



Ivan B. Schonfeld  
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 ivan.schonfeld@bryancave.com

December 5, 2011



Received by Central Intake on December 5, 2011

BY HAND

Mr. Maurice Spreiregen  
 Department of City Planning  
 22 Rcade Street  
 New York, NY 10104

Re: NYU Core

Dear Maurice:

Enclosed please find twenty (20) copies of the NYU Core application to facilitate the development of four new buildings, below-grade floor space and improved publicly-accessible open spaces on the two Superblocks bounded by LaGuardia Place and West 3<sup>rd</sup>, Mercer and West Houston Streets in Greenwich Village, Manhattan Community District 2. The application requests three actions:

**1. Zoning Map Amendment**

- On the two Superblocks changing from R7-2 and R7-2/C1-5 Districts to a C1-7 District
- On an approximately six-block area east of Washington Square Park mapping a C1-5 commercial overlay in an existing R7-2 District
- On a 19.5-ft. wide strip within the bed of Mercer Street between West Houston St. and West 3<sup>rd</sup> St. changing from a C6-2 District to a C1-7 District
- On a 10.5-ft. wide strip within the bed of Mercer Street between West 3<sup>rd</sup> St. and West 4<sup>th</sup> St. changing from a C6-2 District to an R7-2 District.

**2. Zoning Text Amendment to Sections 74-742 and 74-743**

- An amendment to ZR Section 74-742 to allow applications to be submitted for a Large Scale General Development (LSGD) special permit within the former Washington Square Southeast Urban Renewal Area (WSSURA) without meeting the otherwise applicable ownership requirements, provided such exception is only applicable to city-owned parcels
- An amendment to ZR Section 74-743 to allow public parks in the former WSSURA to be treated as wide streets for all zoning purposes

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120122ZMM  
 N120123ZRM  
 120124ZSM

**3. LSGD Special Permit (ZR Section 74-743)**

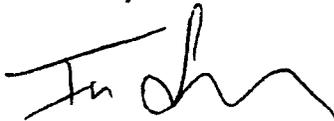
- To permit the transfer of 19,214 square feet of zoning floor area from Zoning Lot 4 to Zoning Lot 3
- To waive the height and setback regulations otherwise applicable to allow portions of the proposed Zipper, Bleecker, Mercer and LaGuardia buildings, as well as the existing Silver Tower 1 and Washington Square Village buildings to penetrate the required setback and sky exposure plane (ZR Sections 23-632, 33-432 and 35-23)
- To waive the rear yard equivalent regulations for the Zipper Building (ZR Section 23-532, 33-283)
- To waive the rear yard regulations for the Bleecker Building (ZR Section 33-26)
- To waive the minimum distance between buildings regulation for existing Silver Tower 2 and Coles Gym buildings (ZR Section 23-711)

On September 26, 2011, NYU submitted a related application (ULURP #C 120077 MMM, the "Mapping Application"), requesting an amendment to the City Map to portions of Mercer Street, LaGuardia Place, West 3rd Street and West 4th Street. The Mapping Application includes, among other things, mapping, above a certain limiting plane, portions of LaGuardia Place and Mercer Street between West 3rd Street and Bleecker Street as park. It also includes the elimination, discontinuance and closure and related disposition of the following portions of the City Map to NYU: (1) a portion of Mercer Street between Bleecker Street and West Houston Street, (2) a portion of Mercer Street between West 3rd Street and West 4th Street, (3) below a certain limiting plane, a portion of LaGuardia Place between West 3rd Street and Bleecker Street, and (4) below a certain limiting plane, a portion of Mercer Street between West 3rd Street and Bleecker Street. Because a Doing Business Data Form was submitted by NYU with the filing of the Mapping Application, an additional form is not included with this application.

Together, this application and the related Mapping Application would accommodate NYU's long-term need for additional facilities at its core campus near Washington Square Park in Greenwich Village.

If you have any questions, please feel free to email me at [ivan.schonfeld@bryancave.com](mailto:ivan.schonfeld@bryancave.com) or call me at (212) 541-2147.

Sincerely,



Ivan B. Schonfeld

Enclosures

cc: Hannah Fisher-Baum  
Edith Hsu-Chen  
Ken Ramnarne



# Land Use Review Application

-1216

Received by Central Intake on December 5, 2011

City Planning will assign and stamp reference numbers here

APPLICATION NL **120122ZMM**

DEPARTMENT OF CITY PLANNING

APPLICATION NUMBER **N120123ZRM**

### 1. APPLICANT AND APPLICANT'S REPRESENTATIVES

**New York University**

APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION) \* **70 Washington Square South**

STREET ADDRESS **New York NY 10012**

CITY STATE ZIP

AREA CODE TELEPHONE # FAX# **(212) 998-4090 (212) 995-4789**

**Ivan B. Schonfeld**

APPLICANT'S PRIMARY REPRESENTATIVE **Bryan Cave LLP**

REPRESENTATIVE'S COMPANY/AGENCY OR OTHER ORGANIZATION **1290 Avenue of the Americas**

STREET ADDRESS **New York NY 10104**

CITY STATE ZIP

AREA CODE TELEPHONE # FAX# **(212) 541-2147 (212) 541-1447**

\* List additional applicants below:

CO-APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION)

CO-APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION) ADDITIONAL APPLICANT REPRESENTATIVE:

NAME AND PROFESSIONAL AFFILIATION (ATTORNEY/ARCHITECT/ENGINEER ETC.) TELEPHONE # FAX #

### 2. SITE DATA

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

**See LR Item 2**

STREET ADDRESS **NYU Core**

PROJECT NAME (IF ANY)

**See LR Item 2**

DESCRIPTION OF PROPERTY BY BOUNDING STREETS OR CROSS STREETS

**R7-2, R7-2/C1-5 and C6-2**

EXISTING ZONING DISTRICT (INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY) **12c**

ZONING SECTIONAL MAP NO(S)

**See LR Item 2**

TAX BLOCK AND LOT NUMBER **Manhattan**

BOROUGH **2**

COMM. DIST.

**former Washington Square Southeast Urban Renewal Area (expired)**

URBAN RENEWAL AREA, HISTORIC DISTRICT OR OTHER DESIGNATED AREA (IF ANY)

IS SITE A NEW YORK CITY OR OTHER LANDMARK? NO  YES  IF YES, IDENTIFY **University Village**

### 3. DESCRIPTION OF PROPOSAL

(If the entire project description does not fit in this space, enter "see attached description" below and submit description on a separate sheet, identified as "LR item 3. Description of Proposal")

See LR Item 3

### 4. ACTIONS REQUESTED AND FEES

(Check appropriate action(s) and attach supplemental form)

\* No supplemental form required

CHANGE IN CITY MAP.....MM \$ \_\_\_\_\_

ZONING MAP AMENDMENT.....ZM \$ **30,620**

ZONING TEXT AMENDMENT.....ZR \$ **5,445**

ZONING SPECIAL PERMIT.....ZS \$ **29,485**

ZONING AUTHORIZATION.....ZA \$ \_\_\_\_\_

ZONING CERTIFICATION.....ZC \$ \_\_\_\_\_

PUBLIC FACILITY, SEL./ACQ.....PF \$ \_\_\_\_\_

DISPOSITION OF REAL PROP.....PD \$ \_\_\_\_\_

URBAN DEVELOP=MENT ACTION.....HA \$ \_\_\_\_\_

URBAN RENEWAL PROJECT.....\* \$ \_\_\_\_\_

HOUSING PLAN & PROJECT.....\* \$ \_\_\_\_\_

FRANCHISE.....\* \$ \_\_\_\_\_

REVOCABLE CONSENT.....\* \$ \_\_\_\_\_

CONCESSION.....\* \$ \_\_\_\_\_

LANDFILL.....\* \$ \_\_\_\_\_

OTHER (Describe) Supplemental Fee \$ **120,000**

MODIFICATION \$ \_\_\_\_\_

FOLLOW-UP \$ \_\_\_\_\_

RENEWAL \$ \_\_\_\_\_

OTHER \$ \_\_\_\_\_

SPECIFY

TOTAL FEE (For all actions) \$ **181,240\***

Make Check or Money Order payable to Department of City Planning

If fee exemption is claimed check box below and explain  \*Max fee=200% highest fee (\$30,620) supplemental fee

Has pre-application meeting been held?  NO  YES

If yes **Edith Hsu-Chen** August 2, 2011  
DCP Office/Representative Date of meeting

5. ENVIRONMENTAL REVIEW

CITY ENVIRONMENTAL QUALITY REVIEW (CEQR) (Discuss with CEQR lead agency before completing)

LEAD AGENCY NYC City Planning Commission

CEQR NUMBER 11DCP121M

TYPE OF CEQR ACTION:

Type II category: Date determination was made:

Has EAS been filed? Yes No

If yes, Date EAS filed: April 15, 2011

Has CEQR determination been made? Yes No

If yes, what was determination? Negative Declaration, CND, Positive Declaration. Date determination made: April 22, 2011 (Attach Copy)

If Positive Declaration, has PDEIS been filed? Yes

Has Notice of Completion (NOC) for DEIS been issued? No If yes, attach copy.

If PDEIS has not been filed, has final scope been issued? If yes, date issued:

6. COASTAL ZONE MANAGEMENT

IS SITE IN STATE DESIGNATED COASTAL ZONE MANAGEMENT (CZM)? AREA? No Yes

7. RELATED ACTIONS BY CITY PLANNING

LIST ALL CURRENT OR PRIOR CITY PLANNING COMMISSION ACTIONS RELATED TO SITE:

APPLICATION NO. DESCRIPTION/ DISPOSITION/STATUS CAL. NO. DATE See LR Item 7

8. RELATED ACTIONS BY OTHER AGENCIES

LIST ALL OTHER CURRENT OR PRIOR CITY, STATE OR FEDERAL ACTIONS RELATED TO APPLICATION:

REFERENCE NO. DESCRIPTION/ DISPOSITION/STATUS CAL. NO. DATE See LR Item 8

9. FUTURE ACTIONS REQUIRED

LIST ALL FUTURE CITY, STATE OR FEDERAL ACTIONS REQUIRED TO IMPLEMENT THE PROPOSED ACTION:

See LR Item 9

10. APPLICANT (Attach authorizing resolution(s), if applicable)

Michael C. Alfano, Executive Vice President NAME AND TITLE OF APPLICANT OR AUTHORIZED REPRESENTATIVE

Handwritten signature and date 9/12/11 SIGNATURE OF APPLICANT DATE

New York University APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION (IF ANY)

11. CO-APPLICANTS (Attach authorizing resolution(s), if applicable)

NAME AND TITLE OF CO-APPLICANT OR AUTHORIZED REPRESENTATIVE SIGNATURE OF CO-APPLICANT DATE

CO-APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION

STREET ADDRESS CITY STATE ZIP TEL. NO. FAX

NAME AND TITLE OF CO-APPLICANT OR AUTHORIZED REPRESENTATIVE SIGNATURE OF CO-APPLICANT DATE

CO-APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION

STREET ADDRESS CITY STATE ZIP TEL. NO. FAX

ADMINISTRATIVE CODE

ANY PERSON WHO SHALL KNOWINGLY MAKE A FALSE REPRESENTATION OR WHO SHALL KNOWINGLY FALSIFY OR CAUSE TO BE FALSIFIED ANY FORM, MAP, REPORT OR OTHER DOCUMENT SUBMITTED IN CONNECTION WITH THIS APPLICATION SHALL BE GUILTY OF A VIOLATION PUNISHABLE BY FINE OR IMPRISONMENT OR BOTH, PURSUANT TO SECTION 16-184 OF THE CITY OF NEW YORK ADMINISTRATIVE CODE.

NOTICE

THIS APPLICATION WILL BE DEEMED PRELIMINARY UNTIL IT IS CERTIFIED AS COMPLETE BY THE DEPARTMENT OF CITY PLANNING OR THE CITY PLANNING COMMISSION. ADDITIONAL INFORMATION MAY BE REQUESTED OF THE APPLICANT BY THE DEPARTMENT OF CITY PLANNING.

N120123ZRM 120122ZMM

Received by Central Intake on December 5, 2011

**City Map Change . . . . . MM**

**Proposed City Map Change**

(Check appropriate boxes)

APPLICATION NO.

1. ESTABLISH NEW.....  STREET     PARK     PUBLIC PLACE     GRADE

2.  .....  PUBLIC PLACE     GRADE

3.  .....  ZONEMENT     GRADE

4. **Received by Central Intake on December 5, 2011** Existing.....

5. DEPARTMENT OF CITY PLANNING .....

**Zoning Map Change . . . . . ZM**

**120122ZMM**

(If more than five changes are being requested, enter "see attached" below and list ALL PROPOSED ZONING CHANGES in the same format as below on a separate sheet titled "Proposed Zoning Map Changes")

**Proposed Zoning Map Change(s)**

CHANGE #1	FROM: <u>R7-2</u> EXISTING	TO: <u>C1-7</u> PROPOSED
CHANGE #2	FROM: <u>R7-2/C1-5</u> EXISTING	TO: <u>C1-7</u> PROPOSED
CHANGE #3	FROM: <u>R7-2</u> EXISTING	TO: <u>R7-2/C1-5</u> PROPOSED
CHANGE #4	FROM: <u>C6-2</u> EXISTING	TO: <u>C1-7</u> PROPOSED
CHANGE #5	FROM: <u>C6-2</u> EXISTING	TO: <u>R7-2</u> PROPOSED

**Zoning Text Amendment . . . . . ZR**

APPLICATION NO.

If more than five sections are proposed to be amended, enter "see attached" below, and list ALL PROPOSED TEXT AMENDMENTS in the same format as below on a separate sheet titled "Proposed Zoning Text Amendments.")

**Affected Zoning Resolution (ZR) Sections**

ZR SECTION NUMBER	ZONING RESOLUTION SECTION TITLE
<u>74-742</u>	<u>Ownership</u>
<u>74-743</u>	<u>Special provisions for bulk modification</u>



**N120123ZRM**

**Received by Central Intake on December 5, 2011**

DEPARTMENT OF CITY PLANNING

**Special Permit/Authorization/Certification. . . ZS/ZA/ZC**



**120124ZSM**

Received by Central Intake on December 5, 2011

DEPARTMENT OF  
CITY PLANNING

APPLICATION NO.

(If more than five actions are being requested, enter "see attached" below, and list ALL PROPOSED ACTIONS in the same format as below on a separate sheet titled "Proposed Zoning Special Permits/ Authorization/ Certifications.")

Action(s) requested pursuant to ZR (Check one box for each proposed action)	Special Permit (ZS)	Authorization (ZA)	Certification (ZC)	PURSUANT TO:		TO MODIFY:
				ZONING RESOLUTION SECTION NUMBER	ZONING RESOLUTION SECTION TITLE	SECTION NO. (If applicable)
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	74-743	Large-Scale General Development	* see below
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			

HAS A DRAFT RESTRICTIVE DECLARATION BEEN INCLUDED WITH THIS APPLICATION? YES  NO

WILL ALL PARTIES IN INTEREST TO THE PROPERTY AGREE TO A RESTRICTIVE DECLARATION IF REQUIRED? YES  NO

**Property ownership/ interest**

CHECK APPLICABLE BOX(ES) (If more than one box is checked in the left column, please explain below).

APPLICANT:

- IS OWNER OF SUBJECT PROPERTY
- IS LESSEE OF SUBJECT PROPERTY
- HAS CONTRACT TO LEASE/BUY SUBJECT PROPERTY
- IS OTHER (explain real property interest below)

APPLICANT:

- IS A CITY AGENCY
- IS A STATE OR FEDERAL AGENCY

**Discussion of findings**

**STATEMENT IN SUPPORT OF REQUIRED ZONING RESOLUTION FINDINGS/DECLARATION OF COMPLIANCE**

(This is the same discussion/statement as in Attachment #11. If it fits below, it may be put here instead of in a separate attachment. If Attachment #11 has been completed, you may leave this area blank).

**\* Waivers requested pursuant to ZR Sections 23-532, 23-632, 23-711, 23-842, 33-26, 33-283, 33-432, 35-23 and transfer of floor area between zoning lots**



**Land Use Review Application (LR).....Item 2. Site Data**

..... Application No.

Enter all property information on this Attachment Sheet if the site contains more than one property.

<b>TAX BLOCK OR TAX BLOCK RANGE (Enter Range only if all Lots in Range are Included)</b>	<b>TAX LOT(S) OR TAX LOT RANGE</b>	<b>ADDRESS (House Number and Street Name) OR BOUNDING STREETS OR CROSS STREETS (If No Address)</b>
<b>Commercial Overlay Area (Page 1 of 2):</b>		
<b>Block 546</b>	Lot 1	79 Washington Square East
<b>Block 546</b>	Lot 5	82 Washington Square East
<b>Block 546</b>	Lot 8	26 Washington Place
<b>Block 546</b>	Lot 10	18 Washington Place
<b>Block 546</b>	Lot 11	35 West 4 <sup>th</sup> Street
<b>Block 546</b>	Lot 15	14 Washington Place
<b>Block 546</b>	Lot 20	10 Washington Place
<b>Block 546</b>	Lot 21	8 Washington Place
<b>Block 546</b>	Lot 26	21 West 4 <sup>th</sup> Street
<b>Block 546</b>	Lot 30	31 West 4 <sup>th</sup> Street
<b>Block 547</b>	Lot 1	32 Waverly Place
<b>Block 547</b>	Lot 4	28 Waverly Place
<b>Block 547</b>	Lot 5	24 Waverly Place
<b>Block 547</b>	Lot 8	23 Washington Place
<b>Block 547</b>	Lot 14	18 Waverly Place

**Land Use Review Application (LR).....Item 2. Site Data**

..... Application No.

Enter all property information on this Attachment Sheet if the site contains more than one property.

<b>TAX BLOCK OR TAX BLOCK RANGE (Enter Range only if all Lots in Range are Included)</b>	<b>TAX LOT(S) OR TAX LOT RANGE</b>	<b>ADDRESS (House Number and Street Name) OR BOUNDING STREETS OR CROSS STREETS (If No Address)</b>
<b>Commercial Overlay Area (Page 2 of 2):</b>		
<b>Block 547</b>	Lot 15	12 Waverly Place
<b>Block 547</b>	Lot 18	10 Waverly Place
<b>Block 547</b>	Lot 19	7 Washington Place
<b>Block 547</b>	Lot 20	15 Washington Place
<b>Block 547</b>	Lot 25	21 Washington Place
<b>Block 548</b>	Lot 1	1 University Place
<b>Block 548</b>	Lot 4	5 University Place
<b>Block 548</b>	Lot 21	25 Waverly Place
<b>Block 548</b>	Lot 24	303 Mercer Street
<b>Block 548</b>	Lot 40	11 Waverly Place
<b>Block 548</b>	Lot 45	15 Waverly Place
<b>Block 548</b>	p/o Lot 9	13 University Place
<b>Block 548</b>	p/o Lot 12	36 East 8 <sup>th</sup> Street
<b>Block 548</b>	p/o Lot 28	50 East 8 <sup>th</sup> Street

# ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

## Major Zoning Classifications:

The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

- R - RESIDENTIAL DISTRICT
- C - COMMERCIAL DISTRICT
- M - MANUFACTURING DISTRICT

**SPECIAL PURPOSE DISTRICT**  
The letter(s) within the shaded area indicates the special purpose district described in the text of the Zoning Resolution.

**AREA(S) REZONED**

## Effective Date(s) of Rezoning:

- \*\* 10-27-2010 C 100420 ZMM
- \* 07-29-2010 C 100185 ZMK
- 11-30-2009 C 090096 ZMK

## Special Requirements:

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas on this map, see APPENDIX F.

