

**New York University
Response to CB2 Questions from January 31, 2012
Land Use & Business Development
February 9, 2012**

1. Please provide a detailed analysis of what each year from the beginning of construction through the end would look like, including a drawing for each year of what buildings would remain, what would be gone, how any ongoing construction will be phased and where the different elements such as playgrounds and open space would be.

Attached are the Phasing Drawings that provide the information requested.

2. How many square feet of built space would exist beneath each of the city-owned strips on both superblocks?

The area below LaGuardia Place, between Bleecker and West 3rd Streets would provide 103,594 GSF of academic space over 4 levels below-grade; the area below Mercer Street, between Bleecker and West 3rd Streets, would provide 79,239 GSF of academic space over 4 levels below-grade. In both areas, a soil depth of 6 to 8 feet will be provided to accommodate plantings.

3. Why does the north block need to be included in the current plan?

The two blocks – in terms of open spaces, accessibility, and new University program – provide the framework for a comprehensive plan that allows University growth on its own footprint and to provide open space amenities, intended to be a benefit to the University community and neighborhood.

4. Why does NYU need to create a six-block overlay if the worst case scenario is new retail in six buildings?

The ability to allow neighborhood-friendly retail would help enliven the streets and enhance how the area is experienced by the broader community. The proposed commercial overlay would allow existing retail uses to conform to zoning and would allow the buildings within the area to include retail at the ground floor. The existing retail uses and those identified in the reasonable worst-case scenario are located on five of the six blocks. The proposed rezoning boundary is consistent with the boundaries on the City's zoning map.

5. Would NYU considered an incremental approach? (e.g., would NYU consider withdrawing its 20-year plan in exchange for a smaller vision of building at the Zipper Building site with the public school site to be included in that structure and waiting to build at the Morton Williams site until it becomes as of right and putting off for now the discussion of the north block?)

The plan represents the University's best efforts to accommodate our long-term space needs and opportunities, while providing certainty to the University and all stakeholders as to future developments on the superblocks.

6. The new zoning would allow existing non-conforming uses to expand, with the potential to drive out neighborhood stores in favor of destination retail that requires larger units. Did NYU evaluate the possible change in the character of local retail and its impact on the residential neighbors?

The proposed zoning change of a C1-5 overlay in the Loft Blocks and C1-7 district on the superblocks allows neighborhood-oriented retail. NYU has not proposed to construct big box (“destination”) retail, nor would the Special Permit that would be issued by the City Planning Commission permit this type of retail on the superblocks, since all development on the superblocks would be required to conform to the development described in NYU’s ULURP application.

The C1-5 overlay on the Loft Blocks is intended to serve the local retail needs of the surrounding residential neighborhood, and these overlays are found extensively throughout the City’s lower and medium-density areas.

The C1-7 district on the superblocks allows the NYU-affiliated hotel, the relocation of the grocery market and other retail uses. C1-7 zoning allows stores that cater to the daily needs of the immediate area.

The limited retail uses that would be permitted on the superblocks and in the Loft Area would not change the character of the existing local retail in the area.

7. There is currently only one retail store on the perimeter of Washington Square Park, a coffee shop on the corner of East Forth and WSP East. The character of that store is determined by its isolation from a larger retail district and by structure that cannot be modified under the current zoning. If all the ground floors opposite the park is zoned for retail, is there a possibility that large stores could be developed, changing the character of the park?

The limited retail that would result from the C1-5 overlay would not change the character of the park. Although the commercial overlay would allow retail uses on the ground floors of all buildings in the overlay area, many of these ground floors are not conducive to retail use as they are lobbies or contain other academic uses that require a ground floor presence. Accordingly, the development of the Reasonable Worst-Case Development Scenario (RWCDs) for the DEIS considered these physical criteria and NYU’s desire to retain certain existing non-retail ground-floor uses and all existing second-floor non-retail uses in determining the maximum potential new retail that could reasonably be expected to result from the C1-5 overlay zoning. The RWCDs for the Commercial Overlay Area assumes that up to 23,236 ft² of ground-floor retail uses would be developed in a total of six buildings within the Commercial Overlay Area. Figure 1-19 of the DEIS identifies the projected sites where the analysis assumes ground-floor retail uses would occur.

