Chapter 2: Land Use, Zoning, and Public Policy

A. INTRODUCTION

The Proposed Actions would result in the development of approximately 2.5 million gross square feet (gsf) of new uses in the project site, including: four buildings; below-grade NYU academic spaces; a possible New York City public school; approximately 3.8 acres of publicly accessible open space; new ground-floor neighborhood retail uses; and replacement below-grade accessory parking facilities. The Proposed Actions also would result in the demapping of portions of City streets, and the mapping of portions of City streets as public park. This chapter examines whether this development and the actions required to facilitate the development would be compatible and consistent with land use patterns in the area, ongoing development trends, and public land use and zoning policies.

For this analysis, the study area has been defined to include a 1/4-mile radius from the project site, which is the area in which the project has the most potential to affect land use or land use trends. The study area generally extends from East 13th Street to the north, Spring Street to the south, Third Avenue and the Bowery to the east, and Sixth Avenue to the west (see **Figure 2-1**). As shown in **Figure 2-1**, the project site includes three components:

1. The Proposed Development Area[1], located on the two superblocks (South Block and North Block) bounded by West 3rd Street to the north, West Houston Street to the south, Mercer Street to the east, and LaGuardia Place to the west.
2. The Commercial Overlay Area[2], bounded by the northern boundary of the existing R7-2 zoning district near East 8th Street to the north, West 4th Street to the south, Mercer Street to the east, and University Place and Washington Square East to the west.
3. The Mercer Plaza Area,[3] bounded by West 4th Street to the north, West 3rd Street to the south, the western sidewalk of Mercer Street to the east, and the existing NYU property line east of Weaver Hall to the west.

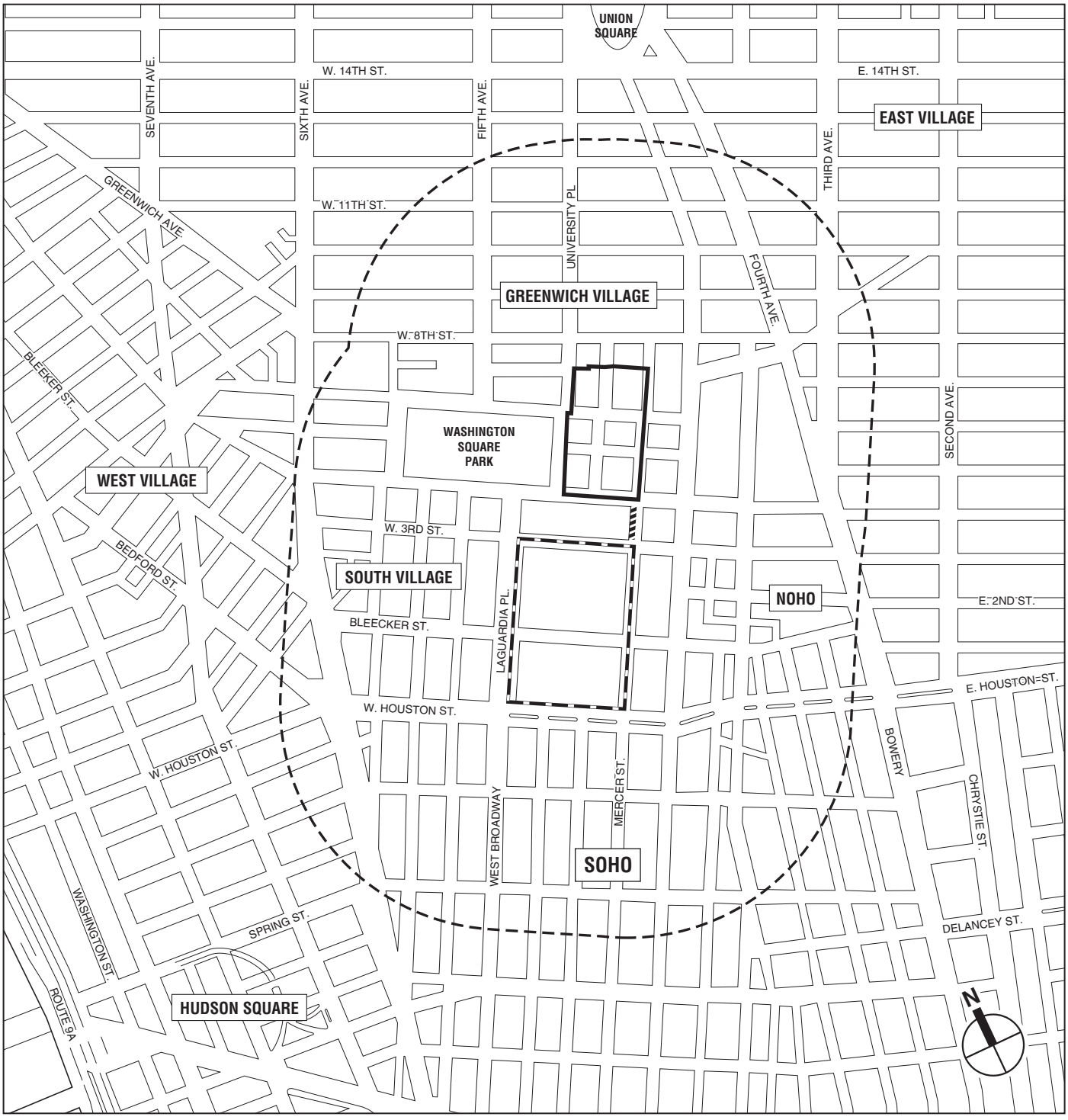
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[1] The Proposed Development Area includes: Block 524, Lots 1, 9, and 66; Block 533, Lots 1 and 10; and the portions of Mercer Street and LaGuardia Place that are currently not improved as streets and that are proposed to be demapped, either entirely or below a defined limiting plane. The unimproved portions of Mercer Street and LaGuardia Place owned by the City are under the jurisdiction of the New York City Department of Transportation (NYCDOT), and are referred to in this DEIS, respectively, as the "Mercer Street Strip" and the "LaGuardia Place Strip." The City-owned portion of Bleecker Street adjacent to the South Block (none of which is proposed to be demapped) is under the jurisdiction of the New York City Department of Parks and Recreation (NYCDPR), and is referred to herein as the "Bleecker Street Strip."

[2] 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.

[3] The Mercer Plaza Area contains a portion of mapped street on the west side of Mercer Street between West 3rd and 4th Streets.

7.20.11



Proposed Development Area Boundary

Commercial Overlay Area Boundary

Mercer Plaza Area

Study Area Boundary
(1/4-Mile Perimeter)

NYU Core

Land Use Study Area

Figure 2-1

Two analysis years are used in this analysis: an interim analysis year of 2021, which accounts for full development of the South Block of the Proposed Development Area; and 2031, which includes the full build out of all development anticipated as a result of the Proposed Actions. Various sources have been used to prepare a comprehensive analysis of the land use, zoning, and public policy characteristics of the study area, including field surveys, other approved environmental assessments and studies of this area, Geographic Information System (GIS) data, and New York City land use and zoning maps as available through the New York City Department of City Planning (DCP).