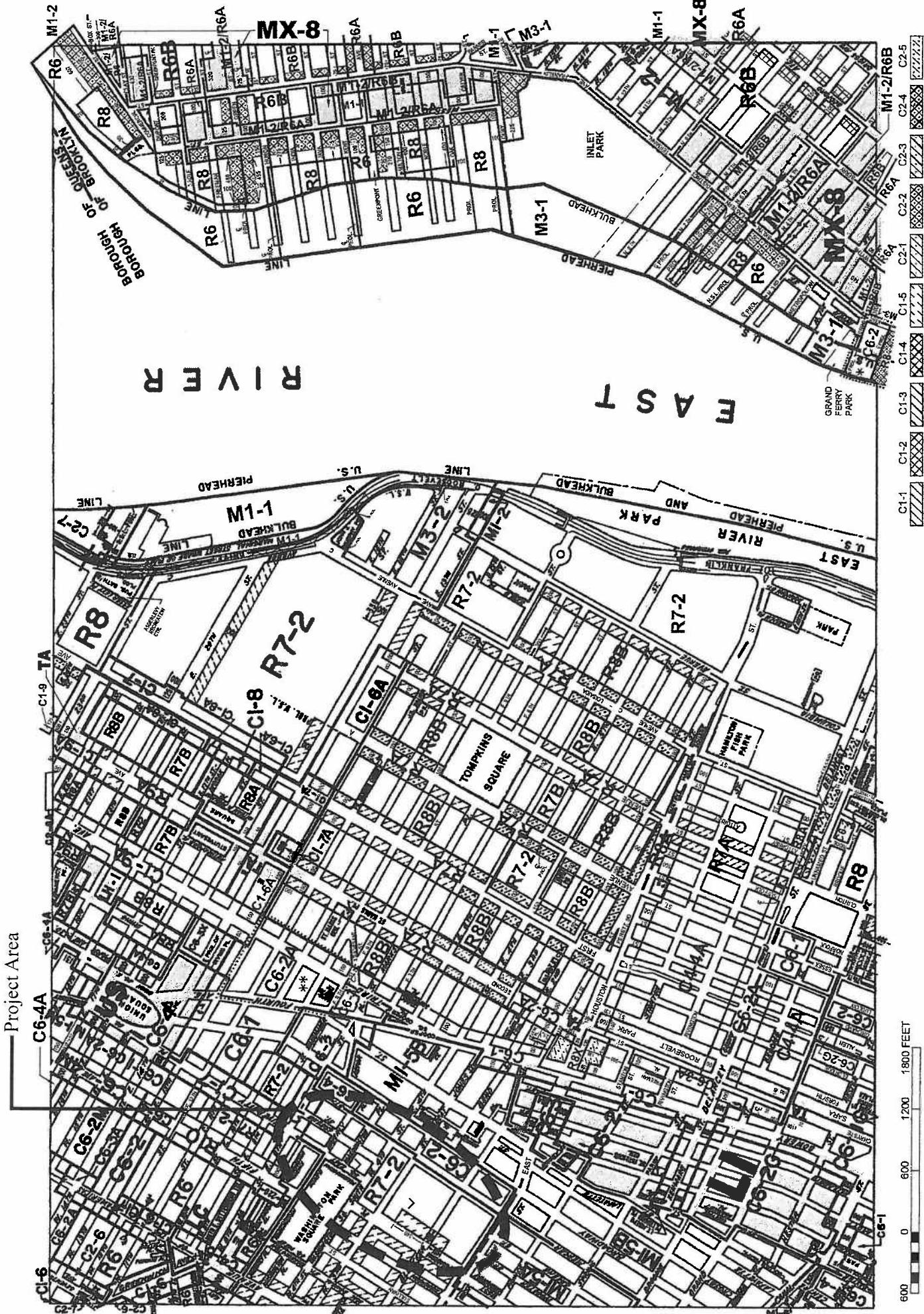
# ZONING MAP 12c

MAP KEY

8b	8d	9b
12a	12c	13a
12b	12d	13b

© Copyrighted by the City of New York

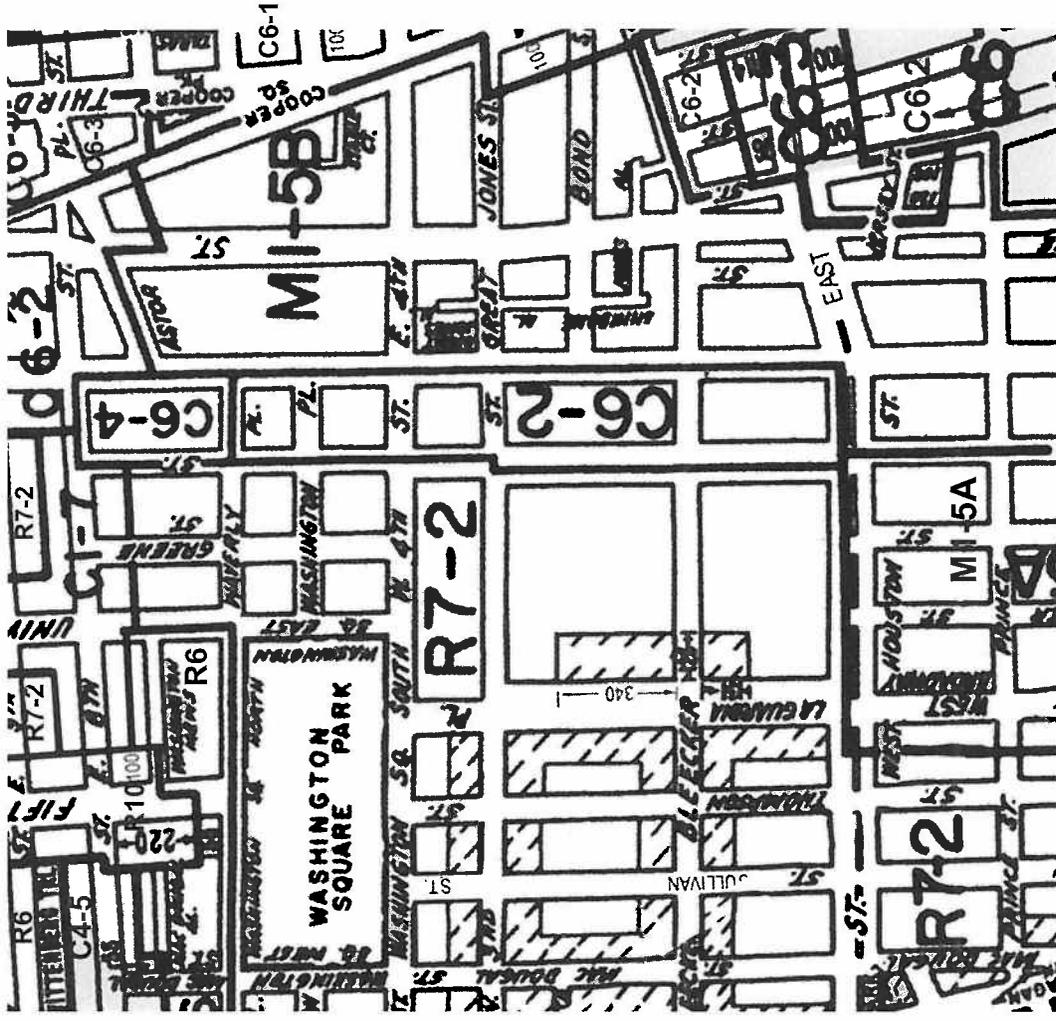
NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: [www.nyc.gov/planning](http://www.nyc.gov/planning) or contact the Zoning Information Desk at (212) 726-3291.



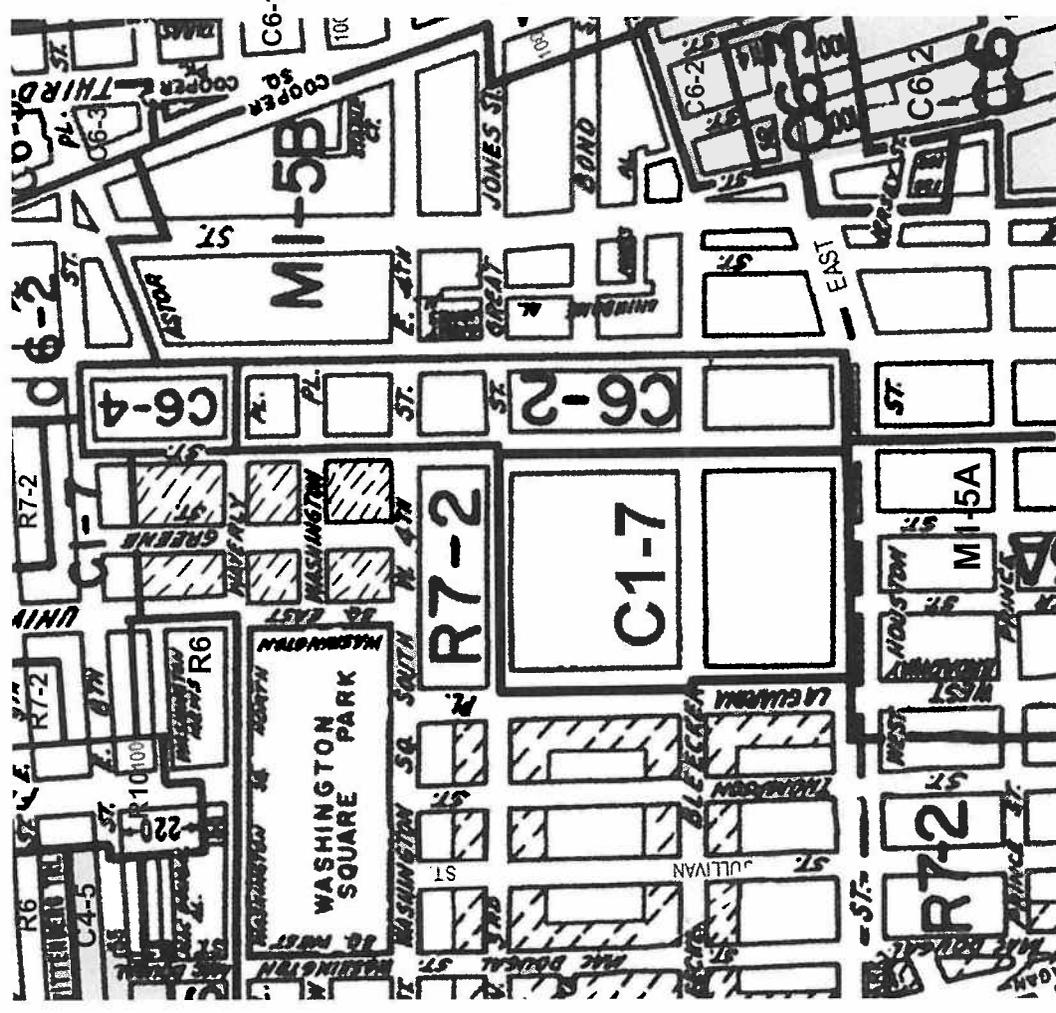
- C1-1
- C1-2
- C1-3
- C1-4
- C1-5
- C2-1
- C2-2
- C2-3
- C2-4
- C2-5

NOTE: Where no dimensions for zoning district boundaries appear on this zoning map, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

Project Area



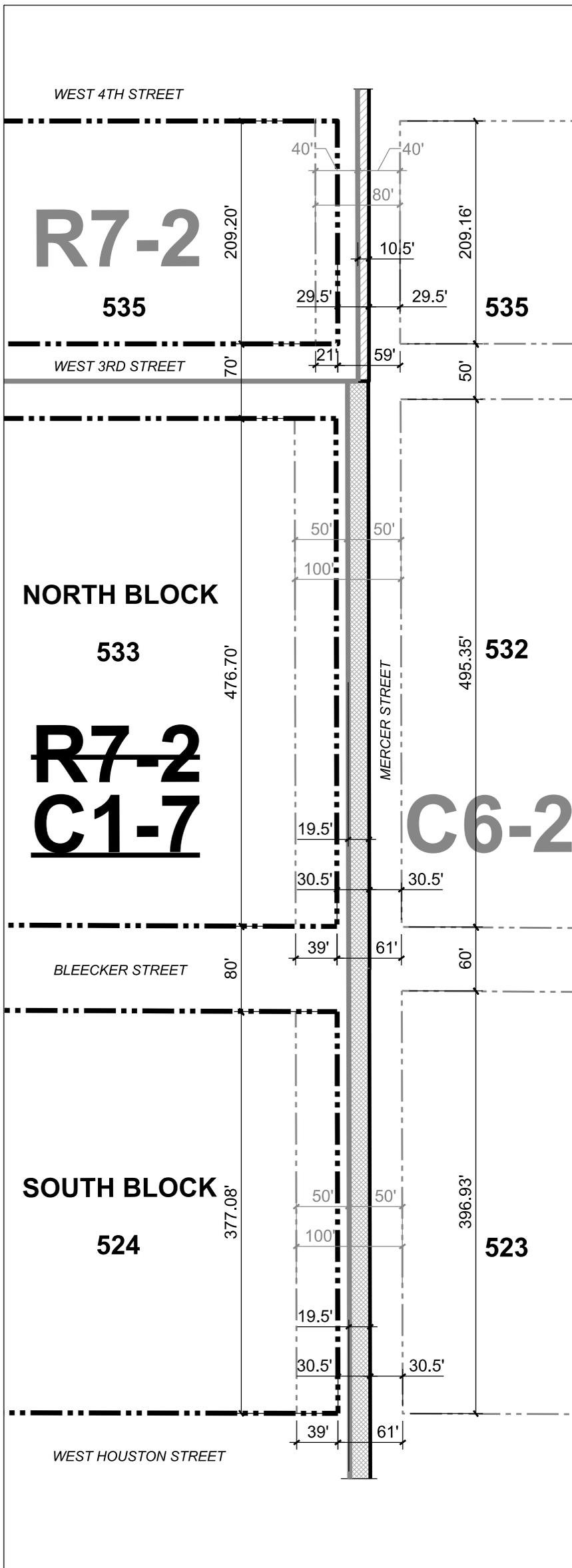
Existing Zoning



Proposed Zoning

- C1-1
- C1-2
- C1-3
- C1-4
- C1-5
- C2-1
- C2-2
- C2-3
- C2-4
- C2-5

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VI, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.



LEGEND:

-  PROPOSED STREET LINE
-  EXISTING STREET LINE
-  PROPOSED ZONING DISTRICT BOUNDARY
-  EXISTING ZONING DISTRICT BOUNDARY
-  AREA TO BE REZONED FROM C6-2 TO R7-2
-  AREA TO BE REZONED FROM C6-2 TO C1-7

532 MANHATTAN TAX BLOCK NUMBER

C6 EXISTING ZONING DESIGNATION

~~R7-2~~ ELIMINATED ZONING DISTRICT

C1-7 PROPOSED ZONING DISTRICT

TITLE

**REZONING OF AREAS WITHIN THE BED OF MERCER STREET**

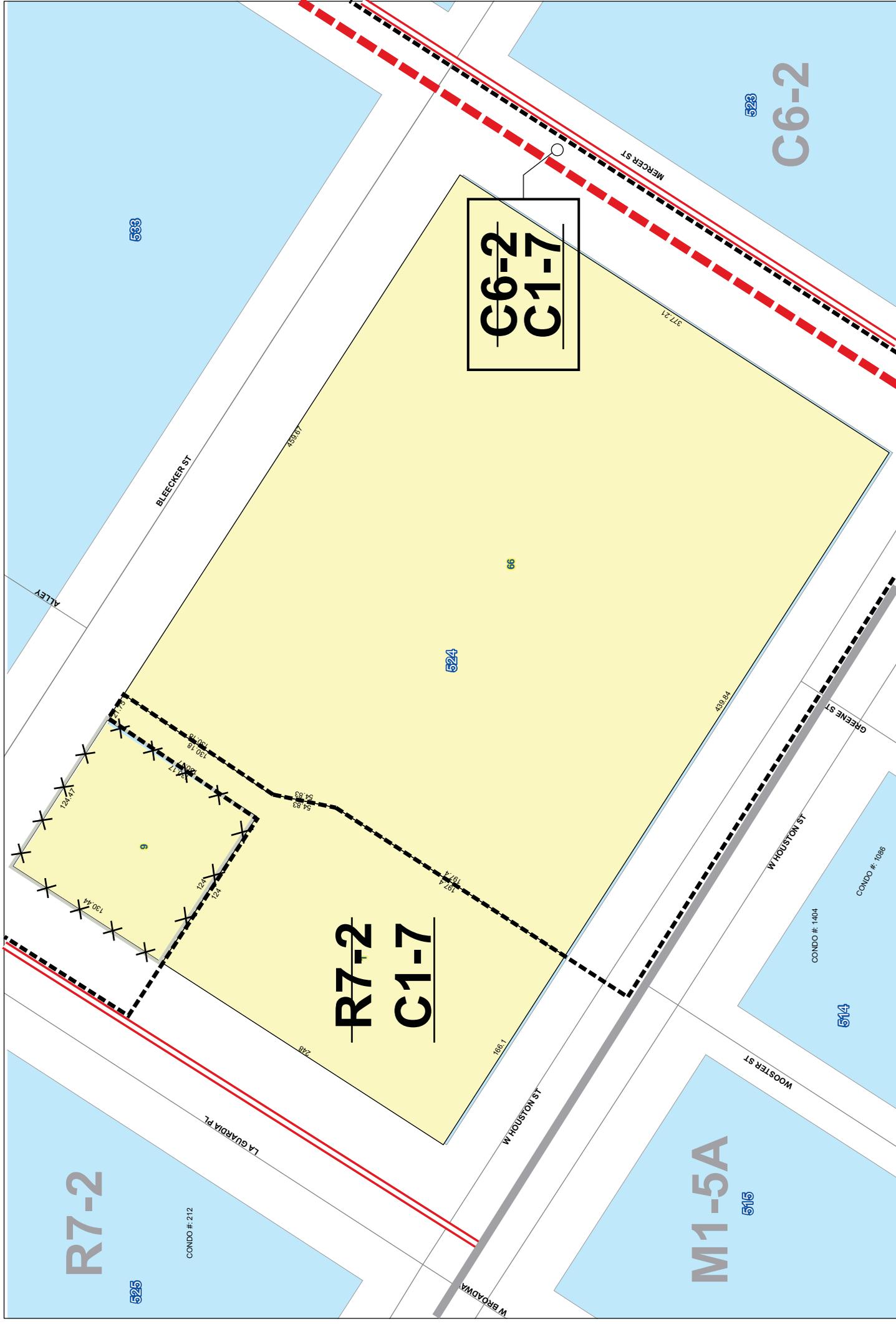
SCALE

**1" = 120'**

**NYC Digital Tax Map**

Effective Date : 12-09-2008 13:16:05  
 End Date : Current  
 Manhattan Block: 524

- Legend**
- Miscellaneous Text
  - C Possession Hooks
  - Boundary Lines
  - C Lot Face Possession Hooks
  - Regular
  - Underwater
  - Tax Lot Polygon
  - Condo Number
  - Tax Block Polygon
  - Existing Zoning District
  - ~~R7-2~~ Eliminated Zoning District
  - ~~R7-2~~ Proposed Zoning District
  - Existing Zoning District Boundary
  - ~~R7-2~~ Eliminated Zoning District Boundary
  - Proposed Zoning District Boundary
  - Eliminated C1-5 Overlay Area
  - Proposed Large Scale General Development (LSGD)



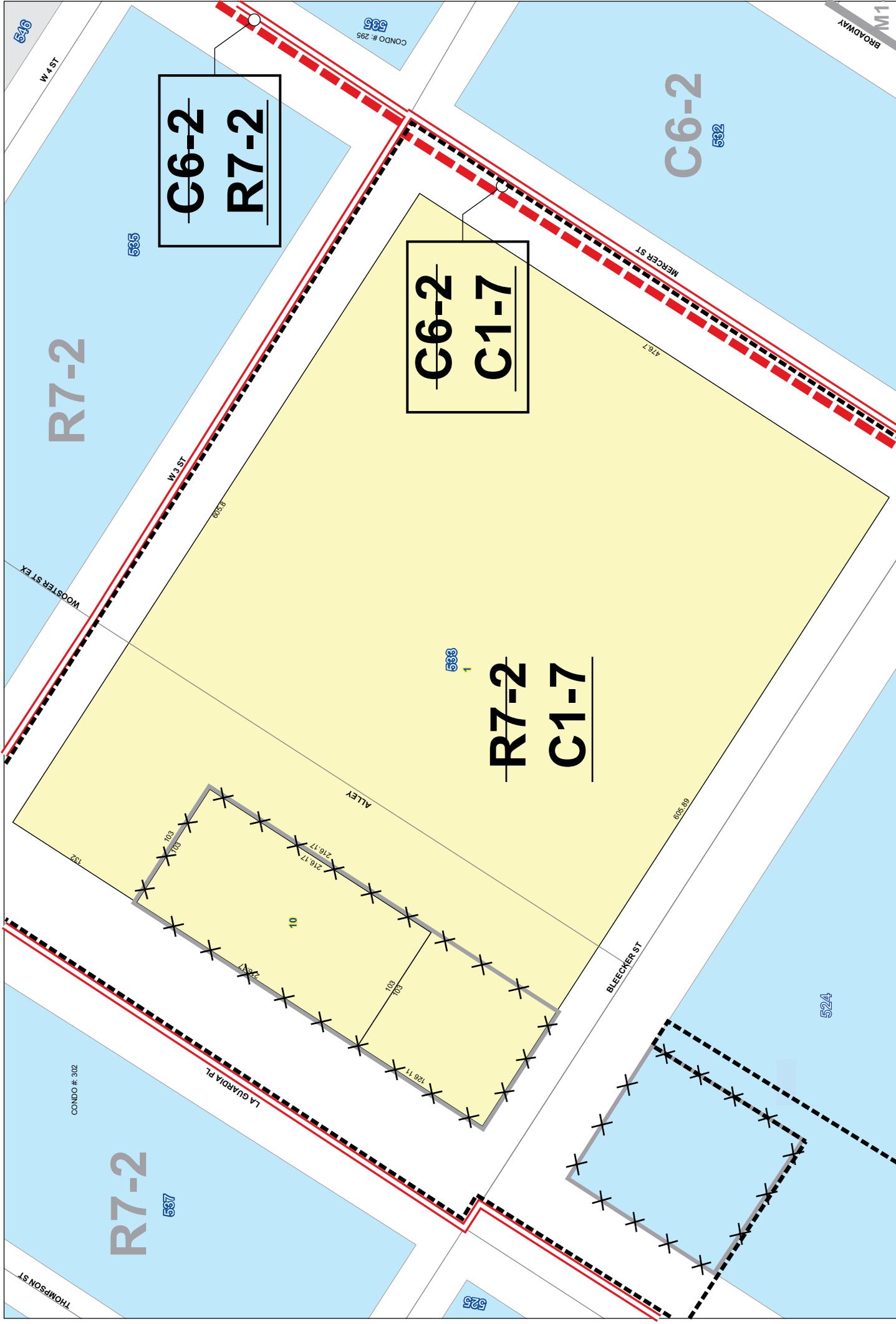


**NYC Digital Tax Map**

Effective Date : 12-09-2008 13:22:36  
 End Date : Current  
 Manhattan Block: 533

