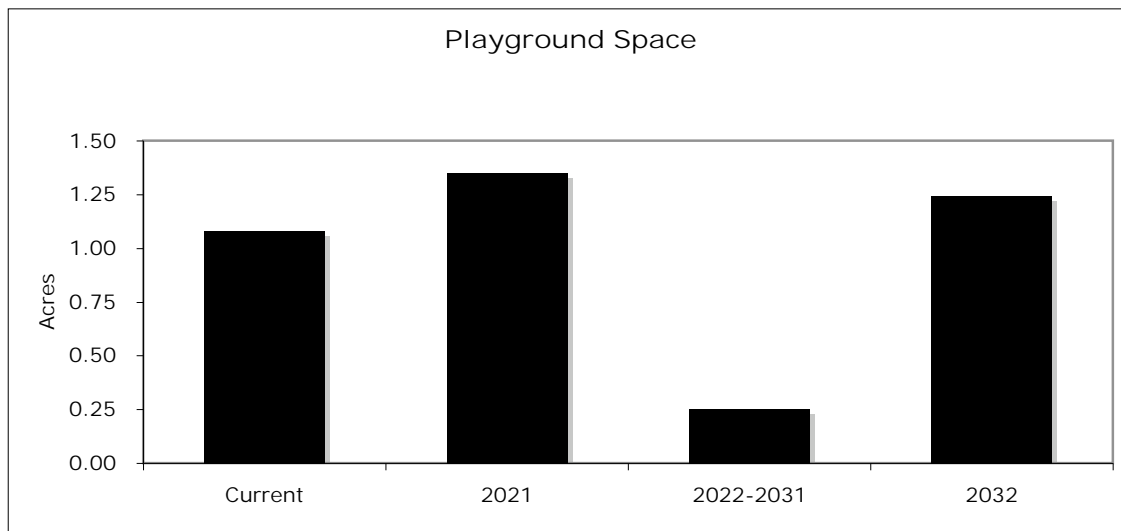
## APPENDIX B

Area	Name	Estimated Acres	Treatment for Analysis	Contribution to Public Open Space
A	LaGuardia Landscape	0.36	Not a publicly accessible open space because it does not provide usable creational areas.	While officially a part of LaGuardia Place street bed, this area functions as a park-like open space with extensive ground plantings and mature trees, and includes an important historic monument. Its use and design are not unlike many public parks.
C	Sasaki Garden	1.34	Private open space; and as such will be considered in qualitative analysis.	This is a publicly accessible open space. Gates, not part of the original design, are kept unlocked during the day, and there are no signs restricting access. The area functions as an expansive seating area with attractive plantings and seating.
D	"Key Park"	0.53	Private open space considered in qualitative analysis.	This is a very popular children's playground. While not fully publicly accessible, keys are provided to residents in a catchment area similar to the typical service area of similar public playgrounds, extending from Grand St. to 8 <sup>th</sup> St. and from the Bowery to 6 <sup>th</sup> Avenue. Note that the DEIS incorrectly states there are signs restricting access to Washington Square Village residents.
M	LaGuardia Corner Gardens	0.15	Private open space (not publicly accessible open space due to limited hours of public accessibility.) Will be considered in qualitative analysis.	This is an active community garden, registered with GreenThumb, and allowing regular public access. It is typical of many similar spaces on public and private land, part of a citywide, publicly supported program providing important community resources with green space, bio-diversity, and residential well-being. It is a designated Backyard Wildlife Habitat and Monarch Waystation.
O	Silver Towers Oak Grove	0.36**	Not an open space; does not provide usable recreational areas. This area will not be considered in the assessment.	This is a significant formal stand of mature trees with accessible space that is used for passive recreation. While gated on two sides, it is accessible and includes a long seating wall.
P	Area at east side of University Village	0.23	Not an open space due to limited access and lack of recreational amenities. This area will not be considered in the assessment.	This area includes a lawn that is used by children to play ball informally. It is not fenced and there are no signs restricting access.
Q	Center area of University Village.	0.21**	Not an open space; does not provide usable recreation areas and access is restricted. This area will not be considered in the assessment.	This is a formal park-like area with an important public sculpture. It has no fence and is frequently used for seating and as a play area for young children.
R	Time Landscape	0.19**	As per CEQR Technical Manual guidelines, Greenstreets are not considered publicly accessible open spaces. Area does not provide usable recreational areas and access is restricted. This area will not be considered in the assessment.	This area was created as a natural area featuring native species. It is maintained by LaGuardia Corner Gardens. This public function of this area is typical of other areas of public parkland that prohibit public access, such as Sullivan Square Viewing Garden or the Central Park Bird Sanctuary.
U	Silver Towers Seating	0.06	Private open space; considered in qualitative assessment.	This is a seating area that is publicly accessible with no fence.
V	Silver Tower Playground	0.06	Private open space; considered in qualitative assessment.	Access to this playground is with the same key as for the "Key Park" noted above.
X	Mercer-Houston Dog Run	0.07	Private open space due to limited public access; considered in qualitative assessment.	Public access to this dog run is available through a waiting list by the group that maintains the area. Similar arrangements are made in other public parklands such as the Bowling Green in Central Park.
Y	Coles Gymnasium rooftop public recreation area	0.16	Private open space due to limited public accessibility; considered in qualitative assessment.	Per requirements of conditions of amendment to the Urban Renewal Plan, this area of the roof was dedicated for public use, but NYU has failed to maintain it for this purpose.
TOTAL		3.72		

**APPENDIX C**

**Playground Space (acres)**

Name	Current	2021	2022-2031	2032
Mercer Street Playground	0.33	0.33	--	--
Coles Playground (closed)	0.16	--	--	--
Key Park	0.53	0.53	--	--
Silver Towers Playground	0.06	--	--	--
Temporary LaGuardia Play Area	--	0.24	--	--
Toddler Playground	--	0.25	0.25	0.25
Tricycle Garden	--	--	--	0.35
WSV Play Garden	--	--	--	0.34
LaGuardia Play Garden	--	--	--	0.30
<b>Total</b>	<b>1.08</b>	<b>1.35</b>	<b>0.25</b>	<b>1.24</b>



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# THE IMPACTS OF NEW YORK UNIVERSITY'S PROPOSED EXPANSION IN GREENWICH VILLAGE

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Prepared by  
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## EXECUTIVE SUMMARY

New York University's proposed 2031 plan for its Washington Square campus would add approximately 2.5 million square feet of academic, student and faculty housing, and commercial space to two superblocks, Washington Square Village and University Village, located just south of NYU's Washington Square campus. NYU has argued that expansion on this site is essential to maintaining its competitiveness among peer institutions, and that it will also provide substantial benefits to the city and the neighborhood. These claims are echoed in a NYU-commissioned report by New York City-based consulting firm Appleseed, and the project's Draft Environmental Impact Statement (DEIS). In addition, the DEIS finds the project would create a net increase in publicly accessible open space on the two superblocks, with minimal impact on the character of the project site or the neighborhood as a whole. Despite these findings, local stakeholders have continued to question the economic benefits of the project, expressing concerns about the impacts associated with this two-decade, complex development project located in a densely populated, historic neighborhood. Gambit Consulting was retained by the Greenwich Village Society for Historic Preservation to conduct a comprehensive investigation of the proposed development's impacts.

This report examines the economic, historic and environmental consequences, both positive and negative, of NYU's planned 2031 expansion of its Washington Square campus. It concludes that the local positive economic impact of the project in Greenwich Village would be minimal, while the collateral negative impacts would be substantial. Major findings include:

- Significant positive economic impacts of the plan would be citywide or regional in scope, while any positive local economic impacts would be minimal. For example, the maximum projected increase in local retail spending associated with the development would expand neighborhood retail sales by only approximately 2.5%.
- If NYU built its proposed development program in another area of the city—one that is, from the point of view of city policymakers, a priority for economic development—the local impacts would be greater, both because of the existing economic conditions of those alternate locations, and because development would represent more than an incremental expansion of an existing higher education presence.
- Based on a preliminary estimated development cost of \$1,000/SF, this project would cost approximately \$2.5 billion, i.e., close to the total size of NYU's endowment. If NYU suffers financial difficulties or financing shortfalls during the course of this twenty-year construction project, associated construction interruptions would substantially reduce economic benefits citywide and damage quality of life at a local level, especially for existing residents on the site.
- The proposed design would harm or destroy historically significant features of Washington Square Village and University Village by roughly doubling the amount of built space on both superblocks. The requested rezoning would permit the construction of new towers on areas required to remain as open space under the existing zoning.
- The project would reduce the amount of open space in the superblocks from 6.23 acres to 3.71 acres, a net loss of 2.52 acres.
- The inefficiencies inherent in building and operating 1.1 million SF of proposed underground space, as well as the project's complex construction phasing (including a temporary gymnasium), would reduce opportunities to pursue a more environmentally sensitive design.

### **Net New Economic Benefits Would Be Limited in Greenwich Village**

The NYU expansion would generate significant economic impacts felt across New York City. However, from a citywide perspective, certain benefits—including construction-period jobs and spending, as well as permanent new jobs, incremental increases in university purchases of goods and services, and incremental sales and other taxes—would remain essentially the same regardless whether the proposed space were built in Greenwich Village or elsewhere in the city. In contrast, the significance of local retail spending by students and NYU staff who work and live in the proposed mix of housing, academic, retail and hotel space would vary depending on project location.

The amount of local retail spending that a neighborhood captures from a major project depends on local factors. Economists use a term, “net new,” to denote the benefits of a project that are truly new within a geographic area. Incremental expansion of a university in a neighborhood in which it already has a major presence will generate far fewer net new benefits than the establishment of a new university presence in another neighborhood. In fact, economists generally state the standard definition of a net new impact is a job, dollar spent, or other activity, that would not occur *but for* the project in question.

This project represents a significant expansion of NYU’s physical presence, and many students and staff would study, live, and work on site. However, as NYU has stated in its 2031 plan, the project also represents, primarily, an opportunity to reorganize existing facilities and programs, rather than provide for a radical expansion of the university population. Regardless of whether the project is built or not, most of the people associated with it would be present as economic actors in the Village and, therefore, little of the retail spending would be net new.

Based on conservative assumptions, neighborhood retail spending from students, faculty, and staff living or working in project components could total approximately \$23 million a year; however, as discussed above, only a small amount of that total could be classified as net new within the Village. Further, since retail sales within just a quarter-mile of the site are \$854 million per year, an additional \$23 million per year in retail spending would represent only a roughly 2.5% increase in the size of the local retail market, even without discounting spending that cannot be classified as net new. Thus, the positive local economic impact of the project would be minimal.

On the other hand, the project’s impact would be superior in neighborhoods where NYU’s presence is smaller or nonexistent. In areas with fewer higher education facilities, the \$23 million stimulus would be largely net new, only offset by the possible displacement of existing businesses or residents, along with their sales and spending. In addition, in areas lacking the vigorous real estate and local retail market of Greenwich Village, project impacts would have greater local benefit. For example, if this project were developed in Downtown Brooklyn, more of the potential retail spending would be truly net new, and would increase local retail spending by up to 10%. Areas such as the Financial District, Downtown Brooklyn, and Long Island City have excellent transit access, short travel times to NYU’s Washington Square Campus, and have been identified by policymakers as economic development priorities. Additionally, the Financial District is a leading global business center, Downtown Brooklyn is part of an emerging “Tech Triangle,” and Long Island City is home to a large number of cultural institutions, each of which aligns with NYU’s academic program and mission. Pursuing the project in one of these locations would meet NYU’s goals, further economic policy agendas, and result in a greater economic impact.

The potential economic stimulus of this project depends on local context. This report finds that the NYU planned expansion, if developed elsewhere in the city, could be an effective neighborhood development tool that also meets NYU's needs. The rationale for considering alternative sites becomes even more urgent and compelling in light of negative project impacts associated with continued NYU expansion in Greenwich Village.

### **The Project Would Harm the Historic Character of the Site and the Village**

NYU's 2031 plan states that the university considers the Washington Square Village and University Village superblock designs historically significant, and that it will respect and preserve their historic character. Nevertheless, careful analysis of the proposed design makes clear that historic elements of both superblocks would be eliminated or significantly altered to accommodate the new construction. NYU's design would roughly double the developed square footage of the two superblocks, greatly increasing their density and upsetting the carefully balanced ratio of built to open space that remains an intact and historically significant feature of their original designs. On the National Register-eligible Washington Square Village site, two new academic towers would be built on open space between the existing buildings, and a massive underground academic complex would be excavated and constructed under the entire area of the superblock. On the southern superblock, the three I.M. Pei-designed University Village towers—a designated New York City landmark—would be surrounded by tall new construction that contravenes the original site plan and existing zoning requirements for open space.

The residential character of the site is currently protected by deed restrictions that prevent academic uses on the two superblocks, as well as zoning regulations that prevent commercial uses beyond the commercial strips on LaGuardia Place. The requested rezoning and removal of these deed restrictions would place students, staff, and additional faculty on the site, who would live and work in the new buildings, as well as a transient population associated with the hotel. Considered as a whole, the project would increase the total built square footage of NYU's Washington Square campus by 22% by 2031, a massive increase in the university's physical footprint in the Village after decades of piecemeal and contested expansion.

### **The Project Would Also Reduce Open Space and Diminish Quality of Life**

The project would permanently eliminate 2.52 acres of open space in a neighborhood where publicly accessible open space is scarce. Furthermore, the quality of the remaining open space would be significantly degraded throughout the twenty-year construction period, and would be permanently marred by the new shadows cast by the development. The project would also generate negative air quality and environmental impacts, despite goals to use green building standards for new construction.

NYU has requested that the superblocks be rezoned from R7-2 to C1-7, to allow for commercial uses restricted by current zoning. Notably, the proposed C1-7 zoning would also change the underlying residential zoning to R8, which carries greatly reduced open space requirements compared to the R7-2 zoning, and would allow NYU to build new towers on sites that the present zoning requires to remain as open space. This is especially important on the Washington Square Village superblock, where the current R7-2 zoning requires that roughly 85% of the entire superblock to be open space, while the new C1-7 zoning would reduce that figure to only 38% of the superblock, allowing two large new buildings to be constructed at the center of the block. Overall, the proposed new construction would reduce the entire amount of open space in the project area from 6.23 acres to 3.71 acres.

The DEIS, however, finds that there is currently only 0.58 acres of publicly accessible open space on the site, and that the proposed design would result in a net gain of publicly accessible open space when completed in 2031. This discrepancy is due to the narrow interpretation of City Environmental Quality Review (CEQR) technical guidelines used in the DEIS, which allow the classification of the majority of existing open space as not substantially publicly accessible. Thus, even though approximately 3.13 acres of open space would be eliminated by 2031, the DEIS states the proposed design “would not result in significant adverse impacts to publicly accessible open space” since this analysis considers only a tiny fraction of the 6.23 acres of open space on the blocks. The DEIS does not acknowledge that much of the open space in the area is not being maximally maintained by NYU, and that NYU has either tacitly or explicitly chosen to exclude the public from using this space. NYU’s current operation of the site, therefore, enables the low DEIS estimate of publicly accessible open space and, therefore, the counterintuitive conclusion that the project would result in more, rather than less, open space.

Furthermore, ongoing construction over the next twenty years would result in significant noise, dust, fumes, temporary closings of various areas, and other effects, thereby eliminating or seriously marginalizing all existing or planned open space amenities on site for two decades.

The new buildings would also produce significant amounts of greenhouse gases. The carbon footprint of the new buildings along would be 13,089 tons of CO<sub>2</sub>e annually, or over 5 CO<sub>2</sub>e per 1,000 SF. By comparison, the newly retrofitted, 2.85 million SF Empire State Building produces 11,421 tons of CO<sub>2</sub>e a year, or about 4 CO<sub>2</sub>e per 1,000 SF. In other words, the proposed NYU program, although smaller, and despite the presumption of extensive use of state-of-the-art sustainable technologies, would produce a greater carbon footprint per square foot than the retrofitted but eight-decade-old Empire State Building.

### **Reconsidering the Project in the Context of NYU’s 2031 Plan**

NYU is reasonably seeking to improve its Washington Square campus as part of its NYU 2031 plan for the entire university. While NYU’s desire to develop additional space in the Village is understandable, it may be financially and logistically more expedient to pursue the project elsewhere.

NYU’s 2031 plan acknowledges that the university’s endowment is small relative to its peer institutions. The university therefore seeks the efficiencies of building on sites it owns, both to avoid acquisition costs, and to end its reliance on rented space. However, by placing so much of the newly constructed space underground, the NYU 2031 design for the two superblocks creates engineering and planning challenges that may add greatly to the cost and detract from the long-term utility of the proposed space. Though NYU states that many current and future academic uses can be satisfactorily accommodated in windowless underground space, it may be in the university’s interest to construct or renovate less costly, more flexible space at other locations outside the Village.

More importantly, a 2.5 million SF expansion near Washington Square would only account for roughly a third of the new space in New York City called for in the NYU 2031 plan. NYU is already pursuing alternate locations further from the traditional campus to accommodate growth. Whether building satellite facilities in Brooklyn or Abu Dhabi, NYU has demonstrated its desire to develop as a global presence far beyond the confines of Greenwich Village. In the context of this broader view, and given the many negative impacts associated with this project, it is appropriate for NYU and policymakers to reassess whether this project is the most compelling strategy for growth, both for NYU and the city.

## ECONOMIC IMPACTS

NYU proposes to build approximately 2.5 million square feet of academic space and student and faculty housing on two superblock sites located south of the university's Washington Square campus by 2031. Students would live and study in these buildings; faculty and staff would work in them; parents, relatives, and friends would visit. This population would introduce spending power to the area, generating and supporting new jobs. Additionally, construction of the buildings would create on-site construction jobs and support positions for suppliers, architects, engineers, and others. These permanent and construction-period impacts would spread dollars throughout the region's economy, spurring associated impacts through what is known as a "multiplier effect." The proposed NYU expansion is, therefore, a potentially potent economic development tool.

An accurate evaluation of the economic value of the proposed expansion to both the New York City economy and to the immediate neighborhood requires consideration of NYU's existing presence in Greenwich Village. Simply put, NYU already dominates the Village in physical and human terms. Between 1993 and 2008, NYU increased its enrollment by 30% and its local presence to over 40,000 students, and either constructed or bought and leased space in existing buildings to expand its footprint around Washington Square to 11.4 million SF. Between now and 2031, NYU forecasts continued growth in student enrollment at a rate of 0.5% per year, meaning that NYU's student population will grow by just over 5% in the next decade.