PRINCIPAL CONCLUSIONS

This analysis finds that the Proposed Actions would not result in significant adverse impacts on land use and zoning, and would be consistent with applicable public policies. The Proposed Actions are intended to provide the zoning and land use changes to allow NYU to meet its long-term needs for its core Washington Square campus with respect to academic space, housing for faculty, students, and visitors, campus and neighborhood amenities, recreational facilities, and to provide publicly accessible open space and an improved street-level pedestrian experience in and surrounding the project site.

LAND USE

The Proposed Actions would add academic, dormitory, faculty housing, and commercial uses, a public school, and open spaces, to the Proposed Development Area. While the proposed academic, public school, dormitory, and University-oriented hotel uses would be new uses in the Proposed Development Area, they would be consistent with, and appropriate for, the existing mix of uses on the project site and in the study area. The new buildings within the Proposed Development Area are within or immediately adjacent to the existing footprint of the NYU campus, and new uses would be compatible with existing uses and would be expected to help to better integrate the superblock form of the Proposed Development Area with the surrounding neighborhoods. In the Commercial Overlay Area, the Proposed Actions would not represent a major change in the land use mix of the area, and would improve land use conditions by adding new street-level neighborhood retail uses in six buildings, which would enliven the streetscape by activating currently underutilized ground-floor spaces. The Proposed Actions would not alter the existing land use in the Mercer Plaza Area, which would remain a publicly accessible open space in the future with the proposed project. Further, while the Proposed Actions would increase NYU's operations in the Proposed Development Area, this increase would not be expected to significantly alter existing land use patterns in the broader study area. Overall, the Proposed Actions would not be expected to result in any significant adverse impacts with regard to land use for both the 2021 and 2031 analysis years.

ZONING

The Proposed Actions would rezone the Proposed Development Area from R7-2 and R7-2/C1-5 to C1-7 and would map a C1-5 district overlay over the existing R7-2 zoning designation in the Commercial Overlay Area. In addition, NYU requests a Large Scale General Development (LSGD) special permit pursuant to Zoning Resolution (ZR) Section 74-743 to waive regulations of height and setback, rear yard, rear yard equivalent, the transfer of floor area between zoning lots and minimum distance between buildings in order to allow for a better site plan that would otherwise be permitted by zoning. NYU also requests a change to the City Map demapping four areas within the mapped rights-of-way of Mercer Street, LaGuardia Place, West 3rd Street and West 4th Street, and the subsequent disposition to NYU of the demapped portion of Mercer

Street between Bleecker and West Houston Streets and between West 3rd and West 4th Streets, as well as below-grade portions of the demapped areas along LaGuardia Place and Mercer Street between West 3rd and Bleecker Streets. The related application also includes mapping the demapped portions of LaGuardia Place and Mercer Street between West 3rd and Bleecker Streets at the surface and above as public park subject to certain easements granted to NYU. In connection with the demapping and disposition of portions of Mercer Street, NYU is also proposing to relocate the zoning district boundary that runs in the centerline of Mercer Street to the east so that the zoning boundary line remains in the centerline of the newly-narrowed street. In addition to the rezoning and LSGD special permit, NYU requests zoning text amendments to ZR Sections 74-742 and 74-743. These zoning changes are necessary to facilitate the park mapping and the proposed development, including the range of uses that NYU needs to achieve its goals and objectives, as set forth in Chapter 1, "Project Description." Absent the text changes, it would not be possible to include the demapped area adjacent to the South Block within the LSGD, and it would not be possible to map the demapped areas adjacent to the North Block as public park because it would create non-compliances for existing residential windows. The analysis finds that the zoning changes would be consistent with other zoning designations in the area, and would not allow incompatible uses or out-of-scale development. Therefore, the zoning changes would not result in significant adverse impacts for the 2021 and 2031 analysis years.

PUBLIC POLICY

The Proposed Actions would be consistent with public policies that are applicable to the Proposed Development Area, Commercial Overlay Area, and Mercer Plaza Area, as well as the study area, and would not result in any significant adverse impacts with regard to public policy in 2021 and 2031. The Proposed Actions would be consistent with the New York State Smart Growth Public Infrastructure Policy Act, as they would result in a mixed-use development in a centrally-located dense urban setting that is energy efficient, utilizes low-carbon power sources, and is highly supportive of transit and non-motorized commuting. With mitigation measures in place to partially mitigate adverse impacts to historic resources, the Proposed Actions would be fully supportive of the Act.

Overall, this analysis finds that the Proposed Actions would not result in significant adverse impacts to land use, zoning, or public policy for the Proposed Development Area, Commercial Overlay Area, Mercer Plaza Area, and 1/4-mile study area, in both the interim 2021 analysis year, and the 2031 full build out year.

B. DEVELOPMENT HISTORY

INTRODUCTION

NYU has been part of the local landscape since initial construction of the University Building on the northeast corner of Washington Square Park in 1835. As described in more detail in Chapter 1, "Project Description" and Chapter 7, "Historic and Cultural Resources," over this long history, both the University and the larger community have evolved through many demographic and economic changes. NYU increased its local presence throughout the first half of the 20th Century and by 1949, the school had become the largest university in the country (in part due to returning veterans), with an enrollment of 47,000 on multiple campuses, including University Heights in the Bronx and Washington Square. Beginning in 1949, the immediate project site was also greatly affected by urban renewal policies (starting with the National Housing Act of 1949, which then City Parks Commissioner Robert Moses utilized to facilitate the Washington Square Southeast Slum Clearance Plan project, known as the Washington Square Southeast Urban

Renewal Plan, or the "Urban Renewal Plan"). While Moses' original plans were scaled back, urban renewal did proceed in the Proposed Development Area and the adjacent block to the north, resulting in the redevelopment of nine city blocks into three superblocks.

Two of these superblocks comprise the Proposed Development Area, as described below. Block 535, adjoining the Mercer Plaza Area, is the third and northernmost superblock that comprised the Washington Square Southeast Urban Renewal Plan. Bounded by West 3rd and West 4th Streets, LaGuardia Place, and Mercer Street, Block 535 is located north of the Proposed Development Area and south of the Commercial Overlay Area (see **Figure 2-2**). Block 535 was designated in the Urban Renewal Plan as the "Education Block" and was sold by the City to NYU in 1955 for its academic needs. All of the existing buildings on Block 535 were demolished, with the exception of Shimkin Hall. NYU subsequently developed Warren Weaver-Hall (1965-66), Tisch Hall (1970-72), Bobst Library (1972) and the Stern School of Business (1990-92) on this site.