**Legend**

- Miscellaneous Text
- C Possession Hooks
- Boundary Lines
- C Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon
- Existing Zoning District
- R7-2** Existing Zoning District
- ~~R7-2~~ Eliminated Zoning District
- R7-2** Proposed Zoning District
- Existing Zoning District Boundary
- Eliminated Zoning District Boundary
- Proposed Zoning District Boundary
- Eliminated C1-5 Overlay Area
- Proposed Large Scale General Development (LSGD)



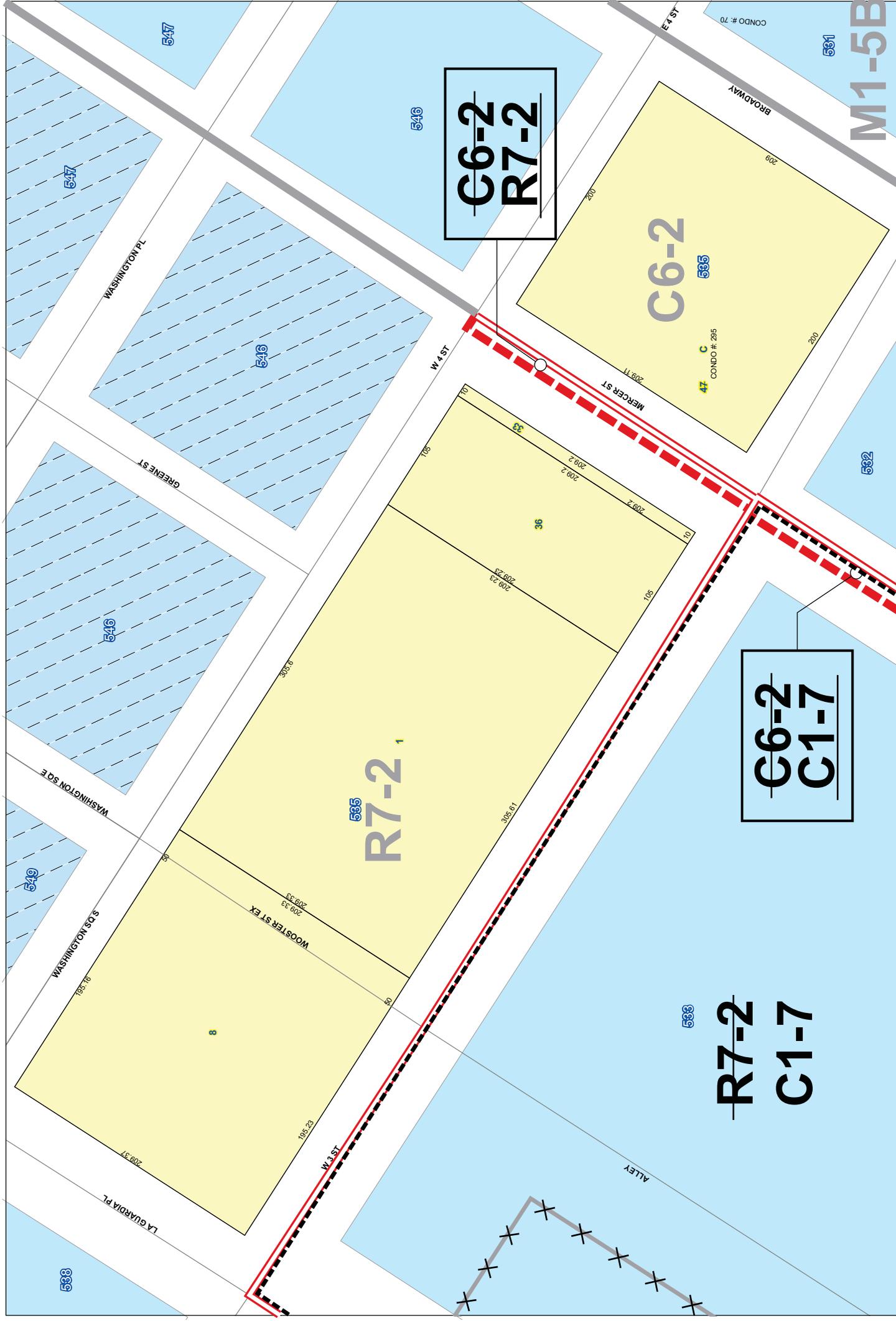


**NYC Digital Tax Map**

Effective Date : 12-09-2008 13:22:  
 End Date : Current  
 Manhattan Block: 535

**Legend**

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon
- Existing Zoning District
- R7-2** Existing Zoning District
- ~~R7-2~~ Eliminated Zoning District
- R7-2** Proposed Zoning District
- Existing Zoning District Boundary
- Eliminated Zoning District Boundary
- Proposed Zoning District Boundary
- Proposed C1-5 Commercial Overlay Area
- Eliminated C1-5 Overlay Area
- Proposed Large Scale General Development (LSGD)





**NYC Digital Tax Map**

Effective Date : 12-09-2008 13:28:31  
 End Date : Current  
 Manhattan Block: 546

**Legend**

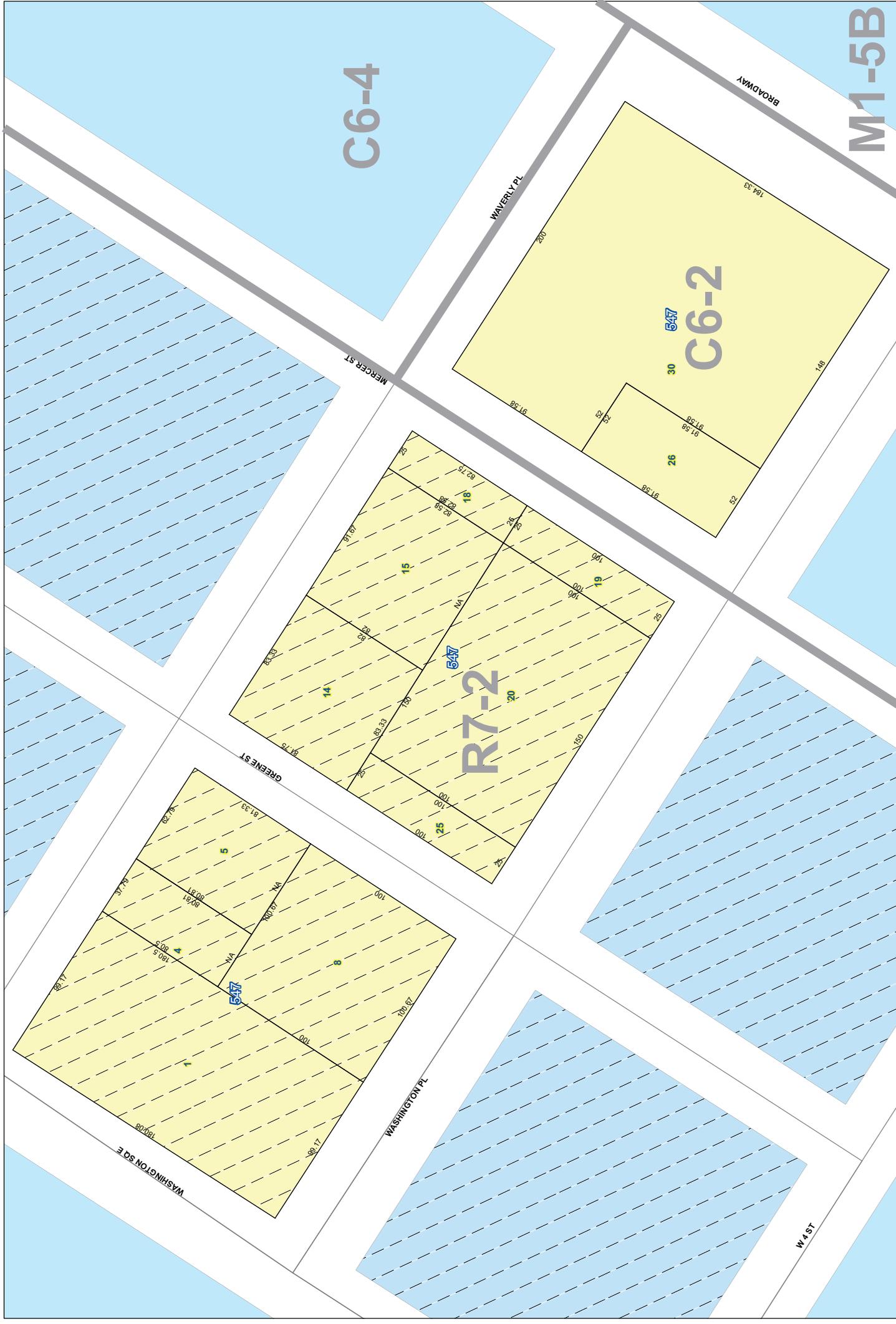
- Miscellaneous Text
- C Possession Hooks
- Boundary Lines
- - - Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon
- R7-2** Existing Zoning District
- ~~**R7-2**~~ Eliminated Zoning District
- R7-2** Proposed Zoning District
- Existing Zoning District Boundary
- Eliminated Zoning District Boundary
- Proposed Zoning District Boundary
- Proposed C1-5 Commercial Overlay Area
- Proposed Large Scale General Development (LSGD)



**NYC Digital Tax Map**

Effective Date : 12-09-2008 13:29:18  
End Date : Current  
Manhattan Block: 547

- Legend**
- Streets
  - Miscellaneous Text
  - Possession Hooks
  - Boundary Lines
  - Lot Face Possession Hooks Regular
  - Underwater
  - Tax Lot Polygon
  - Condo Number
  - Tax Block Polygon
  - Existing Zoning District
  - R7-2**
  - Eliminated Zoning District
  - Proposed Zoning District
  - Existing Zoning District Boundary
  - Eliminated Zoning District Boundary
  - Proposed Zoning District Boundary
  - Proposed C1-5 Commercial Overlay Area
  - Proposed Large Scale General Development (LSGD)



NYC Digital Tax Map

Effective Date : 12-09-2008 13:29:35  
End Date : Current  
Manhattan Block: 548

- Legend**
- Miscellaneous Text
  - C Possession Hooks
  - Boundary Lines
  - Lot Face Possession Hooks
  - Regular
  - Underwater
  - Tax Lot Polygon
  - Condo Number
  - Tax Block Polygon
  - Existing Zoning District
  - R7-2** Eliminated Zoning District
  - ~~R7-2~~ Proposed Zoning District
  - R7-2** Existing Zoning District Boundary
  - Eliminated Zoning District Boundary
  - Proposed Zoning District Boundary
  - Proposed C1-5 Commercial Overlay Area
  - Proposed Large Scale General Development (LSGD)



## **LR Item 7: Related Actions by City Planning**

<b>Application #</b>	<b>Description</b>	<b>Cal. #</b>	<b>Date</b>
CP-10203	Washington Square Southeast Urban Renewal Area (WSSURA) Plan	3a	1/26/1954
CP-10203	Change to City Map eliminating Greene and Wooster Streets and widening LaGuardia Place, Mercer, Bleecker and West 3rd Streets	90	10/11/1956
CP-14032	WSSURA - 1st Amendment	258	6/12/1958
CP-17647	WSSURA - 2nd Amendment	337	12/20/1962
CP-18649	Large-Scale Residential Development (LSRD) special permit to allow distribution of floor area and open space without regard to zoning lot lines		10/14/1964
CP-18617	Plan for City-Aided Housing	5	10/14/1964
CP-19400	WSSURA - 3rd Amendment	99	8/25/1966
C 780696 HUM	WSSURA - 4th Amendment	12	4/23/1979
N 780697 ZRY	Text Amendment to allow a waiver of open space standards for LSRDs	134	4/23/1979
C 780698 ZSM	Amendment to LSRD special permit to modify minimum spacing between buildings and open space requirements to facilitate Coles Gym	11	4/23/1979
N 980578 CMM	Modification of LSRD special permit to modify open space on roof of Coles Gym	-	6/23/1999
TBD	<b>Concurrent Mapping Application:</b> change to the City Map demapping four areas within the mapped rights-of-way of Mercer Street, LaGuardia Place, West 3 <sup>rd</sup> Street and West 4 <sup>th</sup> Street, and the subsequent disposition of portions of those demapped areas along with easements in other portions to NYU, and the mapping of portions of two of the demapped areas as a public park.	--	pending

## **LR Item 8: Related Actions by Other Agencies**

### ***Board of Standards and Appeals (BSA):***

<b>Application #</b>	<b>Description</b>	<b>Date</b>
374-60-BZ	Variance to allow 149 transient spaces within Washington Square Village garage	2/7/1961
375-60-A	Grant of Appeal of Multiple Dwelling Law to facilitate public spaces in garage	2/7/1961
374-60-BZ	Extension of time to obtain Certificate of Occupancy	6/13/1967
374-60-BZ	Extension of time to obtain Certificate of Occupancy	3/19/1968
374-60-BZ	Renewal of variance	5/25/1982
250-00 BZ	Reestablishment of variance	8/14/2001
250-00 BZ	Renewal of variance	11/22/11

### ***Housing Preservation and Development (HPD) and Mayor's Office:***

<b>Application #</b>	<b>Description</b>	<b>Date</b>
NA	Eliminate existing urban renewal deed restrictions from the original land disposition agreements on the two superblocks bounded by West Houston Street, LaGuardia Place, West 3 <sup>rd</sup> Street and Mercer Street	pending

## **LR Item 9: Future Actions**

- **School Construction Authority (SCA)**
  - Potential site selection for new public school
- **Dormitory Authority of New York (DASNY)**
  - Potential financing
- **Department of Transportation (DOT)**
  - Revocable Consents from DOT for below-grade utilities related to the cogeneration plant underneath West 3<sup>rd</sup> Street

# Comparison of Existing and Proposed Zoning Requirements

Zoning Requirement	Permitted/ Required			
	Existing Zoning		Proposed Zoning	
	ZR Section(s)	R7-2	R7-2/C1-5	R7-2/C1-5
<b>USE GROUPS</b>	22-10, 32-10	1-4	1-6	1-6
<b>FAR</b>				
Residential	23-142	0.87 - 3.44	0.87 - 3.44	0.87 - 3.44
Commercial	33-121, 33-122	N/A	2.00	2.00
Community Facility	24-11	6.5	6.5 (7.2 with plaza bonus) 6.5 (7.8 with plaza bonus)	6.5
<b>YARDS</b>				
Front Yard	N/A	N/A	N/A	N/A
Side Yard	23-462(c), 33-25	N/A or 8 feet	N/A or 8 feet	N/A or 8 feet
Rear Yard	23-47, 33-26	30 feet	30 feet (res), 20 ft (com)	30 feet (res), 20 ft (com)
<b>HEIGHT AND SETBACKS</b>				
Max. Height of Front Wall	23-632, 33-432	60 feet or 6 stories Governed by S.E.P.	60 feet or 6 stories Governed by S.E.P.	60 feet or 6 stories Governed by S.E.P.
Max. Building Height	23-632, 33-432	20 feet	20 feet	20 feet
Setbacks from Narrow Streets	23-632, 33-432	15 feet	15 feet	15 feet
Setbacks from Wide Streets	23-632, 33-432	15 feet	15 feet	15 feet
<b>DENSITY REGULATIONS</b>	23-22	680 sf/unit	680 sf/unit	680 sf/unit
<b>PARKING AND LOADING</b>	13-10, 36-62	Depends on use	Depends on use	Depends on use

## Conformance Tables

Block	Lot	Address	Owner	Primary Uses (Existing)	Primary Uses (Proposed)	Existing Conformance (R7-2 and R7-2/C1-5)	Proposed Conformance (C1-7)
524	66	181 Mercer St, 100 Bleecker St, 110 Bleecker St	NYU	Residential, Academic	Residential, Academic, Retail, Dormitory, Hotel	Yes	Yes
524	9	130 Bleecker St	NYU	Retail	School, Academic, Dormitory	Yes	Yes
533	1	1-4 Washington Square Village	NYU	Residential	Residential, Academic, Retail	Yes	Yes
533	10	543 LaGuardia Pl	NYU.	Retail	Academic	Yes	Yes

### Loft Blocks:

Block	Lot	Address	Owner	Primary Use	Presence of Ground Floor Retail	Existing Conformance (R7-2)*	Proposed Conformance (R7-2/C1-5)
546	1	79 Wash Sq E	NYU	Dormitory	Yes	No	Yes
546	5	82 Wash Sq E	NYU	Academic	No	Yes	Yes
546	8	26 Wash Pl	NYU	Academic	No	Yes	Yes
546	10	18 Washington Pl	NYU	Academic	Yes	No	Yes
546	11	35 W 4th St	NYU	Academic	No	Yes	Yes
546	15	14 Washington Pl	NYU	Residential	Yes	No	Yes
546	20	10 Washington Pl	NYU	Academic	No	Yes	Yes
546	21	8 Washington Pl	NYU	Academic	No	Yes	Yes
546	26	21 W 4th St	NYU	Academic	No	Yes	Yes
546	30	31 W 4th St	NYU	Academic	Yes	No	Yes
547	1	32 Waverly Pl	NYU	Academic	No	Yes	Yes
547	4	28 Waverly Pl	NYU	Academic	No	Yes	Yes
547	5	24 Waverly Pl	NYU	Academic	No	Yes	Yes
547	8	23 Washington Pl	NYU	Academic	No	Yes	Yes
547	14	18 Waverly Pl	NYU	Academic	No	Yes	Yes
547	15	12 Waverly Pl	NYU	Academic	No	Yes	Yes
547	18	10 Waverly Pl	NYU	Academic	Yes	No	Yes
547	19	7 Washington Pl	NYU	Academic	Yes	No	Yes
547	20	15 Washington Pl	NYU	Residential	No	Yes	Yes
547	25	21 Washington Pl	NYU	Academic	No	Yes	Yes
548	1	1 University Pl	Pik Record Co	Residential	Yes	No	Yes
548	4	5 University Pl	NYU	Dormitory	Yes	No	Yes
548	21	25 Waverly Pl	NYU	Academic	No	Yes	Yes
548	24	303 Mercer St	Snug Harbor Owners	Residential	Yes	No	Yes
548	40	11 Waverly Pl	11 Waverly Assoc.	Residential	Yes	No	Yes
548	45	15 Waverly Pl	Waverly Mews Corp.	Residential	Yes	No	Yes
548	p/o 9	13 University Pl	NYU	Academic	Yes	Yes	Yes
548	p/o 12	36 E 8 <sup>th</sup> St	NYU	Academic	Yes	Yes	Yes
548	p/o 28	50 E 8 <sup>th</sup> St	50/8 Associates	Residential	Yes	Yes	Yes

\* Lots 9, 12 and 28 of Block 548 are primarily located in a C1-7 district and, pursuant to the split-lot regulations of ZR Section 77-11, are allowed to have ground floor retail uses

# **LR Item 3: Description of Proposal**

## **Introduction**

This application submitted by New York University (“NYU”) requests the following actions: (1) a zoning map amendment (the “rezoning”) to change an R7-2 District to a C1-7 District and map a C1-5 overlay in an existing R7-2 District, (2) an amendment to New York City Zoning Resolution (“ZR”) Sections 74-742 and 74-743 (the “zoning text amendment”), and (3) a Special Permit pursuant to ZR Section 74-743 for a Large-Scale General Development (together, the “Application”). The Application would facilitate the development of a “Large-Scale General Development” on the blocks bounded by West Houston Street, LaGuardia Place, West 3<sup>rd</sup> Street and Mercer Street (the “LSGD”). The LSGD includes construction of two new buildings containing a mix of academic, dormitory, faculty housing, retail, hotel and school uses and improved publicly-accessible open spaces on the block bounded by LaGuardia Place, and Bleecker, Mercer and West Houston Streets (the “South Block”), and construction of two new buildings with below grade space containing academic use and improved publicly accessible open spaces on the block bounded by LaGuardia Place, and Bleecker, Mercer and West 3<sup>rd</sup> Streets (the “North Block”) (collectively, the “Superblocks”). The rezoning application would also facilitate new ground-floor retail use in the approximately six-block area bounded by Mercer Street, West 4<sup>th</sup> Street, Washington Square East, University Place, and the northern boundary of the existing R7-2 district just south of East 8<sup>th</sup> Street (the “Loft Blocks”).

To facilitate the development of the proposed LSGD and construction of buildings on the Superblocks, NYU requests (1) a zoning map amendment of the Superblocks from R7-2 to C1-7, (2) a text amendment to ZR Sections 74-742 and 74-743 to modify the ownership requirements of a LSGD at the time of filing and to allow a park boundary to be treated as a wide street for purposes of zoning, respectively, and (3) an LSGD special permit pursuant to ZR Section 74-743 to permit the transfer 19,214 square feet of floor area between zoning lots and to waive regulations of height and setback, rear yard, rear yard equivalent and minimum distance between buildings.