Thus, NYU's proposed project would expand an already dominant presence, rather than introduce a wholly new use; and many of the students, faculty and service workers who would live, study, and work in the project's buildings would be present as economic actors in the neighborhood, whether or not the project is developed. On the other hand, developing the same amount of academic space and housing at a satellite campus in another neighborhood, where such a population would introduce a new local dynamic, would have a greater economic impact than incremental expansion in the Village. Four propositions support this conclusion:

- Most of the project's economic impacts would be citywide or regional in scope. Neighborhood impacts would be limited to local retail spending by students, employees and visitors. The potential size of this direct local spending would be up to approximately \$23 million per year, based on assumptions and methodologies discussed below.
- NYU is an already substantial presence in the Village. The project would increase the space available to NYU students and faculty. However, its purpose is to incrementally expand and reorganize NYU's programs, rather than accommodate a wholly new population. The incremental nature of this expansion would limit the portion of the potential \$23 million per year stimulus that would actually flow into the Village's economy or, in economists' terms, be "net new" (this term is explored below).
- The neighborhood has a strong retail sector. The retail market—i.e., the total amount spent on goods and services—within just ¼ mile of the superblocks is over \$850 million/year. Whatever portion of the potential, annual \$23 million in spending the project produces as net new impacts would result in only a very small expansion of this retail market. Moreover, in the context of constrained real estate supply, any such expansion would be unlikely to allow for significant business creation or expansion.
- Locating project elements in neighborhoods such as the Financial District, Downtown Brooklyn, and Long Island City would align with New York City's stated economic development goals and would catalyze greater net new impacts at the local level.

### **Defining Local Impacts**

To quantify local impacts of the NYU expansion, we must first identify and separate purely local impacts from those that would accrue to the city or region.

Based on the information available, it is reasonable to assume that construction-period impacts would remain approximately the same wherever the project is built. If the development program remained the same size, and the hard and soft construction costs also stayed constant, the amount of construction labor and material spending required, as well as the number of construction period full-time-equivalent positions, would be the same whether the project were built in the Village or elsewhere in the city. NYU has not committed to any local hiring or purchasing, so these benefits could be local, citywide, regional, national or even international in scope (e.g., hiring an architect, or purchasing materials, from a firm based in another city or country). Even if NYU made commitments to hire or buy locally, associated hiring and spending requirements would most likely apply within the five boroughs. Therefore, related impacts, while potentially meaningful, would remain the same for a development anywhere within city limits.

In terms of permanent impacts, the benefits associated with net new jobs that would be created by NYU and filled primarily by New York City residents (according to the Appleseed report, 81% of NYU employees live in the five boroughs) would be also citywide or regional in nature, not local. The new indirect and induced spending these jobs would generate throughout the city by virtue of the multiplier effect, and the incremental increases in purchases of goods and services by the university from New York City-based service providers and suppliers, are not likely to be tied closely to a neighborhood.

The relevant impact at the neighborhood scale is **local retail spending** by populations associated with six principal elements of the proposed NYU 2031 expansion around Washington Square<sup>1</sup>:

- Academic space (1,072,000 SF): NYU students that attend class there, as well as faculty and service workers who work there.
- Dormitory space (370,000 SF): NYU regular and summer students who live there, and service workers.
- Athletic Center (146,000 SF): Students, spectators at athletic events, and service workers.
- Hotel (115,000 SF): guests who stay there, and service workers.
- Faculty housing (105,000 SF): NYU faculty who live there, and service workers.
- Retail (64,000 SF): retail employees and associated spending.

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<sup>1</sup> We do not consider impacts associated with the proposed athletic center, public school, parking, or mechanical/service elements here. More detail is required regarding the public school and athletic center to derive meaningful estimated impacts, and the latter two elements are likely to produce negligible impacts. In addition, visitor spending would also provide a direct, local impact. Estimating visitor spending would require more detailed information than is available at this time; indeed, the Appleseed report and the DEIS, while acknowledging the value of visitor spending, do not attempt to quantify it, given the preliminary nature of the project. Similarly, while visitor spending is a factor in the project's potential impact, Gambit does not attempt to estimate this spending in this report.

**Estimating Potential Direct Local Impacts**

The NYU program is preliminary, would be developed over two decades, and will no doubt change in the years ahead. Indeed, NYU's plan is not specific enough to create a highly detailed economic impact model. However, an illustrative estimate of local direct impacts, based on NYU's development program as well as assumptions provided in the Appleaseed Report and DEIS, paints a picture of the potential local economic stimulus associated with this project.

This estimate is intended to show the **potential** direct local impact associated with the program. Neighborhood characteristics would determine the proportion of this spending that would have actual local impact. Such vital, place-specific considerations are discussed below.

Figure 1 shows the preliminary development program shown in the DEIS. Potential local impacts are analyzed below, project element by project element.

**FIGURE 1**

<b>Preliminary NYU Development Program</b>	
<u>Program Element</u>	<u>SF</u>
Academic space	1,072,000
Student housing	370,000
Athletic center	146,000
Hotel	115,000
Faculty housing	105,000
Public school	100,000
Parking	76,000
Retail	64,000
Academic/conference space	50,000
Mechanical/service areas	377,000
<b>Total</b>	<b>2,475,000</b>

*Source: DEIS. All SF#s rounded to nearest thousand.*

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**Academic Space**

In its 2031 plan, NYU states a goal of increasing university academic space to 240 SF per student. Assuming that the 1,072,000 SF of academic and conference space were built with this space utilization in mind, approximately 4,500 students would attend class at this location. This would yield a ratio of students:instructor in the classroom of about 25:1, in line with NYU's current ratio of "less than 30."<sup>2</sup>

However, according to the DEIS, it appears that a significantly higher number of students would use this space. According to Section 12 ("Solid Waste and Sanitation Services") of the DEIS, if

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<sup>2</sup> <http://www.nyu.edu/admissions/undergraduate-admissions/is-nyu-right-for-you/faqs.html>. Note that this is not to be confused with NYU's "student:faculty" ratio, which appears to not reflect the ratio of students to instructor in a typical classroom, but rather the total number of students in the university to total faculty.



the project were not built, there would be a total of 7,661 students in the project area.<sup>3</sup> The DEIS estimates that, with the addition of the project, there would be 15,212 students in the area. This implies an incremental difference of about 7,550 students attending class in the new academic space. While it is unclear from the DEIS, this calculation suggests that many students would be using the academic space for purposes other than simply attending classes, and that there would be multiple classes throughout the day. These are the kinds of efficiencies one would expect to see in a new academic building where space is at a premium, so it has been assumed that 7,550 students using this space is the more reasonable assumption.

The DEIS does not make clear how much of the academic component would be instructional space and how much would be devoted to similar, but distinct, uses. The Appleseed report apportioned Washington Square academic space among four components: classroom space (12%), research/lab space (32%), office/research (36%), and student services (20%). Additionally, the Appleseed report provided job generation numbers per 1,000 SF in each category. Although the development program has been modified somewhat since the Appleseed report was published, this component would generate about 2,590 full-time equivalent positions assuming that the proposed academic space were similarly utilized.

Appleseed cited several estimates of average NYU student spending. These include average spending on miscellaneous personal expenses per NYU student that varies widely between students that live off campus (\$14,685) versus on campus (\$1,800). Summer students are estimated to spend about a quarter of these amounts. According to the Bureau of Labor Statistics, a typical college student spends (adjusted to 2012 dollars) about \$3,400 per year on food away from home, apparel and services, entertainment, and other discretionary retail spending.<sup>4</sup> The Appleseed figures are not broken out by type of spending, and we do not have an estimate of how many students attending class at the program's academic space would live on- or off-campus or be regular or summer students. In the absence of such details, the BLS figure is a reasonable proxy.

In addition, according to the BLS' 2010 American Time Use Survey, full-time college students spend roughly one-third of their discretionary time (i.e., time not spent eating, grooming, sleeping, or traveling) in educational activities. The more time a student spends at a place, the more likely he or she is to spend money close by. If we assume that most of these educational activities occur in university academic space, and that the students attending class in the new academic space attend *most* of their classes there, we can assume that about a third of their spending in the local categories above would occur at the project site.

By applying \$3,400 in average annual spending per student in these categories to the 7,550 students that would attend class in the new academic space, and dividing by a third to account for how much of a student's discretionary time is spent in or near the space, we can estimate that these students would spend about \$8,530,000 per year in the immediate area around the academic space.

Employees would also spend money locally. According to the International Council of Shopping Centers, U.S. office workers typically spend just over \$3,000 on food and retail in a given year

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<sup>3</sup> This estimate consists of 6,695 students who attend class within a quarter mile of the site today, plus 966 students added once a nearby building is converted from residential to instructional use.

<sup>4</sup> "Expenditures of college-age students and non-students." Geoffrey D. Paulin, Division of Consumer Expenditure Surveys, Bureau of Labor Statistics, 2001.

## THE IMPACTS OF NYU'S PROPOSED EXPANSION IN GREENWICH VILLAGE

near their workplace<sup>5</sup>. Assuming that these 2,590 employees behaved similarly, this would generate an additional \$7,770,000 in neighborhood spending per year.

The academic space, therefore, could provide a potential annual stimulus of roughly \$16,300,000 in direct, local retail spending, based on a population of about 7,550 students and 2,590 employees. Related assumptions and calculations are summarized in Figure 2, below.

**FIGURE 2**

### Estimated Direct Local Retail Impacts | Academic Space

#### Estimated Number of Students

	<u>Students</u>
Students	<b>7,550</b>

(1) Source: DEIS calculation of # of students in project area with project—15,212—less # of students in project area today—6,695—and # of students to be added to area without project—966—rounded to nearest ten.

#### Estimated Number of Direct Jobs

<u>Program Element</u>	<u>Presumed Share of Academic Space<sup>1</sup></u>	<u>SF</u>	<u>Jobs per 1,000 SF<sup>2</sup></u>	<u>Jobs<sup>3</sup></u>
Classroom space	12%	128,600	1.4	<b>180</b>
Research/lab space	32%	343,000	2.1	<b>720</b>
Office/research space	36%	385,900	4.0	<b>1,540</b>
Student services	<u>20%</u>	<u>214,400</u>	<u>0.7</u>	<u>150</u>
<b>Total</b>	100%	1,072,000	2.4	<b>2,590</b>

1. Based on proportions in Appleseed report.

2. Based on multipliers in Appleseed report.

3. Rounded to nearest ten.

#### Estimated Direct Local Retail Spending Per Year

<u>Economic Driver</u>	<u>#</u>	<u>Estimated Local Average Retail Spending/Year<sup>1</sup></u>	<u>Estimated Direct Local Retail Spending/Year</u>
Students	7,550	\$1,130	\$8,530,000
Classroom space-related jobs	180	\$3,000	\$540,000
Research/lab space-related jobs	720	\$3,000	\$2,160,000
Office/research space-related jobs	1,540	\$3,000	\$4,620,000
Student services-related jobs	150	\$3,000	<u>\$450,000</u>
<b>Total</b>			<b>\$16,300,000</b>

1. Estimated local student by analyzing relevant retail categories from BLS statistics, adjusting for Consumer Price Index, and dividing by 3 based on analysis of BLS American Time Use Survey, 2010. Average retail spend for jobs derived from 2003 International Council of Shopping Centers survey, adjusted for CPI.

<sup>5</sup> 2003 ICSC survey adjusted for Consumer Price Index changes.

### Dormitory Space

NYU's recently completed dormitory buildings provide varying amounts of space per student: ~450 gross SF per student (Palladium Hall, 140 E. 14<sup>th</sup> Street, completed 2001); ~350 SF per student (University Hall, 110 E. 14<sup>th</sup> Street, completed 1999); and ~250 SF per student (Founders Hall, 120 East 12<sup>th</sup> Street, completed 2009).<sup>6</sup> Since Palladium Hall has substantial retail tenants that inflate this ratio, and since Founders Hall is NYU's most recent project, it is reasonable to assume that new NYU student housing would be closer to 250 SF per student. At this space utilization, 370,000 SF of dormitory space would house 1,480 residents.

However, Section 4 of the DEIS states that up to 1,750 dormitory beds are possible, while Section 12 assumes 1,317 beds. In the absence of definitive information, 1,480 student housing residents is a reasonable assumption.

Students spend a substantial amount of time near their dorm rooms. In addition to sleeping in the dorms, students study and relax inside or nearby. This represents roughly 1/3 of their discretionary time, so we can assume that roughly 1/3 of students' discretionary spending would occur near their dormitory.<sup>7</sup>

By multiplying the average annual local, discretionary spending of \$3,400 described above by 1,480 students and applying a factor of 1/3, we arrive at an estimated potential direct local spending by students living in the new dormitory space of about \$1,677,000.

In addition, student housing would generate service jobs. Assuming that all of this housing would be for undergraduates, and using the Appleseed report's job generation numbers, the dormitory space would generate roughly 59 positions. According to the 2010 BLS Consumer Expenditure Survey, service workers spend, on average, about \$7,600 per year on retail goods and services.<sup>8</sup> Assuming that roughly half of this amount is spent near work, this means that dormitory workers would spend about \$220,000 a year locally.

Adding student and worker spending, the potential local retail spending associated with this component would be about \$1,897,000 annually.

### Hotel

The Appleseed report assumes that the 115,000 SF hotel will have 240 rooms. The DEIS assumes 300 rooms; however, this assumption is based on a space utilization of 600 SF/room, implying the estimated number of rooms is based on a 180,000 SF hotel, which is inconsistent with the development program. Gambit applied the 600 SF/room assumption to the DEIS program of 115,000 SF, yielding a working assumption of 192 rooms.

Applying the 2011 average New York City hotel occupancy rate of 85.3%, at any given time, about 164 of these rooms would be occupied. Based on analysis of 2011 NYC & Co data and a 2011 Price Waterhouse Coopers report, the average New York City tourist spends about \$83/day on non-hotel related expenses. If guests at the proposed NYU hotel behaved similarly, and spent half this amount in the neighborhood (near their hotel), this would result in a potential local retail

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<sup>6</sup> Greenwich Village Historical Society analysis. [http://www.gvshp.org/\\_gvshp/preservation/nyu/doc/sq-footage.pdf](http://www.gvshp.org/_gvshp/preservation/nyu/doc/sq-footage.pdf)

<sup>7</sup> "Expenditures of college-age students and non-students." Geoffrey D. Paulin, Division of Consumer Expenditure Surveys, Bureau of Labor Statistics, 2001.

<sup>8</sup> "Expenditures of college-age students and non-students." Geoffrey D. Paulin, Division of Consumer Expenditure Surveys, Bureau of Labor Statistics, 2001.

spending of about \$2,484,000.<sup>9</sup>

Hotel service staff would spend an additional amount. We assumed this staff would primarily be service workers who would spend about \$7,600 per year on retail goods and services<sup>10</sup>, and that roughly half this amount would be spent near work. The Appleseed report estimates that the hotel will have 64 workers, while the DEIS assumes 112 based on 1 employee per 2.67 rooms. Again, the DEIS seems to imply a much larger hotel; however, by applying the DEIS' employee:room ratio to our assumption of 192 rooms, the hotel would require 72 employees. This number of employees yields a total annual spend by service workers of \$274,000. Total local direct local retail spending from hotel guests and workers is therefore estimated at \$2,758,000.

### Faculty Housing

Assuming an average apartment size of 1,000 gross SF, 105,000 SF of faculty housing would provide 105 apartments.<sup>11</sup> However, Section 4 of the DEIS assumes up to 260 faculty dwelling units. This would mean, presuming 105,000 SF of faculty housing, an average apartment size of only 510 gross SF. Assuming a 15% loss factor, this would mean an average apartment's net area was only 430 SF, about the size of a modest Manhattan studio unit. This space utilization seems unlikely, since the DEIS elsewhere assumes that these dwelling units would generate new school children (i.e. faculty children). In other words, the DEIS tacitly assumes that many of these units will be two bedroom apartments suitable for families. This upper-end calculation may therefore assume that another component is shifted to this use. Gambit therefore assumed 105 apartments, although we note that the DEIS appears to leave open the potential to develop more than twice this number.

According to the Appleseed report, the average NYU faculty member is paid \$113,000 per year. According to the Bureau of Labor Statistics' 2010 Consumer Expenditure Survey, households with incomes above \$70,000 per year annually spend an average of \$19,922 on retail goods and services.<sup>12</sup> Assuming that half of this is spent near their homes, faculty households would directly spend about \$1,046,000 nearby.

### Retail

The Appleseed report assumed 4.1 jobs per 1,000 SF of retail establishments; the DEIS, 3.0. Assuming the DEIS is based on a refined retail program, we would expect about 190 positions to be created within the 64,000 SF of retail in NYU's plan. Assuming service worker retail spending as described in the "Hotel" section above, retail workers would spend \$722,000 annually in the area on retail goods and services.

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<sup>9</sup> Data analyzed included First Quarter 2011 Manhattan Lodging Index (Price Waterhouse Coopers) and NYC & Co's 2011 estimated number of visitors and total direct spending. By dividing an estimated \$32 billion in direct spending by 50.5 million visitors, we find the typical NYC visitor spent \$633 in New York City in 2011. This tourist stayed for an average of 1.86 days and, presuming they stayed in Manhattan, paid an average daily rate of \$204.86/night. This leaves about \$250 in average *non-hotel* spending per visitor. Since the average stay is roughly 2 nights [if the average stay is indeed 1.86 DAYS, then they stayed 1 night. Alternatively, if they stayed 2 nights, you should change it to 1.83 NIGHTS above], this equates to roughly 3 days, meaning the \$250 is spread over three days, for an average daily spend on non-hotel activities of about \$83.33. 164 guests multiplied by \$83/day, multiplied by 365 days/year, and finally multiplied by 1/2, yields the estimated local direct spend.

<sup>10</sup> "Expenditures of college-age students and non-students." BLS

<sup>11</sup> Assuming a 15% loss factor, this would mean that a typical apartment would be 850 SF.

<sup>12</sup> Including all food, alcohol, housekeeping supplies, apparel and services, entertainment, personal care products and services, reading, and tobacco products.

Total Direct Impact

As summarized in Figure 3 below, we estimate potential direct, local retail spending associated with the NYU program would be approximately \$22.7 million per year in 2012 dollars.<sup>13</sup>

FIGURE 3

<u>Estimated Potential Direct Retail Spending/Year</u>	
Academic and conference space	\$16,300,000
Student housing	\$1,897,000
Hotel	\$2,758,000
Faculty housing	\$1,046,000
Retail	<u>\$722,000</u>
<b>Total</b>	<b>\$22,723,000</b>

Net New Impacts Would Be Minimal in Greenwich Village

The above estimate is illustrative and is intended to provide a sense of the maximum potential local economic impact. Neighborhood conditions and context would determine the significance of this impact at the neighborhood level.

“Net new” economic impacts are those impacts that would not occur *but for* the project in question. A 2006 Vanderbilt University Department of Economics working paper warned of the pitfalls of assuming that all, or even most, of a higher education development project’s impacts are truly net new.<sup>14</sup> After reviewing over 90 economic impact studies of higher education institutions and projects, the authors concluded that incremental university expansion in a neighborhood already saturated with populations and uses associated with higher education will produce fewer net new impacts than in a less saturated neighborhood. This analysis is particularly germane to NYU, which is a dominant presence in the Village without the additional Washington Square space proposed in the 2031 plan.

Although the physical expansion associated with this project would be significant, the net new positive economic impact would be minimal, and could even be negative, for three reasons. First, NYU is an established and substantial presence in the Village and has already made a significant economic impact on this area. This project is not intended to allow for a radical expansion of the university, but rather, primarily to allow the school to reorganize existing facilities and programs, and to accommodate only modest growth in enrollment. As such, it is an incremental expansion. Second, Greenwich Village already enjoys robust retail and real estate markets that would not be significantly enhanced by this project. Finally, a review of experiences at peer universities illustrates several ways in which universities’ expansion projects can result in negative impacts on the local economy.