PROPOSED DEVELOPMENT AREA

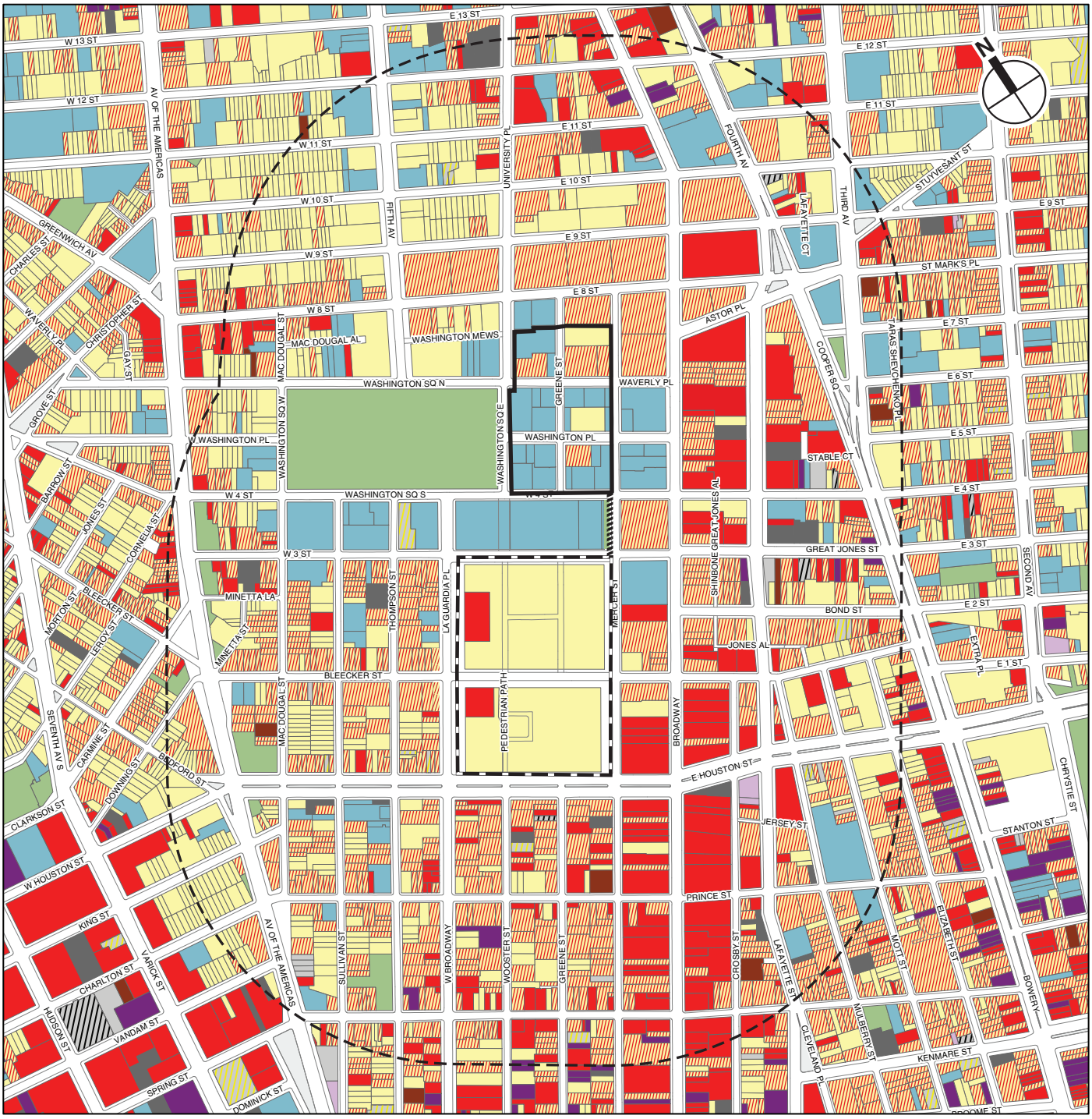
The Proposed Development Area is comprised of two superblocks: the South Block, most of which became University Village; and the North Block, which became Washington Square Village. The City contracted with a private developer to construct new housing on both blocks, but only the Washington Square Village portion of the plan was constructed by 1958. Subsequently, the developer sold the South Block (with the exception of the Morton Williams grocery store, which opened in 1961) to NYU in 1960, and the developer sold the North Block (Washington Square Village) to NYU in 1964. The University commissioned I.M. Pei to design the University Village residential complex on the South Block, which was completed in 1966. Two of the three towers were designed for NYU faculty (Silver Towers I and II), and a third as an independent (non-NYU) Mitchell-Lama[1] moderate income residence (505 LaGuardia Place). The Coles Sports and Recreation Center was constructed on the eastern edge of the site in 1981. The University purchased the supermarket site on the northwest corner of South Block in 2001, completing NYU's ownership of the Proposed Development Area. The University Village site was landmarked by the Landmarks Preservation Commission (LPC), with the support of NYU, in 2008.

COMMERCIAL OVERLAY AREA

North of the Proposed Development Area, the Commercial Overlay Area includes commercial buildings that were constructed in the late 19th and early 20th centuries to house the City's growing garment industry, between Washington Square Park and Broadway. NYU began to acquire these buildings as early as the 1920s and convert them to academic use. University Building, NYU's first structure, was located on the block bounded by Washington Square East, Washington Place, Greene Street, and Waverly Place. The building was demolished in 1894 and replaced by the Main Building, which is now part of the Silver Center for Arts and Sciences. Today, NYU owns all but a few of the buildings in this area, which are used largely for academic purposes, as well as some dormitory and residential uses and neighborhood commercial uses on the ground floor. Undergraduate dormitories include Weinstein Residence Hall, located at 5 University Place; and Goddard Hall, located at 79 Washington Square East. There are also graduate student housing units at 15 Washington Place.

[1] Enacted in 1955, the Mitchell-Lama Housing Program utilizes tax abatements, low-interest mortgages, and other subsidies for developers to build housing for low- and middle-income tenants.

6.1.11



- Proposed Development Area Boundary
- Commercial Overlay Area Boundary
- Mercer Plaza Area
- Study Area Boundary (1/4-Mile Perimeter)
- Residential
- Residential with Commercial Below
- Hotels
- Commercial and Office Buildings
- Industrial and Manufacturing
- Transportation and Utility
- Public Facilities and Institutions
- Open Space and Outdoor Recreation
- Parking Facilities
- Vacant Land
- Vacant Building
- Under Construction

0 500 1000 FEET

SCALE

Note: Each color indicates the dominant land use on each lot

NYU Core

Land Use Study Area

Figure 2-2

MERCER PLAZA AREA

The Mercer Plaza Area adjoins the easterly portion of Block 535, as described above. Also as a component of the mid-twentieth century urban renewal plans for the neighborhood, the City purchased strips along Mercer Street and LaGuardia Place for a road widening project that was later abandoned. Consequently, the mapped width of the street in these strips is wider than the built streetbed. In 2010, NYU upgraded and replaced a below-grade cogeneration facility underneath the Mercer Plaza Area, which resulted in a net reduction in facility emissions and allowed NYU to provide more extensive service and reliable power to its core campus. At grade within the Mercer Plaza Area, the University constructed a public plaza (Mercer Plaza) that provides approximately 6,300 square feet (sf) of passive open space. NYU convened a Community Advisory Committee comprised of local residents, elected officials, businesses, and Community Board members to collaborate on the design of the plaza, which was completed in 2010.

STUDY AREA

As shown on **Figure 2-1**, the ¼-mile study area[1] includes or touches upon a number of neighborhoods, including Greenwich Village, SoHo, Nolita, and NoHo. Washington Square itself first became a public park in 1827 and quickly established the surrounding neighborhood as among the City's most fashionable. To the west and south, it is noted that Greenwich Village was originally a rural hamlet, featuring the irregular street grid which is part of its distinctive character.