NYU has also submitted a related application (ULURP # C 120077 MMM, the “Mapping Application”), requesting an amendment to the City Map affecting portions of Mercer Street, LaGuardia Place, West 3<sup>rd</sup> Street and West 4<sup>th</sup> Street. The Mapping Application includes, among other things, mapping, above a certain limiting plane, portions of LaGuardia Place and Mercer Street between West 3<sup>rd</sup> Street and Bleecker Street as park. It also includes the elimination, discontinuance and closure and related disposition of the following portions of the City Map to NYU: (1) a portion of Mercer Street between Bleecker Street and West Houston Street, (2) a portion of Mercer Street between West 3<sup>rd</sup> Street and West 4<sup>th</sup> Street, (3) below a certain limiting

plane, a portion of LaGuardia Place between West 3<sup>rd</sup> Street and Bleecker Street, and (4) below a certain limiting plane, a portion of Mercer Street between West 3<sup>rd</sup> Street and Bleecker Street.

Taken together, this Application and the related Mapping Application would accommodate NYU's long-term need for additional facilities at its core campus near Washington Square Park in Greenwich Village (the "Core").

Additionally, as part of the zoning map amendment, NYU proposes to map a C1-5 commercial overlay over the existing R7-2 district on the Loft Blocks to bring existing non-conforming ground-floor retail uses into compliance and to allow for additional ground-floor retail to enhance the pedestrian experience and enliven the area's streets.

## **Background and History**

Prior to the 1950s, the area bounded by LaGuardia Place, and West Houston, Mercer and West 4<sup>th</sup> Streets was comprised of nine city blocks divided by Bleecker, Greene, Wooster and West 3<sup>rd</sup> Streets. Together, the blocks were developed with 191 buildings, 175 of which were commercial or industrial loft buildings, and 16 of which were residential buildings. In 1953, the Mayor's Committee on Slum Clearance published a proposal to replace the area's "blighted conditions" with a new site plan consisting of three superblocks and a simplified system of widened streets. Wooster and Greene Streets were to be demapped, and the remaining streets were to be significantly widened. As then proposed, LaGuardia Place (then called West Broadway) would become a grand boulevard called Fifth Avenue South, which would connect Fifth Avenue to the north to the planned but never-built Lower Manhattan Expressway (LOMEX).

The proposal was officially adopted in 1954 as part of the Washington Square Southeast Urban Renewal Area (WSSURA) plan and related change to the City Map. The original plan designated the northernmost block between LaGuardia Place, Mercer Street, West 3<sup>rd</sup> Street and West 4<sup>th</sup> Street as the "Education Block" and called for all of the existing buildings to be demolished, with the exception of Shimkin Hall. NYU acquired the block in 1955 and subsequently developed Warren Weaver-Hall (1965-66), Tisch Hall (1970-72), Bobst Library (1972) and the Stern School of Business (1990-92). The WSSURA plan also called for the demolition of all existing buildings on the southern two blocks (the Superblocks) and the construction of five residential towers with some retail on the North Block, and four residential towers with some retail on the South Block. No development on the Superblocks occurred pursuant to the original plan.

In 1958, the WSSURA plan was amended to, among other things, revise the original site plan to facilitate the development of the Washington Square Village ("WSV") complex on the North Block. The WSV complex on the North Block and the supermarket on the northwest corner of

the South Block (the southwest corner of LaGuardia Place and Bleeker Street) were subsequently developed in the following years pursuant to this revised plan. In 1961, the Board of Standards and Appeals (“BSA”) granted a variance and appeal of the Multiple Dwelling Law to allow 149 spaces in the below-grade parking garage on the North Block to be used for transient parking. The variance was renewed by the BSA in 1982, reestablished in 2001, and renewed again on November 22, 2011. Once the North Block is redeveloped pursuant to this Application, the variance would be surrendered so that parking would only be provided for the residents of Washington Square Village.

In 1962, the City Planning Commission (“CPC”) approved a second amendment to the WSSURA plan to facilitate the development of the South Block. The South Block (except for the site of the Morton Williams supermarket) and the North Block were conveyed to NYU in 1963. In 1964, the CPC approved a Large-Scale Residential Development (“LSRD”) special permit for the South Block (excluding the supermarket site), which allowed for the development of three buildings known as University Village (“UV”) by permitting floor area, open space, rooms and parking to be located without regard to zoning lot lines. As part of the approval, one of the buildings (505 LaGuardia Place) was to be developed with a middle-income cooperative under the Mitchell-Lama program. University Village was subsequently developed pursuant to this plan in 1966-67.

In 1966, the WSSURA was amended for a third time to facilitate the development of Bobst Library on the Education Block, and in 1979, it was amended for a fourth and final time to facilitate the development of the Coles Gymnasium and Recreation Center (“Coles Gym”) on the east side of the South Block. The LSRD special permit was also modified at the time of the fourth amendment to the WSSURA to allow for a waiver of the required minimum distance between buildings between Silver Tower 2 and Coles Gym, and a waiver of the open space requirements to allow a portion of the roof of the gym to count as required open space. In 1999, the CPC approved a minor modification of the LSRD special permit to allow for that rooftop open space to be redesigned.

While the Washington Square Southeast Urban Renewal Plan officially expired in 1994, a conservative interpretation of the deed restrictions codified in the original land disposition agreements for the South and North Blocks indicates that the blocks must continue to be used in accordance with the now-expired Urban Renewal Plan. Under this interpretation, the blocks would be restricted to only those uses identified in the Urban Renewal Plan, including residential use only on the North Block (except for the LaGuardia Place retail building) and educational use only on the site of the existing Coles Gym. These deed restrictions are proposed to be eliminated in a separate application to the Department of Housing Preservation and Development (HPD) and the Mayor’s Office.

In 2001, NYU purchased the supermarket site, giving it ownership of both Superblocks in their entirety.

## ***Purpose and Need - NYU 2031***

NYU was founded in 1831 in leased space in Lower Manhattan by Albert Gallatin, Secretary of Treasury under Thomas Jefferson and James Madison, who sought to establish “a system of rational and practical education fitting for all and graciously opened to all.” Several years later, the University purchased and developed its first building on the east side of Washington Square Park. As the University expanded its educational offerings, its space needs grew, resulting in the growth of facilities around the park for both the undergraduate and professional schools. In 1894, as part of a cultural shift of universities towards campus settings, NYU moved its undergraduate programs to a campus in the University Heights section of the Bronx. The graduate and professional programs remained in the Washington Square Park area. During the 1970’s, NYU experienced severe financial hardship and sold its University Heights campus, bringing its undergraduate programs back to the Washington Square Park area.

In the years that followed the consolidation in the Core area, the University embarked on a strategic plan to become a national university. Over the course of ten years, a capital campaign was launched to improve facilities and create the student residential housing needed to achieve this goal. Unlike a traditional enclosed campus, NYU’s approach has been to concentrate certain facilities in the Core with other supporting facilities located further away. NYU currently has several locations outside of the Core area, including facilities in Lower Manhattan, Midtown and Kips Bay.

NYU anticipates that its undergraduate and graduate/professional growth in New York City will lessen over the next several decades, to a 0.5 percent average annual growth rate over a 25-year period. This is a reduction from an increase of 24.5 percent between 1990 and 2005. The growth of NYU’s physical facilities since 1990 has not kept pace with the growth of the student body and educational offerings, and consequently, many of NYU’s facilities are severely overburdened. Even though sharp enrollment increases have subsided and NYU expects only a modest increase of students at its Core campus by 2031, additional facilities are needed or academic quality will suffer. In 2006, NYU launched a comprehensive planning effort to take a long-term view toward 2031, the year NYU will celebrate its bicentennial. The strategic plan, known as “NYU 2031,” had the following objectives:

- Ensure that NYU has the appropriate infrastructure and facilities to maintain its academic excellence well into the future;
- Create a roadmap for NYU so that it can better plan for its future needs;
- Provide NYU neighbors with a level of predictability and transparency about NYU’s projects; and

- Allow NYU to maximize use of its current footprint within the Washington Square area, thus relieving some pressure for growth into surrounding properties in the area.

With these guidelines, NYU planners and their design team conducted extensive community outreach, holding open houses and scores of smaller meetings with community, civic, faculty, and student organizations. The University presented plans in progress over five open houses between June 2007 and April 2008, each attracting hundreds of people from the neighborhood and NYU community. These events provided the planners with valuable feedback, which helped to shape NYU's 2031 vision. NYU's planning has been rooted in the understanding that in order to continue to thrive academically, it needs additional space, and in order to be respectful of its neighbors, it must find a thoughtful and transparent approach to its future growth and development.

The NYU 2031 plan also identified three areas outside of NYU's Core campus that have the potential to accommodate a significant portion of this growth, including the Health Corridor in Kips Bay, Downtown Brooklyn and, potentially, Governor's Island. In the Health Corridor, which houses NYU's medical and dental schools with the nursing school to be located there within the next two years, a combination of redevelopment and strategic acquisitions is expected to provide for the expansion of those facilities. In Downtown Brooklyn, NYU has recently affiliated with Polytechnic University, and has embarked on a program of improvements that focus on renovation, redevelopment, and potential acquisition. The University continues to have a strong interest in Governor's Island, though NYU recognizes that development opportunities on the Island are not likely in the immediate future. While these areas outside of the Core can accommodate a portion of the physical space needed for NYU's long-range academic goals, the plan recognized the primacy of the Core and the need to accommodate much of NYU's growth in this location.

The proposed project—"NYU Core"—is a key element in NYU's plan to meet its long-term needs with respect to academic space, housing for faculty and students, campus and neighborhood amenities, and recreational facilities. It is located within the existing boundaries of NYU's central Washington Square campus. Its key components—the four new buildings—are on two NYU-owned blocks that have been part of the campus since the 1960s. By proposing to locate the four new buildings in this location, NYU would be able to enhance its facilities significantly while minimizing its need to expand the footprint of its campus into the surrounding neighborhoods. The 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 well served by facilities in remote locations of New York City.

NYU developed the NYU Core project proposal with several planning objectives in mind:

- Locate the new buildings within the footprint of NYU’s existing Washington Square campus to integrate the new buildings into the existing campus and to minimize impacts to the character of the neighboring communities.
- Design the new buildings to accommodate program below grade and thus limit the size, height and bulk of buildings above grade. Below-grade spaces are well-suited for certain academic program needs such as classrooms, study areas, rehearsal spaces, lounges, computer rooms, and student activity areas.
- Design the publicly-accessible open space to be an integrated network of attractive spaces that are welcoming to the general public.
- Design the ground floors of all buildings to activate street frontages (and open space frontages) to enhance the public realm.
- Include a variety of uses in the new buildings—including academic space, dormitories, student services and other uses—to create a vibrant campus environment.
- Meet NYU’s need for additional facilities in a manner that engages the public and allows for public input.

NYU has carefully considered which university functions require location at the Washington Square campus. Co-locating faculty offices and housing, classrooms, research facilities, student service spaces and dormitories at the Washington Square Campus encourages interaction among NYU’s faculty and students, interaction between faculty members in diverse disciplines, interdisciplinary research teams, and academic and social engagement with the University. NYU believes that physical proximity in a campus setting is the best way to promote integration of disciplines and interaction among the faculty and students, and thus to create a learning and research community. An interchange of ideas among various intellectual disciplines is greatly facilitated by having several schools in one place, and it is key to the accomplishments of NYU’s faculty, graduates, and students. Such interchange is increasingly required to advance certain research agendas, as the overlap of disciplinary interests reinforces scholarly expertise. At NYU, for example, neural science and psychology, mathematics and computer science, the language and literature departments, and economics and politics are all co-located to provide a platform for a fuller and more holistic learning experience. The trend in higher education is for more of this type of scholarly collaboration. A campus setting also makes possible the planned provision of open space and other amenities, which benefit faculty, students, and neighborhood residents alike.

While the majority of the floor space proposed by the project would be academic, the plan would also provide space for other needed uses. The student housing proposed by this project would increase the percentage of students that can be accommodated within NYU-owned housing at the Core, providing a safety valve if leases for existing dormitories are not renewed. The University seeks to put freshman students closer to the Core to help them acclimate to the city and the

University, and to become more engaged with NYU's academic life and student activities. The faculty housing proposed by this project is critical to the recruitment of faculty members, many of whom are recruited from around the nation and the world. Locating housing at the Core is more attractive to faculty and contributes to the vibrancy of the Core. Both student and faculty housing is accessory to the academic, community-facility use. The proposed hotel would provide convenient, moderately-priced accommodations for those traveling to the NYU campus, a growing need as scholars from around the world (including NYU's several international campuses) visit NYU to participate in conferences, lectures, research and teaching. NYU consistently draws people to New York City for both academic and other programming purposes who prefer to stay within walking distance of the Core campus. The hotel facility would also provide space to support NYU's executive education programming, and its wide array of academic conferencing that takes place throughout the year.

The NYU Core project reflects NYU's determination that the amount of space needed for its academic programs at the Washington Square campus cannot be accommodated by *ad hoc* acquisitions of properties in the area because of the scarcity of adequate available space and development opportunities, and because the Core campus is surrounded by several designated historic districts. Furthermore, NYU believes that the need for *ad hoc* acquisitions, which often creates friction with local communities over individual building initiatives, should be minimized.

The NYU Core project meets NYU's needs and programmatic goals for its Core campus while also improving its urban landscape for the public. As noted above, while much of the needed development can and will be placed outside of the Core campus, the development proposed in this application must be located within the Core, which is sufficiently compact that the buildings it contains are within walking distance of each other. NYU's campus is bounded by the Greenwich Village Historic District to the north and west, the NoHo historic district to the east and the SoHo historic district to the south. A key goal is to relieve pressure on the surrounding areas. Thus, the most appropriate option for growth is in-fill construction on property that NYU already owns. The Superblocks present the most significant opportunity for NYU to accommodate future growth on its own land, thereby avoiding disruption, demolition and dislocation in the surrounding neighborhood.

Sustainability is a key feature of the NYU Core plan. NYU's Core Campus location provides the University the opportunity to capitalize on the sustainable resources available in the City of New York. Most significantly, the project's central location in a dense urban setting and its access to multiple modes of convenient mass transportation options surrounding the Core campus would ensure that most students, faculty and visitors arrive on foot or via public transportation. Furthermore, by weaving in the proposed buildings into the existing building framework, the Core plan will minimize the per capita impacts of newly introduced uses and build upon the strength of the established development in the area. Moreover, orienting new buildings to maximize light and air, and by incorporating developing sustainable technologies such as green roofs, stormwater retention systems, heat recovery and sustainable landscaping systems, it is

NYU's goal to achieve LEED Silver ratings, or subsequent equivalent standard, for the newly proposed buildings. To attain LEED certification, the proposed buildings would include: (1) an energy efficient building envelope to reduce cooling/heating requirements, (2) high-efficiency HVAC systems, incinerators, or generators, (3) high-albedo roofing materials, (4) window glazing to optimize daylighting, heat loss and solar heat gain, (5) motion sensors and lighting and climate control, and (6) efficient lighting, elevators and appliances. Other measures likely to be part of the design include green roofs, design for maximum interior daylighting, peak shaving or load shifting strategies, super insulation to minimize heat loss, and efficient directed exterior lighting.

The commercial overlay that is proposed to be mapped on the Loft Blocks is intended to enliven the area's street life. The area is currently zoned R7-2, which does not allow for new ground-floor retail uses. While there are many retail spaces in the area today that are pre-existing non-conforming uses, most of the lots in the area would not, under current zoning, be able to convert their ground floors to retail use. As a consequence, the area today does not have the active street life or lively pedestrian experience found in the surrounding area. The proposed C1-5 overlay would bring the existing retail uses into conformance with zoning and would allow ground-floor space in existing buildings to be converted to neighborhood retail use, such as a coffee shop, small clothing store, bakery or bookstore. These new ground-floor retail uses would replace some of the area's existing inactive ground-floor uses and would help enliven the Loft Blocks, creating a more active, interesting and diverse street life.

## **Site Description**

### ***Large-Scale General Development***

The LSGD special permit covers an area located on two superblocks: the South Block bounded by LaGuardia Place and West Houston, Mercer and Bleecker Streets, and the North Block bounded by LaGuardia Place and Bleecker, Mercer and West 3<sup>rd</sup> Streets. The proposed LSGD consists of property that is owned by NYU and a 39-foot wide strip on the Mercer Street side of the South Block that would be owned by NYU upon approval of the demapping and disposition of that area requested by the related Mapping Application. The two proposed buildings on the North Block would also extend below-grade beneath the strips of land that the Mapping Application seeks to map as park above a limiting plane, with NYU assuming ownership of below-grade volumes below this plane.

The proposed LSGD would consist of the entire North Block and the South Block except for the zoning lot for 505 LaGuardia Place (Block 524, Lot 1). While the existing large-scale residential

development (“LSRD”) includes the 505 LaGuardia Place zoning lot and not the Morton Williams supermarket lot (Block 524, Lot 9), the proposed LSGD would exclude the 505 LaGuardia Place zoning lot and would include the supermarket lot. The LSRD was originally granted in 1964 and allowed for the distribution of floor area and open space without regard to zoning lot lines. The LSRD was modified in 1979 to allow for the waiver of open space standards and minimum distance between buildings requirements to facilitate the development of Coles Gym. Upon approval of this Application, the waivers granted by the original LSRD special permit would no longer be necessary. The LSRD would dissolve and be replaced with the LSGD.

The Superblocks, which are currently zoned R7-2 with a C1-5 overlay along portions of LaGuardia Place, were redeveloped under the Washington Square Southeast Urban Renewal Area plan between 1958 and 1981. They contain tower-in-the-park style residential buildings surrounded by open space and one-story buildings.

The North Block, known as Washington Square Village (“WSV”), was developed in 1957-1960 and contains two almost-600 foot long 17-story apartment buildings, and a 1-story retail building along LaGuardia Place. The complex was designed in the tower-in-park style by S. J. Kessler and Sons with the landscape architects Sasaki, Walker & Associates. The center of the block contains a parking garage in two below-grade levels accessed by two driveways located in the former beds of Greene and Wooster Streets. The roof of the garage is landscaped, located several feet above grade and accessible through several narrow passages. The remainder of the site is either paved or landscaped, with seating areas and a keyed playground on the eastern side of the site that is accessible to residents of WSV and a limited number of residents in the surrounding blocks. The block is flanked on the east and west sides with mapped but un-built portions of Mercer Street and LaGuardia Streets acting effectively as extensions of the block into each respective street. The Mercer Street strip, along the eastern edge of the North Block, contains a playground and landscaping and the LaGuardia Place strip, along the western edge of the North Block, contains a landscaped area traversed with walkways, a sculpture of Mayor Fiorello H. LaGuardia and a Parks capital project for a playground, which will be advanced regardless of the NYU Core project, in the northern area named Adrienne’s Garden.

The South Block contains the one-story Morton Williams supermarket on its northwest corner developed in 1961, three I.M. Pei-designed 30-story residential buildings surrounded by open space known as University Village and Coles Gym. The open space within University Village includes a grove of oak trees, a playground and a large central sculpture that is an enlargement of a 1954 cubistic work by Pablo Picasso. A narrow pedestrian passageway just west of Coles Gym connects Houston and Bleecker streets through UV. The three UV buildings and the UV site, which were developed in 1964-1966, are a designated New York City landmark. Two of the buildings (Silver Towers 1 and 2), located on the eastern portion of the site, house NYU faculty, and the other (505 LaGuardia Place), located on the western edge of the site, provides middle-income affordable housing that was developed under the Mitchell-Lama program. The zoning

lot containing 505 LaGuardia Place would not be part of the proposed LSGD. The Coles Gym is located on the easternmost edge of the LSRD and edge of the block and is a one-story building.

The South Block is also flanked on both the east and west sides by mapped but un-built portions of Mercer Street and LaGuardia Place acting effectively as extensions of the block into each respective street. The Mercer Street strip, located along the eastern edge of the South Block, is approximately 39-foot wide and contains a plaza area in front of the gym entrance, a small playground that is currently closed because of a sinkhole that renders it unsafe for use, and a privately-operated dog run. While the LaGuardia Place strip, located along the western edge of the South Block, contains a community garden and Time Landscape, a fenced area with landscaping.

### ***Loft Blocks***

The Loft Blocks contain academic and institutional uses that house a large portion of NYU's facilities, as well as some residential and dormitory uses and a limited amount of ground-floor retail use. The buildings in this area are typified by high lot coverage loft-style buildings with high street walls. Though the current R7-2 zoning in the area does not allow for new ground-floor retail uses, over one-third of the lots currently contain pre-existing retail uses. NYU owns 22 of the 26 buildings in the area.

## **Area Description**

The surrounding area contains a mix of institutional, residential and commercial uses. NYU's academic core extends to the area around Washington Square Park and contains a wide variety of building types from historic townhouses along Washington Square North to newer, larger buildings along Bleecker and West 3<sup>rd</sup> Streets west of LaGuardia Place. Washington Square Park is a 9.75 acre public park that serves as a focal point for the surrounding community.

The mix of densities and uses in the surrounding area is reflected in the zoning district designations, which include: R6, R7-2 and R10 residential districts, some with C1-5 commercial overlays; C1-7, C4-5, C6-1, C6-2, C6-2A and C6-4 commercial districts; and M1-5A and M1-5B manufacturing districts. The Superblocks are zoned R7-2 with C1-5 commercial overlays along portions of LaGuardia Place, and the Loft Blocks are zoned R7-2, without any commercial overlays.