Local Economic Impact would be Minimal Given the Context of the Village

Incremental expansion of a university results in a smaller net new impact than the introduction of a wholly new educational institution, or a new campus for an existing university. Additionally,

<sup>13</sup> As noted above, this estimate does not note potential direct, local retail spending associated with athletic or school program components, or visitors.

<sup>14</sup> “The Economic Impact of Colleges and Universities.” John J. Siegfried (Vanderbilt University), Allen R. Sanderson (University of Chicago), and Peter McHenry (Yale University). Department of Economics, Vanderbilt University. May 26, 2006.

incremental university expansion has a smaller effect in a neighborhood already saturated with college students and employees. The Vanderbilt working paper noted, "Diminishing marginal returns can create mischief when an average impact of the entire investment in a college or university is inappropriately interpreted as the relevant effect on an incremental expansion."<sup>15</sup>

NYU already dominates the Village in several important ways:

- NYU's Washington Square campus is an estimated 11.4 million square feet in size, according to the DEIS.
- According to the Appleseed report, over 16,000 NYU employees are affiliated with the Washington Square campus. The DEIS states that there are an estimated 48,700 workers employed within a quarter mile of the site. If we assume most campus employees work within the same quarter-mile radius, then about a third of the local workers are employed by NYU. Note that this does not consider an estimated 9,000 NYU student workers.
- The Appleseed report also estimates that over 42,500 students frequent the Washington Square campus. This is the culmination of growth in NYU enrollment of 30% between 1993 and 2008, or about 0.9%/year. While this growth took place, the overall population of Community District 2 declined; between 1990 and 2000, the residential population shrank from approximately 94,000 to 93,000, and by 2010 had further declined to just over 90,000. While it is not clear how many of NYU's students are included in the total number of residents, it is apparent that NYU students make up an increasing portion of the residential population.<sup>16</sup>

The project, while significantly expanding the physical footprint of NYU in the Washington Square area, is primarily intended to reorganize and provide more space for its existing population of students and staff, rather than accommodate a large increase of either. This means that this project represents an incremental increase in NYU's population. For instance, the DEIS estimates only 600 dormitory beds (based on Gambit's estimate, less than half the total number of beds proposed in the project) of the proposed total would be filled by students that are truly new to the Village.

In comparison, were another neighborhood with limited or no existing NYU student housing to capture the local spending of the entire population of the dormitory—1,480 students—the local economic impacts would be magnified. The difference in direct, net new, local impacts associated with 600 students living in the dormitory component (~\$680,000) vs. all 1,480 students (\$1,700,000) is approximately a million dollars per year. This difference illustrates the potential of each component to have greater impact in another neighborhood, as 100% of the project's population—as well as the associated retail spending—could be net new.

Even if the project's full potential impact were realized locally, this impact would be very small relative to the Village's enormous retail market.

According to Nielsen/Claritas market analysis, 14,000 people live within ¼ mile of the project site and spend over \$370 million annually on retail goods and services. Some portion of this money is spent within this same area. However, total 2011 annual retail sales in the area were

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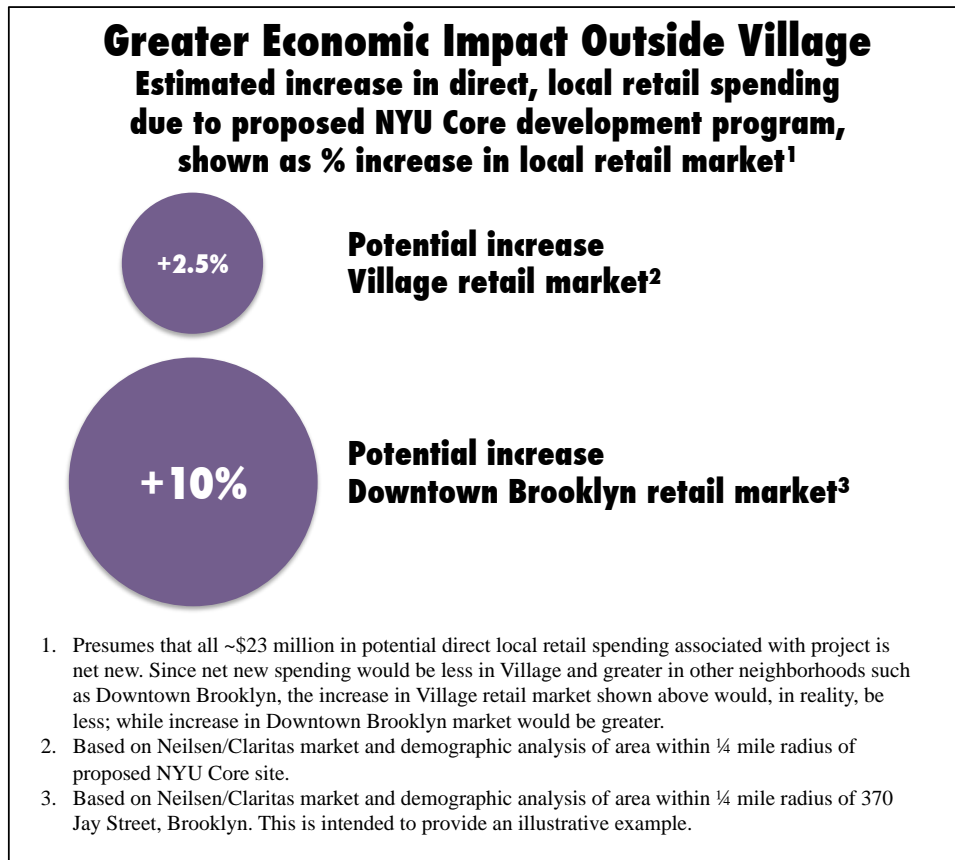
<sup>15</sup> In addition, when considering such an incremental expansion, the overall impact of the institution, however impressive, is irrelevant in considering a policy change that accommodates such a project. Since NYU is requesting a rezoning and other accommodations to facilitate this project, it is appropriate to focus on whether the project would have greater economic impact, and fewer negative effects, elsewhere, rather than dwelling on the acknowledged economic power of NYU's existing facilities.

<sup>16</sup> New York City Department of Planning, Community District 2 Statistics, and 2010 5-year American Community Survey estimates, US Census.

about \$854 million. In other words, visitors from outside the area provide the majority of the area's retail spending. Even if the entire net new impact of the project were realized locally, the project would increase this local retail market by only about 2.5%.<sup>17</sup>

NYU has proposed a new Center for Urban Science and Progress at 370 Jay Street in Downtown Brooklyn. The ¼ mile around this potential project has a much smaller retail market—about \$224 million in annual spending. Introducing up to \$23 million in new retail spending would increase retail sales in this area by 10%. Since this would represent a new NYU campus in the area, rather than an incremental expansion, we could expect the bulk of this \$23 million to be realized as net new. Moreover, in the context of the Village's constrained real estate supply, any such expansion would be unlikely to allow for significant business creation or expansion. This difference in increased retail spending is summarized visually in Figure 4, below.

FIGURE 4



This retail spending would spur additional impacts, as related businesses expanded or set up shop. These positive impacts would vary depending, as shown above, on the amount of spending by net new economic actors. However, the Village's expensive and constrained real estate market would further limit such benefits.

<sup>17</sup> Nielsen/Claritas Report, RMP Opportunity Gap-Retail Stores.

The median 2011 residential unit sale price in Greenwich Village was \$1.8 million.<sup>18</sup> Office rents are drastically higher than other areas of Manhattan; according to the Real Estate Board of New York, Greenwich Village/NoHo market asking rents are \$79/SF<sup>19</sup> as compared to \$36-\$43/SF in the Financial District. Most relevant, retail rents are also very high: a recent Massey Knakal study placed asking retail rents at \$179/SF (by comparison, REBNY estimated Financial District rents at \$144/SF).

Additionally, vacancy rates in Greenwich Village in the residential, retail and office sectors are all extremely low, even relative to elsewhere in Manhattan. Residential rental vacancy is about 0.6%, compared to about 1% for Manhattan as a whole<sup>20</sup>. In 2011, 7.4% of office space is vacant in the Greenwich Village/NoHo market, compared with, for example, 12.3-15.3% in the Financial District<sup>21</sup>. According to CoStar Property, only about 3.4% of retail space in the Village was available in the fourth quarter of 2011. (This is put in context among three other neighborhoods below).

Additional demand in the context of this constrained context would likely further increase rents, rather than create opportunities for new establishments to open, or existing businesses to expand.

### Similar Projects Encountered Problems that Reduced Anticipated Benefits

A review of expansions at peer universities shows that unanticipated consequences can further reduce positive net new impacts. First, increased enrollment brings greater demand for off-campus student housing. This has been shown to increase local residential rents while causing housing and neighborhood conditions to deteriorate. Second, in recent years several major universities have abandoned major campus expansions due to financial shortfalls, and local communities have suffered as a result.

Students are more willing to live in very close quarters, and therefore will pay more than traditional renters on a square foot basis. This can push out longtime residents. Yet as students push rents up, housing stock quality often deteriorates. As one study stated, "Students tend to have a lower investment claim in the area in which they reside, and thus act very differently than permanent residents who have a greater financial commitment to the region in preserving neighborhood quality."<sup>22</sup> Non-student residents, whether owners or renters, are more invested in their neighborhood's quality, and the quality of their own building. Student renters, who typically rent for no more than a couple of years, are less likely to invest time, money or energy into the neighborhood.

Long-term residents may find that their property values or rents increase, while the quality of life in their neighborhood decreases. If longtime residents are pushed out, their spending power leaves, too. Such changes would reduce net new local positive impacts from the NYU expansion. In the worst case scenario, if NYU's expansion results in a significant change in the neighborhood's character, Greenwich Village may lose its favored status as a shopping and dining destination; spending associated with NYU students would be unlikely to be sufficient to substitute for this deficit. Other areas, with smaller resident student populations and lower retail sales, may be better able to accommodate a new student population (due to higher residential

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<sup>18</sup> Douglas Elliman 2002-2001 Sale Report and Brooklyn and Queens 4Q, 2011.

<sup>19</sup> Real Estate Board of New York 2011 Statistical Abstract.

<sup>20</sup> Citi Habitats Manhattan Rental Report, 2006-2011.

<sup>21</sup> Real Estate Board of New York 2011 Statistical Abstract.

<sup>22</sup> "The Impacts of Changing College Enrollments on Local Housing Prices Over Time—A Case Study: Purdue University and West Lafayette, Indiana." George A. Chressanthis. *Journal of Education Finance*, Vol. 11, No. 4 (Spring 1986), 460-479.



vacancy rates, or sites or buildings available for use as dorms), and proportionally would benefit more from the associated retail spending.

Another negative scenario involves NYU having difficulty either financing the ongoing construction of the project or funding the operation of the buildings once completed. Harvard University's stalled Allston campus dramatically highlights this possibility. In 2009, in the wake of the financial crisis, Harvard's endowment lost more than 27% of its value, and the university halted development of the 5 million SF Allston campus.<sup>23</sup> Harvard's endowment was worth \$25 billion after the decline in value, and the estimated project cost was \$1.2 billion when the university stopped construction. In the past year, Harvard officials have begun to discuss its development plans but have not reinitiated the expansion project.<sup>24</sup> In the meantime, economists have estimated an \$85 million loss in potential direct earnings for each year the Allston project is delayed, and a \$275 million loss to the regional economy. In addition, the community is left with a vacant, blighted site, without the amenities that were cleared.

Harvard is not alone in having to halt major development programs: Boston University, Boston College and Dartmouth, among others, have also slowed down their development plans as a result of endowment losses.<sup>25</sup>

In 2009 NYU's endowment was valued at \$2.2 billion, or less than ten percent the size of Harvard's.<sup>26</sup> Given Appleseed's estimated development cost of \$1,000/SF, the project would cost \$2.5 billion, almost twice Allston's estimated cost. NYU has not provided details on how it plans to finance the proposed development. Given NYU's relatively small endowment, and the significant cost of its plans, it seems reasonable to be concerned that NYU could suffer financial shortfalls during the course of this twenty-year construction project. Such a delay would be extremely damaging, not only economically, but also to NYU's standing and neighborhood quality of life. Given the project site's location, directly beneath residential buildings housing thousands of people, any financing problems, and associated construction interruptions, would be especially impactful upon the quality of life of the neighborhood, and would substantially reduce economic benefits. On a less complex site, without existing uses, potential impacts would be less problematic.

### **Economic Impact Would Be Greater at Alternate Locations**

In order to investigate the hypothesis that other locations in New York City might derive greater economic benefits from the project, we identified three potential neighborhoods worthy of NYU investigation: the Financial District, Downtown Brooklyn, and Long Island City. This selection was based on five criteria:

***Excellent transit access.*** Proximity to the Washington Square campus by transit was a critical consideration. While NYU notes in its 2031 plan that its expansion must be within walking distance of Washington Square, its stated peer institutions have built or are in the process of building satellite campuses and facilities that are further afield. Harvard, Brown and Columbia all recently began development of satellite campuses approximately one mile from their core campuses. NYU itself is looking to develop the Center for Urban Science and Progress at 370 Jay Street in Downtown Brooklyn, a neighborhood that is two and a half miles, and about a twenty-

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<sup>23</sup> <http://news.harvard.edu/gazette/story/2007/02/harvard-submits-multi-decade-master-plan-framework-for-allston/>

<sup>24</sup> <http://harvardmagazine.com/2011/09/allston-plan-endorsed-by-harvard-corporation>

<sup>25</sup> "Educational Endowments and the Financial Crisis: Social Costs and Systemic Risks in the Shadow of the Banking System" Joshua Humphreys, Ph.D., Senior Associate, Tellus Institute. May 27, 2010.

<sup>26</sup> <http://www.nyu.edu/budget2010/budget/>

five minute subway ride, from Washington Square.<sup>27</sup> As NYU's consideration of Brooklyn shows, New York City's extensive subway system makes locating satellite facilities farther from core campuses reasonable.

***Assets that align with NYU's mission and curriculum.*** The Financial District, of course, is a leading global business center. Downtown Brooklyn is part of an emerging "Tech Triangle" (i.e., DUMBO, Brooklyn Navy Yard, and Downtown), and is a place that NYU has already deemed appropriate for expansion. Long Island City is home to numerous cultural institutions including the American Museum of the Moving Image, Silvercup Studios, the Noguchi Museum, MoMA PS 1, the Thalia Spanish Theater, and the Chocolate Factory theater.

***Potential for higher net new local economic impacts, based on real estate metrics.*** Each neighborhood has a real estate market that can accommodate the increased demand for residential and commercial space, and the upward pressure on rents that can result from higher education projects without unduly burdening existing residents and businesses.

According to REBNY, Greenwich Village/NoHo market asking office rents are \$79/SF.<sup>28</sup> Each of the alternate neighborhoods has lower asking rents: \$36-\$43/SF in the Financial District, \$32/SF in Downtown Brooklyn; and \$23-\$36/SF in Long Island City. Office vacancies are also higher than or comparable to the Village. Greenwich Village ranges by submarket from 7.4-9.2%. Downtown Brooklyn office vacancy is an estimated 7.6%; Long Island City, 11-13%; and the Financial District, 12.3-15.3% (with millions of square feet from the World Trade Center about to come online).<sup>29</sup> With such vacancies, these neighborhoods can better accommodate business expansion, or the establishment of new businesses.

The retail market in the Village is also much more expensive. A recent Massey Knakal study placed asking retail rents at \$179/SF. REBNY estimated Financial District rents at \$144/SF, and the New York City Economic Development Corporation estimated Downtown Brooklyn rents between \$40-\$90/SF and Long Island City rents between \$15-\$26/SF.

Perhaps most importantly, the retail markets in these neighborhoods have much higher vacancies rates than Greenwich Village. As shown in Figure 5 below, businesses that would form or expand to serve the new project population would have sufficient space in which to do so.

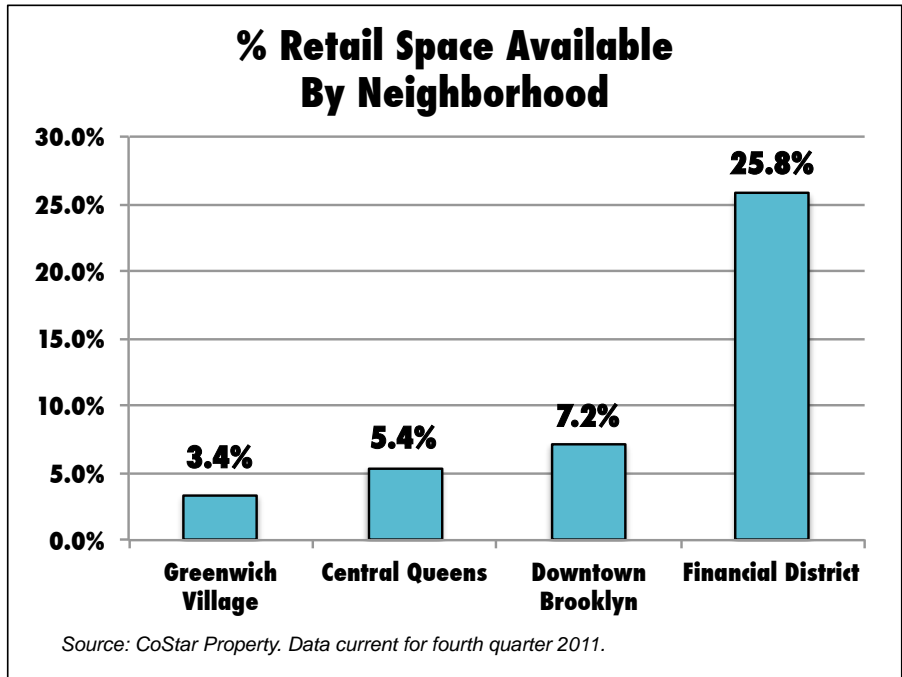
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<sup>27</sup> Harvard: Allston (1.2 miles), Brown: Jewelry District (1.1 miles), and Columbia: Manhattanville (1 mile). Estimates derived using Google Earth.

<sup>28</sup> Real Estate Board of New York 2011 Statistical Abstract.

<sup>29</sup> Real Estate Board of New York 2011 Statistical Abstract; Newmark Knight Frank Brooklyn Office Market Report, Q4 2011; and New York City Economic Development Corporation.

FIGURE 5



Each of these neighborhoods also offers potential development opportunities of a scope substantially greater than what is available in the Village. The newly redeveloped World Trade Center will, in the years ahead, offer the chance to occupy large amounts of square footage in state-of-the-art buildings and likely open up space in older buildings in the area; the Jehovah’s Witness’ portfolio in Downtown Brooklyn/Brooklyn Heights, put on the market in late 2011, spans 3.2 million SF; and Long Island City continues to see considerable new development owing to a 2001 rezoning and a public-private project at Queens West. All three sites offer more space than what NYU proposes to build in the Village, and, in utilizing this space, NYU would avoid the significant difficulties inherent in redeveloping and adding underground space to complex superblock sites.<sup>30</sup> Additionally, all three areas would provide ample opportunities for the university to grow after 2031 as NYU will presumably continue to need new facilities after that date. The Village, with its more constrained real estate market and significant landmark protections would, by contrast, provide fewer opportunities for future growth.