The area changed in the late 19th century, experiencing a growth in tenement housing and commercial development primarily associated with the garment industry. Greenwich Village's Bohemian character, which dates back to the 19th century, increased notably in the 1950s and 1960s, as artists took advantage of low-cost housing and solidified a very strong community identity. Opposition from the Greenwich Village community resulted in scaling back the original Washington Square Southeast Urban Renewal Plan. Opposition to the Urban Renewal Plan galvanized notable activists such as Lewis Mumford and Jane Jacobs, who contributed to the historic preservation and new-urbanist movements.

SoHo (an abbreviation for "South of Houston") developed as a commercial, manufacturing and warehousing district in the 19th century. Starting in the mid-20th century, artists began to move into SoHo to live and work in its loft spaces, transforming it from a manufacturing area. Today, SoHo is an upscale neighborhood and shopping destination known for its concentration of art galleries and other arts uses. Nolita, an abbreviation for "North of Little Italy," was once considered part of Little Italy due to its concentration of Italian immigrant residents. In the 1990s, the neighborhood saw an influx of new residents, and is currently a diverse neighborhood of residential and commercial uses. NoHo, or "North of Houston," was originally a prestigious residential area (centered on Lafayette Street) but its current built form primarily reflects its late 19th and early 20th Century role as a major retail and wholesale center. Today, like the neighborhoods noted above, Noho reflects a diverse residential population, supporting commercial uses, and a strong presence of the University and other institutions.

[1] Per the guidelines of the 2010 *City Environmental Quality Review (CEQR) Technical Manual.*

C. EXISTING CONDITIONS

LAND USE

Figure 2-2 depicts existing land uses in the project site and the surrounding study area, and these land uses are described below.

PROPOSED DEVELOPMENT AREA

As described above, the Proposed Development Area consists of the North Block, the South Block, and the City-owned portions of mapped streets. With the exception of these strips, NYU owns all of the property in the Proposed Development Area[1], which comprises 2.1 million gsf of building space, as described in Chapter 1, "Project Description."

The North Block (bounded by West 3rd Street, Mercer Street, Bleecker Street, and LaGuardia Place) contains two long, linear high-rise apartment buildings: Washington Square Village 1 & 2 on its northern side, and Washington Square Village 3 & 4 on its southern side, which together provide approximately 1,150 residential units in approximately 1.2 million gross-square-feet (gsf) of housing for faculty, graduate and post-doctoral students, and some non-NYU residents. The North Block also contains the one-story LaGuardia Place retail building on its western side, which is comprised of five businesses containing approximately 34,000 gsf of space. The interior of the block features large elevated private gardens that are fenced and not directly accessible from the surrounding streets. The North Block has two driveways connecting Bleecker and West 3rd Streets that provide for interior circulation and access to a 670-space underground parking garage that contains accessory and public spaces.

The South Block (bounded by Bleecker Street, Mercer Street, East Houston Street, and LaGuardia Place) contains three I.M. Pei-designed, 30-story towers (known as "University Village") that individually are approximately 225,000 gsf in size, and are positioned at the center of the site around a 100-by-100 foot lawn. The west tower, at 505 LaGuardia Place, is an independent Mitchell-Lama cooperative residence, and the east towers (Silver Towers I and II) serve as NYU faculty housing. The Silver Towers and 505 LaGuardia Place underground parking garages provide 179 and 87 accessory parking spaces, respectively. The northwest corner of the South Block contains an approximately 29,000-gsf Morton Williams grocery store, while the eastern length of the South Block contains the approximately 136,000-gsf Jerome S. Coles Sports and Recreation Center (known as "Coles Gymnasium"). Coles Gymnasium is the primary athletic facility for the University, and has served students, faculty, staff, and alumni, since opening in 1981.

Lining the superblocks on the east and west sides are the NYCDOT strips that are portions of mapped streets—comprised of sidewalks, open spaces and landscaped areas that are part of the street right-of-way (a remnant of the original urban renewal plan). As described in Chapter 5, "Open Space," along Mercer Street on the North Block is the Mercer Street Playground, an approximately 15,000-sf publicly-accessible play area that is under NYCDOT ownership but is managed by the New York City Department of Parks and Recreation (NYCDPR). Adjacent to the Mercer Street playground to the north and south are two, approximately 1,800-sf planted areas. Along LaGuardia Place on the North Block is an approximately 20,000-sf area known as LaGuardia Gardens, consisting of plantings interspersed with paved plaza space, and a statue of

[1] The 505 LaGuardia Place building is not owned by NYU; the building is on property under a 99-year lease from NYU.

Mayor Fiorello Henry LaGuardia. The statue of LaGuardia, who was the 99th mayor of New York City and served from 1934 to 1945, was completed in 1994.

At the southwest corner of Mercer and Bleecker Streets is the approximately 4,500-sf Coles Plaza, a paved area with some plantings, benches, and bicycle parking. South of Coles Plaza and also within the Mercer Street Strip is the approximately 7,000-sf Coles Playground, which is currently closed and in need of repair and refurbishment. South of Coles Playground, at the corner of West Houston Street and Mercer Street, is an approximately 3,200-sf privately operated dog run. Along LaGuardia Place on the South Block, the LaGuardia Place Strip contains a community garden and the Time Landscape. The approximately 6,500-sf community garden, located near the Morton Williams grocery store site, is supported by the City's Green Thumb program. It requires membership for its use, but is fully viewable to the public and has limited hours for public access. South of the community garden, Time Landscape is under NYCDOT ownership but maintained by NYCDPR through its Greenstreets program. Time Landscape consists of approximately 8,300 sf of plantings within a fenced area that is not accessible to the public.