The area to the north of Washington Square Park is characterized by a mix of higher-density apartment and commercial buildings with lower-density residential buildings on the midblocks. R6 and R7-2 districts are mapped on the midblocks, and C1-7 and R10 districts are mapped

along University Place and Fifth Avenue, respectively. East 8<sup>th</sup> Street is zoned C1-7 and C4-5 and contains the Special Limited Commercial District, which has additional regulations regarding signs and uses.

The area to the south of the park is characterized by medium-density residential and academic buildings with active ground-floor retail uses along many streets. This area is zoned R7-2, with C1-5 commercial overlays along LaGuardia Place, and Bleecker, West 3<sup>rd</sup> and MacDougal Streets.

The Broadway corridor to the east and the area around Astor Place and Cooper Square are characterized by a mix of commercial, institutional and residential uses in a variety of building types including primarily loft-style buildings. Immediately east of the Superblocks and Loft Blocks is a C6-2 district, which is mapped on the blocks between Mercer Street and Broadway from West Houston Street to Waverly Place. The block to the north of the C6-2 district near the intersection of East 8<sup>th</sup> Street and Broadway is zoned C6-4, a high-density commercial district, and is developed with a 31- and a 35-story apartment building.

East of Broadway and north of Houston Street is NoHo, a mixed-use area containing a mix of uses and buildings of varied heights. To the south of Houston Street is SoHo, a primarily commercial and residential area typified by cast-iron loft buildings with ground-floor restaurants and retail. These areas are zoned M1-5A and M1-5B, which permit commercial and manufacturing uses, as well as the conversion of existing building floor area to joint-living work quarters for artists.

There are several historic districts located in the surrounding area, including the SoHo Cast Iron Historic District and Extension, the NoHo, NoHo East and NoHo Extension historic districts, and the Greenwich Village, Greenwich Village Extension II, Charlton-King-Vandam and MacDougal-Sullivan Gardens historic districts.

## **Project Description**

Over an anticipated period of 19 years, NYU is proposing to construct four new buildings including academic, residential, retail, hotel, dormitory and school uses containing a total of approximately 1,114,000 square feet of zoning floor area, and approximately 3 acres of publicly-accessible open space. The project would also facilitate the development of approximately 1,088,000 gross square feet of floor space below grade, which would bring the proposed gross floor area total (including above-grade mechanical space) to 2,374,000 gross square feet. NYU proposes to make approximately 100,000 square feet of gross floor area available to the New York City School Construction Authority (“SCA”) for its development of a new public school.

The NYU Core project would require the demolition of the Coles Gym, and the supermarket and retail strip along LaGuardia Place.

The proposed LSGD would consist of four zoning lots, one on the North Block and three on the South Block as follows: (1) Zoning Lot 1 occupies the entire North Block, (2) Zoning Lot 2 is comprised of the eastern portion of the South Block and the portion of Mercer Street between West Houston and Bleecker Streets that is proposed to be demapped as part of the related Mapping Application and contains the existing Silver Towers and Coles Gym, (3) Zoning Lot 3 is comprised of the northwestern portion of the South Block and contains the existing Morton Williams supermarket, and (4) Zoning Lot 4 is comprised of an area just west of Zoning Lot 2 and contains no buildings on it. The only part of the South Block that would not be part of the proposed LSGD would be the zoning lot for 505 LaGuardia Place (Block 524, Lot 1).

On the North Block, the proposal would allow for the development of the 14-story (218 ft./248 ft. with bulkhead) Mercer Building with approximately 209,000 sq. ft. of zoning floor area (“zfa”) and the 8-story (128 ft./158 ft. with bulkhead) LaGuardia Building with approximately 133,000 sq. ft. of zfa on the North Block’s east and west side, respectively, between the existing WSV apartment buildings. The northern and southern WSV buildings contain approximately 519,000 and 547,000 square feet of zoning floor area, respectively, and rise to a height of 17 stories (156/196 ft. with bulkhead and 162/198 ft. with bulkhead, respectively). The new buildings would have curved forms designed to maximize access to light and air and to enhance physical and visual access to the new at-grade open space. Approximately 770,000 square feet of gross floor area would be developed below grade in order to reduce the amount of above-grade bulk. Two light wells would be provided adjacent to the Mercer and LaGuardia Buildings in order to bring daylight to the below-grade space.

The open space on the North Block would be redesigned to provide approximately 2.7 acres of publicly-accessible at-grade open space (3.7 acres if the two newly-mapped public parks on the east and west sides of the North Block are included) on top of several levels of below-grade primarily academic space, which would serve a variety of active and passive uses. The proposed landscape plan includes: the Mercer and LaGuardia entry plaza areas, which create a welcoming entry with seating and clear and open pathways, the Tricycle Garden to encourage small-scale passive and active activities, the Philosophy Garden with denser plantings and more intimate spaces, the Public Lawn to serve as a counterpoint to the intensity and diversity of uses in the surrounding gardens, and the LaGuardia Play Garden and Washington Square Village Play Garden, which provide active recreation opportunities for a variety of age groups. The plan would transform the currently underutilized open space on the block, which is designed primarily for private use, into an attractive and publicly-accessible area, with pockets of space defined for particular uses within larger, more flexibly programmed spaces. The design would shift the balance of flow from vehicular to pedestrian, creating multiple pedestrian ways along existing and anticipated desire lines through the block in north-south, east-west and diagonal directions. In contrast to the existing private open space, the publicly-accessible open space on the North

Block would be at-grade and would be directly accessible from the street through the mapped park strips. The areas proposed to be mapped as public park would be designed to complement and be integrated with the privately-owned, publicly-accessible open space in the center of the block. The proposed massing on the block was developed to allow the original composition and architecture of the existing Washington Square Village building to read clearly and distinctly from the new interventions.

On the South Block, the proposal would facilitate the development of two new buildings: the Bleecker Building on the site of the existing supermarket at the northwest corner of the block, and the Zipper Building located partially on a portion of the area currently occupied by Coles Gym and partially on a strip of land that is currently within the mapped bed of Mercer Street but is proposed to be demapped and disposed of to NYU pursuant to the related Mapping Application. The Bleecker Building would contain academic space in four levels below grade, space for 7 stories of a public school to be developed by the SCA, and 7 stories to be located on top of the public school for dormitory use, rising to a height of 178 ft./208 ft. with bulkhead. It would have approximately 124,000 square feet of zfa (78,000 sq. ft. of zfa for a public school in the seven story base and 46,000 sq. ft. of zfa for dormitory use in the seven story portion above) and 64,000 sq. ft. of below grade floor space. If the SCA does not proceed with the development of a public school by 2025, NYU would build and utilize the floor area reserved for a public school for its own academic purposes.

The Zipper Building has been designed with a 4- to 5-story (approximately 85 feet) plinth containing academic, gym and retail uses, above which is a series of staggered narrow building segments ranging in height from 10 to 25 stories (with additional 30 ft. bulkheads), with the highest portion at the corner of West Houston and Mercer Streets. These building segments would be approximately 50 feet in width and would contain dormitory uses. However at the southeastern corner of West Houston and Mercer Street, the tallest building segment would contain a university-affiliated hotel with faculty housing above. The varied heights are meant to break up the massing, provide visual interest, enhance the pedestrian experience and reflect the variegated heights of buildings in the surrounding area. The Zipper Building would contain approximately 650,000 sq. ft. of zfa (a maximum of 176,000 sq. ft. of faculty housing, a maximum of 306,200 sq. ft. of student housing, a maximum of 32,000 sq. ft. of Use Group 6 commercial uses, a maximum of 194,000 sq. ft. of hotel uses, and a maximum of 220,000 sq. ft. of academic/university space) and 254,000 sq. ft. of below grade floor space.

Unlike the existing Coles Gym, the Zipper Building would be built to the Mercer Street sidewalk and would have an active ground floor with retail uses and several buildings entrances accessing a variety of uses in the building. The building's west façade would face and have entrances on a significantly widened north-south pedestrian walkway (the Greene Street Walk) that would be designed as an active public space. To create a more pedestrian-friendly streetscape and to better integrate the South Block into the surrounding area, the proposal would modify some of the landscaping elements of the University Village complex, including replacing tall fences with

shorter ones and adding additional greenery and seating along Bleecker Street. The dog run currently located on the Mercer Street strip east of the Coles Gym would be relocated to a new location on West Houston Street just west of the Greene Street Walk, and a new toddler playground would be developed just west of the Greene Street Walk, north of the relocated dog run. The bus shelter west of Mercer Street on West Houston Street is proposed to be moved to the east of Mercer Street to allow for a more visible and accessible entrance to the Zipper Building on West Houston Street.

The proposed redevelopment of the Superblocks would also include significant improvements to certain adjacent areas that are not part of the LSGD area, including the open spaces on the southern sidewalk of Bleecker Street between Mercer Street and LaGuardia Place, and the areas on the east and west sides of the North Block that are proposed to be mapped as parkland pursuant to the Mapping Application. These areas would be redesigned with new landscaping, seating and walkways that are open and inviting to the public.

### *Phasing*

The development of the buildings proposed by the NYU Core Application would take place over a number of years in different phases with development generally occurring on the South Block first followed by development on the North Block. The phased approach would allow construction to be confined to discrete areas of the Superblocks during each period, thereby localizing the construction disturbance. The phased approach would also provide for the completion of upgraded and replacement public open spaces associated with the construction phases.

The Zipper Building would be the first of the four buildings to be constructed. In order to facilitate the construction of the Zipper Building, a temporary gym building would be constructed on the east side of the North Block prior to the demolition of the existing Coles Gym. The temporary gym would accommodate a portion of NYU's athletic facility needs in the time between when Coles Gym is demolished and the new gym within the Zipper Building is complete and operational. This temporary gym, similar to the existing Coles Gym, would be accessed from Mercer Street. It is anticipated that modifications to the abutting area that is proposed to be mapped as public park would be made to improve the usability of that area and allow for access to the temporary gym. The temporary gym entry plaza would have seating, landscaping and bike racks.

Once the temporary gym is complete, demolition of the Coles Gym and construction of the Zipper Building could commence. The Zipper Building and adjacent open space areas would be completed together providing for a new toddler playground, the Greene Street Walk, and planted areas along Bleecker Street. While it is anticipated that the Bleecker Building would begin construction after the Zipper Building, its timing would be determined by the need for a public

school as identified by the School Construction Authority (SCA) and SCA's commitment of capital funds to construct the school. Upon completion of the Bleecker Building and adjacent landscape the development on the South Block would be complete.

Construction to facilitate the below-grade floor area and LaGuardia and Mercer Buildings on the North Block would commence with a project to relocate the existing parking garage to the northeast portion of the block below grade. Once the parking garage is complete and operational, the Mercer Building and the remainder of the below-grade space east of former Wooster Street would be constructed. When completed, this project would provide new open spaces along Mercer Street and the center of the site. Construction of the LaGuardia Building and the below grade space under and west of former Wooster Street would follow the construction of the central and eastern portions of the North Block. Upon completion of the LaGuardia Building and the below grade space, the entire North Block would be complete along with the entirety of the open spaces.

## **Actions Necessary to Facilitate proposal**

To facilitate the NYU Core proposal, this Application requests the following actions: (1) a zoning map amendment (the "rezoning") to change an R7-2 District to a C1-7 District and to map a C1-5 overlay in an existing R7-2 District, (2) an amendment to New York City Zoning Resolution Sections 74-742 and 74-743 (the "zoning text amendment"), and (3) a Special Permit pursuant to 74-743 for a Large-Scale General Development (together, the "Application") as summarized below and described in detail on the following pages.

### **1. Zoning Map Amendment**

- On the two Superblocks changing from R7-2 and R7-2/C1-5 Districts to a C1-7 District
- On the Loft Blocks mapping a C1-5 commercial overlay in an existing R7-2 District
- On a 19.5-ft. wide strip within the bed of Mercer Street between West Houston St. and West 3<sup>rd</sup> St. changing from a C6-2 District to a C1-7 District
- On a 10.5-ft. wide strip within the bed of Mercer Street between West 3<sup>rd</sup> St. and West 4<sup>th</sup> St. changing from a C6-2 District to an R7-2 District

### **2. Zoning Text Amendment to Sections 74-742 and 74-743**

- An amendment to ZR Section 74-742 to allow applications to be submitted for a LSGD special permit within the former WSSURA without meeting the otherwise applicable ownership requirements, provided such exception is only applicable to city-owned parcels

- An amendment to ZR Section 74-743 to allow public parks in the former WSSURA to be treated as wide streets for all zoning purposes

### 3. LSGD Special Permit (ZR Section 74-743)

- To permit the transfer of 19,214 square feet of zoning floor area from Zoning Lot 4 to Zoning Lot 3
- To waive the height and setback regulations otherwise applicable to allow portions of the proposed Zipper, Bleecker, Mercer and LaGuardia buildings, as well as the existing Silver Tower 1 and Washington Square Village buildings to penetrate the required setback and sky exposure plane (ZR Sections 23-632, 33-432 and 35-23)
- To waive the rear yard equivalent regulations for the Zipper Building (ZR Section 23-532, 33-283)
- To waive the rear yard regulations for the Bleecker Building (ZR Section 33-26)
- To waive the minimum distance between buildings regulation for existing Silver Tower 2 and Coles Gym buildings (ZR Section 23-711)

The NYU Core proposal would also be facilitated by the related Mapping Application, which would:

- Narrow, by elimination, discontinuance and closing, the western 39 feet of Mercer Street between West Houston and Bleecker Streets and authorize its disposition to NYU
- The elimination, discontinuance and closing of the western 21 feet of Mercer Street between West 3<sup>rd</sup> and 4<sup>th</sup> Streets, and a slightly larger area encompassing the existing co-generation plant below an upper limiting plane at 30 feet above the Manhattan datum, and authorize disposition to NYU
- Narrow, by elimination, discontinuance and closing, below an upper limiting plane located at 28 feet above the Manhattan datum, the western 39 feet of Mercer Street between Bleecker and West 3<sup>rd</sup> Streets and authorize its disposition to NYU
- Map the western 39 feet of Mercer Street between Bleecker and West 3<sup>rd</sup> Streets above a lower limiting plane located at 28 feet above the Manhattan datum as parkland subject to certain easements to be disposed of to NYU
- Narrow, by elimination, discontinuance and closing, below an upper limiting plane located at 22 feet above the Manhattan datum, the eastern 50 feet of LaGuardia Place between Bleecker and West 3<sup>rd</sup> Streets and authorize disposition to NYU
- Map the eastern 50 feet of LaGuardia Place between Bleecker and West 3<sup>rd</sup> Streets above a lower limiting plane located at 22 feet above the Manhattan datum as parkland subject to certain easements to be disposed of to NYU

With respect to the mapping actions for LaGuardia Place and Mercer Street between Bleecker and West 3rd Street, the planes in Manhattan datum would be located several feet below grade level to allow for the development of the proposed below-grade floor area while allowing for continued public ownership of the above grade areas and the mapping of these areas as parkland.

Locating the limiting plane below grade would also ensure that there is adequate soil depth for at-grade plantings. The limiting plane along LaGuardia Place would accommodate a soil depth of between 7.5 and 8.5 feet below grade across most of the park with additional depth in planting beds. The limiting plane along Mercer Street would accommodate a soil depth of between 6.5 and 7.5 feet below grade across most of the park with additional depth in planting beds. The easements granted to NYU 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. The easements are necessary to allow the demapped areas to be mapped as a public park instead of a street while allowing for access to and construction and maintenance of the proposed NYU facilities and existing WSV buildings.

The NYU Core proposal would also be facilitated by a related action by the New York City Department of Housing Preservation and Development (HPD) and the Mayor's Office to eliminate the existing urban renewal deed restrictions on the two Superblocks, which were codified in the original land disposition agreements. The deed restrictions currently require the Superblocks to be developed in accordance with the now-expired Washington Square Southeast Urban Renewal Plan. Because the NYU Core proposal would not be in accordance with that plan, NYU is requesting that those deed restrictions be lifted.

## **Action 1: Rezoning**

The proposed rezoning can be divided into four parts: (1) the rezoning of the Superblocks from R7-2 and R7-2/C1-5 to C1-7, (2) the mapping of a C1-5 commercial overlay over the Loft Blocks, (3) the rezoning of a strip of land in the bed of Mercer Street to the east of the Superblocks from C6-2 to C1-7, and (4) the rezoning of a strip of land in the bed of Mercer Street between West 3<sup>rd</sup> and 4<sup>th</sup> Streets from C6-2 to R7-2.

### **1) Superblocks (R7-2 and R7-2/C1-5 to C1-7)**

The Superblocks are currently zoned R7-2 with a C1-5 overlay along portions of the LaGuardia Place frontage of both blocks. On the North Block, the overlay extends 340 ft northward from Bleecker Street, and on the South Block, the overlay extends 131 feet southward from Bleecker Street. The R7-2 District (including the portion mapped with a commercial overlay) permits residential use at an FAR that varies from 0.87 to 3.44 based on the height and footprint of the buildings on a zoning lot pursuant to height factor zoning, a set of zoning regulations that encourage lower buildings on smaller lots and taller buildings with low lot coverage on larger lots. The requirement for open space also varies based on the height and footprint of the buildings on a zoning lot, which ranges between 15.5 and 25.5. Community facility uses, which are not subject to height factor regulations, are allowed at an FAR of 6.5. The C1-5 overlay that is mapped along LaGuardia Place allows, in addition to the residential and community facility uses permitted by the underlying R7-2 District, for local retail uses at an FAR of 2.0. Permitted uses include grocery stores, restaurants, laundromats and beauty parlors.

The proposed C1-7 district would have the same total permitted FAR of 6.5 as the existing R7-2 district, but it would allow commercial uses at an FAR of 2.0, which is currently only permitted in the C1-5 overlay area. The C1-7 District permits residential use under R8 regulations, which permit an FAR that is greater than the R7-2 district, and require an open space ratio that is less than the R7-2 district. Like R7-2, the permitted FAR and required open space ratio within a C1-7 District vary depending on the height and footprint of the buildings on a zoning lot. Residential FAR varies from 0.94 to 6.02, and the open space ratio varies from 5.9 to 11.9.

The rezoning of the two Superblocks is necessary to facilitate the proposed development. Unlike the existing R7-2 district, the proposed C1-7 district would allow for hotel and retail uses to be located in the Zipper Building and for limited ground-floor retail uses to be located throughout the North Block. Unlike the C6 districts mapped to the east of the Superblocks, big-box retail stores would not be permitted in the C1-7 district. The C1-7 district would bring the Washington Square Village Buildings into compliance with zoning because they are currently overbuilt with regard to residential floor area (they were developed prior to the enactment of the 1961 Zoning Resolution). 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. While the rezoning is necessary to facilitate the proposed development, the C1-7 district's overall permitted FAR of 6.5 would be the same as it is today under the existing R7-2 district.

The mapping of the C1-7 district would be in keeping with the zoning districts in the surrounding area since commercial districts are mapped to the east and an existing C1-7 district is located along 8<sup>th</sup> Street and University Place to the north. The C1-7 district, which permits residential use at an R8 equivalent, would be similar to the C6-2 district directly across the street to the east (also an R8 equivalent), but would not allow for certain commercial uses such as big-box retail. It would serve as a transition between the M1-5A district to the south and the R7-2 (with some commercial overlays) to the north and west.

## **2) Loft Blocks (R7-2 to R7-2/C1-5)**

NYU proposes to map a C1-5 overlay on the approximately 6-block area bounded by Mercer Street, West 4<sup>th</sup> Street, Washington Square East, University Place, and the northern boundary of the existing R7-2 district just south of East 8<sup>th</sup> Street. The area is currently zoned R7-2, which does not allow for new ground-floor retail uses. The area encompasses 26 lots in full, and small portions of three additional lots. The three additional lots are primarily located in a C1-7 district and, pursuant to the split-lot regulations of ZR Section 77-11, are allowed to have ground-floor retail uses. Of the remaining 26 lots in the area today, 11 already contain pre-existing non-conforming retail uses. Some of these existed prior to the R7-2 district and some are considered accessory to academic uses. While these retail spaces are permitted to remain in the area, the remaining 15 lots would not, under current zoning, be able to convert their ground floors to retail use. As a consequence, the area today does not have the active street life or lively pedestrian experience found in the surrounding area. The proposed C1-5 overlay would bring the existing retail uses into conformance with zoning and would allow ground-floor space in existing buildings to be converted to neighborhood retail use, such as a coffee shop, small clothing store, bakery or bookstore. Because the C1 district only allows for neighborhood retail uses, uses like big box retail would continue to be prohibited.

NYU currently owns 22 of the 26 lots. The analysis performed for the Draft Environmental Impact Statement ("DEIS") analyzed the potential impact of the rezoning and determined that the rezoning would, in the reasonable worst case development scenario, result in approximately 24,000 gsf of new retail uses in six buildings in the area.

The proposed C1-5 overlay would allow for additional ground-floor retail uses to replace some of the area's existing inactive ground-floor uses. The new retail would help enliven the Loft Blocks, creating a more active, interesting and diverse street life. The commercial overlay would not introduce any incompatible uses to the area, and would be in keeping with the surrounding area, which contains zoning districts that allow for as-of-right ground-floor commercial use,

including the C6-2 and C6-4 districts to the east, the C1-7 and C6-1 districts to the north, and the C1-5 commercial overlays mapped to the south and west along LaGuardia Place, Sixth Avenue, and Bleecker, West 3<sup>rd</sup> and MacDougal Streets.