8. Why can't NYU propose an overlay just for a small area where they expect to convert the uses?

The proposal to add an overlay to six blocks is less than what was originally suggested by the University and was informed by the Community’s response to limit the size of the rezoning.

Zoning map amendments must cover an area and cannot be focused on just select buildings, and the proposed rezoning boundary is consistent with the boundaries on the City's zoning map.

9. What are the specific requirements to retain UAA designation? How many NYU teams require gym use, how long is each season, and how many hours per day are these courts required? If UAA designation is forfeit, can the University reapply when adequate facilities become available?

A National Collegiate Athletic Association Division III institution must sponsor a minimum of six varsity sports for men including three team sports and six varsity sports for women including three team sports.

Failure to meet minimum sports sponsorship for even one year will result in institutional penalties. NYU sponsors three team sports for men and three team sports for women. These sports include basketball and volleyball. The single court in the Palladium Athletic Facility is not compliant to host NCAA competitions. In addition, it is barely adequate to hold team practices for basketball, fencing, volleyball and wrestling.

NYU is a founding member of the University Athletic Association. All UAA member institutions must be NCAA Division III members in good standing. UAA members who fail to maintain the conditions of membership may be terminated, suspended or otherwise disciplined by the Association.

At a minimum, UAA member institutions must sponsor competition in seven sports for men and seven sports for women in which the Association sponsors competition including two round-robin sports for men and two round-robin sports for women.

NYU sponsors two UAA round robin sports for men and three UAA round robin sports for women. These sports include basketball and volleyball.

Length of Playing Seasons

Since NYU has no athletic fields, all 47 NYU varsity and club intercollegiate teams use the gyms for daily training, meeting and other sport activity.

The varsity teams that practice and compete in the NYU gym are women's basketball, volleyball and fencing, and men's basketball, wrestling, volleyball and fencing.

The women's volleyball season is 19 weeks long. The other sport seasons are 18 weeks long. During those seasons each team trains, practices and competes six days per week and between 25 and 30 hours each week.

10. Please provide a shadow study taking all buildings and open spaces into account throughout the course of a day – a cumulative analysis over time is needed in addition to the studies of specific buildings.

The shadows analysis in the DEIS analyzes the shadows from all of the proposed buildings throughout the course of the day, and does so for six analysis days that represent all seasons of the year. The shadow analysis is cumulative in that it considers the potential shadows from all project buildings on each resource over the course of the day and year.

As described in the Draft and Final Scope, the shadows analysis in the DEIS follows the methodology of the *CEQR Technical Manual*, which requires the assessment of shadow impacts to “sunlight-sensitive resources.” Sunlight-sensitive resources are defined in the *CEQR Technical Manual* as:

- Public open space as defined in Chapter 7 (Open Space) of the *CEQR Technical Manual*;
- Architectural resources that depend on direct sunlight for their enjoyment by the public (e.g., University Village’s gridded and sheer concrete facades, which have deeply-recessed horizontal window bays, as well as a 22-foot wide sheer wall, creating dramatic juxtapositions of light and shadow, according to the document prepared by the Landmarks Preservation Commission listing University Village as a City landmark.)
- Natural resources as defined in Chapter 11 of the *CEQR Technical Manual*; and
- Greenstreets (e.g., Time Landscape)

Chapter 6, (“Shadows”) of the DEIS identifies all of the sunlight-sensitive resources that were analyzed.

According to CEQR methodology, publicly accessible open space that would be developed as part of a project cannot experience adverse shadow impacts from the project, because without the project the publicly accessible open space wouldn’t exist. However, a discussion of shadows on the proposed open space is provided in the DEIS for informational purposes.

In response to the Community Board’s request, NYU will recommend that the FEIS include additional information about shadows on project-generated publicly accessible open spaces.