COMMERCIAL OVERLAY AREA

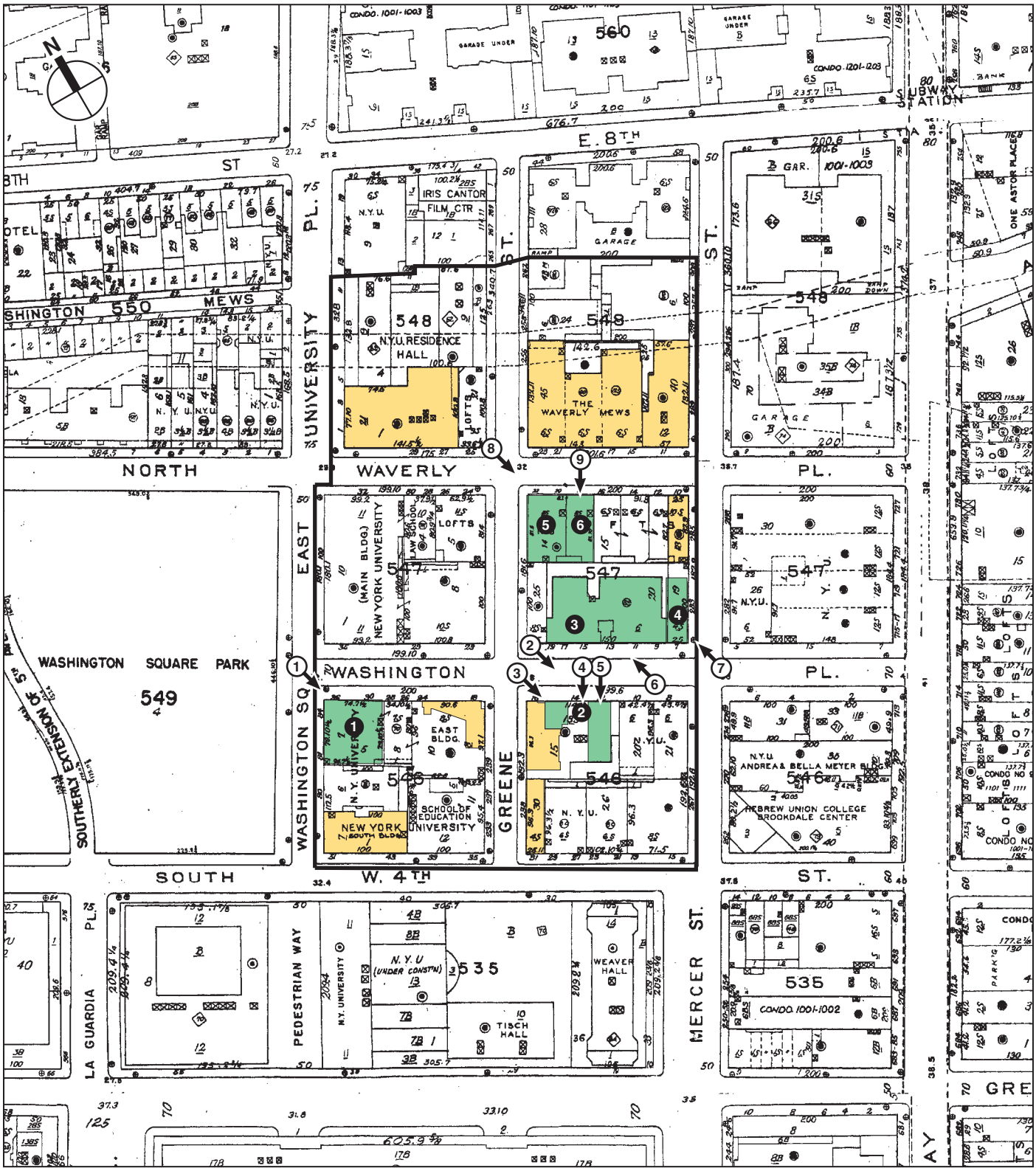
The Commercial Overlay Area contains academic and institutional uses that are integral to NYU's core academic operations. There are also residential and dormitory uses, as well as limited ground floor retail uses that are nonconforming with present zoning regulations (see "Zoning," below). There are approximately 20 retail establishments in the Commercial Overlay Area that include eateries, coffee shops, and convenience stores, primarily on Waverly Place, as well as on Washington Place, West 4th Street, Mercer Street, and University Place. NYU owns 22 of the 26 properties in the Commercial Overlay Area, which contains approximately 2 million gsf of building space.

The Reasonable-Worst Case Development Scenario for the Proposed Actions identifies six buildings within the Commercial Overlay Area that would accommodate neighborhood retail uses in the future with the Proposed Actions. Each site, and its existing conditions, is described below. **Figure 2-3** displays the locations and images of each site.

1) 82 Washington Square East (Figure 2-3a, Photo 1). Pless Hall, located at the southeast corner of Washington Square East and Washington Place, contains academic uses in its upper floors and an academic lounge on its main floor. The building's facades along Washington Square East and Washington Place contain windows but the ground floor use is limited and does not activate the street frontages.

2) 14 Washington Place; (Figure 2-3a, Photo 2). Located on the south side of Washington Place between Greene and Mercer Streets, ground floor uses at 14 Washington Place currently include the NYU Computer Store, the Campus Security Office, vacant space that formerly contained the Summer Housing Office, and the NYU Credit Union. It is expected that three storefronts at 14 Washington Place could accommodate future retail uses: those currently occupied by the Campus Security Office (*Figure 2-3b, Photo 3*), the vacant Summer Housing Office (*Figure 2-3b, Photo 4*), and the NYU Credit Union (*Figure 2-3c, Photo 5*).

3) 15 Washington Place (Figure 2-3c, Photo 6). Located on the north side of Washington Place between Greene and Mercer Streets, this building currently contains University-affiliated and non-affiliated residential uses. As described in text below and shown in **Table 2-2**, NYU intends to redevelop this site with academic uses irrespective of the Proposed Actions.



Commercial Overlay Area Boundary

Existing Ground Floor Retail

1 Projected Ground Floor Retail

1→ Photograph View Direction and Reference Number

Ground Floor Retail in the Commercial Overlay Area and Photo Key

Figure 2-3



82 Washington Square East **1**



14 Washington Square Place **2**



NYU Campus Security Office, 14 Washington Place **3**



NYU Summer Housing Office (vacant), 14 Washington Place **4**



NYU Credit Union, 14 Washington Place **5**



The Torch Club, 18 Waverly Place **6**

4) 7 Washington Place (Figure 2-3d, Photo 7). Located on the northwest corner of Washington Place and Mercer Street, the ground floor at 7 Washington Place is currently vacant. Previously, the site contained NYU Copy Central, a University printing and copying business.

5) 246 Greene Street (Figure 2-3d, Photo 8). Kimball Hall, located on the southeast corner of Greene Street and Waverly Place, contains academic uses in its upper floors and an academic lounge on its main floor. The building's facades on Greene Street and Waverly Place contain windows but the ground floor use is limited and does not activate the street frontages.

6) 18 Waverly Place (Figure 2-3e, Photo 9). The Torch Club, located on the south side of Waverly Place between Greene and Mercer Streets, is a private dining and event facility for NYU faculty and their guests.

MERCER PLAZA AREA

The recently-completed replacement and upgrade to the NYU cogeneration plant is located below grade on Mercer Street between West 4th Street and West 3rd Street, under Mercer Plaza. The replacement project upgraded the former 8,350-kiloWatt (kW) cogeneration facility that served 12 buildings on the NYU campus with a new facility that increased available power to 13,400 kW and connects the electrical distribution system to an additional 22 buildings on the NYU campus. The project resulted in a net reduction in facility emissions and allowed NYU to provide more extensive service and reliable power to its campus. The approximately 6,300-sf public plaza, which opened in 2010, was landscaped to create a green and usable space that includes benches, trees, flower beds, and other plantings.

STUDY AREA

The 1/4-mile study area is characterized by a mix of institutional, commercial, and residential uses. In addition to the Proposed Development Area and Commercial Overlay Area, NYU's academic core includes properties encircling Washington Square (see **Figure 2-2**). Washington Square South between MacDougal Street and LaGuardia Place contains the Kimmel Center for University Life (a student resources center) and the buildings comprising the NYU School of Law (Furman Hall, Vanderbilt Hall, and D'Agostino Hall), as well as Judson Church. Adjacent to the Kimmel Center, construction is proceeding on the Center for Academic and Spiritual Life, which will provide 61,000 gsf of space when completed in 2012. NYU's core also includes the two blocks on Washington Square West, which include the Hayden Residence Hall; and Washington Square North, which contains townhouses that have been converted to academic use as well as faculty housing. NYU also owns and/or occupies several non-academic properties outside of the core, such as its administrative offices, a bookstore, and Student Health Center, located at 726 Broadway, and the Robert F. Wagner Graduate School of Public Service, located in the Puck Building at 295 Lafayette Street.