### **3) Southern Mercer Street Strip (C6-2 to C1-7)**

As a result of the demapping and disposition of portions of Mercer Street as proposed in the Mapping Application, NYU is also proposing, at the request of Department of City Planning staff, to relocate the zoning district boundary that runs along Mercer Street to the east so that the boundary line remains in the centerline of the newly-narrowed street. To accommodate that, NYU proposes to rezone a 19.5-foot wide area within the bed of Mercer Street between West Houston and West 3<sup>rd</sup> Streets from C6-2 to C1-7. Mercer Street is currently mapped to a width of 100 feet, which places the centerline and zoning district boundary at a line that is parallel to and 50 feet from the blockfronts on the east side of Mercer Street. As proposed, the eastern blockfronts on the South and North Blocks would be extended to the east by 39 ft, reducing the width of Mercer Street to 61 feet. The centerline of that street consequently shifts east to a line that is 30.5 feet from the blockfronts on the east side of Mercer Street. This rezoning would therefore shift the zoning district boundary line 19.5 feet to the east so that it is coincident with the centerline of the newly-narrowed Mercer Street.

Shifting the zoning district boundary line effectively rezones a 19.5 ft strip adjacent to the South and North Blocks in the center of Mercer Street from C6-2 to C1-7. Because streets are not developable and do not generate development rights, this rezoning has no practical effect other than regularizing the zoning map.

### **4) Northern Mercer Street Strip (C6-2 to R7-2)**

Like the southern Mercer Street strip described above, it is necessary to shift the zoning district boundary line east in order to regularize the zoning map. Whereas this portion of Mercer Street between West 3<sup>rd</sup> and 4<sup>th</sup> Streets is mapped to a width of 80 feet, the block to the west is proposed to be enlarged by 21 feet, reducing the width of Mercer Street to 59 feet. The centerline of the street consequently shifts 10.5 feet to the east. Bringing the zoning district boundary line east as well effectively rezones a 10.5 ft wide strip in the center of Mercer Street from C6-2 to R7-2. Again, this rezoning has no practical effect of other than regularizing the zoning map.

## **Action 2: Text Amendment (ZR Sections 74-742 and 74-743)**

### ***ZR Section 74-742 (Ownership)***

This proposed action would amend the zoning text of the Zoning Resolution to include an additional exception to the ownership requirements of ZR Section 74-742, which requires that the entire area of the LSGD be under the control of the applicant at the time of application for a LSGD special permit. Under the existing zoning text, an applicant is allowed to apply for a special permit without having ownership of the entire area of the LSGD only if it is to be developed or enlarged through assemblage by a government agency, or its agent, having the power of condemnation. As proposed, the zoning text would be amended to allow LSGDs within the former WSSURA to also not meet the otherwise applicable ownership requirements, with respect to property then under City ownership. Because an approximately 39-ft wide strip on the Mercer Street side of the South Block is currently owned by the City, this text amendment is necessary to permit NYU to make an application for a LSGD despite not meeting the otherwise applicable requirement of having ownership of all parcels proposed to be included in the LSGD project. The strip is proposed for transfer to NYU pursuant to the demapping action proposed in the related Mapping Application.

The proposed text change is as follows:

#### **74-742**

##### **Ownership**

\* \* \*

~~When a #large-scale general development# is to be #developed# or #enlarged# through assemblage by any other governmental agency, or its agent, having the power of condemnation, a special permit may be applied for and granted under the provisions of Section 74-74 even though such #large-scale general development# does not meet the ownership requirements set forth elsewhere in this Section.~~

A special permit may be applied for and granted under the provisions of Section 74-74, even though such #large-scale general development# does not meet the ownership requirements set forth elsewhere in this Section, when the site of such #large-scale general development# is:

- (a) to be #developed# or #enlarged# through assemblage by any other governmental agency, or its agent, having the power of condemnation, or
- (b) partially under city ownership, within the former Washington Square Southeast Urban Renewal Area, within Community District 2 in the Borough of Manhattan provided that the exception to the ownership requirements set forth herein shall apply only to tracts of land in city ownership.

**ZR Section 74-743 (Special provisions for bulk modification)**

The proposed text amendment provides that the proposed park strips on the east (along Mercer Street) and west sides (along LaGuardia Place) of the North Block would be treated as wide street lines for the purposes of applying all use and bulk regulations. Currently the WSV buildings have legal windows that face out onto Mercer Street and LaGuardia Place. Mapping the Mercer Street and LaGuardia Place strips as parkland would cause the WSV buildings' legal windows to face out onto side lot lines rather than the existing street lines. Consequently the east and west facing windows of the Washington Square Village buildings would become non-compliant with regard to the minimum distance required between a legally-required window and a side lot line. The proposed text change would continue to treat the spaces upon which the legally required windows face upon as streets, and therefore the legal windows that would face out onto the Mercer Street park strip and the LaGuardia Place park strip would remain in compliance. The zoning text proposes that these park strips be treated as a wide street line because they, together with the portions of Mercer Street and LaGuardia Place that would remain as mapped streets, would continue to have an effective street width of 100 feet on Mercer Street and 120 feet on LaGuardia Place, respectively. Accordingly, treating the park strips as wide street lines (or consequently as front lot lines), as facilitated by the proposed text amendment, would maintain the status quo.

The proposed text change is as follows:

**74-743  
Special provisions for bulk modification**

(a) For a #large-scale general development#, the City Planning Commission may permit:

\* \* \*

Within the former Washington Square Southeast Urban Renewal Area, within Community District 2 in the Borough of Manhattan, where the Commission has approved a #large-scale general development#, and a #lot line# of such #large-scale general development# coincides with the boundary of a mapped #public park#, such #lot line# shall be considered to be a #street line# of a #wide street # for the purposes of applying all #use# and #bulk# regulations of this Resolution.

\* \* \*

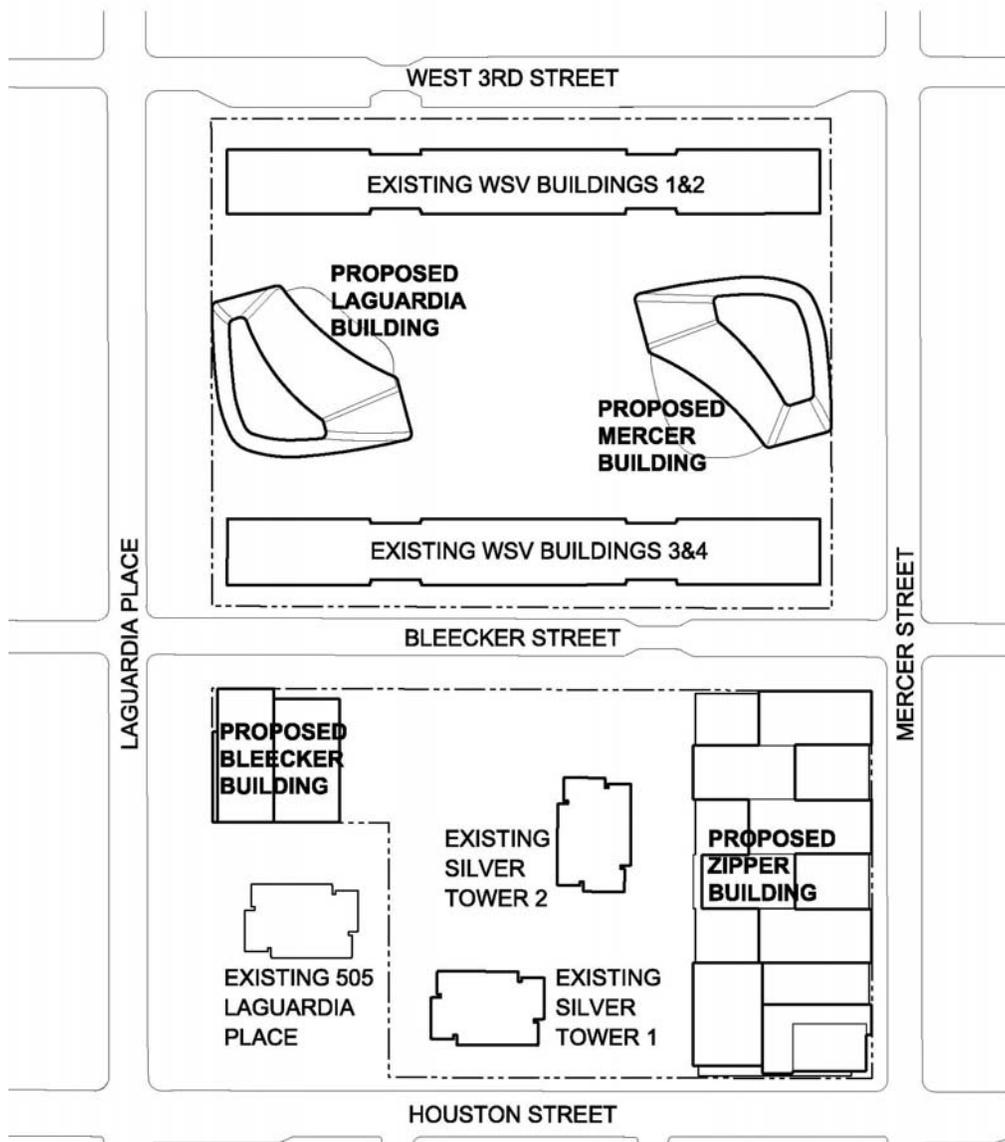
## **Action 3: Large-Scale General Development Special Permit** **(ZR Section 74-743)**

### **Floor Area Transfer**

This LSGD special permit requests a transfer of 19,214 square feet of zoning floor area from Zoning Lot 4 to Zoning Lot 3. While Zoning Lot 3 allows for the development of 105,229 square feet of community facility floor area, 124,443 square feet is proposed in order to accommodate the programmatic needs of the proposed public school and dormitory. To facilitate this, 19,214 square feet is proposed to be transferred from Zoning Lot 4. Zoning Lot 4 generates 19,214 square feet of community floor area development rights. Though the LSGD special permit does not allow for the transfer of floor area from zoning lots that contain existing buildings, because no building is proposed on Zoning Lot 4, the floor area is available for transfer to Zoning Lot 3. The transfer would accommodate the needs of the school and dormitory and would shift floor area away from the landmarked University Village site to the northwest corner of the South Block where development is more appropriate.

### **Waivers**

This LSGD special permit requests the following waivers of: (1) height and setback regulations to allow portions of the proposed Zipper, Bleecker, Mercer and LaGuardia buildings, as well as the existing Silver Tower 1 and Washington Square Village 1, 2, 3 and 4 buildings to penetrate the required setback and sky exposure plane (ZR Sections 23-632, 33-432 and 35-23); (2) rear yard equivalent regulations for the Zipper Building (ZR Section 23-532, 33-283); (3) rear yard regulations for the Bleecker Building (ZR Section 33-26); and (4) minimum distance between buildings regulation for existing Silver Tower 2 and Coles Gym buildings (ZR Section 23-711), as described in detail below. The numbers describing the extent of the waivers below are all approximate. All roof heights described in this section include bulkheads.



Note: Footprints in this figure show above-grade building elements; below-grade building elements have a larger footprint.

**Height and Setback (ZR Sections 23-632, 33-432 and 35-23):**

*Blecker Building*

The Blecker Building would rise to a height of 178 feet, and would potentially include a bulkhead of up to 30 feet in height to allow for mechanical equipment. In order to integrate the bulkhead into the building’s design, the building facades may be extended to the top of the mechanical bulkhead. For this reason, the bulkhead envelopes are included in the height and setback waivers for all of the buildings in the LSGD.

The Blecker Building would penetrate the required setback and sky exposure plane on its LaGuardia Place and Blecker Street frontages. On both frontages, whereas zoning would require a setback of 15 feet at a height of 85 feet or 6 stories, whichever is less, the proposed building would rise sheer to a height of 178/208 with bulkhead feet. The top 123 feet of the building would also penetrate the sky exposure plane which rises at a rate of 5.6 to 1 from a height of 85 feet above the street line.

This waiver would allow the building to express the two planned program types (a public school and a dormitory) as interlocking forms that are distinct yet complementary. It would also allow an open space for the school to be located on its roof that would have the optimum orientation for sunlight while preserving most of the perpendicular views from the north-facing windows of 505 LaGuardia Place.

### *Zipper Building*

The Zipper Building would penetrate the required setback and sky exposure plane on its West Houston, Mercer and Bleecker Street frontages. Along West Houston Street, whereas zoning would require a setback of 15 feet at a height of 85 feet or 6 stories, whichever is less, the hotel/residential portion of the building would rise within 2 feet of the street up to a height of 275 feet to its roof and 299 feet to the top of its 24 ft. high mechanical penthouse. The upper 177 feet would also penetrate the sky exposure plane, which rises at a rate of 5.6 to 1 from a height of 85 feet above the street line.

Along Mercer Street, four segments of the proposed building would penetrate the required setback and sky exposure plane. Because these segments vary in height, the extent of the waivers varies as well. Whereas zoning would require that the building segments set back at least 20 feet from the street line above a height of 85 feet or 6 stories, whichever is less, each segment rises at the street line to its full height. The hotel/tower portion on the southern end of the blockfront has the greatest penetration of the initial setback and sky exposure plane (the top 215 feet of the building, including the 30 ft. high mechanical penthouse). The other three segments, going from south to north, penetrate the initial setback distance and sky exposure plane for the highest 73, 153 and 114 feet, respectively.

Along Bleecker Street, the Zipper Building would penetrate the required 15 foot setback above a height of 85 ft/6 stories, and the sky exposure plane, which rises from a height of 85 feet at a rate of 5.6 to 1, for the top 117 feet of the building (including the 30 ft. high mechanical penthouses).

These waivers would facilitate a massing that would better reflect typical building widths, high street walls and variegated heights of the buildings in the surrounding area, which would not be achievable if the building were designed to be in strict compliance with zoning bulk regulations. It would also allow for the shift of bulk on the North Block to the east to respect and complement the tower-in-the-park typology of University Village to the west and allow for improved and expanded open space in the center of the block.

### *LaGuardia Building*

Portions of the irregularly-shaped LaGuardia Building would penetrate the required setback along the park that is proposed to be mapped along LaGuardia Place. While height and setback regulations would normally not apply along this frontage, the park would be treated as a wide street for all zoning purposes pursuant to the proposed text amendment to ZR Section 74-743 that is requested as part of this Application. Along wide streets in C1-7 districts, zoning requires buildings to set back 15 feet from the street line at a height of 85 feet/6 stories. Because of the building's irregular shape, a portion of the building between 85 and 158 in height would be located within the required initial setback distance.

This waiver, and the following waiver for the Mercer Building, would allow for the proposed massing of the buildings, which would create a better relationship among the buildings on the North Block and allow for the integration of the fragmented and often inaccessible open spaces on the block today into a true urban landscape that is open to the City and freely accessible east-west and diagonally, in addition to the north south crossings that are currently open. The waivers would allow for the unique curved shape of the buildings, which would provide visual interest by introducing exciting, new contemporary architecture to the block, while respecting the rigidly linear modernist volumes of WSV.

#### *Mercer Building*

Portions of the irregularly-shaped Mercer Building would penetrate the required setback and sky exposure plane along the park that is proposed to be mapped along Mercer Street. While height and setback regulations would normally not apply along this frontage, the park would be treated as a wide street for all zoning purposes pursuant to the proposed text amendment to ZR Section 74-743. Along wide streets in C1-7 districts, zoning requires buildings to set back 15 feet from the street line at a height of 85 feet/6 stories and to be located behind a sky exposure plane that starts at a point 85 feet above the property line and rises at a rate of 5.6 to 1. Because of the building's irregular shape, a portion of the building between 85 and 218 in height (including the 30 ft. high mechanical penthouse) would be located within the required initial setback distance and the top 163 feet of the building would penetrate the required sky exposure plane.

#### *Existing Silver Tower 1*

The existing Silver Tower 1 building is currently compliant with the alternate height and setback regulations of the existing R7-2 district pursuant to ZR Section 23-64, which provides additional flexibility for buildings that are set back in their entirety by at least 10 feet from the street line. Once the Zipper Building is constructed, the Silver Tower 1 building could no longer be analyzed using the alternate height and setback regulations because this option is only available to zoning lots in which all buildings set back at least 10 feet in their entirety from the street line, which the Zipper Building would not do. Therefore, the West Houston Street frontage must instead be analyzed under the regular height and setback regulations of Section 23-632. In doing

so, a small portion of the top 13 feet of Silver Tower 1 would penetrate the sky exposure plane, which starts at 85 feet above the street line and rises at a rate of 5.6 to 1.

The granting of a waiver for this building and the waiver for the following existing Washington Square Village buildings, would allow the existing buildings to remain without the need to modify them in order to comply with zoning. Removing the small areas of non-compliance would be neither practical nor beneficial.

#### *Existing Washington Square Village Buildings 1, 2, 3 and 4*

The existing Washington Square Village buildings all currently comply with the alternate height and setback regulations of the existing R7-2 district under ZR Section 23-64, which provides more flexibility for buildings that are set back in their entirety by at least 10 feet from the street line. Once the Mercer and LaGuardia Buildings are constructed, the WSV buildings can no longer be analyzed using the alternate height and setback regulations because this option is only available to zoning lots in which all buildings set back at least 10 feet in their entirety from the street line, which the Mercer and LaGuardia Buildings would not do. Therefore, the Mercer Street and LaGuardia Place frontages must instead be analyzed under the regular height and setback regulations of Section 23-632. In doing so, the Washington Square Village 2 and 4 buildings and their balconies would be located within the required 15 foot setback distance for the top 65 and 74 feet of the buildings, as well as the sky exposure plane for the top 16 and 37 ft of the buildings, respectively. Along LaGuardia Place, the WSV 1 and 3 building balconies would be located within the required setback distance for the top 60 and 79 feet of the buildings, respectively, and would penetrate the required sky exposure plane for the top 1 and 17 feet, respectively. The balconies would not be able to be considered a permitted obstruction because they do not comply with all of the regulations of ZR Section 23-132. In addition, a tiny approximately 3-inch portion of the WSV 3 building would also be located within the required setback distance for the top 79 feet of the building. These height and setback waivers for the WSV buildings become necessary as a consequence of treating the proposed park line adjacent to the LSGD as a street line pursuant to the related text amendment.

#### **Rear Yard Equivalent (ZR Sections 23-532 and 33-283)**

ZR Sections 23-532 and 33-283 require a rear yard equivalent (RYE) for through lot portions of zoning lots in a C1-7 district. Because Zoning Lot 2 contains residential use, which has a requirement for a larger RYE, the zoning lot has been analyzed using the residential requirement. The RYE can be configured as a 60-ft open area in the middle of the block, as a 30-ft open area along every side lot line, or as a 30-ft open area along the street frontages. Because of placement of the existing University Village buildings, Zoning Lot 2 has been analyzed under the RYE option with two open areas along the street line. A 62-foot long and 30-foot wide strip along the

Bleecker Street frontage of the Zipper Building would not comply, and a 76-foot long and 30-foot wide strip along the West Houston Street frontage of the Zipper Building would not comply.

The waiver would permit the Zipper Building to be massed as proposed, which would have the benefits as described earlier and in the *Discussion of Findings*.

### **Rear Yard (ZR Section 33-26)**

A 20 ft by 24 ft area on the southeast corner of the Bleecker Building would be located within a required rear yard. The building has 125 feet of frontage along the east-west lot line that it shares with the zoning lot for 505 LaGuardia Place. While the western 100 feet of that lot line is considered a side lot line and does not have a required yard, the remainder of that lot line is treated as a rear lot line pursuant to ZR Section 23-471. Pursuant to ZR Section 33-26, a 20 foot rear yard would be required along that lot line. Because the public school needs a large and regular floor plate to accommodate desirable classrooms layouts, the required rear yard would not be provided.

### **Minimum Distance Between Buildings (ZR Section 23-711)**

When the existing Large-Scale Residential Development special permit was modified in 1979 to facilitate the development of the Coles Gym, the Commission granted a waiver of the minimum distance between buildings regulation because the Coles Gym building was located closer to the Silver Tower 2 building than would otherwise be allowed. Because this GLSD special permit would replace the previously granted Large Scale Residential Development special permit, it is necessary to replace that waiver for the time that the Coles Gym remains on the site. While the building is proposed to be demolished and replaced with the Zipper Building, it would nevertheless exist for a period of time after the LSGD is approved and before it is demolished.

Under the current minimum distance between buildings regulation of ZR Section 23-711, the Silver Tower 2 building must be at least 50 feet from the Coles Gym building, but is currently only approximately 35 feet away. An approximately 79 ft by 15 ft area would therefore not comply with Section 23-711, and would therefore need to be waived. When the project is complete, the minimum distance between Silver Tower 2 and the Zipper Building would be approximately 61 feet and would not require a waiver.

This waiver would allow the Coles Gym building to remain without the need to modify it in order to comply with zoning. Removing the area of non-compliance in the Coles Gym for the interim years between approval of this special permit and the building's demolition would be neither practical nor beneficial.