**Alignment with New York City economic development priorities.** New York City has promoted economic development in these three areas with planning efforts and incentives.

In Long Island City, a 2001 rezoning allowed for denser mixed-use development of 37 blocks in the commercial business district. The Department of City Planning announced the rezoning, stating, “The goal of the zoning is to foster reinvestment and redevelopment that takes advantage of Long Island City’s excellent mass transit access and its supply of large, underdeveloped properties.”<sup>31</sup> Other examples of city efforts include the Queens West public-private

<sup>30</sup> “Hallelujah! Jehovah’s Witness’ Land Sell-Off Has Brooklyn Dreaming Big.” Amanda Fung, *Crain’s New York*, October 16, 2011.  
<sup>31</sup> <http://www.nyc.gov/html/dcp/html/lic/lic1.shtml>

redevelopment project, which has produced 2,600 residential units; and the expansion of Gantry Park in 2009.

The Department of City Planning approved the Downtown Brooklyn Development Plan in 2004, and the City, according to the Downtown Brooklyn Partnership, has \$300 million in public improvements underway. The New York City Economic Development Corporation has invested in efforts such as the City Point project and improvements to the Fulton Mall, and the Brooklyn Navy Yard is spearheading various industrial and sustainability initiatives.

Finally, the Financial District has been the focus of numerous economic initiatives since the September 11 attacks. Examples include the Port Authority's redevelopment of World Trade Center site, creation of Lower Manhattan Development Corporation, and rollout of numerous public sector incentives. These new entities and programs succeeded in rebuilding the Financial District as a budding 24/7 neighborhood with a diversity of uses. The city and state continue to offer incentives to expanding or relocating businesses including the Commercial Revitalization Program.

***Smaller existing student population.*** Each of these neighborhoods has an existing student population and some higher education presence. Adding NYU students and staff would be consistent with current uses. However, the student populations are smaller in each of the alternate areas, and NYU's presence in each neighborhood is either nonexistent (Long Island City) or relatively limited (in Lower Manhattan, the School of Continuing and Professional Studies; in Downtown Brooklyn, NYU Polytechnic). Therefore, a new NYU presence would be a significant change in the dynamics of these neighborhoods:

- The Village has a student population of about 58,000 students. The majority of these students attend NYU's Washington Square Campus (42,500) and the New School (13,900). The balance includes Cardozo School of Law and Cooper Union. The residential population of these schools is significant: the majority of NYU's 11,700 dormitory beds are located in the area, as are roughly 2,000 New School and Cooper Union rooms.
- Borough of Manhattan Community College and Pace University provide the overwhelming majority of the Financial District's student population—34,100 out of 35,900, not counting part-time students associated with NYU's School of Continuing and Professional Studies (11,000 in total, divided among the Financial District and Midtown Manhattan). New York Law School has an enrollment of about 1,750 students.

However, the vast majority of area students do not live in the area and are part time. BMCC does not operate any dormitories. Pace, in partnership with Education Housing Services (a private company), operates four dormitories in the area, housing 1,850 students. New York Law School houses 90 students—in a building on East 3<sup>rd</sup> Street. As of 2010, 62% of BMCC's students were not full time.

- Similarly, Downtown Brooklyn has a smaller student population than the Village—about 33,000 people—with few living in the neighborhood. New York College of Technology (NYCT), Long Island University (LIU) and NYU Polytechnic are the major institutions, with 29,000 enrolled. NYCT does not provide housing. LIU houses 800 students, and some additional graduate students, in Downtown Brooklyn. Including a Clark Street

## THE IMPACTS OF NYU'S PROPOSED EXPANSION IN GREENWICH VILLAGE

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dormitory operated by EHS, NYU Polytechnic houses about 1,600 students in the area.

- LaGuardia Community College is the sole higher education institution in Long Island City. 17,600 students attend, and there are no dormitories.

The Village would experience limited net new economic benefits from the proposed development project, but would be subjected to negative externalities associated with the project. In contrast, if NYU built its proposed development in another area of the city—perhaps one that is, from the city's point of view, a priority for such economic stimulus—the net new impacts would be greater, both because of the existing economic conditions of those alternate locations, and because development would represent more than an incremental expansion of an existing higher education presence.

## COLLATERAL IMPACTS

The economic analysis presented above shows that the positive economic impacts of NYU's growth would be amplified if were developed elsewhere in New York City. In addition to economic considerations, the NYU 2031 plan must also be carefully weighed against the collateral negative impacts that the proposed expansion would have on the immediate Washington Square vicinity and on the Village as a whole.

These collateral impacts would be significant. The proposed NYU 2031 design would greatly increase the developed square footage of the two residential superblock sites beyond the planned density of their original designs, which carefully balanced towers with park landscape. This is especially true on the Washington Square Village site, where a historically significant landscape would be demolished to build two new academic towers on open space, and where an unprecedented 770,000 SF underground complex would be constructed beneath the entire superblock. On the southern superblock, the three 30-story I.M. Pei-designed University Village apartments—designated, together, as a New York City landmark—would be surrounded by new tall construction that contravenes the zoning, deed restrictions, and original design intention to keep the towers framed by open space or low-rise buildings.

In both cases, the requested rezoning from R7-2 to C1-7 would greatly decrease the required open space on the site by changing the underlying residential zoning to R8, which mandates far less open space for residential building than the existing zoning. In doing so, the proposed design, if completed, would permanently eliminate approximately 2.5 acres of open space in a neighborhood where publicly accessible open space is scarce. Furthermore, the quality of the remaining open space would be significantly degraded by the planned construction for twenty years. Once completed in 2031, the open space would be subject to increased shadowing, with a number of areas in shade most of the day including the Toddler Playground, the Greene Street Walk, the dog run, and the La Guardia Corner Gardens.<sup>32</sup> Finally, the project would also generate negative air quality impacts and environmental impacts despite goals to use green building standards for new construction.

### **Superblocks: Placing New Towers in the Towers in the Park**

The NYU 2031 plan compresses 2.5 million SF of new development into two residential superblock sites south of Washington Square Park: Washington Square Village and University Village. These sites, which contain the area of roughly six regular New York City blocks, were conceived as towers-in-the-park housing developments, with ample open space offsetting large, tall residential buildings. The NYU 2031 plan envisions building an additional 1.4 million SF of new construction above ground on the two superblocks, including two new buildings in the open space between the two 600-foot-long Washington Square Village towers. The plan would also place an additional 1.1 million SF underground on the two superblocks. Thus, if built, the NYU 2031 design would radically increase the density of the two superblocks and obliterate the careful balance of tower and open space of the original designs, which remain intact today.

NYU states that the “primary objective” of the NYU 2031 design on the superblock sites is to “foster an increased engagement with the city.”<sup>33</sup> Further, NYU states that its 2031 design is an attempt to bring into balance the legacy of the two great antagonists of New York City urban planning and Greenwich Village preservation, Robert Moses and Jane Jacobs. In the words of the

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<sup>32</sup> DEIS, 6-2.

<sup>33</sup> NYU 2031, 144. <http://www.nyu.edu/nyu2031/nyuinny/>

2031 plan, the redesign of the two superblocks would “respect and bring into balance” the “conflicting visions” of Moses and Jacobs on the same site.<sup>34</sup>

This claim deserves close scrutiny against the history of the proposed building sites, as the majority of NYU's postwar expansion south of Washington Square has occurred on land that Moses, while serving as Chairman of the Mayor's Committee on Slum Clearance, successfully fought to level in the 1950s. Nine blocks were cleared of almost 200 existing buildings, and combined to form three superblocks stretching from Washington Square to Houston Street. The northernmost block, created by combining the area bounded by West Broadway, West Third Street, Mercer Street, and West Fourth Street, was reserved for academic use for NYU buildings, and the two southern superblocks were slated for residential developments by private developers.

The Washington Square Village residential complex was completed in 1960 on the superblock bounded by LaGuardia Place, Bleecker Street, Mercer Street, and West Third Street. The two massive 17-story residential towers were placed directly on West Third Street and Bleecker Street, respecting the original street wall. Architect Paul Lester Weiner and landscape architect Sasaki, Walker & Associates placed a central garden landscape, with fountains and street furniture, as a public amenity in order to “compensate for the superscale of the slabs” and “their comparative anonymity.”<sup>35</sup> A third identical tower was planned for the southern cleared superblock, but the economic failure of the Washington Square Village residences led the developers to sell the block to NYU. The site was developed as the University Village complex of three towers (two housing NYU faculty, one middle-income housing), designed by I.M. Pei & Associates, and built from 1964-1966. NYU purchased the Washington Square Village superblock from its original developers in 1963. Thus, the entire swath of the Washington Square South slum clearance site has been under NYU's stewardship for nearly half a century.

The towers-in-the-park housing typology was intended to promote the health and well-being of residents, and had become the favored mode of large-scale residential housing in New York City in the post-World War II era of slum clearance spearheaded by Moses under the federal 1949 Housing Act. The building typology was closely associated with the fraught social policy decisions tied postwar urban renewal nationwide, and later was condemned wholesale as a sign of the failure of U.S. housing policy, punctuated by the celebrated demolition of the Pruitt-Igoe development in St. Louis in 1972.

While the intellectual dialogue regarding this housing type remains contentious, the historic significance of this building typology is now clear. University Village is widely recognized as one of the most significant of such developments in the U.S., and was designated as a New York City landmark in 2008. Meanwhile, Washington Square Village has been determined eligible for listing on the National Register of Historic Places by the New York State Historic Preservation Office (SHPO). In its 2031 plan, NYU concurs with these assessments, stating that its design approach “defines both Washington Square Village and University Village as historic building types that need to be restored, preserved, and maintained.”<sup>36</sup> NYU further states that, unlike other failed versions of the tower-in-park typology, both Washington Square Village and University Village, are functioning and successful. In the language of the 2031 plan, both Washington Square Village and the three Silver Towers on the University Village superblock “remain vital, due in part to the proximity of vibrant neighborhoods and NYU's academic core.”<sup>37</sup>

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<sup>34</sup> NYU 2031, 145

<sup>35</sup> Robert A.M. Stern, Thomas Mellins and David Fishman, *New York 1960: Architecture and Urbanism Between the Second World War and the Bicentennial*, 227.

<sup>36</sup> NYU 2031, 145.

<sup>37</sup> NYU 2031, 144.

Will the proposed design modifications in fact restore, preserve, and maintain the character of the historic superblocks? Below, the effects of the NYU 2031 design on the Washington Square Village and University Village sites are considered separately before weighing the cumulative impact of the design as a whole.

### Washington Square Village

The New York State Historic Preservation Office has determined the entire Washington Square Village site to be eligible for the State and National Register of Historic Places, finding that the Washington Square Village “superblock complex of two residential towers, elevated landscaped plaza, commercial strip, and below-grade parking” meets National Register criterion C for historic significance as an “impressive example of postwar urban renewal planning and design.”<sup>38</sup>

NYU’s proposed additions to the Washington Square Village site would add 1,111,500 SF of space on the Washington Square Village site, nearly doubling the amount of square footage on the site. Two new academic towers are to be constructed directly between the two residential towers (the Mercer building, 208,500 SF, and the LaGuardia building, 133,000 SF). In addition, the design calls for 770,000 SF of below-grade space, stretching underneath the entire superblock, which to be executed would require the destruction of all existing landscape features of the superblock. According to the DEIS, the first floors of the Washington Square Village would also be modified to accommodate new uses at ground floors. Among these alterations would be “the removal of the canopies at the Greene and Wooster driveway entrances; modifying some first floor windows and installing new metal cladding panels on the first floors; and re-programming the first floors and basements.”<sup>39</sup>

The New York State Historic Preservation Office has found that the proposed design would result in an adverse effect to the historic Washington Square Village site, and NYU was required to prepare an Alternatives Analysis, submitted on December 7, 2011.<sup>40</sup> NYU’s analysis states that its academic needs require that new space be located in close proximity to its Washington Square campus, and due to development restrictions on the University Village superblock, the Washington Square Village superblock makes sense as the most logical locus for development on land that NYU already owns. The analysis states that the Washington Square Village superblock “presents opportunities for development due to **the undeveloped areas located on it.**”<sup>41</sup> SHPO’s finding of Register eligibility covers the entire Washington Square Village superblock; thus, NYU’s analysis has defined areas without buildings (the overwhelming majority of the site) as undeveloped space, even though, according to the State Historic Preservation Office determination of significance, the entire site is already developed.

Beginning in 2007, NYU, as part of the alternatives analysis, prepared scenarios that would involve placing no new buildings on the entire Washington Square Village site, either by restricting institutional growth to other sites in the Village or displacing all new growth to satellite campuses. NYU determined that both these alternatives were infeasible due to its stated need to significantly expand its space near its existing Washington Square campus, and that it had no choice but to build upon the Washington Square Village site while attempting to mitigate the impact on its historically significant features.<sup>42</sup>

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<sup>38</sup> New State Historic Preservation Office, Resource Evaluation, Washington Square Village, Bounded by West Third Street, Bleecker Street, Mercer Street, and LaGuardia Place. February 23, 2011.

<sup>39</sup> DEIS, 7-3.

<sup>40</sup> NYU Alternatives Analysis for Washington Square Village superblock, December 7, 2011.

<sup>41</sup> NYU Alternatives Analysis for Washington Square Village superblock, December 7, 2011, 8. Emphasis added.

<sup>42</sup> NYU Alternatives Analysis for Washington Square Village superblock, December 7, 2011, 12-13.



The alternatives analysis states the present design retains the “most significant features of Washington Square Village”—that is, only the existing residential towers—since the rest of the site must be cleared and excavated to accommodate the planned underground space. The analysis states that the plan would “maintain much of the original site composition,” and the “principal elements” of the site plan would be maintained simply by maintaining the residential tower slabs along the site’s north and south street fronts. Further, the alternatives analysis states that the new Mercer and LaGuardia towers built in between the existing Washington Square Village towers “would support several key principles of the original Washington Square Village site plan—maximizing access to light and air...[and] creating large central open space” in the middle of the site. In other words, building new towers within the park space of the original towers-in-the-park design—with a smaller amount of park space between them—is supposed to mimic the design principles of the original Washington Square Village.

Clearly, the generous spacing between the two Washington Square Village residential buildings is a key part of the original design that remains intact today, and placing new towers in between the two buildings functions as a radical design intervention. The alternatives analysis refers to the plan for the superblock sites as a “densification approach”—even though the historic integrity of the Washington Square Village site is based on the existing density.<sup>43</sup>

There is little precedent in New York City for building new towers in space originally designed as open space in a tower-in-the-park development. In NYU’s own description, Washington Square Village is a successful and thriving example of the towers-in-the-park typology. Therefore, NYU’s design intervention should meet an extraordinary criterion of necessity to go forward.

A finding of no feasible alternative for the destruction of historically significant elements of the historic design of Washington Square Village relies on the assumption that NYU must place its expansion on the two superblock sites. If the entire square footage of NYU’s planned 2031 expansion were placed in another neighborhood, then there would be no need to destroy historically significant elements of the Washington Square Village design.

### University Village (Silver Towers I & II, 505 LaGuardia Place)

The NYU 2031 plan envisions fewer changes to the University Village site than the Washington Square Village superblock, restricting new development on the area designated as a New York City landmark only to landscape modifications. The DEIS finds that these landscaping plans would not significantly adversely impact the University Village site, and the New York City Landmarks Preservation Commission itself has already signed off on the proposed changes, approving a Certificate of Appropriateness application in July 2011.<sup>44</sup>

The adjacent Bleecker corner site, at LaGuardia Place and Bleecker Street, and Coles Gymnasium, are not part of the LPC-designated University Village parcel, and NYU plans to place the roughly 1.4 million SF of new construction on these locations. Nevertheless, it makes sense to consider the superblock as a whole, rather than only the LPC-designated University Village in weighing the effects of the proposed new construction, since the original design envisioned the three towers as a composition defined in part by the views allowed by the cleared open space surrounding them, as the 2008 LPC designation report notes: “Whereas most Manhattan buildings fit snugly into the grid and address the street directly in a conventional way, at University Village each structure seems independent and was deliberately positioned in an

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<sup>43</sup> NYU Alternatives Analysis for Washington Square Village superblock, December 7, 2011, 7.

<sup>44</sup> DEIS, p. 7-3; NYC LPC CofA #12-3095; Docket #12-2620.

asymmetrical manner around a 100-by-100-foot lawn to maximize views and create general visual interest.”<sup>45</sup> Indeed, the designation report finds that, “Unlike many ‘tower in the park’ projects located in New York City” University Village was designed to create a “deliberate tension between the buildings and the space they occupy”—and that the surrounding open space or low-rise construction functions much like the negative space of a modernist painting to frame the towers themselves. Though the LPC did not designate the entire superblock, it is possible to infer that the construction of adjacent tall buildings would directly affect the composition that the designation cites as a unique quality of the design considered as a whole.

Considered under the less subjective rubric of open space requirements required by the existing R7-2 zoning—in place when University Village was constructed and specifically mapped for high-rise towers in parks—the overwhelming majority of the superblock is required to remain as open space. (See below section on open space for calculations.)

These open-space requirements were designed in part so that residents in tall residential towers, especially those on lower floors, would have access to light and air. The bulk of the planned Zipper Building on the southeastern corner of the superblock would cast shadows on the existing buildings, whose site plan was designed to carefully let all three towers receive natural lighting. The DEIS summarizes the effect of the Zipper Building on the available sunlight to the three towers as follows:

By 2021, the proposed Zipper Building would for several morning hours throughout the year cast new shadows on the east facade of 100 Bleecker Street/Silver Tower II (the easternmost of the three University Village buildings), on the south façade in December and March/September for shorter durations, and on the north façade in May/August and June for a brief duration. New shadows also would be cast on one or more facades of the other two University Village buildings, but for shorter durations and on smaller areas in most months.<sup>46</sup>

Another Pei design from the same era, Society Hill Towers in Philadelphia—a trio of tall concrete residential whose site plan is remarkably similar to University Village—have been preserved with the surrounding open space intact. Though the NYU 2031 design would not greatly alter the University Village within the boundaries designated by the LPC, the new construction would greatly alter the largely intact relationship between tower and open space foreseen in the original design and zoning.

### Cumulative Effect on Superblocks

NYU claims that the “overall design concept for the NYU Core would add density to the site through strategies that would balance the University’s development objectives and spatial needs with the community’s expressed need for publicly accessible open space.”<sup>47</sup> In this manner, NYU 2031 has been presented to the public largely as a reorganization and reprogramming of the existing landscape design, rather than a massive increase of density on sites that are already built to a high level of density.

The NYU 2031 plan states that its design approach for all new development is “contextual”<sup>48</sup> to the existing landscape—and that the superblock sites, in time, have become more like the diverse Village surrounding them. The NYU 2031 plans states that the “superblock site is an eclectic

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<sup>45</sup> University Village Designation Report, November 18, 2008, Designation List 407 LP-230, 7.