Washington Square Park

Washington Square Park is a 9.75-acre public park, operated by the New York City Department of Parks and Recreation. The park first opened to the public in 1827, the first fountain was built in 1852 (replaced in 1872), and the park's famous arch was constructed in 1889 to celebrate the centennial of George Washington's inauguration. The park has been a gathering place for generations and is today an iconic feature of New York City that is visited by millions of tourists and residents annually. Currently, the park is undergoing phase two of a $13 million renovation that is nearing completion. The park serves as a focal point for the surrounding communities.



7 Washington Place **7**



Kimball Hall, 246 Greene Street **8**



15 Washington Place **9**

Photographs
Figure 2-3e

University Place and North of Washington Square

Washington Square North contains townhouses owned by NYU and used for academic purposes, as well as non-NYU residential and commercial uses, including the Washington Square Hotel at 103 Waverly Place. West 8th Street is a busy commercial corridor that features medium-to high-density residential buildings with ground-floor commercial uses such as clothing stores and restaurants. North of West 8th Street and south of West 11th Street is primarily residential, along with some commercial and institutional uses. North of West 11th Street, the area contains more commercial uses leading towards Union Square. Larger commercial uses in this area include a bowling alley and a movie theater near the intersection of West 12th Street and University Place. University Place is a north-south commercial corridor with a variety of commercial uses such as grocery stores, community retail stores, and restaurants and cafes (often with residential uses above). Fifth Avenue is a wide north-south corridor that contains mostly residential uses in the study area, in addition to some commercial and institutional uses. Institutional uses in the area include: the Memorial Sloan-Kettering Cancer Center at 55 Fifth Avenue; the Baha'i Center and Library at 53 East 11th Street; Parsons the New School for Design on the northwest corner of West 12th Street and Fifth Avenue; Milano the New School for Management and Urban Policy on the northwest corner of West 13th Street and Fifth Avenue; the Benjamin Cardozo School of Law on the northeast corner of West 12th Street and Fifth Avenue; and the New York Studio School of Drawing, Painting, and Sculpture, at 8 West 8th Street. North of the study area, a new dormitory and academic building for the New School is under construction on the southeast corner of West 14th Street and Fifth Avenue.

South of Washington Square and West of the Project Site (North of Houston Street)

This area typifies the mixed-use character of Greenwich Village with residents, students, and tourists supporting a diverse commercial base, most notably bars, restaurants, and an array of live music venues. Bleecker Street, MacDougal Street, West 3rd Street, and East Houston Street all contain commercial uses with residential units above. Avenue of the Americas (Sixth Avenue) is a major north-south thoroughfare on the western edge of the study area. It contains ground-floor commercial uses ranging from local stores and eateries to larger uses such as the International Film Center and larger retail stores such as Barnes and Noble and Duane Reade. There are also many residential buildings, as well as a number of small public open spaces: the West 4th Street courts, a popular handball and basketball court between West 4th and 3rd Streets; Minetta Playground, Green, and Triangle, a series of small parks between West 3rd Street and Bleecker Street; Father Demo Square, a triangular open space with a fountain bounded by Carmine Street, Bleecker Street and Sixth Avenue; Downing Street Playground, on the corner of Downing Street and Sixth Avenue; and Passannante Square, a concrete baseball court and basketball court on the northeast corner of Sixth Avenue and East Houston Street. Institutional uses include: the Center for Architecture, across from the Proposed Development Area at 536 LaGuardia Place; the Little Red School House & Elisabeth Irwin High School, a pre-kindergarten through 12th grade private school, on the southeast corner of Bleecker Street and Sixth Avenue; the Children's Aid Society, at 219 Sullivan Street; and the Judson Memorial Church, at 55 Washington Square South. The West 4th Street subway station is a major focal point of neighborhood activity.

Broadway, Astor Place, Cooper Union

This portion of the study area is also a mixed-use area with commercial, residential, and institutional uses. Residential buildings in the area have commercial uses on the ground floor; uses include chain stores, banks, delis, restaurants, and clothing boutiques. Fourth Avenue contains a mixture of medium-to high-density apartment buildings, commercial uses at grade, and institutional uses such as the Grace Church School (a private school) and, across the street,

the U.S. Post Office on the northeast corner of Fourth Avenue and East 11th Street. St. Marks Place is a busy retail and entertainment street containing numerous bars and restaurants. There are also large retail stores along Astor Place and Lafayette Street, including the Kmart at 22 Astor Place and the Walgreens drug store at the southwest corner of Lafayette Street and Astor Place. The traffic island in Astor Place contains the Alamo sculpture, which consists of a large, black metal cube mounted on one corner. The Cooper Union for the Advancement of Science and Art ("Cooper Union") occupies the blocks north and south of Astor Place, between Third Avenue and Fourth Avenue, as well as a recently completed building, known as the "New Academic Building," on Cooper Square between East 6th and East 7th Streets. Cooper Triangle is a small open space on Cooper Square, across the street from the new Cooper Union structure. Nearby Cooper Square are two hotels: Lafayette House, at 38 East 4th Street, and the Cooper Square Hotel, at 25 Cooper Square. There are also several entertainment uses in this area. The Public Theater is located on Lafayette Street just south of Astor Place and contains five theater performance spaces seating between 50 to 200 people. The Blue Man Group performs at the Astor Place Theater, located at 434 Lafayette Street, and Webster Hall, a concert venue and nightclub, is located at 125 East 11th Street.