# Extension of time for special permit: ZR Section 11-42(c)

## 11-42

### Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution

(a) Except as otherwise provided in paragraphs (b), (c) or (d) of this Section, any authorization or special permit granted by the City Planning Commission under the provisions of the 1961 Zoning Resolution shall automatically lapse if substantial construction, in accordance with the plans for which such special permit or authorization was granted, has not been completed within four years from the effective date of such permit or authorization. Substantial construction shall mean, in the case of a new #building# or #buildings#, the substantial construction of at least one #building#. For the purposes of this paragraph, (a), #abutting buildings# on a single #zoning lot# shall be considered to be one #building#.

\* \* \*

(c) Upon a showing that a longer time period for substantial construction is required for a phased construction program of a multi-#building# complex, the Commission may, at the time of granting an authorization or special permit, extend the period set forth in paragraph (a) of this Section to a period not to exceed ten years; or

\* \* \*

NYU requests that the LSGD special permit be granted for an initial period of ten years. The NYU Core project is a complicated multi-phased construction project; the initial special permit period of ten years is requested to provide flexibility to account for unforeseen conditions. NYU's construction phasing plan has been prepared in accordance with known development factors. The plan anticipates construction of the first building, the temporary gym, within four years of approval as a pre-condition for construction of the Zipper Building, which is the project's largest building and is set amid a currently occupied area; as such, it has associated complicated construction parameters. The ten year special permit gives NYU an assurance that it can continue to move the project forward even as potentially significant unexpected issues arise.

# Applicant's Statement of Conditions required for an LSGD

ZR Section 12-10 defines a Large-Scale General Development as follows:

A "large-scale general development" contains one or more #buildings# on a single #zoning lot# or two or more #zoning lots# that are contiguous or would be contiguous but for their separation by a #street# or a #street# intersection and is not either a #large-scale residential development# or a #large-scale community facility development#; and:

The four zoning lots of the proposed LSGD would be contiguous but for their separation by Bleecker Street. While Zoning Lot 4 and a portion of Zoning Lot 2 on the South Block are part of an existing large-scale residential development (LSRD), that LSRD would dissolve and be replaced with the proposed LSGD.

- (a) has or will have an area of at least 1.5 acres;

The LSGD would contain an area of approximately 11.2 acres.

- (b) has been or is to be used, #developed# or #enlarged# as a unit:
  - (1) under single fee ownership or alternate ownership arrangements as set forth in the #zoning lot# definition in Section 12-10 (DEFINITIONS) for all #zoning lots# comprising the #large-scale general development#; or
  - (2) under single fee, alternate or separate ownership, either:
    - (i) pursuant to an urban renewal plan for a designated urban renewal area containing such #zoning lots#; or
    - (ii) through assemblage by any other governmental agency, or its agent, having the power of condemnation; and

The area of the LSGD would all be under the ownership of NYU as set forth in the definition of a "zoning lot" in ZR Section 12-10 upon transfer to NYU of the 39-foot wide strip on the Mercer Street side of the South Block pursuant to the concurrent Mapping Application.

- (c) shall be located in whole or in part in any #Commercial# or #Manufacturing District#, subject to the restrictions of Section 74-743 (Special provisions for bulk modifications), paragraph (a) (1) .

Upon approval of the zoning map amendment that is part of this Application, the entire LSGD would be within a C1-7 district.

Such #zoning lots# may include any land occupied by #buildings# existing at the time an application is

submitted to the City Planning Commission under the provisions of Article VII, Chapter 4, provided that such #buildings# form an integral part of the #large-scale general development#, and provided that there is no #bulk# distribution from a #zoning lot# containing such existing #buildings#. In C5 and C6 Districts, however, a #large-scale general development# having a minimum #lot area# of five acres may include #zoning lot# that contains an existing #building# that is not integrally related to the other parts of the #large-scale general development#, provided that such #building# covers less than 15 percent of the #lot area# of the #large-scale general development# and provided that there is no #bulk# distribution from a #zoning lot# containing such existing #building#.

The easternmost South Block zoning lot (Zoning Lot 2) would contain the two existing Silver Towers buildings and the North Block zoning lot (Zoning Lot 1) would contain the two existing Washington Square Village buildings. The proposed buildings and landscaping facilitated by the LSGD have been designed with the existing buildings as an integral part of the overall site plan. The existing buildings were crucial in determining the optimal location and massing of the proposed buildings in the LSGD. The massing and placement of the Mercer and LaGuardia buildings were developed to serve as a counterpoint to the linear Washington Square Village buildings, to enhance the open space located in the center of the block, and to improve pedestrian movement through the site. The WSV buildings were an essential parameter in developing the open space plan. On the South Block, the Zipper and Bleecker Buildings were designed to respect and complement the existing tower-in-the-park typology of University Village.

The use of the existing buildings is also integral to the LSGD. By providing housing for faculty, the existing buildings fulfill an important part of NYU's programmatic needs. Their continued location on the zoning lots would allow for the preservation of the historically-important buildings, and would add to the mix of uses on the Superblocks, which would help foster a dynamic academic environment and a vibrant urban experience, which are essential aspects of the NYU Core plan.

There is no distribution of bulk from either of the two zoning lots that contain existing buildings.

# Attachment 11: Applicant's Discussion of Findings

## LSGD Special Permit pursuant to ZR Section 74-743

74-743

### Special provisions for bulk modification

(a) For a *large-scale general development*, the City Planning Commission may permit:

- (1) distribution of total allowable #floor area#, #rooming units#, #dwelling units#, #lot coverage# and total required #open space# under the applicable district regulations within a #large-scale general development# without regard for #zoning lot lines# or district boundaries, subject to the following limitations:

The proposed LSGD special permit requests the transfer of 19,214 sq. ft. of floor area from Zoning Lot 4 to Zoning Lot 3 on the South Block.

- (i) no distribution of #bulk# across the boundary of two districts shall be permitted for a #use# utilizing such #bulk# unless such #use# is permitted in both districts;

The LSGD would be entirely located within a C1-7 district. Therefore, no bulk is proposed to be distributed across the boundary of two districts.

- (ii) when a #large-scale general development# is located partially in a #Residence District# or in a C1, C2, C3 or C4-1 District and partially in other #Commercial# or #Manufacturing Districts#, no transfer of commercial #floor area# to a #Residence District# or to a C1, C2, C3 or C4-1 District from other districts shall be permitted;

The LSGD would be entirely located within a C1-7 district. Therefore, no bulk is proposed to be distributed to a residence district or to a C1, C2, C3 or C4-1 district from another district.

- (2) location of *buildings* without regard for the applicable *yard*, *court*, distance between *buildings*, or height and setback regulations;

The proposed LSGD special permit requests the following waivers:

- Waiver of height and setback regulations to allow portions of the proposed Zipper, Bleecker, Mercer and LaGuardia buildings, as well as the existing Silver Tower 1 and Washington Square Village buildings to penetrate the required setback and sky exposure plane (ZR Sections 23-632, 33-432 and 35-23)
- Waiver of rear yard equivalent regulations for the Zipper Building (ZR Section 23-532, 33-283)
- Waiver of rear yard regulations for the Bleecker Building (ZR Section 33-26)
- Waiver of minimum distance between buildings regulation for existing Silver Tower 2 and Coles Gym buildings (ZR Section 23-711)

\*\*\*\*\*

(b) In order to grant a special permit pursuant to this Section for any *large-scale general development*, the Commission shall find that:

1. the distribution of *floor area, open space, dwelling units, rooming units* and the location of *buildings, primary business entrances and show windows* will result in a better site plan and a better relationship among *buildings* and open areas to adjacent *streets*, surrounding development, adjacent open areas and shore lines than would be possible without such distribution and will thus benefit both the occupants of the *large-scale general development*, the neighborhood and the City as a whole;

## **South Block**

### *Zipper Building:*

The special permit requests the transfer of 19,214 sq. ft. of floor area from Zoning Lot 4 to Zoning Lot 3 (both located on the South Block), and would allow for the location of buildings on the Superblocks without regard, in certain areas, for the applicable height and setback, rear yard, rear yard equivalent and minimum distance between buildings regulations. As described in ZR Section 74-74, for large-scale general developments involving several zoning lots, “the district regulations may impose unnecessary rigidities and thereby prevent the achievement of the best possible site plan.” Therefore, pursuant to a Special Permit, the City Planning Commission may allow for greater flexibility for the purposes of securing better site planning. The transfer of floor area and waivers requested pursuant to this special permit are sought in order to facilitate a site plan for the proposed project that has a better relationship among the site’s buildings and open areas and the surrounding area than could be achieved if the plan were developed to be fully compliant with the normally-applicable C1-7 district regulations. These waivers benefit the LSGD site plan and the surrounding area.

The site plan for the LSGD was developed to build on the existing assets of the Superblocks, weaving them back into the fabric of the city, introducing a mix of uses and active ground floors, improving streetscapes and improving the site's scattered and often inaccessible open spaces. The Superblocks were developed as a result of a Title 1 urban renewal program by Robert Moses, which, like many similar urban renewal areas, created a less than optimal pedestrian environment, with large parking garages, a multiplicity of driveways, building entrances oriented away from sidewalks, and many blank, barren streetscapes. The proposed site plan honors the architectural significance of the post-war period in the city's history, while providing an opportunity to mend some of the ways in which the creation of the Superblocks damaged the texture of neighborhood life. The proposed massings of the buildings, which are facilitated by the floor area transfer and waivers requested by this special permit, would greatly improve connectivity through and across the site for the general population, faculty and students and would reinvigorate the area with a series of new and enhanced public spaces.

The LSGD site plan for the South Block open space greatly improves upon the existing open space located between Coles Gym and the University Village buildings by shifting the mass of the proposed Zipper Building to the east of the existing Coles Gym, a move that is facilitated by the requested height and setback waivers along Mercer Street and the waiver of the rear yard equivalent located along West Houston Street and Bleecker Street. As described in the description of proposal, the existing 39' strip of mapped but un-built portion of Mercer Street located immediately adjacent and to the east of the existing Coles Gym that contains the dog run and playground (currently closed) is proposed to be disposed of to NYU to facilitate the development of the proposed Zipper Building, partially in that location. Locating the proposed Zipper Building partially in this former strip of mapped but un-built street helps to provide a larger open space between the newly proposed building and the existing University Village buildings than exists today between Coles Gym and the University Village buildings (60.68 feet compared to 34.33 feet). This orientation of the Zipper Building buffers the open space and University Village buildings from the traffic and loading docks on Mercer Street and creates wider and more attractive new publicly-accessible open space along the axis of the former Greene Street between West Houston Street and Bleecker Street.

The requested height and setback waivers along Mercer Street and the rear yard equivalent waiver along Houston and Bleecker streets for the proposed Zipper Building allow the bulk to be distributed in a manner that would locate the base of the building far enough away from the University Village buildings to make way for the new Greene Street walkway mentioned above. The Greene Street pedestrian walkway will be further activated by pedestrian uses opening up into the open space (several dormitory, academic and retail entrances to the Zipper Building will be accessed directly from the walkway). The dead street frontage created by the blank set back street wall of Coles Gym on Mercer Street would be replaced with the street wall of the Zipper Building, which would be transparent at the street line, and lined with numerous entrances to ground floor uses that will activate the pedestrian experience. The continuous plinth base of the Zipper Building would create a continuous but variegated street wall with an articulated façade

that provides visual interest to pedestrians. The shift to the east would also pull the building's mass away from the UV site (60 feet from the nearest Silver Tower), respecting the existing tower-in-the-park typology. Without the waivers, the bulk of the building would have to be pulled back from Mercer Street because of height and setback regulations and pulled back from Houston and Bleecker streets because of rear yard equivalent regulations. Doing so would increase the bulk in the center of the block, which would negatively impact the open space and the relationship with the University Village buildings.

The Zipper Building was designed with a series of sub-volumes that vary in height and are shifted east and west to break up the mass of the building and provide visual interest as well as improved access to light and air. The massing would better reflect the typical building widths, high street walls and variegated heights of the loft buildings in the surrounding area, which would not be achievable if the building was designed to be in strict compliance with zoning bulk regulations. Strict compliance with zoning would require the building to set back 20 feet from Mercer Street at a height of 85 ft or 6 stories, whichever is less, and to be located behind a sky exposure plane. The 299 foot height of the highest Zipper Building volume would be located on the very wide Houston Street and would create a dialogue with the UV buildings, which rise to a maximum height of 299 feet as well.

#### *The Bleecker Building:*

The Bleecker Building was designed to express the two planned program types (a public school and a dormitory) as interlocking forms that are distinct yet complementary (academic facility space would also be located below grade). The public school in the building's base would have a height (108 feet or 128 feet including the roof play space enclosure) that relates to the existing building heights to the west. A higher dormitory volume above the public school base would serve as a transition between the approximately 300 foot tall University Village buildings to the east and the lower scale of the South Village to the west. The proposed transfer of 19,214 sq. ft. of floor area to the Bleecker Building (Zoning Lot 3) from Zoning Lot 4 would allow for the building to meet its programmatic requirements, which would not otherwise be met. Zoning Lot 4 occupies a portion of the open space on the landmarked University Village site. Since it would be inappropriate to develop a building on the UV open space, the floor area generated by Zoning Lot 4 would be more appropriately located on Zoning Lot 3 in the Bleecker Building. The placement of the dormitory along the LaGuardia Place frontage would allow for a setback on the building that would provide the open space required for the school to be located on the roof and would be optimally orientated to receive sunlight. The shifting of the volume to LaGuardia Place, as facilitated by the height and setback waivers, would also preserve most of the perpendicular views from the north-facing windows of 505 LaGuardia Place. Open, straight-on views from and across the center of University Village were a key design feature of the original I.M. Pei design. Absent the height and setback waivers, the dormitory would have to be shifted to the south and east, which would bring the mass closer to the University Village buildings and negatively impact the perpendicular views from the north-facing windows of 505 LaGuardia

Place. Absent the rear yard waiver, the public school would not be able to have the large, regular floorplates that are desirable for classroom layouts.

As described in the waiver section of *LR Item 3: Project Description*, some of the waivers requested pursuant to this special permit are for existing buildings. The Silver Tower buildings were originally developed pursuant to alternative height and setback regulations. In order to use the alternative height and setback regulations all buildings on the zoning lot must use the same regulations. The zipper building does not use the alternative height and setback regulations and therefore the existing Silver Tower buildings can no longer use the alternative regulations. When applying the otherwise applicable height and setback regulations to the Silver Tower buildings they become slightly non compliant. Therefore small height and setback waivers are necessary for small locations on the Silver Tower buildings.

### **North Block**

The proposed site plan for the North Block would also create a better relationship among buildings and open space on the site and in the surrounding area. The plan would integrate many of the fragmented and often inaccessible open spaces on the block today into a true urban landscape that is open to the city and freely accessible traveling east-west and diagonally, in addition to the north-south crossings that are currently open. The placement of the buildings closer to the east and west edges of the block, as facilitated by the height and setback waivers, would allow for a large publicly-accessible, pedestrian-oriented open space in the center of the block. Absent the waivers, the buildings' mass would have to be placed closer to the center of the block, which would negatively impact the central open space.

The proposed site plan would locate the North Block buildings to create strong view corridors across the block. The 14-story Mercer Building would be taller to relate to higher buildings to the east, including the 20-story NYU School of Law residence hall directly across the street, and the 7-story LaGuardia Building would be lower to relate to the lower buildings to the west, which range in height between 4 and 13 stories.

The unique curved shapes of the buildings would provide visual interest by introducing exciting, new contemporary architecture to the block. The organic forms would serve as a counterpoint to the rigidly linear modernist volumes of Washington Square Village. The curves and related landscape plan would help draw pedestrians on Mercer Street and LaGuardia Place into the site. The buildings would frame the central open space to reinforce the notion of it being a unified central area. The concave shape facing the interior was designed to reflect light onto the open space.

As described above some of the waivers requested pursuant to this special permit are for existing buildings. The Washington Square Village buildings were originally developed pursuant to alternative height and setback regulations. In order to use the alternative height and setback

regulations all buildings on the zoning lot must use the same regulations. The newly proposed buildings on the North Block do not use the alternative height and setback regulations and therefore the existing Washington Square Village buildings can no longer use the alternative regulations. When applying the otherwise applicable height and setback regulations to the Washington Square Village buildings they become slightly non compliant. Therefore small height and setback waivers are necessary for small locations on the Washington Square Village buildings.

For the reasons stated above, the distribution of floor area, open space and the design, entrances and location of the proposed buildings result in a superior site plan to the plan that would be available without the requested floor area distribution and waivers and will benefit the occupants of the LSGD, the neighborhood and the City as a whole.

2. the distribution of floor area and location of buildings will not unduly increase the bulk of buildings in any one block or unduly obstruct access of light and air to the detriment of the occupants or users of buildings in the block or nearby blocks or of people using the public streets;

The requested special permit would allow for the transfer of 19,214 sq. ft. of floor area from Zoning Lot 4 to Zoning Lot 3 on the South Block, and would allow for the buildings on the Superblocks to be located without complying, in certain areas, with height and setback, rear yard, rear yard equivalent and minimum distance between buildings regulations. The proposed distribution of floor area and bulk waivers requested would not unduly increase the bulk of any buildings in any one block or unduly obstruct access of light and air to the detriment of the occupants or users of buildings in the block or nearby blocks or of people using the public streets. The NYU Core plan came out of the NYU 2031 framework, which identified NYU's long-term needs and options to address those needs. While much of the needed development can and will be placed outside of NYU's Core campus, a significant portion of it needs to be located within walking distance. Because the campus is bounded by the Greenwich Village Historic District to the north and west, the NoHo historic district to the east and the SoHo historic district to the south, the most appropriate option for growth is in-fill construction on property that NYU already owns. The Superblocks present the most significant opportunity for NYU to accommodate future growth on its own land, thereby avoiding disruption, demolition and dislocation in the surrounding neighborhood. The reduced need to expand beyond the Core campus would greatly reduce the impact of new development in the surrounding area.

In locating over 1.1 million sq ft of the floor space below grade, the proposed LSDG development is specifically designed to minimize the impacts of the new buildings on the above-grade open space and preserves access to light and air for existing buildings on site, the nearby streets and nearby buildings. On the North Block, the vast majority of newly proposed academic

use, 770,000 sq. ft. of floor space, would be located below grade. While only 209,000 sq. ft. and 133,000 sq. ft. of floor area would be located above grade of the Mercer Street and LaGuardia Place buildings, respectively. By pushing over seventy percent of the newly proposed floor space on the North Block below grade NYU is able to meet reduce the perceived bulk of the development as seen by surrounding neighbors and people using public streets while meeting its programmatic needs for new academic space. On the South Block, the Zipper Building would contain approximately 254,000 sq. ft. of floor space in four below grade levels and approximately 648,000 sq. ft. of floor area above grade. Similarly the Bleecker Building would contain approximately 64,000 sq. ft. of floor space in four below grade levels and approximately 124,000 sq. ft. of floor area above grade. By locating a good portion of the South Block uses below grade NYU seeks to minimize the impacts of the new development on the existing open space on the site and in the area.

The Zipper and Bleecker Buildings are pulled to the edges of the block to reduce their impact on University Village and to preserve the original composition of the landmark site. The buildings were massed to limit the impact on the perpendicular views across the central area of the UV buildings, which were an important aspect of the original design. To accommodate this goal, the dormitory portion of the Bleecker Building was shifted west, and to respect the tower-in-the-park design of University Village, the Zipper Building volume adjacent to Silver Tower 2 was shifted east.

While the height and setback waivers requested for the Zipper Building would allow for significantly higher street walls than would otherwise be allowed, the staggered massing and narrow profiles of the volumes are intended to allow for greater access to light and air for people using public streets and for buildings across Mercer Street to the east as well as for the open space and UV towers to the west. The buildings on the east side of Mercer would be more than 60 feet distant from the Zipper Building, providing an adequate buffer. For the Bleecker Building, the increased street wall height granted by the proposed waiver, and the transfer of floor area from Zoning Lot 3 would not unduly block access to light and air in the surrounding area in part because the building would be surrounded by open space on all sides, allowing light and air to circulate around the building. The impact of the building would also be diminished by the fact that LaGuardia Place is a very wide street.

Because the waivers requested for the Mercer and LaGuardia Buildings are so small, their impact would be minimal. The buildings are set far back from the proposed street lines of both Mercer Street and LaGuardia Place and would therefore have limited impact on the buildings across the street. The height and setback waivers are necessary because of the related text amendment that treats the proposed park line as a street line. If the regulations were to be based on the actual proposed street lines of Mercer Street and LaGuardia Place, then the proposed buildings on the North Block would be set back 50 feet from LaGuardia Place and 39 feet from Mercer Street. By curving the LaGuardia and Mercer buildings and tapering them so that they become more slender at the top, the design is intended to allow light and air to move around the buildings.

These refinements reduce the impact on the surrounding open spaces and existing WSV buildings, which are never closer than 60 feet to the new buildings, the dimension between buildings on a typical Manhattan side street.

Due to the separation distance between the four proposed new buildings and existing buildings on the Superblocks and in the surrounding area, and the width of the surrounding streets, the distribution of floor area and location of the buildings will not unduly obstruct access to light and air to the detriment of the occupants or users of the buildings on the Superblocks or in the adjacent area, or people using the public streets.