<sup>46</sup> DEIS, 6:2.

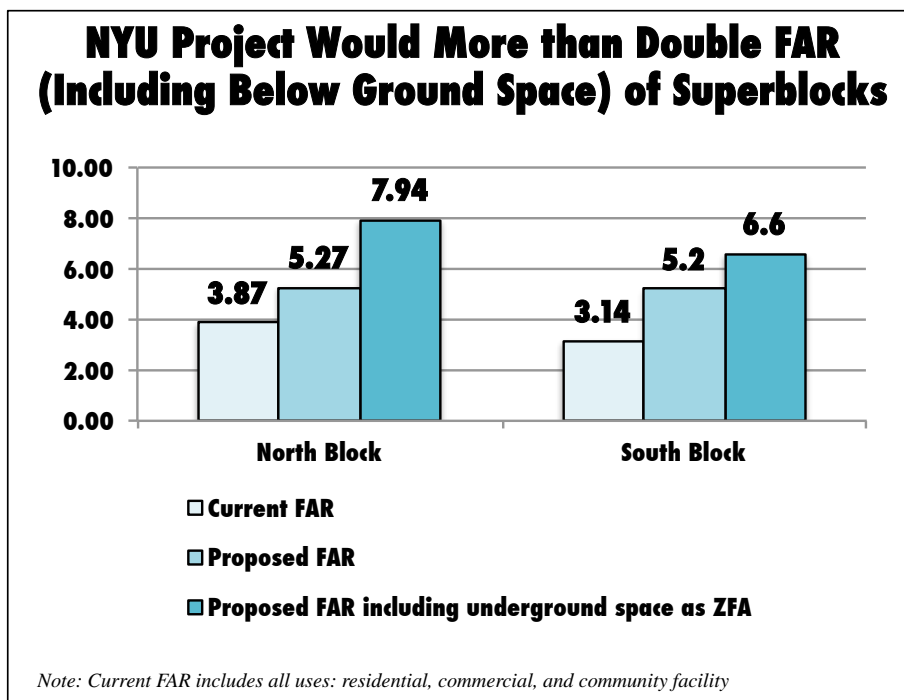
<sup>47</sup> NYU Alternatives Analysis, Washington Square Village Superblock, December 7, 2011, 20.

<sup>48</sup> NYU 2031, 141.

urban collage, an assemblage of building and open spaces that came together in an unplanned sequence.”<sup>49</sup> Adding massive new density, even with a sensitive landscape design, may erase the qualities that the NYU 2031 plan claims it seeks to preserve.

The increase in density can be illustrated by examining the total FAR (floor to area ratio) for the north and south blocks in their entirety, without dividing by use or zoning lots, as this is the way that residents, visitors and neighbors experience these buildings and the space that surrounds them. It also clearly illustrates the increase in density that the proposed design would create by including underground square footage, which is not counted as floor area in zoning calculations.<sup>50</sup> This change is significant—effective FAR on both superblocks would more than double—and is shown graphically in Figure 6, below:

FIGURE 6



<sup>49</sup> NYU 2031, 144.

<sup>50</sup> The Washington Square Village superblock is 288,067 SF in area. The existing residential floor area is 1,100,849 SF, split roughly equally between the existing Washington Square Village buildings, and 21,628 SF in the LaGuardia retail strip. The proposed Mercer and LaGuardia buildings would respectively add 208,520 SF and 132,962 SF of zoning floor area as community facility space. Finally, the proposed below-grade space under the entire superblock would total 770,000 SF. University Village superblock is 228,567 SF in area. The existing floor area, spread across multiple zoning lots, is residential 643,202 SF, split equally between the three University Village buildings, and roughly 74,800 SF in additional built floor area in the Morton Williams and Coles Gymnasium building. After the demolition of the latter two buildings, the NYU 2031 plan proposes 829,410 SF in total community facility space on the superblock, and 226,000 SF in commercial space. Finally, the proposed below-grade space on the superblock totals 318,000 SF. All figures are from the “NYU Core” ULURP and Zoning Change submission to Department of City Planning dated December 5, 2011.

### **Loss of Open Space and Other Negative Environmental Impacts**

The project would permanently eliminate 2.52 acres of open space in a neighborhood where publicly accessible open space is scarce.<sup>51</sup> Notably, the proposed C1-7 zoning has greatly reduced open space requirements compared to the R7-2 zoning, and would allow NYU to build new towers on sites currently required to remain as open space, reducing total open space on the site from 6.23 acres to 3.71 acres. The DEIS, however, finds that there is currently only 0.58 acres of publicly accessible open space on the site, and that the proposed design would result in a net gain of 3.13 acres of publicly accessible open space when completed in 2031. This discrepancy is due to the narrow interpretation of CEQR technical guidelines used in the DEIS, which allow the classification of the majority of existing open space as not substantially publicly accessible. The DEIS also does not acknowledge that much of the open space in the area is not being maximally maintained by NYU, and that NYU has either tacitly or explicitly chosen to exclude the public from using this space.

The loss of open space is not the only environmental impact associated with the project. The destruction of greenery, the duration and challenging logistics of the construction, the energy new buildings would use, and the resource-intensive nature of new construction on this site present environmental impacts that are not adequately considered in the DEIS. While NYU has committed to incorporating green technologies and methods into its architectural plans and construction, the new buildings would create a number of negative environmental impacts.

### **Rezoning Greatly Reduces Required Open Space Under Residential Zoning**

NYU's rezoning application to New York Department of City Planning states that, in addition to allowing commercial uses on the site, the "proposed C1-7 district would also reduce the amount of required open space on both Superblocks in order to allow for the development of the four proposed buildings."<sup>52</sup> The requested rezoning would dramatically reduce the required open space to allow the new buildings to be constructed on existing open space—a function of changing the underlying residential zoning from R7-2 to R8 in the new C1-7 zoning. On the North Block, the current R7-2 zoning requires almost 250,000 SF of open space on a lot of roughly 290,000 SF, while the new C1-7 zoning would require only 111,000 of open space. NYU states that the new construction would leave 153,000 SF of open space on that block—generous under the rezoning, but not possible under the current zoning. (The DOT strips along the Washington Square Village blocks are not being used as part of the zoning lots and thus not as part of the open space calculation here.)<sup>53</sup>

On the South Block, the drawing of the new zoning lots makes this calculation a little more complex, as the zoning divides a block that visually appears to be a cohesive parcel. Excluding the third University Village tower and the Bleeker corner site, which are separate zoning lots, the current R7-2 zoning would require 126,000 SF of open space on the eastern part of the

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51 DEIS 5-12. The DEIS states there are 11.05 acres on the site, including Coles Gymnasium. Deducting Coles (4.82 acres) leaves 6.23 acres. The DEIS states there are 0.58 acres of publicly accessible open space on the site, and the remaining 5.65 acres are deemed open space that is not publicly accessible. For the purposes of this analysis, only spaces labeled and detailed in the DEIS were considered potential open space. However, a different analysis of the two superblocks looking at total square footage on the site, rather than designated areas, results in a higher open space assessment.

52 NYU Core Zoning Application, December 5, 2011, 18-19.

53 The figures for the required and proposed open space under the C1-7 rezoning are provided on p. Z-004 of the NYU ULURP submission to Department of City Planning, dated December 5, 2011. The required open space in both R7 and R8 zoning is determined by the height factor of the buildings, which is calculated by dividing the total residential zoning floor area by residential lot coverage. The Washington Square Village superblock, a single zoning lot under the proposed rezoning, has a height factor of 15. The open space ratio is then calculated by using the open space ratio (OSR) required by the zoning text, dividing it by 100, then multiplying that number by the total residential zoning floor area on the site. The OSR for height factor 15 buildings in R7 districts is 22.5 as opposed to 10.1 in R8 districts, meaning that current zoning requires 2.23 times the amount of open space as does the rezoning, or 247,692 SF vs. 111,186 SF.

superblock, as opposed to 61,000 SF under the rezoning.<sup>54</sup> NYU states the new construction would leave 111,000 SF of space on that zoning lot, again ample under the rezoning but not permissible under the current zoning. If all three University Village towers are used to calculate the open space requirements—which makes sense, as they are an ensemble, and designated as such by the LPC—then 190,000 SF of the entire 229,000 SF superblock are required to be kept as open space under the current R7-2 zoning. (The roof of the Coles Gymnasium building, due to zoning language added at the time of its construction, currently is classified as open space.)<sup>55</sup>

In addition, the new faculty housing SF, totaling over 100,000 SF, is not counted as residential zoning SF because of a zoning loophole that allows faculty housing to be counted as community facility zoning SF in a building that contains other community facility uses. The proposed faculty housing is integrated into the mixed-use Zipper Building, which also contains academic and student housing. If the faculty housing component of the Zipper Building were constructed as a freestanding building, the faculty housing SF would count as residential zoning SF and would be used in the calculation of required open space under the existing or requested rezoning.

### Reevaluating Open Space Use Restrictions from a Practical Perspective

Despite NYU's stated intent to change the site's zoning to allow for a reduction in the open space required under current zoning, the DEIS states that the project "would not result in significant adverse impacts to publicly accessible open space."<sup>56</sup> This conclusion is possible because the DEIS determines that there is little publicly accessible open space in the project area. While the DEIS inventories 11.05 acres of open space, it finds only 0.58 acres meet the CEQR criteria for open space.<sup>57</sup> This determination is flawed for two fundamental reasons: the methodology used to determine the existing amount of open space excludes almost all spaces that residents would recognize as "open" given their everyday uses. Second, the DEIS apparently does not apply the second CEQR open space criteria, "[space] set aside for the protection or enhancement of the natural environment."

The DEIS acknowledges that the amount of open space in the neighborhood, defined as a ¼ or ½ study areas surrounding the site, is very low: "With or without the Proposed Actions, all open space ratios in the study areas would be below, and in many cases severely below, the levels recommended by the City's open space planning guidelines."<sup>58</sup> In spite of this judgment, its analysis concludes that the project would produce no adverse impact.

The DEIS dismissed 10.47 acres of the project area's open space inventory as not publicly accessible open space due to restrictions on use such as prohibition of active recreation and fences.<sup>59</sup> The 4.82 acres attributed to the Coles Gymnasium would not typically be identified, either formally or informally, as open space, however it is important to note that NYU was originally granted permission to build Cole Gymnasium with the express understanding that the

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<sup>54</sup> The figures for the required and proposed open space under the C1-7 rezoning are provided on p. Z-004 of the NYU ULURP submission to Department of City Planning, dated December 5, 2011. The height factor for Zoning Lot 2 in the proposed rezoning, which comprises the University Village Silver Towers 1 and 2 and the Coles Gymnasium site, is 29. The OSR for height factor 29 buildings in R7 districts is 29.5 as opposed to 14.3 in R8 districts, meaning that current zoning requires 2.06 times the amount of open space as does the rezoning, 126,497 SF vs 61,139 SF.

<sup>55</sup> The figure for the entire southern superblock was calculated using the same height factor, 29, for all three University Village towers, since they are identical. The total residential zoning floor area across the entire superblock is 643,202 SF, or 1.5 times the 428,801 SF of two of the three towers. Thus the required open space if the whole superblock is considered as a single zoning under the current R7 zoning is 189,745 SF (29.5/100 X 643,202 SF) as opposed to 91,978 SF (14.3/100 X 643,202 SF) under the proposed C1-7 (underlying R8) zoning.

<sup>56</sup> DEIS, 5-1.

<sup>57</sup> DEIS, 5-3

<sup>58</sup> DEIS, 5-2.

<sup>59</sup> For example, the LaGuardia Landscape has no "recreational areas," and the planted strip along Bleecker Street is considered not public open space because it is surrounded by fencing. DEIS, 5-10.

community would have access to the facility for recreational purposes. Community members do actively use this space and would suffer from its loss. For the purposes of considering ground level open space open to the general public, however, the Coles space is excluded from the following analysis of open space. The balance of the remaining 5.65 acres is classified in the DEIS as not typically public accessible. However, closer analysis reveals that much of this space is either de facto publicly accessible open space, or is space that contributes to the natural environment, per the CEQR definition.

The DEIS determines that nearly all the space in the project area is not accessible to the public, but in reality, much of this space is, in fact, part of the public realm. Open spaces surrounding the University Village buildings, such as the Silver Oaks Grove, and the Elevated Garden and playground within Washington Square Village, are available to the thousands of residents who reside in both developments, and are furthermore effectively largely open to the public. Indeed, the Elevated Garden was originally designed to be open to the public<sup>60</sup>; the unlocked gates at the entrance, which currently discourage, but do not prevent, public access, were added by NYU and are not original to the design.<sup>61</sup> The public also enjoys as visual amenities, if not as active recreational resources and spaces, the planted areas and trees around and within the site.

### Revisiting the CEQR Definition of Open Space

“Open space” is defined by the 2010 City Environmental Quality Review Technical Manual as “publicly or privately owned land that is publicly accessible and operates, functions, or is available for leisure, play or sport, or set aside for the protection and/or enhancement of the natural environment.” The criteria applied in the DEIS is too narrow and therefore discounts the importance of the site’s open space as a natural resource. The DEIS excludes fenced green areas, gardens and landscapes as not accessible, and does not include them on the criteria of enhancing the natural environment. By this definition much of New York City’s parkland would not be considered open space. Large swaths of Riverside Park, Central Park and other parks throughout the city are blocked off year-round in order to facilitate gardening, yet these areas clearly have tremendous value and are enjoyed by the public. Central Park’s Great Lawn is also periodically inaccessible, and permits must be procured to use the baseball diamonds. Nonetheless, the Great Lawn is considered one of New York City’s iconic open spaces. The crowds who stroll along the lawn’s oval edge throughout the winter, or sit on benches and enjoy its beauty, demonstrate its value and accessibility even when it is technically closed to the public in the off-season.

The original plans for the Silver Towers and Washington Square Village sites both include significant passive green spaces that were clearly designed to enhance the natural environment. The Silver Towers Oak Grove and the Silver Tower Seating Area and Playground and the Washington Square Village Elevated Garden, were intended to offset the massive scale of the buildings on the site.

The DEIS also does not deem several of the *publicly* owned green spaces in the project area “public space.” LaGuardia Landscape and the planted strips along Bleecker Street are not considered public open space, even though both are publicly owned property in good or excellent condition, with carefully maintained plantings. These spaces clearly “enhance the natural environment” and an assessment of open space should include these resources. The Time Landscape is also excluded, although it also contributes to the natural environment and, as green space directly on the sidewalk, is actively enjoyed by the public.

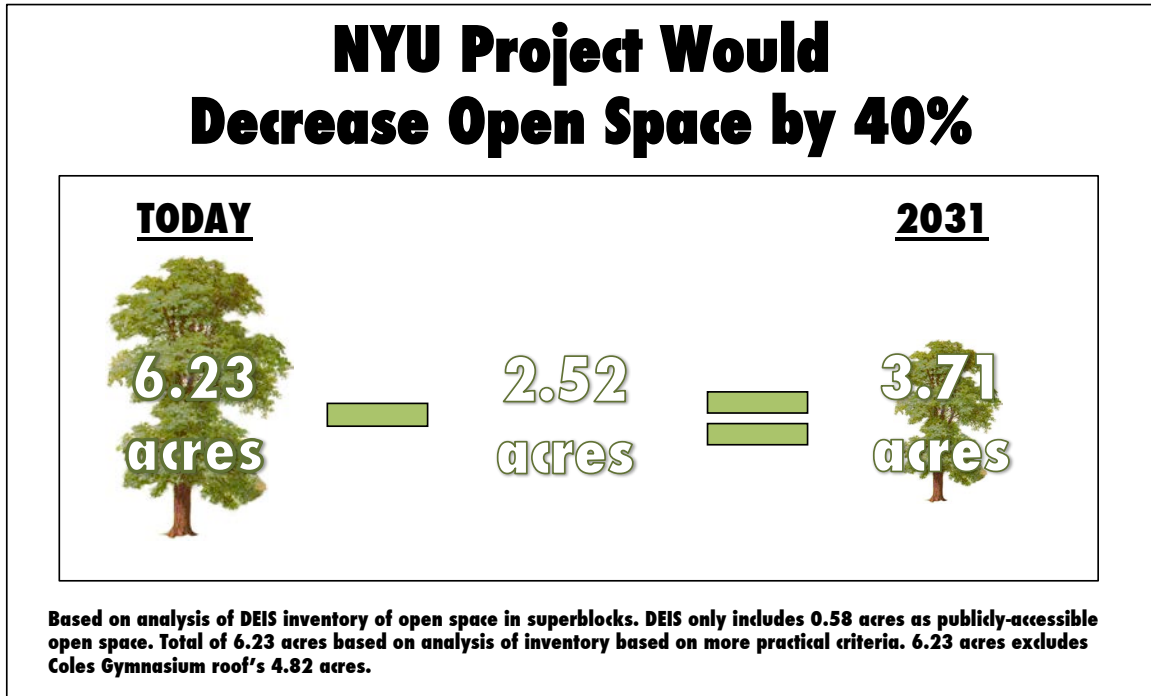
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<sup>60</sup> Robert A.M. Stern, Thomas Mellins and David Fishman, *New York 1960: Architecture and Urbanism Between the Second World War and the Bicentennial*, 227.

<sup>61</sup> NYU Alternatives Analysis for Washington Square Village superblock, December 7, 2011, 12.

Figure 7 illustrates the open space impact of NYU's project.

FIGURE 7



Lack of Maintenance Leads to Undervaluing of Open Spaces

The DEIS also implicitly assumes that the area's open spaces are in conditions that maximize their value: it fails to address the tremendous unrealized potential value of these spaces as resources for NYU residents and workers and area residents. It logically follows, from this point of view, that the only way to improve these spaces is through the proposed project. The DEIS does not consider the more immediate and practical solution of NYU taking greater stewardship of these areas.

The DEIS identifies and assesses twenty-five open spaces, only five of which are in optimal condition:

- Only five are listed in “excellent” condition (one owned by the New York City Department of Parks and Recreation, two by the City’s Department of Transportation, and two by NYU).
- Ten are listed in “good” condition (eight NYU, two NYCDOT).
- Four are listed in “fair” condition (three NYU, one NYCDOT).
- Six in “poor” condition (four NYU, two NYCDOT). Of the properties managed by NYU, ten are in good or excellent condition and seven are in fair or poor condition.

If NYU maintained its open space at the highest level, and provided public access to the site's open space, the discussion of the loss of the open space, and the DEIS assessment of the impact of the proposed project, would be very different. Although the value of the open space is currently not maximized by its maintenance or access, that does not mean its value should be ignored almost entirely.

### Additional Environmental Impacts

The DEIS concludes that the new buildings and additional vehicular traffic would not cause significant adverse impacts. However, it also assumes that, without the project, the air quality in the area would continue to improve as technology improved and cleaner fuel was used for heating.<sup>62</sup> Despite the conclusion that the project would not worsen air quality, the DEIS states that the new buildings and associated mobile emissions required for servicing them would produce over 19,000 tons of CO<sub>2</sub>e annually. According to the EPA, this is the amount of carbon sequestered on an annual basis by 3,687 acres of pine or fir forest. Although the measures employed by the authors of the DEIS find no adverse impact on air quality, it is clear that a significant amount of pollution would be generated by the new development, and the impact would be both local and regional in nature.