SoHo and Nolita

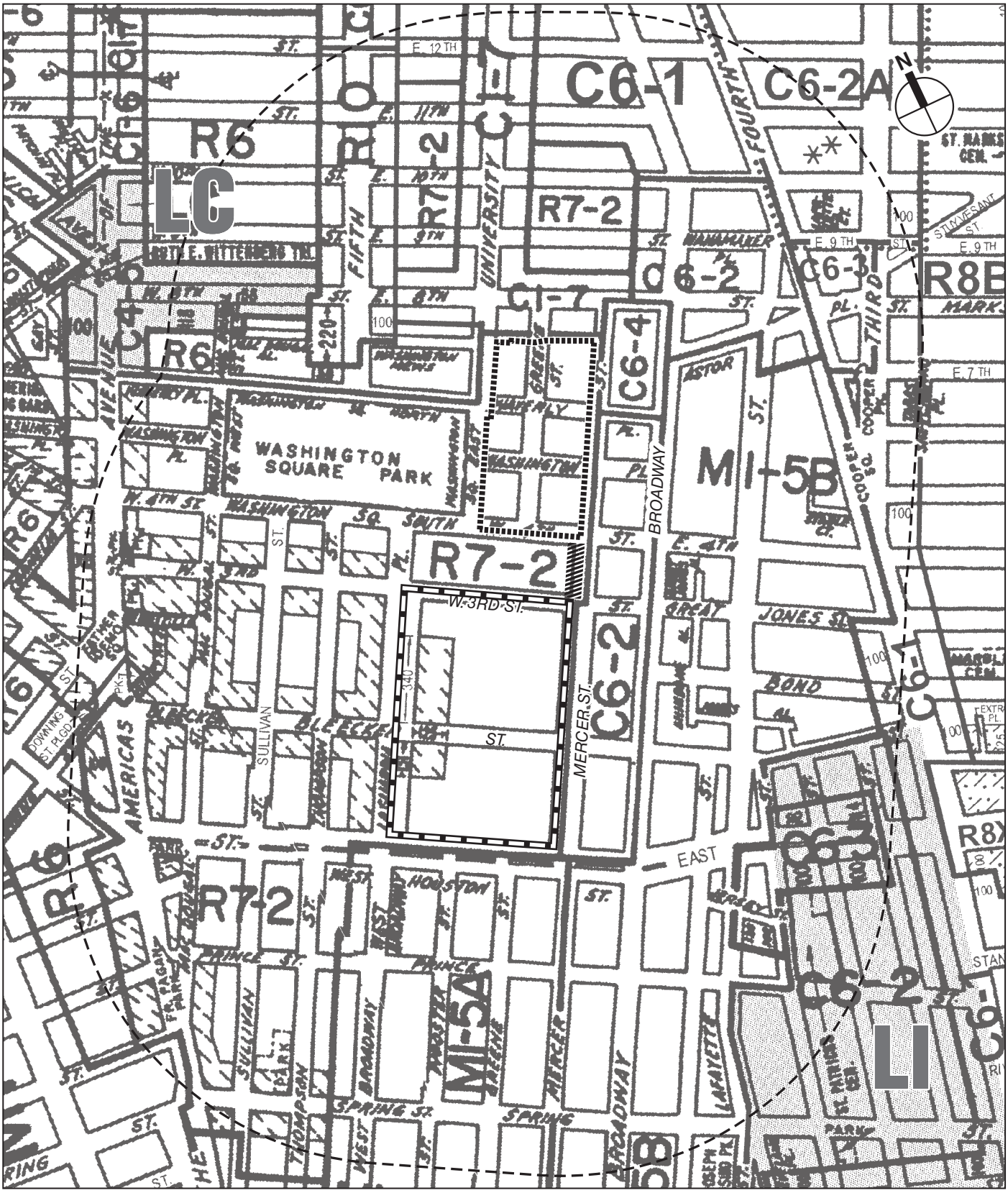
The area south of Houston Street is characterized by primarily commercial and residential uses. The section of Broadway south of Houston Street is a major retail destination containing the flagship stores of boutiques and national clothing chains such as Prada and Banana Republic, and has some of the highest pedestrian volumes in the City. To the east of Broadway, the Nolita area contains a mix of residential, commercial, and institutional uses. Residential buildings in this area typically have retail use on the ground floor including cafes, restaurants, designer clothing stores, and boutiques. Institutional uses include the New York Public Library's Mulberry Street branch and St. Patrick's Old Cathedral (which includes a private school) on the southern portion of the block bounded by Prince Street, Mulberry Street, East Houston Street, and Mott Street. The blocks west of Broadway typically contain commercial establishments such as art galleries, boutiques, and eateries on the ground floor of residential and commercial buildings. There is also a hotel in this area, the Mercer, located at 147 Mercer Street. West Broadway is another busy north-south retail corridor in this area, while Prince and Spring Streets are important east-west retail streets. Institutional uses include the Cooke Center for Learning and Development at 60 MacDougal Street, the largest private special education services school in the City; and St. Anthony's Church, at West Houston Street and Sullivan Street. There are a few small open areas in the southwest corner of the study area: Playground of the Americas is located on the southwest corner of West Houston Street and Sixth Avenue; Charlton Plaza is located on the west side of the Sixth Avenue between Charlton and King Streets; Father Fagan Square is located on the southeast corner of Sixth Avenue and Prince Street; and the Vesuvio Playground is located on the southwest corner of Thompson Street and Spring Street.

ZONING

A variety of zoning districts are mapped in the project study area. They are presented in **Figure 2-4**, summarized in **Table 2-1**, and described below. The table identifies zoning districts by permitted uses and bulk.

In general, there are four types of uses under the New York City Zoning Resolution: 1) residential uses; 2) community facility uses; 3) retail and commercial uses; and 4) manufacturing uses. Residential uses refer to all residential development designed for permanent occupancy. Community facility uses include schools, dormitories, hospitals, houses of worship, and museums. These uses, which include academic institutions such as NYU, provide essential non-commercial services to the public. Commercial and retail uses range from

6.3.11



Proposed Development Area Boundary

Commercial Overlay Area Boundary

Study Area Boundary
(1/4-Mile Perimeter)

Mercer Plaza Area

Zoning District Boundary

C1-5 Overlay

Special Little Italy District

Special Limited Commercial District

0 500 FEET

SCALE

NYU Core

Existing Zoning

Figure 2-4

local retail and services (such as small food and clothing stores) to hotels and office buildings, to large retail establishments (such as department stores and large shopping centers). Manufacturing uses range from light industrial uses (such as automotive establishments) to heavy industrial uses, where residential uses are not permitted.

Table 2-1
Zoning Districts Located in the Study Areas

Zoning District	Maximum FAR[1]	Uses/Zone Type
Commercial Districts		
C1-5	2.0 commercial	Local retail overlay in a residential district
C1-7	2.0 commercial; 0.94-6.02 residential; 6.5 community facility	Medium-density residential and community facility district; limited commercial use allowed
C4-5	3.4 commercial; 0.87-3.44 residential; 6.5 community facility	Medium-density general central commercial district; residential and community facility allowed
C6-1	6.0 (7.2 with plaza bonus) commercial; 0.87-3.44 residential; 6.5 (7.2 with plaza bonus) community facility	Medium-density general central commercial district; residential and community facility allowed
C6-2	6.0 (7.2 with plaza bonus) commercial; 0.94-6.02 residential; 6.5 (7.2 with plaza bonus) community facility	Medium-density general central commercial district; residential and community facility allowed
C6-2A	6.0 commercial; 6.02 residential; 6.5 community facility	Contextual commercial district with maximum building heights; residential and community facility
C6-3	6.0 (7.2 with plaza bonus) commercial; 0.99-7.52 residential; 10.0 (12.0 with plaza bonus) community facility	High-density general central commercial district; residential and community facility allowed
C6-4	10.0 (12.0 with bonus) commercial; 10.0 FAR (12.0 with bonus) residential; 10.0 community facility (12.0 with bonus)	High density commercial and residential district
Residential Districts		
R6	0.78-2.43 residential; 4.8 community facility	General residence district. Medium density residential, community facility.
R7-2	0.87 to 3.44 residential; 6.5 community facility	General residence district. Medium density residential, community facility.
R10	10.0 (12.0 with inclusionary housing or plaza bonus) residential; 10.0 community facility	General residence district. High-density residential, community facility.
Manufacturing Districts		
M1-5B	5.0 commercial or manufacturing; 6.5 community facility (use group 4 only)[2]	Medium-density light industrial uses (high performance), commercial, and certain community facilities (for loft areas). Limited residential use allowed as Joint Living-Work Quarters for Artists and by special permit.
M1-5A	5.0 commercial or manufacturing; 6.5 community facility (use group 4 only)[2]	Medium-density light industrial uses (high performance), commercial, and certain community facilities (for loft areas). Limited residential use allowed as Joint Living-Work Quarters for Artists and by special permit.
Special Districts		
LC	N/A	Special Limited Commercial District
LI	N/A	Special Little Italy District