3. where a zoning lot of a large-scale general development does not occupy a frontage on a mapped street, appropriate access to a mapped street is provided;

The proposed LSGD consists of four zoning lots: three on the South Block and one on the North Block. On the South Block, Zoning Lot 3 would have frontage on LaGuardia Place and Bleecker Street, Zoning Lot 4 would have frontage on Bleecker Street, and Zoning Lot 2 would have frontage on West Houston, Mercer and Bleecker Streets, all of which are mapped streets. The North Block zoning lot (Zoning Lot 1) would have frontage on two mapped streets (Bleecker and West 3rd Streets). Therefore, there are not any zoning lots in the LSGD that would not occupy frontage on a mapped street.

4. considering the size of the proposed large-scale general development, the streets providing access to such large-scale general development will be adequate to handle traffic resulting therefrom;

The streets providing access to the LSGD will be adequate to handle the project-generated traffic. The LSGD is directly accessed by five streets:

- Houston Street is primarily a two-way east-west arterial spanning the width of Manhattan from the East River to the Hudson River. East of Sixth Avenue, the roadway is separated by a pedestrian refuge island and contains three eastbound traffic lanes and four westbound traffic lanes. There is curbside parking and bus storage along certain segments of the street.
- Bleecker Street is a one-way eastbound roadway operating between Hudson Street and the Bowery. It contains one traffic lane and a bicycle lane on its north side. There is curbside parking along certain segments of the street.

- Third Street is a one-way westbound roadway operating between Avenue D and Sixth Avenue. It contains one to two moving lanes with curbside parking generally on both sides of the street.
- LaGuardia Place is a two-way northbound-southbound roadway operating between West 4th Street and West Houston Street, where it becomes West Broadway. It contains one traffic lane with adjacent parking in each direction.
- Mercer Street is a one-way southbound roadway extending from East 8th Street to Canal Street. It contains one traffic lane with adjacent parking on one or both sides.

Beyond these streets, the LSGD is accessed by the Lower Manhattan network of streets including, most significantly, Sixth Avenue, Broadway, Lafayette St. and West 4th St. It is anticipated that the DEIS will analyze the potential impacts associated with the project at 17 key intersections near the LSGD that were identified to have the most potential to be affected by the project-generated traffic.

One of the principal objectives of the NYU Core plan is to locate the proposed uses on the existing NYU Core campus in order to minimize the distances that students, faculty and staff need to travel. Locating the needed uses on the Superblocks would enable people to access the proposed buildings on foot, and therefore, it is expected that the vast majority of trips generated by the proposed development would not be in vehicles.

The LSGD is located in a central area of Lower Manhattan that is well served by public transportation. There are stations that serve 10 subway lines within a less than 5-minute walk from the Superblocks, including the West 4th St. stop of the A, C, E, B, D, F and M trains, the Prince and 8th St. stops of the N and R trains, the Bleecker St. stop of the 6 train, and the Broadway-Lafayette St. stop of the B, D, F and M trains. The site is also served by M5, M21, M2, M3 and M8 bus lines. Additionally, the Superblocks are well served by NYU shuttle buses, which connect the area to NYU facilities throughout Manhattan, including the NYU Health Corridor. The excellent access to public transportation along with the NYU shuttle buses would further minimize the project-related growth of vehicular travel in the surrounding area.

The student population of NYU has an extremely low car ownership rate. Overall, students living in NYU housing have an auto ownership rate of just 0.4%. For faculty living in NYU housing, the auto ownership rate is 28.1%. Because the project would result in a net reduction of off-street parking spaces on the Superblocks, it will not encourage vehicular transportation. Most trips are therefore expected to be on foot or via mass transit.

The preliminary travel demand estimates prepared for the DEIS show that the project is expected to generate less than 320 incremental peak hour vehicle trips in the project completion year of 2031. The preliminary analysis indicates that these vehicle trips would be distributed across the roadway network and are not expected to require street widenings or other geometric street

modifications. Out of the 53 lane groups analyzed for level of service in the preliminary analysis prepared for the DEIS, all but two lane groups during the AM peak hour, five lane groups during the midday peak hour, and six lane groups during the PM peak hour operate at acceptable levels under existing conditions. The preliminary analysis also indicates that out of the 17 intersections analyzed, current conditions are considered satisfactory (mid-level of service D or better) with the exception of the intersection of Bleecker and Mercer Streets.

The DEIS will analyze the impact of the proposed project on vehicular traffic in the area. If the DEIS analysis identifies significant adverse traffic impacts, feasible mitigation measures such as signal timing and phasing adjustments, lane restriping and parking regulation changes may be recommended as appropriate to mitigate these impacts.

5. when the Commission has determined that the large scale general development requires significant addition to existing public facilities serving the area, the applicant has submitted to the Commission a plan and timetable to provide such required additional facilities. Proposed facilities that are incorporated into the City's capital budget may be included as part of such plan and timetable;

The preliminary analysis prepared for the DEIS shows that there will be no significant adverse impacts with respect to schools, library services, day care, fire, police, hospital, energy and solid waste services. Therefore, no additional facilities are expected to be required in connection with the proposed project for these services.

With respect to water and sewer infrastructure, the preliminary analysis prepared for the DEIS finds that with the implementation of best management practices (BMPs), the project would not result in any significant adverse impacts on the City's water supply, wastewater or stormwater conveyance and treatment infrastructure.

6. where the Commission permits the maximum floor area ratio in accordance with the provisions of paragraph (a)(4) of this Section, the open space provided is of sufficient size to serve the residents of new or enlarged buildings. Such open space shall be accessible to and usable by all residents of such new or enlarged buildings, have appropriate access, circulation, seating, lighting and paving, and be substantially landscaped. Furthermore, the site plan of such large-scale general development shall include superior landscaping for open space of the new or enlarged buildings;

Not applicable.

7. where the Commission permits the exclusion of lot area or floor area in accordance with the provisions of paragraph (a)(5) of this Section or modification of the base and maximum floor area ratios or requirements regarding distribution of affordable housing units in accordance with paragraph (a)(8) of this Section, such modification will facilitate a desirable mix of uses in the large-scale general development and a plan consistent with the objectives of the Inclusionary Housing Program and those of Section 74-74 (Large-Scale General Development) with respect to better site planning; and

Not applicable.

8. a declaration with regard to ownership requirements in paragraph (b) of the large-scale general development definition in Section 12-10 (DEFINITIONS) has been filed with the Commission.

A draft declaration will be submitted with this application.

The Commission may prescribe additional conditions and safeguards to improve the quality of the large-scale general development and the minimize adverse effects on the character of the surrounding area.

For a phased construction program of a multi-building complex, the Commission may, at a time of granting a special permit, require additional information, including but not limited to a proposed time schedule for carrying out the proposed large-scale general development, a phasing plan showing the distribution of bulk and open space and, in the case of a site plan providing for common open space, common open areas or common parking areas, a maintenance plan for such space or areas of surety for continued availability of such space or areas to the people they are intended to serve.

This Application will include drawings that show the phases of planned development and the interim conditions occurring between phases during the construction of the overall project, which will ensure the continued availability of certain open space areas on the Superblocks. Details of the phasing plan are included in the application and details of the interim conditions, open space and maintenance requirements will be recorded in a restrictive declaration.

The development of the buildings proposed by the NYU Core Application would take place over a number of years in different phases with development generally occurring on the South Block first followed by development on the North Block. The phased approach would allow construction to be confined to discrete areas of the Superblocks during each period, thereby localizing the construction disturbance. The phased approach would also allow a significant amount of open space to always be available on the Superblocks.

The Zipper Building would be the first building to be constructed. In order to facilitate the construction of the Zipper Building, the dog run would be relocated to the west and a temporary gymnasium would be constructed on the east side of the North Block prior to the demolition of the existing Coles Gym. The temporary gym would accommodate a portion of NYU's athletic

facility needs in the time between when Coles Gym is demolished and the new gym within the Zipper Building is complete and operational. The temporary gym, like the existing Coles Gym, would be accessed from Mercer Street. It is anticipated that modifications to the abutting area that is proposed to be mapped as public park would be made to improve the usability of that area and allow for access to the temporary gym.

Once the temporary gym is complete, demolition of the Coles Gym and construction of the Zipper Building would commence. The Zipper Building and adjacent open space areas would be completed together providing for a new toddler playground, the Greene Street Walk, and planted areas along Bleecker Street. While it is anticipated that the Bleecker Building would begin construction after the Zipper Building, its timing would be determined by the need for a public school as identified by the School Construction Authority (SCA) and SCA's commitment of capital funds to construct the school. Upon completion of the Bleecker Building the development on the South Block would be complete.

Construction to facilitate the below-grade floor area and LaGuardia and Mercer Buildings on the North Block would commence with a project to relocate the existing parking garage to the northeast portion of the block below grade. Once the parking garage is complete and operational, the Mercer Building and the remainder of the below-grade space east of former Wooster Street would be constructed. When completed, this project would provide new open spaces along Mercer Street and the center of the site. Construction of the LaGuardia Building and the below grade space west of former Wooster Street would follow the construction of the central and eastern portions of the North Block. Upon completion, the entire North Block would be complete along with the entirety of the open spaces.



DEPARTMENT OF CITY PLANNING  
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Amanda M. Burden, FAICP, *Director*  
Department of City Planning

April 22, 2011

**POSITIVE DECLARATION**

**Project Identification**

NYU Core  
CEQR No. 11DCP121M  
ULURP Nos. Pending  
SEQRA Classification: Type I

**Lead Agency**

City Planning Commission  
22 Reade Street  
New York, NY 10007  
Contact: Robert Dobruskin  
(212) 720-3423

**Name, Description and Location of Proposal:**

NYU Core

The applicant, New York University (NYU), is seeking a number of discretionary actions (the "Proposed Actions") in connection with a proposed expansion of NYU facilities at NYU's academic core near Washington Square in Manhattan, Community District 2. The project area for the Proposed Actions includes: a "Proposed Development Area," bounded by LaGuardia Place to the west, Mercer Street to the east, West Houston Street to the south, and West Third Street to the north,<sup>1</sup> where substantial new development is proposed on two superblocks as part of NYU's master plan; a "Commercial Overlay Area," bounded by Washington Square East and University Place to the west, Mercer Street to the east, West Fourth Street to the south, and the northern boundary of the existing R7-2 zoning district near East 8th Street to the north,<sup>2</sup> where the Proposed Actions would permit greater flexibility in ground-floor retail uses, and are expected to result in limited conversion of ground-floor uses in existing buildings to retail use; and a "Block 535 Demapping Area," where no new development is proposed, but where NYU seeks to acquire the property that contains its 251 Mercer Street cogeneration facility below-grade.

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<sup>1</sup> The Proposed Development Area includes: Block 524, Lots 1, 9, and 66; Block 533, Lots 1 and 10; and portions of Mercer Street and LaGuardia Place that are proposed to be demapped.

<sup>2</sup> The Commercial Overlay Area includes: Block 546, Lots 1, 5, 8, 10, 11, 15, 20, 21, 26, 30; Block 547, Lots 1, 4, 5, 8, 14, 15, 18, 19, 20, and 25; and Block 548, Lots 1, 4, 21, 24, 40, and 45.

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The proposed actions would facilitate a proposal by the applicant to construct the following developments in the Proposed Development Area, over approximately 19 years:

- Four new NYU buildings that would include academic uses, residential units for NYU faculty and students, a new athletic facility, a possible University-oriented hotel with ancillary conference/academic space, and retail uses;
- A below-grade academic use spanning the distance between LaGuardia Street and Mercer Streets;
- Approximately four acres of publicly accessible open space;
- An approximately 30,000-gsf temporary gymnasium, which would operate until the opening of the proposed new athletic center;
- Below-grade replacement parking facilities; and
- NYU anticipates making space available to the New York City School Construction Authority (SCA) for the provision of an approximately 100,000-square-foot public school.

By 2031, the Proposed Actions would result in the development of approximately 2.5 million gross square feet (gsf) of new uses in the Proposed Development Area. Within the Commercial Overlay Area, it is anticipated that NYU would develop up to approximately 24,000 gsf of neighborhood retail uses in the ground floors of five NYU buildings.

The Proposed Development Area—bounded by LaGuardia Place to the west, Mercer Street to the east, West Houston Street to the south, and West Third Street to the north—is comprised of two superblocks separated by Bleecker Street. The superblock north of Bleecker Street in the Proposed Development Area is referred to as the “North Block,” while the superblock south of Bleecker is referred to as the “South Block.” Collectively, the North and South Blocks are largely residential in character, with mid- to high-rise apartment buildings, a number of private and public open spaces, and the Coles Sports and Recreation Center, which is an NYU gymnasium/recreational facility. The Proposed Development Area also contains a number of retail uses located along LaGuardia Place, including the Morton-Williams Associated Supermarket.

The Proposed Actions required to facilitate the proposed project are as follows:

- **Zoning map change:** The entire project area is currently zoned R7-2. There is a C1-5 overlay along LaGuardia Street on the two superblocks in the Proposed Development Area, but this is the only location where retail is allowed in the project area (this overlay area contains the Morton Williams Associated Supermarket and the LaGuardia Retail building). NYU proposes to rezone the Proposed Development Area from R7-2 and R7-2/C1-5 to C1-7, and proposes to rezone the Commercial Overlay Area from R7-2 to R7-2/C1-5.
- **Large-Scale General Development (LSGD) Special Permit:** Pursuit of waivers within a proposed LSGD to include the North and South Blocks. The precise boundaries of the LSGD on the South Block are subject to adjustment in order to conform to the scope of

the Proposed Actions. As a consequence of this Proposed Action, the existing Large Scale Residential Development (LSRD) would be dissolved, with the existing waiver(s) incorporated into the new LSGD special permit.

Additional waivers and/or Zoning Resolution text amendments (may include height and setback waivers and potentially floor area and open space redistribution across zoning lot boundary lines, and court and location of use regulations).

- **Demapping and City disposition of portions of the following City streets (See Figure 7):**
  - LaGuardia Place between Bleecker and West Third Streets;
  - Mercer Street between Houston and Bleecker Streets;
  - Mercer Street between Bleecker and West Third Streets; and
  - Mercer Street between West Third and West Fourth Streets.
- **Elimination of New York City Department of Housing Preservation and Development (HPD) Deed Restrictions on Blocks 524 and 533**
- **Potential funding or financing approvals from the Dormitory Authority of the State of New York (DASNY)**
- **Public Authorities Law Site Selection by the New York City School Construction Authority (SCA)**
- **New York City Department of Transportation revocable consent for utility lines beneath City streets**

In addition to the above-described Proposed Actions, on March 3, 2011 NYU submitted an application to the New York City Landmark Preservation Commission (LPC) for a Certificate of Appropriateness (CoFA) for proposed changes to landscaping at University Village, which is a New York City Landmark (NYCL). At a public hearing on April 5, 2011, LPC approved the proposed landscape changes.

For the purposes of the analysis, there are two analysis years – the first is 2021, at which point approximately half of the total development (approximately 1.3 million gsf) is expected to be constructed and operational. The second analysis year is 2031, when the entire proposed development program is expected to be complete. The applicant has stated that absent the proposed actions, in 2021 there would be no new development within the Proposed Development Area. Within the Commercial Overlay Area, with or without the Proposed Actions, NYU plans to develop an additional 20,000 gsf of academic uses at 25 West Fourth Street. Also within the Commercial Overlay Area at 15 Washington Place, NYU plans a renovation and building addition that would convert the approximately 74,000-gsf residential building into a 129,000-sf academic building. The future condition without the Proposed Actions in 2031 assumes that the site of the existing Morton Williams supermarket would be redeveloped as-of-right and would contain an approximately 25,000-square-foot supermarket and NYU academic space.

Construction of the proposed project would commence in 2013, contingent upon approval of the proposed discretionary actions, and would last approximately 19 years.

**Statement of Significant Effect:**

On behalf of the CPC, the Environmental Assessment and Review Division has determined, pursuant to 6 NYCRR Part 617.7, that the proposed action may have a significant effect on the quality of the environment as detailed in the following environmental impacts, and that an environmental impact statement will be required:

1. The action, as proposed, may result in significant adverse impacts related to land use, zoning, and public policy in the vicinity of the affected area.
2. The action, as proposed, may result in significant adverse impacts related to socioeconomic conditions in the vicinity of the affected area.
3. The action, as proposed, may result in significant adverse impacts to community facilities in the study area.
4. The action, as proposed, may result in significant adverse impacts on publicly accessible open space in the vicinity of the affected area.
5. The action, as proposed, may result in significant adverse shadow impacts in the vicinity of the affected area.
6. The action, as proposed, may result in significant adverse impacts on historic and cultural resources in the affected area.
7. The action, as proposed, may result in significant adverse impacts on urban design and visual resources in the vicinity of the affected area.
8. The action, as proposed, may result in significant adverse impacts on natural resources in the vicinity of the affected area.
9. The action, as proposed, may result in significant adverse impacts related to hazardous materials in the vicinity of the affected area.
10. The action, as proposed, may result in significant adverse impacts on water and sewer infrastructure in the vicinity of the affected area.
11. The action, as proposed, may result in significant adverse impacts on solid waste and sanitation services.
12. The action, as proposed, may result in significant adverse impacts on energy.
13. The action, as proposed, may result in significant adverse impacts to transportation in the vicinity of the affected area.

14. The action, as proposed, may result in significant adverse impacts to air quality in the vicinity of the affected area.
15. The action, as proposed, may result in significant adverse impacts related to greenhouse gases in the vicinity of the affected area.
16. The action, as proposed, may result in significant adverse noise impacts in the vicinity of the affected area.
17. The action, as proposed, may result in significant adverse impacts related to public health.
18. The action, as proposed, may result in significant adverse impacts on neighborhood character in the vicinity of the affected area.
19. The action, as proposed, may result in significant adverse construction-related impacts.

**Supporting Statement:**

The above determination is based on an Environmental Assessment Statement prepared for the action which finds that:

1. Land Use, Zoning and Public Policy - The proposed action would alter existing land uses and zoning by allowing greater densities than the current zoning permits;
2. Socioeconomic Conditions – The proposed action could result in indirect displacement of residential, commercial or institutional uses.
3. Community Facilities – Increased development would increase the number of residents, visitors, and workers using area community facilities and services.
4. Open Space – Changes to the area’s open spaces may occur due to increased demand for use of publicly accessible spaces as well as direct effects on existing open spaces.
5. Shadows – The proposed action would allow an increase in development density and greater building heights in the project area. Shadows cast by the proposed buildings could affect publicly accessible open spaces and sunlight-sensitive architectural resources in the study area.
6. Historic and Cultural Resources - The proposed action could affect historic resources in the study area.
7. Urban Design and Visual Resources - The proposed action would result in new building forms which could differ from existing urban design elements in the affected area, and may alter the urban design character and visual resources of the surrounding area.

8. Natural Resources – The proposed action would result in new development which may affect natural resources in the study area.
9. Hazardous Materials - The proposed action would result in new construction and in-ground disturbance which, given the historical on-and off-site uses and conditions, has the potential to result in hazardous materials impacts.
10. Water and Sewer Infrastructure - The proposed action would result in new development within the project area which could place additional demands on infrastructure, including storm water management.
11. Solid Waste and Sanitation – Due to the increase in density and area population, the proposed actions would increase the demands on solid waste and sanitation transport and disposal services.
12. Energy – The proposed actions would result in additional residents, visitors and employees that would increase energy demands in the area.
13. Transportation – The proposed actions would result in an increase in the number of vehicular trips and increase ridership on mass transit facilities. In addition, parking availability may be affected due to the creation of new parking demand. It also would affect pedestrian movements in the area due to the increased number of residents, workers, and visitors.
14. Air Quality – Increased demand for heating, ventilation and air conditioning (HVAC) and additional vehicular traffic introduced by the proposed action may affect air quality.
15. Greenhouse Gas Emissions – The proposed actions may affect greenhouse gas emissions due to the increased construction and operational activities as a result of the new development.
16. Noise - The proposed actions would increase the volume of traffic in the area, which could result in additional traffic noise and may have the potential to result in stationary source noise impacts.
17. Public Health - The proposed actions would result in new development which could potentially result in public health concerns.
18. Neighborhood Character – The proposed action would result in new mixed-use developments which could alter existing neighborhood character by affecting shadows, urban design, visual resources, historic resources, socioeconomic conditions, traffic, and noise.
19. Construction - The proposed actions would result in new development over an extended period of time that involves activities which may result in construction-related impacts.

20. The Draft Environmental Impact Statement (DEIS) to be prepared for the proposed action will identify and describe any other potential effects on the environment.

**Public Scoping:**

The CEQR lead agency hereby requests that the applicant prepare or have prepared, at their option, a Draft Environmental Impact Statement (DEIS) in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review).

A public scoping meeting has been scheduled for Tuesday, May 24, 2011, and will be held at the New York City Department of City Planning's Spector Hall, 22 Reade Street, New York, New York, 10007. The public meeting will consist of two sessions: one starting at 2 PM; and a second session starting at 6PM. Written comments will be accepted by the lead agency until the close of business on June 6, 2011.

This determination has been prepared in accordance with Article 8 of the Environmental Conservation Law.

Should you have any questions pertaining to this Positive Declaration, you may contact the Project Manager, Diane McCarthy, at (212) 720-3417.

Robert Dobruskin  
Robert Dobruskin, AICP, Director  
Environmental Assessment & Review Division  
New York City Department of City Planning

4/22/11  
Date