The carbon footprint of the new buildings would be 13,089 CO<sub>2</sub>e. By comparison, the newly retrofitted, 2.85 million SF Empire State Building produces 11,421 tons of CO<sub>2</sub>e a year. In other words, the proposed NYU program, although smaller, and despite the presumption of extensive use of sustainable technologies, would produce a greater carbon footprint than eight-decade-old Empire State Building.<sup>63</sup>

The DEIS also fails to consider how the loss of open space, including areas planted with trees, bushes and flowers, would also deteriorate the air quality in the area. In its analysis of open space, the DEIS acknowledges that the LaGuardia Garden would lose much of its planting due to increased shade. According to the New York City Department of Environmental Conservation, one tree removes 600 pounds of carbon dioxide from the air over a 40-year period.<sup>64</sup> For the construction period the trees, grass and other plants in the PDA would be compromised, removed or killed by the increasing amounts of shade. The impact to the air quality in the area because of the loss of natural air cleaners, i.e. trees, grass and plants, is not discussed by the DEIS and was presumably not taken into consideration.

Trees, plants and grass also play an important role in reducing the heat island effect that impacts urban areas dominated by concrete. The loss of this green space would potentially make this neighborhood hotter in the summer, increasing cooling costs for the surrounding buildings and generating additional pollution due to the increased use of HVAC.<sup>65</sup>

Finally, the complex conditions of the site, with existing buildings interspersed throughout the area, do not lend themselves to a green development. The space constraints and existing uses of the site require that various uses be shifted several times over the course of the twenty-year construction period, leading to a more complex and material-intensive project. For example, the waste and materials involved in demolishing the existing Coles Gymnasium, constructing a temporary gymnasium, demolishing the temporary facility and building a new facility, is resource intensive and would have significant environmental impacts. Developing this project in a location that is better able to accommodate the construction staging and allow for a more linear construction plan could eliminate some of the waste associated with the complex plan for the project area. In addition, if NYU moved some of its proposed development program to existing buildings in some other area of the city, the embodied energy of the existing buildings would be preserved, resulting in less construction waste and fewer construction materials being used. The

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<sup>62</sup> DEIS, 15:25.

<sup>63</sup> The Empire State Building produced 16,666 tons of CO<sub>2</sub>e *before* it was retrofitted and reduced its carbon footprint by 40%.

<sup>64</sup> <http://www.dec.ny.gov/public/43563.html>

<sup>65</sup> The tremendous cost savings associated with trees and grass, and a comparison between the two, is articulated by Dr. Sylvan Addnick in "Trees are Sacred, Grass is Bad; Why?", TPI, Turf News March/April 2007.



design possibilities in the project area are limited and the existing buildings would lose natural light and open space with the introduction of the new buildings. The large amount of underground development is particularly resource intensive and would result in permanently higher operation costs for that space. Underground space would clearly require artificial lighting and HVAC at all times. If the project were developed elsewhere, there would potentially be greater opportunity to include natural light, green space, and other elements typically encouraged for a LEED development.

# **AFTER THE KIMMEL CENTER: HOW CAN WE BETTER PLAN TO PROTECT OUR NEIGHBORHOODS, PARKS, AND VIEW CORRIDORS?**



The NYU Kimmel Center on Washington Square South as seen down Fifth Avenue, which now blocks the vista through the Washington Square Arch

## **A Report on Community Facilities, Zoning and Planning Reform**

Issued by the Greenwich Village Society  
for Historic Preservation



## Introduction

*This report grew out of a panel discussion and forum* held by the Greenwich Village Society for Historic Preservation on April 30, 2002, called “After the Kimmel Center: How Can We Plan to Protect Our Neighborhoods, Parks, and View Corridors?” The spark for the event was the capping out of New York University’s new Kimmel Student Center on Washington Square South. GVSHP and a host of local and citywide groups had opposed the plans for this building three years earlier, when NYU first announced its plans to tear down the Loeb Student, and replace it with this new, larger building. It was clear that the new building would be too big, towering over Washington Square Park and the nearby South Village, which consists nearly exclusively of buildings of no more than 5 or 6 stories. It was also clear that the new building would cast a long shadow from the south side of the park, limiting the park’s sunlight and connection to the surrounding neighborhood.

*Unfortunately, when the building reached its full height and bulk*, it became clear that Kimmel would have an even greater and unforeseen impact: the view down Fifth Avenue through Washington Square Arch, for years one of New York’s great vistas, had been nearly obliterated. One used to be able to look down the Avenue through the arch and see downtown skyscrapers; now that is virtually impossible. In fact, from just a short distance to the north the Arch appears to be dwarfed and seemingly engulfed by the building; where arch and sky were previously dramatically framed by Lower Fifth Avenue, this view now looks more like a blind alley.

*In spite of all of this*, however, the proposed building, with the community facility bonus which nearly doubles the allowable floor area ratio, was considered “as of right” under existing law. Many assumed that given the wealth of historic resources in close proximity to the proposed building (which is in fact across the street from the Greenwich Village Historic District, across the street from Washington Square Park, and less than half a block from the landmarked Judson Memorial Church) there would be some greater degree of regulation or control over such a large project. There was not.

*The intent of the panel discussion and forum* on April 30 (much like that of this report) was not to wring our hands about a building nearing completion and here to stay, but to say “what is wrong with the system which does not take into account these precious resources, and how can we change it?” The issues raised by the Kimmel Center are not unique to this location, and come up all over town in a variety of forms. Community Facility bonuses often allow extremely generous increases in the size of new buildings, regardless of how much of the project actually is a “community facility,” or whether or not it does indeed benefit the community. Views, sightlines, and impacts on parks are rarely accounted for in zoning. Zoning often allows buildings of substantially greater height (sometimes with no height restrictions whatsoever) than what surrounds them, even in residential districts with a consistent built environment. And new as-of-right projects in historic areas of the city receive no design review unless they are in landmark districts; thus areas like the South Village and many others with undeniable cultural and historic significance have no design review for new projects, even when they directly abut a

designated historic district or landmark.

*After a summer of study and exploration of the issues* raised by this building and in the panel discussion and forum, in the fall of 2002 GVSHP issued the following report to give some tangible voice to concerns raised about this building, and hopefully synthesize them into a useful outline of problems and possible solutions. The report is by no means comprehensive, but is meant to summarize the needs which currently go unmet by our zoning and land use system as illustrated by this building, and offers recommendations for ways in which changes could be made. The Cooper Union Large Scale Development Plan, which followed the Kimmel Center's construction in 2002, raised some similar and some new issues, which also inspired some of the focus of the report. The issues raised by the report, its analysis, and its recommendations, however, are by no means purely specific to Greenwich Village or the East Village. They apply to situations which arise all over New York, and which require a citywide solution.

*This report is meant to hopefully offer some guidance* to elected and appointed officials and community leaders seeking to address some of these problems. Its issuance in the Fall of 2002 is especially timely, as a new City Council and a new City Planning Commission appear poised to re-examine community facility issues in our zoning code, as well as possibly exploring other issues such as design controls and building bulk. Potential restructuring of the Landmarks Preservation Commission, and attempts by local community boards to look at zoning issues in their communities and consider rezoning or utilization of new zoning tools, also makes it important that these issues be heard and considered.

*This report will be distributed* to the Mayor, the Borough Presidents, Members of the City Planning Commission, the City Council, other elected officials, the Landmarks Preservation Commission, local community boards, and neighborhood, planning and preservation organizations. It is GVSHP's hope to work with all of them to improve our current zoning system. We hope to prevent future Kimmel Centers from being built while allowing our City to continue to grow and meet its citizen's needs. Most importantly, we hope to improve the built environment of our neighborhoods and communities by facilitating the preservation of the best of what is there, and ensuring that future development takes place in a fair and rational system which contributes to, rather than detracts from, the health and character of our neighborhoods.

## I The Need: **Reform of the Community Facility Zoning Allowance**

**The Problem:** The current additional zoning allowance for community facilities is much too generous, and is applied illogically and inconsistently to different zoning districts. While offering an additional zoning allowance for some types of community facilities in some zoning districts may make sense, under the current system huge increases in allowable size for community facilities are permitted in many residential districts, even when the purported “community facility” is only a fraction of the new building. In general, the “community benefit” derived from many community facilities, which come at the cost of buildings of vastly increased allowable size, is questionable at best.

### **Recommendations:**

*The system should be re-examined. Community Facility Allowances should be rationalized and restricted in their applicability to ensure that community facilities do not overwhelm neighborhoods by virtue of their size or scale. Particular attention should be paid toward ensuring that in certain districts, such as R6 and R7 districts, overly generous bonuses that encourage undue concentration of facilities, especially very large ones which are out of scale with their surroundings are not allowed. Allowances should not be more generous than are actually necessary for the needs of the community. Also, inclusion of community facilities as a fraction of a building should not create a vastly increased zoning allowance for an entire building. Specifically:*

◆ The allowable floor area ratio (FAR) for community facilities in R6 and R7 zones (which covers much of the Village and many other older, densely built, low-rise residential areas) is nearly double that for all other types of new buildings in these areas, and significantly greater than the percentage increase for a community facility allowance than in virtually any other residential district (see chart 1). This allowance is far too great. By contrast, in many other districts which are commercially zoned, the allowable FAR for community facilities is almost the same as for all other new buildings, which, given these areas’ greater ability to absorb large buildings, does not make much sense (see chart 2). *The allowable FAR for community facilities in R6 and R7 and similar residential districts should be lowered significantly, closer to the level allowed for other structures in these districts; or*

◆ *Developing a system to make the community facility zoning allowance discretionary, especially for residential areas and/or when the allowable increase in FAR is significant (such as in R6 and R7 zones), should be considered; or*

◆ *Developing a system to cap the number of community facility allowances in each community board should be considered.* Some areas of New York City, such as Community Boards 2 & 3, Manhattan, have a very high concentration of buildings built larger than normally allowed because of the community facility zoning allowance, and under the current system they are likely to become home to several more. Developing a cap would seem consistent with the intention of the original provision, to allow the

development of community facilities throughout the city so that all communities might be served by needed facilities, and not to allow any one area to be consistently developed at this increased size and density.

◆ Currently, a relatively small portion of a building can actually be built for a community facility, and yet the allowable zoning square footage of the entire building is increased. ***Allowance of a building of significantly increased size when only a relatively small portion of the building is in fact a community facility should be discontinued.*** For example, in an R7-2 district, in which residential buildings have a maximum FAR of 3.44, a building can have a community facility with an FAR of just 3.06 and still achieve a total FAR of 6.5 for the building, the maximum allowable FAR for a building in an R7-2 district which includes a community facility.

## II The Need: **Comprehensive Master Planning from Institutions**

**The Problem:** Some communities, such as Greenwich Village and the East Village, suffer for the lack of long-term, publicly reviewed planning for the large-scale, ongoing construction by the institutions which are located there (see figures).

### **Recommendations:**

◆ In zoning districts where community facility allowances permit substantially larger buildings, ***master plans should be required of institutions in order for them to receive more than one community facility allowance. These master plans should be subject to public review, evaluation of their cumulative impact, and discretionary approval, in order to receive the community facility zoning allowance.*** If an institution seeks the maximum (or a substantial) community facility zoning allowance, it should automatically trigger a requirement for generation of a master plan, the entirety of which would be subject to analysis, review and approval. Future projects by the institution should have to conform to the approved plan or be subject to a new analysis, review, and approval. Cities such as Seattle already require such institutional master plans.

◆ ***When issues of saturation of communities by community facilities arise, master planning should be linked to assistance by the City in identifying and establishing locations for auxiliary or secondary campuses for institutions.*** An institution's need to find space for new facilities should be accommodated, and institutions do naturally gravitate toward a concentrated, campus-type arrangement for their facilities. Institutions are understandably disinclined to build new facilities which stand alone and isolated from their other facilities, but might be more favorably inclined to building clusters of buildings in a new location where they can add future facilities in close proximity to each other, and which can easily be linked to their primary campuses by mass transit.

Rather than simply giving institutions a blank check to overbuild in a few communities, the City should, as part of any required Master Plan, assist institutions in finding locations to begin secondary campuses. This can and should be done as part of the City's economic development infrastructure, through the Economic Development Corporation, or perhaps through a new agency specifically focusing on this need.

*Institutions, when not overly concentrated in one area, can provide a source of stability and economic stimulus to communities.*

### III The Need: **Controlling Development on Park Perimeters and Preventing Park Shadowing**

**The Problem:** City zoning currently does not in any way take into account the impact of buildings on parks in terms of shadowing. In fact, allowable zoning bulk is often increased by virtue of proximity to parks. In a city with the lowest ratio of parks space per capita of any city in America (and especially in community districts such as Greenwich Village and the East Village where the ratios are even lower), parks must be protected from inappropriate perimeter development which diminishes their ability to provide green space and refuge (see figure 1) .

#### **Recommendations:**

◆ *Zoning should be created for the area around neighborhood parks (such as Washington Square Park) which protects the sunlight exposure plane.* The 1991 study by the Parks Council "Preserving Sunlight in New York City Parks: A Zoning Proposal," along with regulations that have been implemented in San Francisco and Philadelphia, can be looked to as models for how this could be achieved.

### IV The Need: **Modification of Zoning Bulk, Height, and Massing Requirements to Encourage Compatibility Between New Development and the Existing Built Environment**

**The Problem:** Currently the zoning in too much of Greenwich Village and the East Village (and other similar neighborhoods) allows the construction of buildings whose height or size is too great for their surroundings. *Because our zoning is largely based on floor area ratio (FAR) rather than actual bulk, height, or massing, new buildings may be incompatible with their surroundings even when, by zoning measurements, they are deemed to be similar to their context* (see figures).

#### **Recommendations:**

◆ *The zoning in neighborhoods like Greenwich Village should prescribe height limits and massing and setback requirements based on their built context, in addition to the current system of setting a maximum FAR.* While some potential means of achieving this currently exist in New York’s zoning code (such as contextual zoning), and others have been contemplated (such as the unified bulk zoning), some provisions of these measures may not be appropriate for our neighborhoods (in the current system of ‘contextual zoning,’ the “quality housing provision,” and the inclusion of exceptional tall existing buildings as the ‘context’ upon which allowable new buildings are based have been pointed to by some as examples of this). *A broader range of zoning tools, including intermediate zoning classes and contextual zoning which can be more closely tailored to the needs of the community, should be offered.*

◆ *At the very least, FAR allowances should be coupled with absolute height caps, especially on structures built under the existing community use facility allowances.* In many areas of Greenwich Village and similar neighborhoods, the community facility zoning allowance permits structures to be built with nearly twice the FAR permitted for privately developed buildings. Combined with the fact that community facilities often have much greater floor heights, *community facilities in these areas may be almost three times the height and size of any other new structure permitted* (see figures).

## V The Need: **Ensuring Appropriate Zoning of Areas Surrounding Historic Districts and Individual Landmarks**

**The Problem:** Development surrounding landmarks and historic districts is not regulated in any way to take into account its impact upon, or compatibility with, their historic surroundings or neighbors (see figures). Thus a building like the Kimmel Center is built to extreme bulk, regardless of its location across the street from an historic district, directly behind the Washington Square Arch monument, and half a block from one of New York’s most venerable landmarks, Judson Memorial Church (designed by Stanford White).

### **Recommendations:**

◆ *Zoning surrounding currently designated landmarks and historic districts should be reviewed to ensure that development take place in a manner compatible with them, as has been examined and suggested for many years by groups such as the Historic Districts Council and the Municipal Art Society.* Whenever possible, allowable uses and building height and size in surrounding areas should be made compatible with and similar to those of the nearby designated districts and sites. Sightlines toward significant features of landmarks and districts should also be preserved, and sightlines of new structures from designated districts should be avoided (i.e. *new buildings on the edges of districts should not be built in such a way as to “loom over” a historic district*). For



example, the area surrounding the Gramercy Park Historic District was rezoned to be more compatible with the buildings of the historic district, although only many years after designation.

◆ *Zoning around new individual and district landmark designations should be automatically studied following designation, with an eye toward creating an appropriately sized “buffer zone.”* The processes of designating an historic district and examining rezoning its surroundings should go hand in hand, or at least be linked.

## VI The Need: **Protection of Significant View Corridors**

**The Problem:** With a few exceptions, there are no provisions in the New York City zoning code to preserve significant view corridors. As a result, the Kimmel Center has blocked the vista down Fifth Avenue through Washington Square Arch, one of New York’s iconic views for over a century (see cover figure and figures 2 and 3).

### **Recommendations:**

*While the combined effect of the nearly complete Kimmel Center and the new NYU Law School under construction (one block to the west) will be the permanent destruction of the Fifth Avenue/Washington Square Arch view corridor, other surviving view corridors should be preserved through zoning regulations.*

◆ *Significant views and view corridors should be identified and zoning developed to ensure their preservation.* The city’s waterfront zoning, and zoning for Brooklyn Heights and special natural districts in Riverdale and Staten Island include provisions for the preservation of view corridors; these and other tools should be employed to preserve iconic or otherwise exceptional and highly valued views and view corridors in New York City.

## VII The Need: **Ensuring Landmark Designation Protections Are Afforded to Worthy Areas**

**The Problem:** Because of a lack of funding to the New York City Landmarks Preservation Commission (LPC), the LPC no longer has a survey staff and has less than half the research staff it had ten years ago. The LPC actually has a smaller budget now than it did ten years ago and a 21% smaller staff to regulate 20% more buildings and process 63% more applications. As a result, *the waiting time for review of a proposed landmark designation can be great, and only a limited number of district designations may be reviewed in any given year, pitting communities seeking landmark designation against*

*each other and creating a zero-sum game for our neighborhoods.* The responsibility for the research on districts required for consideration of designation too often falls on the shoulders of communities and advocates, further increasing waiting time. Areas proposed for landmarking with widespread support, such as several in Greenwich Village, can wait for years for even formal consideration of designation.

**Recommendations:**

◆ *The LPC should be given adequate resources to ensure that areas worthy of preservation, such as the South Village (where the Kimmel Center is located) are researched and reviewed in a timely fashion, and, if appropriate, afforded landmark protections.* Had this area of the South Village been designated an historic district, as many assumed it was, this building would undoubtedly not have been allowed to be built in its present form.

**VIII The Need: Effective Tools to Promote the Preservation of Older and Compatibly Sized Buildings in Areas Not Designated Historic Districts, and to Encourage Compatible Character and High Quality Design Standards in New Buildings Throughout the City.**

**The Problem:** Currently, unless a site is designated by the Landmarks Preservation Commission, *there is virtually no public incentive to encourage retention of older buildings or buildings which fit the built context of their surroundings, or to encourage high quality designs in new buildings.* The City has often stated that “not everything can and should be landmarked,” and has discouraged the seeking of landmark status solely for the purpose of preventing the loss of existing character, compatibility, or scale in a neighborhood. However, few other options exist to achieve this goal. There is a lack of city incentives to encourage the retention, maintenance, or adaptive reuse of non-landmarked buildings. And beyond contextual zoning’s prescriptions on bulk and massing (previously discussed), special district provisions are among the only tools offered by the City to try to ensure appropriate and compatible design of new buildings or re-use of older ones. However, special district provisions have come to be laxly enforced (if at all, in some cases), offer a limited range of tools to address design issues, and appear to be out of favor by the City as a planning tool, with no new districts enacted in many years. If landmark protection is not to be considered a panacea for all efforts to retain scale, history, and compatibility of the built environment in our neighborhoods, then other options must be offered.

**Recommendations:**

◆ ***Other potential tools such as tax incentives for the retention and upkeep of older buildings, including those not necessarily landmarked, should be examined.*** Such tools might help retain the character of some buildings and areas that, while perhaps not appropriate for landmarking, nevertheless offer compelling reasons in terms of neighborhood scale and built environment, for their retention.

◆ ***Utilization of the concept of “conservation zones,” such as those utilized by cities throughout the country, should be considered for appropriate areas of New York City.*** Conservation zones generally regulate development more loosely than historic districts; for instance, they may prohibit some demolitions without a review, and require new development to fit certain basic building forms already prevalent in the district, prescribing size, scale, massing, and building footprint. Conservation zones have been proven an effective means of retaining neighborhood character and encouraging the retention of older and compatibly scaled structures in neighborhoods in cities across the country. It must be clear, however, that any regulatory structure such as this should not be considered a substitute for the landmarking of appropriate sites and areas of the city. Any site or district that meets the criteria of landmarks law must continue to qualify for designation and landmarks protection. Conservation zones or any other similar tools should only be considered as an additional incentive for the retention of buildings that do not qualify for landmark or historic district designation.

◆ ***If the City is no longer interested in enacting new special districts, other tools should be created with the ability to regulate development in areas of the city with special needs that cannot be addressed by the terms of conventional zoning districts.*** The City should offer a wider range of regulatory features or design guidelines for areas of the city deemed to have a special quality, feature or character worth preserving. Existing special district provisions, however, should be uniformly and reliably enforced, in order to provide the protections they were intended to offer for the preservation of key urban characteristics in certain areas of the city.

◆ While the reasons for this are complex, ***the level of design quality for much of New York’s new construction leaves much room for improvement.*** The experiences of other cities should be examined to try to identify ways in which better design quality can be promoted. ***New building designs that contribute to a neighborhood and the city not just by virtue of size or shape but also materials, façade treatment, and relation to their context, should be encouraged, and it should be a priority of government to find ways to promote and facilitate this.***

# Addendum

### Chart 1

ZONING CATEGORY	MAXIMUM FLOOR AREA RATIO	COMMUNITY FACILITY FLOOR AREA RATIO	PERCENTAGE INCREASE FOR COMMUNITY FACILITY ALLOWANCE (if FAR > 2)
R1	.5	1	-
R2	.5	1	-
R3	.5	1	-
R4	.75	2	-
R5	1.25	2	-
R6	2.43	4.8	97.53%
R7	3.44	4.8	39.53%
R7-2	3.44	6.5	88.93%
R8	6.02	6.5	16.69%
R9	7.52	10	32.98%
R10	10.0	10.0	0%

*The highest percentage increases in FAR for community facilities in residential districts can be found in R6 and R7 zones, reaching almost double the normally allowable FAR.*

## Chart 2

ZONING CATEGORY	MAXIMUM FLOOR AREA RATIO	COMMUNITY FACILITY FLOOR AREA RATIO	PERCENTAGE INCREASE FOR COMMUNITY FACILITY ALLOWANCE (if FAR more than 2)
C1-6	2	6.5	225%
C1-7	2	6.5	225%
C1-8	2	10	400%
C1-9	2	10	400%
C2-6	2	6.5	225%
C2-7, C2-8	2	10	400%
C3	.5	1	-
C4-1	1	2	-
C4-2, C4-2F, C4-3	3.4	4.8	41.18%
C4-4, C4-5	3.4	6.5	90%
C4-6	3.4	10	194.12%
C4-7	10	10	0%
C5-1	4	10	150%
C5-2	10	10	0%
C5-2A, C5-2.5,	12	12	0%
C5-3	15	15	0%
C5-4	10	10	0%
C5-5	15	15	0%
C5-P	8	8	0%
C6-1, C6-1A	6	6.5	8.33%
C6-1G	6	6	0%
C6-2, C6-2G, C6-2G	6	6.5	8.33%
C6-4	10	10	0%
C6-4.5	12	12	0%
C6-4M	10	10	0%
C6-5	10	10	0%
C6-5.5	12	12	0%
C6-6	15	15	0%
C6-6.5	12	12	0%
C6-7	15	15	0%
C6-7T	14	14	0%
C6-8	10	10	0%
C6-9	10	15	50%
C8-1	1	2.4	140%
C8-2	2	4.8	140%
C8-3	2	6.5	225%
C8-4	5	6.5	30%

*Many of the more common Commercial districts, by contrast, allow much smaller increases in FAR for community facilities, or none at all.*

## Figure 1

The Kimmel Center, as pictured below, on the south side of Washington Square Park. The new building will cast a long shadow across much of the park.





## Figures 2 and 3



NYU Kimmel Center blocking off view down Fifth Avenue through Washington Square Arch.





Figure 4

**Community facilities with sheer walls  
looming over 2 to 4 story neighbors.**  
All too frequently, current zoning does not prescribe  
height limits, setbacks, or massing requirements,  
regardless of the consistency of the built  
environment around it.



## Figure 5

**14-story community facility in the midst of a nearly unbroken line of 2 to 4 story, 19<sup>th</sup> and early 20<sup>th</sup> century buildings.**

**Unless a site is in a designated historic district, there are rarely any guidelines to promote new construction which takes into account the character of its surroundings.**



## Figure 6

**NYU dormitory on  
3<sup>rd</sup> Avenue, with  
neighboring  
3-story 19<sup>th</sup> century  
structures.**

*This building is within four blocks of at least 5  
similarly out-of-scale community facilities built  
within the last 15 years, with at least two more  
currently planned.*

*Requiring Master Plans of institutions would  
help prevent this kind of disproportionate  
concentration which can overwhelm and destroy  
the scale of vital neighborhoods.*



**NYU Dormitory  
on 3<sup>rd</sup> Avenue  
St. Mark's Historic  
District behind and  
right, with spire  
of St. Mark's Church  
(1799) visible.**



## Figure 7

**20-story dormitory community facility abutting  
St. Mark's Historic District -- to the left and behind  
(the district consists largely of 4 and 5 story houses,  
among the oldest in New York).**

**Under current zoning, proximity to Historic Districts  
does not affect size or scale of allowable new development,  
and perimeter areas are rarely rezoned  
to ensure compatibility with neighboring historic districts.**



## **Participants in April 30, 2002 “After the Kimmel Center” Panel Discussion**

Frank E. Sanchis – Frank is the Executive Director of the Municipal Art Society, a private, non-profit membership organization that champions excellence in urban design and planning. He is the former Vice-President for Stewardship of Historic Sites at the National Trust for Historic Preservation, and former Executive Director of the Landmarks Preservation Commission. He is an architect and preservationist by training.

Alex Herrera – Alex is Director of Technical Services at the NY Landmarks Conservancy, a not-for-profit organization that offers technical and financial assistance to owners of landmarked buildings. The Conservancy also takes on educational and advocacy roles in its pursuit of the advancement of historic preservation in the city and state. Alex was also formerly the Director of Preservation at the NYC Landmarks Preservation Commission, a post he held for ten years.

Doris Diether – Doris is currently the Vice-Chair of the Community Board #2 Zoning Committee, has been a Community Board #2 member since 1964, and has been the chair or vice-chair of its zoning committee for over 35 years. Since the 1980’s she has been a private zoning consultant and a lecturer on zoning. She was an early member and eventual President of “Save the Village,” a community group working towards downzoning, landmarking, and eviction and demolition prevention in Greenwich Village.

Chris Collins – Chris is the Deputy Director of the City Council’s Land Use Division and Counsel to the City Council’s Land Use Committee. He also served two terms as Chair of Manhattan’s Community Board 8 on the Upper East Side. He is now a resident of Chelsea and serves on the Board of Directors of Friends of the High Line, a non-profit organization dedicated to the adaptive re-use of the elevated rail line on Manhattan’s Far West Side.

Alan Gerson – Alan was elected to his first term on the New York City Council in 2001, representing the 1<sup>st</sup> Council district which includes the Washington Square park area as well as parts of the South Village, East Village, and Lower East Side, and Manhattan south of Canal Street. He sits on the Economic Development and Parks and Recreation Committees (among others), and Chairs the Council’s Select Committee on Lower Manhattan Redevelopment. A long-time member and former chair of Community Board #2, he is also a life-long resident of the Washington Square area.

Richard Barth – Richard has worked for many years in the New York City Department of City Planning, and is the Director of its Manhattan Planning Office. He has an extensive background in urban planning and land use issues.



April 4, 2012

TO: DEANS AND DIRECTORS

FROM: Alison Leary  
Executive Vice President for Operations

RE: Mitigation Steps NYU Will Take as Part of NYU 2031

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I want to summarize in writing the discussion I had with you all at the last Deans meeting about the steps the University will be taking to reduce the impact of construction related to the projects on the Silver Towers superblock (which will not begin before 2014-2015 and will include space for academic, residential, and athletic uses) and the subsequent projects on the Washington Square Village superblock (which will include academic space and faculty space).

To start, it is important to understand that the construction will be phased over many years, that the active construction sites will be carefully sequenced to avoid major construction activity going on concurrently, and that the level of disturbance varies over the course of a building's construction, with the most disruptive period – from the start of heavy excavation until the building is enclosed – typically lasting about 18 - 24 months.

I know how important it is to your faculty who live in Washington Square Village and in Silver Towers to know that the University is hearing their concerns about the expected impact of construction on their lives in the years to come. I want to assure you that we will put in place the most aggressive and vigorous mitigation effort of any to date to address both worksite issues and individual apartments, and will even include temporary rent reductions for affected parties.

#### Temporary Rent Reduction

To acknowledge the forbearance that tenants of WSV and ST will be showing, the University will **reduce rents by 20%**.

The reductions will:

- Be offered to those in the apartments on the superblocks most affected by each of the construction projects as determined by the environmental impact statement and location (i.e., typically those that are closest to and facing the active construction site).
- Be offered during the 18 - 24 month period for each project that is most disruptive (approximately the period from the start of heavy excavation to the enclosing of the new building).
- Apply to all affected tenants of WSV and ST, both NYU and non-NYU tenants.

#### Steps Within Individual Apartments

To reduce noise in our faculty's, administrators' and non-affiliates' homes, two important efforts will be undertaken:

- **Installing noise-reducing windows:** At the University's expense, interior noise-reducing windows will be installed in every apartment before the start of construction. These noise reducing windows:

- Can be installed in the existing window frames, eliminating the need for complete window replacement
- Will permit the apartment's regular windows to continue to be operable
- Will not require residents to leave the apartment during installation
- Can be installed in one-to-three days per apartment
- Will be installed before any construction begins
- Will be permanent, and will continue to reduce outside noise long after the projects are completed
- **Installing noise/dust covers for air conditioning units or new air conditioning units in WSV:** At the University's expense, high-quality noise- and dust-reducing covers for through-the-wall air conditioning units will be installed in every apartment. These covers slide open to allow normal AC operation. Alternatively, NYU is offering to provide new AC units to WSV residents.
- In **Silver Towers**, NYU is offering to replace existing air conditioning units with noise reducing units, installed to fit properly/snugly in the existing sleeve.

#### On the Worksites

- A wide range of steps will be taken on the worksites once construction begins:
  - **Controlled periods of construction**, with later start times and restricted or limited weekend, holiday and evening work. Work hours are **Mon. - Fri. 8:00 AM - 4:30 PM.**
  - **Use of state-of-the-art equipment**, low emission and based on the highest EPA standards
  - **Noise reduction measures:**
    - Noise absorbing barriers
    - Minimize use of noisy equipment (i.e., employ a white noise generator for back-up alarms, as we have started doing at Washington Mews)
    - Operate equipment away from sensitive areas
  - **Air emissions control measures:**
    - Use of clean fuel (ultra low sulfur diesel)
    - Diesel equipment reduction
    - Idling limits of 3 minutes or less
    - Placement of equipment away from residences
    - Air monitoring program during site excavation and handling of site soils
  - **Dust control measures:**
    - Water spraying and truck washing
    - Covered soil stockpiles and covered dump trucks
    - Regular road cleanings for surrounding area
    - Use of wet blades, and chutes into covered bins
    - 5 mph speed limit for construction vehicles

#### Problem Solving

When a problem does arise, everyone wants it solved quickly. Accordingly:

- There will be a **hotline** to address issues related to the construction on the superblock.
- There will be **regular tenant meetings** attended by the project manager or someone similarly senior from NYU's Office of Facilities and Construction Management.
- As further oversight and to ensure above commitments are enforced, an **independent monitor** will be hired, who will report to the NYC Dept. of City Planning on construction progress and compliance.

Next Steps

The University will be refining the design and firming up implementation plans on the sound reducing windows and the rent reduction strategy. All the mitigation efforts will be finalized and in place **before** construction begins.

I hope this information is helpful to you.





April 4, 2012

TO: DEANS AND DIRECTORS

FROM: Lynne P. Brown  
Senior Vice President for University Relations and Public Affairs

RE: Important Points about NYU 2031

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I want to thank you for having me in at the last Deans Council meeting to discuss the *NYU 2031: NYU in NYC*, and particularly the portion having to do with our proposals for the Washington Square core and the ongoing City approvals process. As you asked, I am summarizing my remarks in writing.

NYU has half the academic square footage per student as our peer schools. We are not seeking to equal their space, but the paucity of space is one of the key impediments to the recruitment of high-quality, research-intensive faculty, particularly in the sciences.

***Here is the synopsis:***

- ***Over a decade ago, a set of transition reports developed by faculty-led committees identified lack of space and inadequate facilities as key problems for NYU, imperiling our reputation and ability to recruit faculty.***
- ***While some academic facilities and office space can be located further away, experience has taught us that most faculty and students prefer to be located near our Washington Square core.***
- ***We have fully developed most of the available sites in and around Washington Square Park and face serious restrictions (zoning rules and landmark districts) on where we can locate in areas nearby.***
- ***We have faced mounting pressure from the community to discontinue our past practice of spreading into local neighborhoods with a series of “one-off” projects.***
- ***Given all of these constraints – and the knowledge that we have for the last decade needed about 290,000 sq. ft. per year in additional space – we looked to the superblocks as an area of potential development.***
- ***The superblocks allow for growth on our own property over a measured period of time, with the ability to accommodate emerging school and department needs as they arise, in space that can be designed anew (vs. retrofitting existing, older buildings).***

What follows offers more detail on each of these points as well as a discussion on financial capacity and mitigation measures we will be taking.

**BACKGROUND**

Without the space we acquired and built over the last 20 years, we would not be the university we are now; however, that space did not keep pace with the expansion of our student body. We have been clever, and innovative, and entrepreneurial, and even stingy in how we have used and apportioned space, but we have reached the point where we have largely run out the thread on efficiency when it

comes to space. If we do not plan for space for our future academic needs, we will not be able to sustain the academic momentum that has brought us to this point, and we will be unable to fulfill our aspirations for the kind of university we wish to be.

In the past, our development tended to follow a particular strategy: we waited for a property to come on the market, we designed the building so that it was “as-of-right” (a technical term meaning that it complied with all aspects of the city’s zoning requirements and so required no public hearing or process), and we developed the building to the maximum size. This angered our neighbors, because 1) it relied on whatever nearby properties became available, so we were unable to give them a plan that provided a sense of predictability, 2) the absence of a public process left them feeling as though they had too little voice, and 3) this approach resulted in greater spread of NYU facilities throughout the neighborhood.

#### THE NYU 2031 PLANNING PROCESS, AND THE WSV AND ST SUPERBLOCKS

That was not a sustainable path forward. Accordingly, in 2006, we began the *NYU 2031: NYU in NYC* planning process, which involves scores of meetings over the last five years to produce a roadmap for how to meet our academic space needs between now and NYU’s bicentennial.

Creating space near our existing academic core on Washington Square was an important part of that planning.

Our planning showed that there are few opportunities to develop academic space nearby. Over the decades, NYU acquired and developed most of the available sites in and around Washington Square. Zoning restrictions prohibit classrooms and other educational uses east of Broadway. Zoning restrictions, historic district designations, and the lack of properties on the market – particularly at reasonable prices – limit our options west of Broadway and south of Houston.

So, to meet our space needs near our core area, the Silver Towers and Washington Square Village superblocks emerge as the logical sites for new facilities because:

- They are near our existing facilities, which addresses concerns about the dispersal of departments and programs
- It is already our own property, which saves us considerable expense
- Building there enables our new facilities to remain on our existing footprint, thereby reducing the need to spread our growth elsewhere in the neighborhood, a flashpoint for controversy with our local community
- There are existing development rights on the blocks sufficient to allow for the amount and type of space we need
- We can accomplish this without displacement of residential tenants or the use of eminent domain

Many of NYU’s buildings are older than those at peer schools, and many of them were built for purposes other than education – such as manufacturing – and then later repurposed for academic use, sometimes sub-optimally and always expensively. The facilities we propose to build on the Washington Square Village and Silver Towers superblocks will provide space that is specifically designed for academic uses, as well as student housing, faculty housing, athletic facilities, and a University-affiliated hotel.

Moreover, our planning seeks to enhance urban design by:

- Weaving these blocks back into the urban landscape while making them accessible and welcoming to the broader community;
- Creating a cohesive plan that provides for needed academic space while knitting together public and open space;
- Creating over three acres of public, open, usable space for a range of activities including children’s playgrounds, dog runs, and quiet sitting areas for all ages.

It comes down to this: the facilities that we propose for the Silver Towers and Washington Square Village blocks are necessary to meet pressing needs we have now, and needs we know we will face in the future. There are no really workable alternatives if we want to be able to develop the types of space we will need (academic and residential) near our existing Washington Square core.

### FINANCING

As a tuition-dependent university, we are always conscious of the impact of our decision-making on our students and their families. Our first principle is that if we do not think a project is affordable, we will not go forward with it – it’s that simple.

That is not the case here. We will approach the financing of these projects in the way we typically approach a building project: with a mixture of philanthropy, financing (which most universities do when taking on a capital project), and working capital. As a capital project, it is part of a “rolling” capital budget, because projects such as these are planned, designed, and constructed over time.

Adding space is well within the University’s financial capabilities, in fact, the amount of new square footage per year that we expect to develop over the 25-year span – 240,000 sq. ft. per year – is actually considerably lower than the amount of new space we developed in the decade prior to the start of the plan – 290,000 sq. ft. per year – when the New York real estate market was at its height. The portion of NYU’s budget that goes to debt service is 6.0%; the increase in debt service from moving forward with this plan is affordable.

Overall, in evaluating a project, the University carefully considers the costs involved, possible streams of revenue and savings, and the impact on the operating budget and NYU’s level of debt. The plan that we are discussing creates new revenue sources from additional student housing and from part of the site to be used as a hotel. We have not attempted to quantify the financial benefit that accrues to the University from improved and attractive facilities. We know, however, that investment in the University’s physical plant is a significant part of an effective strategy for attracting and retaining talented faculty, researchers, and students. If we don’t make these investments, the University’s already-aged physical space will continue to deteriorate, lose academic relevance, and will be unable to provide the appropriate physical environment for top-quality research and learning. And it will happen against a backdrop of peer institutions moving forward with the development of new facilities on their campuses.

### MITIGATION

The University recognizes that faculty who live in WSV and in ST have reasonable concerns about the expected impact of construction on their lives. NYU will put in place an extremely aggressive and vigorous mitigation effort that will address worksite issues, individual apartments, and the question of temporary rent reductions for affected parties, which I outline below. All the mitigation efforts will be finalized and in place **before** construction begins. They will include:

**Temporary Rent Reduction:** Residents of the superblocks will experience the construction differently, depending on where they live and proximity to the construction site, and the type of construction activity occurring at any given point. In acknowledgement of the forbearance the affected tenants of WSV and ST will be showing during the course of creating new facilities, the University will temporarily reduce rents by 20%.

The reductions will be offered to those in the apartments on the superblocks most affected by each of the construction projects [as determined by the environmental impact statement and location (i.e., typically those apartments that are closest to and facing an active construction site)] during the 18 - 24 month period for each project that is most disruptive (typically the period from the start of heavy excavation to the enclosing of the new building). These reductions will apply to all affected tenants of WSV and ST, both NYU and non-NYU tenants.

**Mitigation Steps In Residents' Homes:** To reduce noise in the homes of those living in Washington Square Village and Silver Towers, two important efforts will be undertaken at the University's expense: 1) Installing noise-reducing windows, and 2) installing new air conditioning units or noise/dust air conditioning covers in Washington Square Village and replacement of existing air conditioning units in Silver Towers with noise-reducing units.

**Mitigation Steps On the Worksites:** A wide range of steps will be taken in preparation for and once construction begins to ensure that the worksites are state-of-the-art in terms of reducing the impact of construction. These mitigations include limitations on work hours, use of state-of-the-art low emission equipment, and noise- and dust-control measures.

Please see the accompanying memo from Alison Leary which goes into more detail.

*More information about NYU 2031 is available online at <http://www.nyu.edu/nyu2031/nyuinnyu/>*



# Campus Comparison

# NYU vs. Cornell University

NYU student population: 50,000

Cornell University student population: 20,633



Sources: NYU Website, Cornell University Website, Google Maps

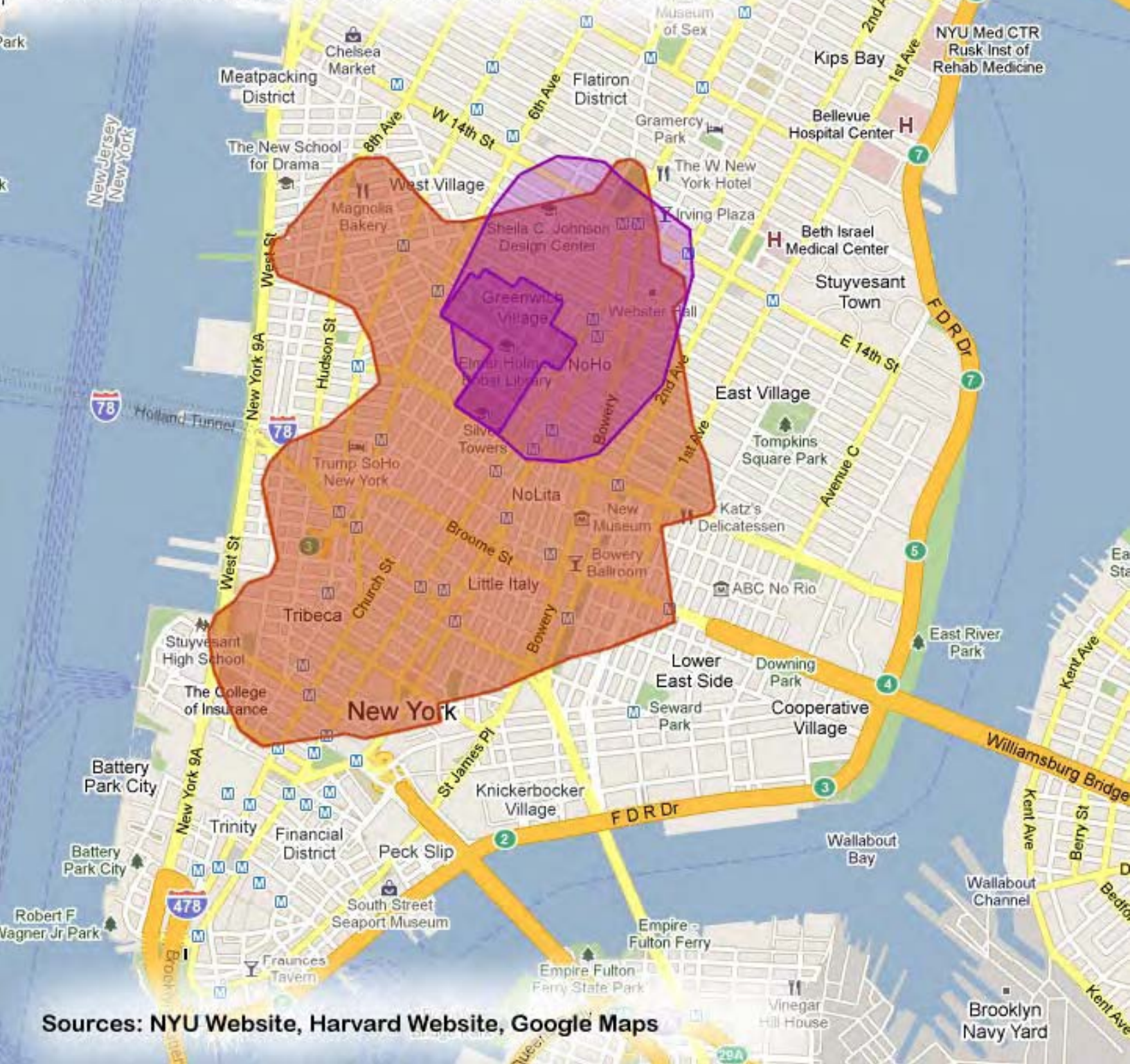


# Campus Comparison

## NYU vs. Harvard University

NYU student population: 50,000

Harvard University student population: 21,125



Sources: NYU Website, Harvard Website, Google Maps



# Campus Comparison

## NYU vs. Middlebury College

NYU student population: 50,000

Middlebury College student population: 2,406



Sources: NYU Website, Middlebury Website, Google Maps

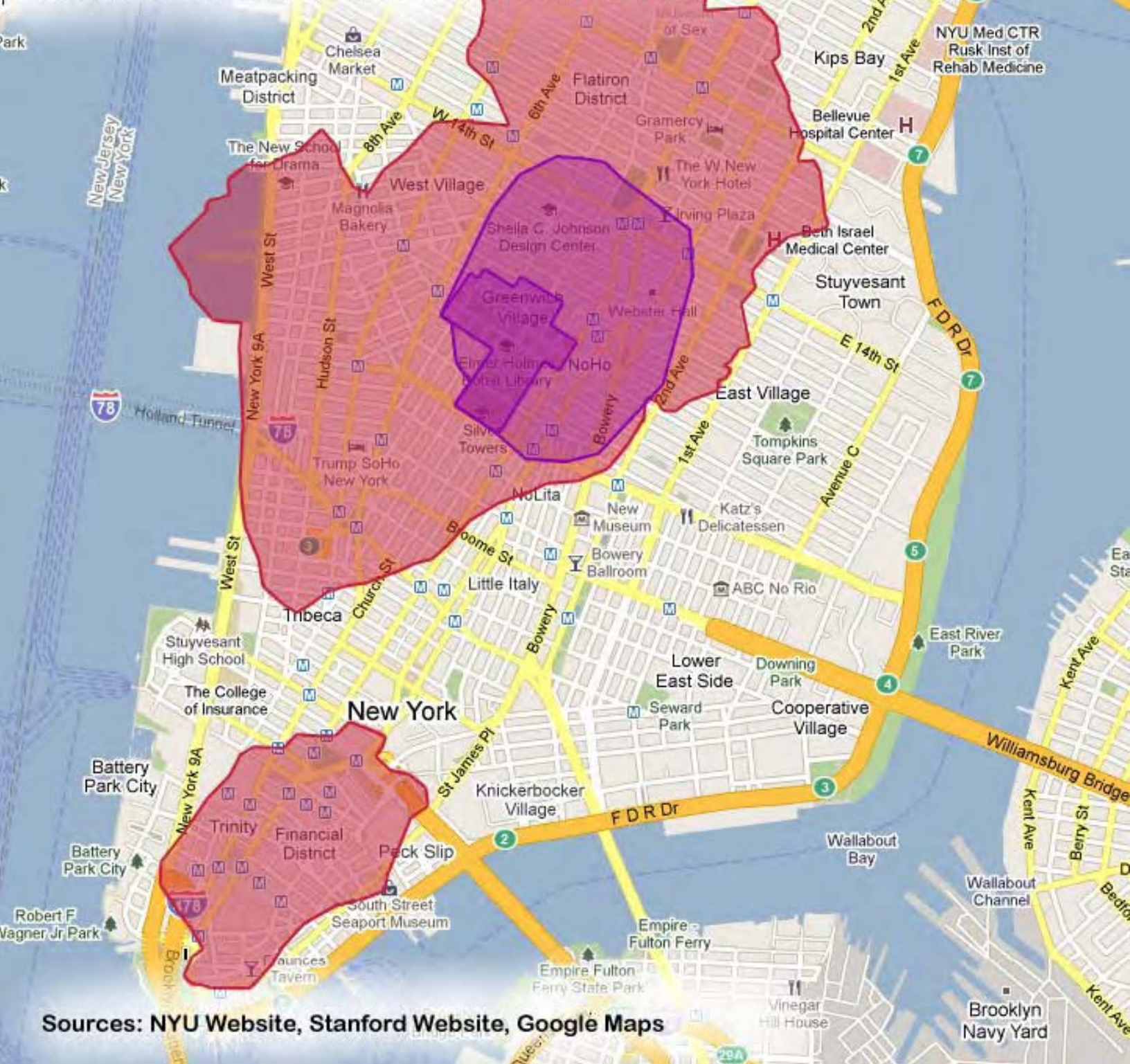


# Campus Comparison

## NYU vs. Stanford University

NYU student population: 50,000

Stanford University student population: 8,878



Sources: NYU Website, Stanford Website, Google Maps

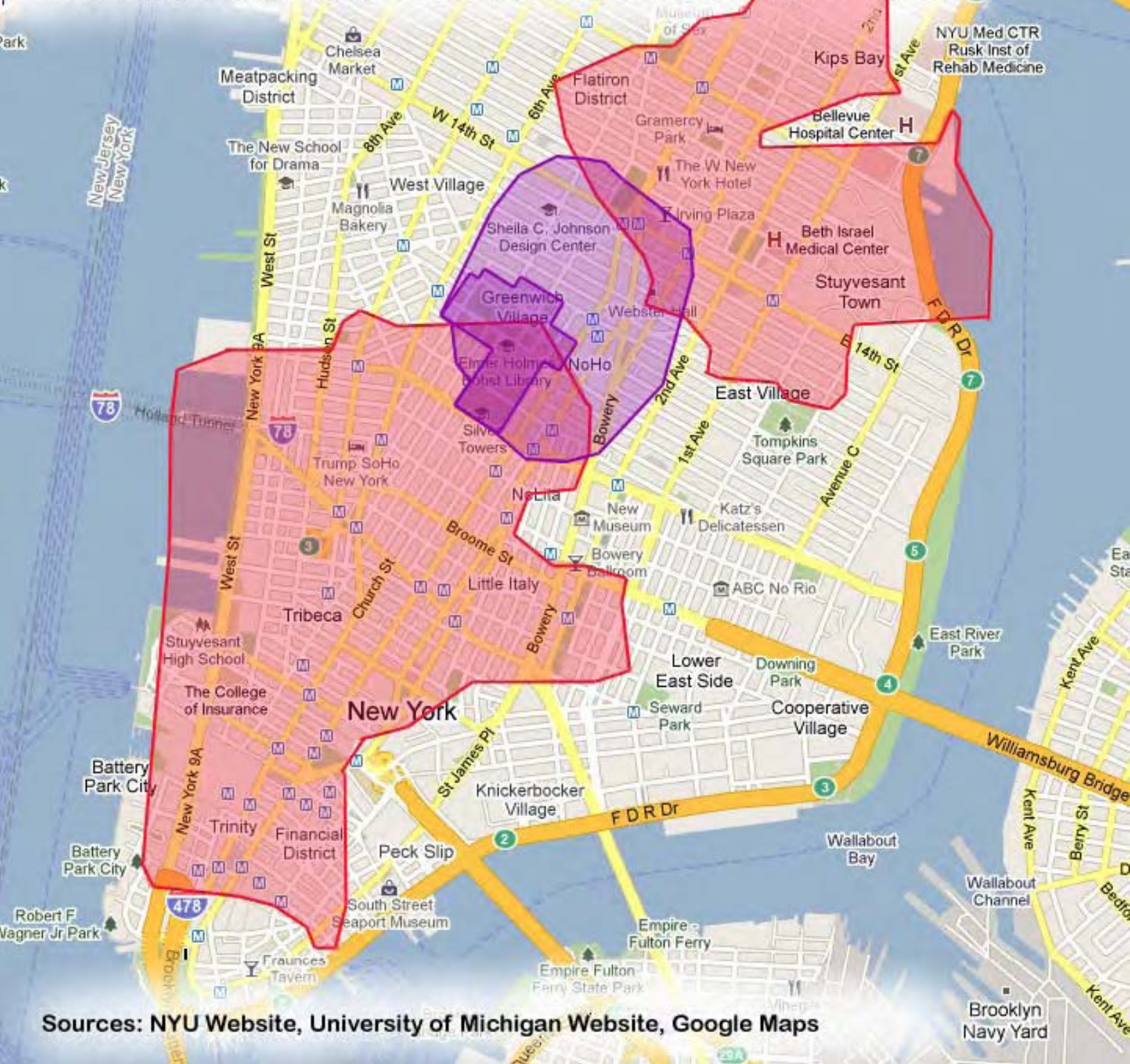


# Campus Comparison

## NYU vs. University of Michigan-Ann Arbor

NYU student population: 50,000

University of Michigan-Ann Arbor student population: 41,674



Sources: NYU Website, University of Michigan Website, Google Maps



# Campus Comparison

## NYU vs. University of Wisconsin-Madison

NYU student population: 50,000

University of Wisconsin-Madison student population: 42,099



Sources: NYU Website, University of Wisconsin-Madison Website, Google Maps

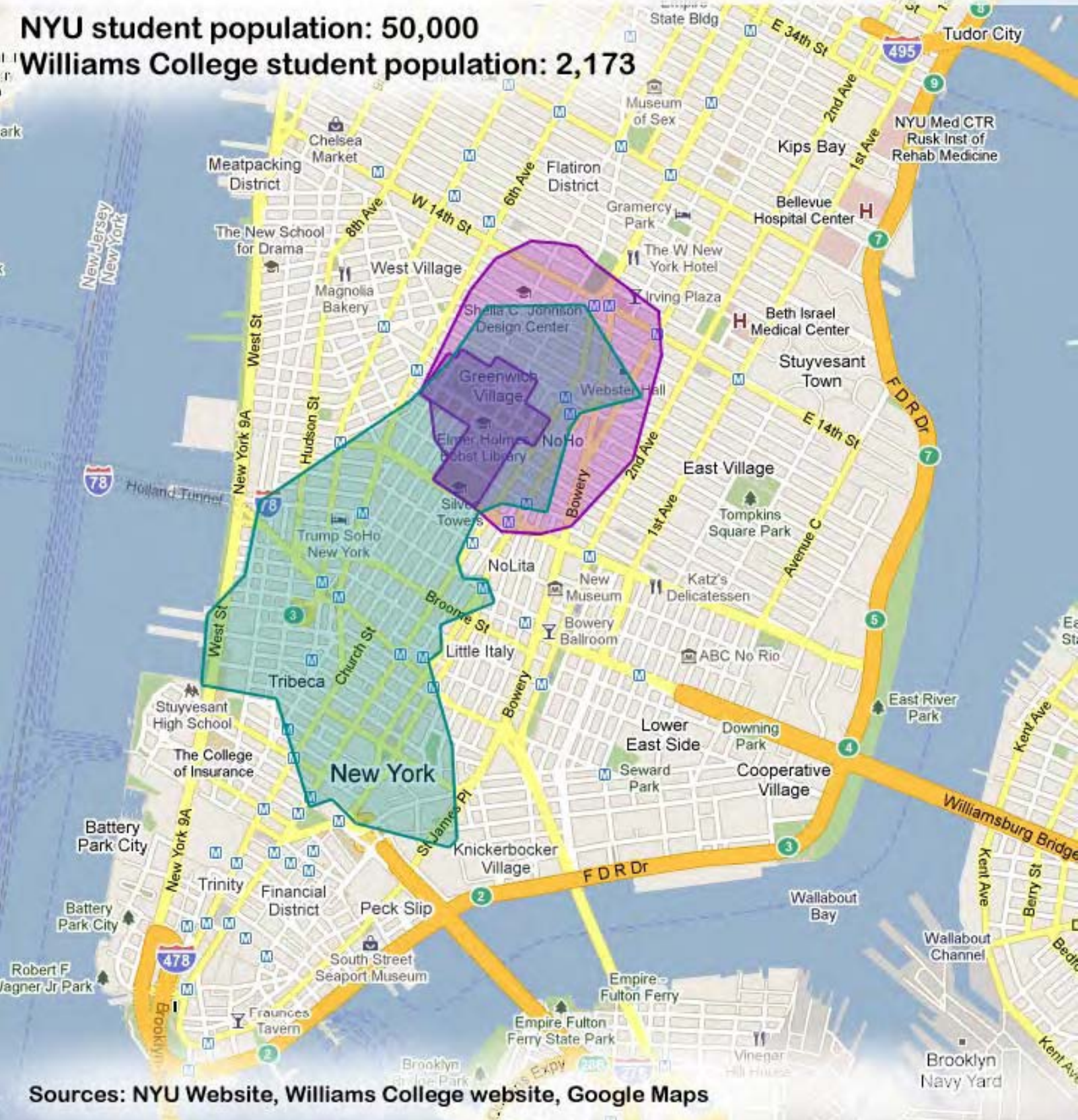


# Campus Comparision

## NYU vs. Williams College

NYU student population: 50,000

Williams College student population: 2,173



Sources: NYU Website, Williams College website, Google Maps



# Campus Comparison

## NYU vs. Yale University

NYU student population: 50,000

Yale University student population: 11,593



Sources: NYU Website, Yale Website, Google Maps