Notes: [1] Floor area ratio (FAR) is a measure of density establishing the amount of development allowed in proportion to the lot area. For example, a lot of 10,000 square feet with a FAR of 1 has an allowable building area of 10,000 square feet. The same lot with an FAR of 10 has an allowable building area of 100,000 square feet.
[2] Use group 4A by Special Permit only.
Sources: *New York City Zoning Resolution.*

PROPOSED DEVELOPMENT AREA

The Proposed Development Area is currently zoned R7-2, with a C1-5 overlay along a portion of LaGuardia Place (**see Figure 2-4**). R7-2 districts are medium-density residential districts that encourage low apartment buildings on smaller lots, or taller buildings with low lot coverage on larger lots, as exists in the Proposed Development Area. R7-2 districts allow residential uses at a

maximum Floor Area Ratio (FAR) of 3.44, and community facility uses with a maximum FAR of 6.5. R7-2 zoning districts also require that a minimum Open Space Ratio (OSR) is provided on a zoning lot. The OSR requirements range from 15.5 to 25.5 percent of the residential floor area on a zoning lot, depending on the height and footprint of the building.

C1-5 overlay zoning in R7-2 districts allows for an FAR of 2.0 for commercial uses. Commercial overlays are typically mapped along streets that serve the local retail needs of the surrounding neighborhood. Representative retail uses found in C1-5 overlay districts include small grocery stores, restaurants, and beauty parlors. The residential bulk in commercial overlays is governed by the residential district within which the overlay is mapped.

Lots 1 and 6 of the South Block (Block 524) are subject to a Large Scale Residential Development special permit that was established in 1964 to facilitate the construction of University Village. The special permit authorized the distribution of floor area, open space, rooms and parking without regard to zoning lot lines. In 1979, it was modified to facilitate the construction of Coles Gymnasium. The 1979 approval permitted a modification of the requirements regarding minimum spacing between buildings, as well as the modification of the height factor zoning open space requirements to allow a portion of the Coles Gymnasium rooftop to be considered open space.

The special permit requires adherence to the approved site plans for University Village and Coles Gymnasium and does not permit additional development. The special permit also includes site plans showing improvements to the Mercer Street Strip, adjoining the South Block; such plans called for a dog run in the southern portion of the strip, a children's play area in the center of the strip and a plaza in the north area of the strip. The special permit also required NYU to make certain recreational facilities on the roof of the Cole's Gymnasium available to University Village residents and, on a more limited basis, to neighborhood residents.

The Proposed Development Area also includes three City-owned portions of street segments, as described above under "Land Use." These areas are currently mapped as City streets.

COMMERCIAL OVERLAY AREA

The Commercial Overlay Area is also zoned R7-2. There is no existing commercial overlay zoning district in the Commercial Overlay Area; consequently, the approximately 20 existing ground-floor commercial uses scattered in the Commercial Overlay Area are non-conforming uses under present regulations.

MERCER PLAZA AREA

The Mercer Plaza Area is currently mapped as a New York City street. Although the street is within an R7-2 zoning district, the Zoning Resolution does not permit development of buildings in City streets. NYU obtained a revocable consent permit from NYCDOT for use of the Mercer Plaza Area to allow for the below-grade cogeneration plant.

STUDY AREA

The study area is mapped with a variety of residential, commercial, and manufacturing zoning districts, as described below. There are also two special zoning districts mapped in the larger study area: the Special Limited Commercial District, and Special Little Italy District.

Commercial Districts

Immediately east of the project site is a C6-2 medium-density commercial district bounded by Mercer Street, Waverly Place, Broadway, and West Houston Street. There are additional C6-2

districts in the southeast corner of the study area (bounded roughly by Lafayette Street, Mulberry Street, and south of East Houston Street), and in the northeast section of the study area (bounded roughly by East 10th Street, Fourth Avenue, Astor Place, and midblock west of Broadway. C6-2 zoning districts are medium-density commercial districts that are generally well-served by mass transit. C6-2 districts permit a commercial FAR of 6.0 (7.2 with bonus), community facility FAR of 6.5 (7.2 with bonus), and an R8 equivalent residential FAR of 6.02.

In the northeast corner of the study area is a C6-1 district that is bounded roughly by East 10th Street, Fourth Avenue, north of East 13th Street, and west of University Place. C6-1 districts produce medium-density commercial areas that permit a commercial FAR of 6.0 (7.2 with bonus), community facility FAR of 6.5 (7.2 with bonus), and a R7 equivalent residential FAR of 3.44.

Adjacent to the C6-1 district is a C6-2A contextual district mapped as an inclusionary housing bonus area that is roughly bounded by East 13th Street, Fourth Avenue, East 9th Street, and east of Third Avenue. C6-2A districts permit a maximum FAR of 6.0 for commercial uses, 6.5 FAR for community facility use, and FAR of 5.4 for residential use, or 7.2 for new residential development, provided that 20 percent of residential floor area is used for affordable housing.

In the northwest section of the study area is a C4-5 zoning district along West 8th Street from west of Fifth Avenue to west of Sixth Avenue, and along Sixth Avenue from East 10th Street to Waverly Place. C4-5 districts are medium-density commercial districts usually mapped in regional commercial centers located outside of central business districts. The maximum FAR in C4-5 districts is 3.4 for commercial uses, 6.5 for community facility uses, and 3.44 for residential uses.

South of the C6-2 district is a small C6-4 district composed of the block bounded by East 8th Street, Mercer Street, Broadway, and Waverly Place. C6-4 districts permit a maximum FAR of 10.0 (12.0 with a plaza bonus) for commercial uses, 10.0 for community facility uses, and a R10 equivalent residential FAR of 10.0.

Along University Place from East 12th Street to just north of Washington Square Park is a C1-7 district. C1-7 districts are medium-density areas that contain predominantly residential or community facility uses, with limited commercial use. They permit a maximum FAR of 2.0 for commercial uses, 6.5 for community facility uses, and 6.02 for residential uses.

There are two small C6-3 districts in the study area: one is bounded by East 9th Street, Third Avenue, East 7th Street, and Fourth Avenue; the second C6-3 district includes the buildings on both sides of East Houston Street from Elizabeth Street to Mulberry Street, and an area bounded by East Houston Street, Mulberry Street, midblock between Jersey Street and Prince Street, and Lafayette Street. C6-3 districts are high density districts with a maximum commercial FAR of 6.0 for commercial uses (7.2 with plaza bonus), 10.0 for community facility uses (12.0 with plaza bonus), and 7.52 for residential uses.

Residential Districts

The R7-2 district that includes the project site extends to roughly East 8th Street, Washington Square North, and Waverly Place to the north, Mercer Street to the east, Sixth Avenue to the west, and Spring Street to the south. As described above, R7-2 districts allow a maximum residential FAR of 3.44 and community facility FAR of 6.5.

In the northwest portion of the study area is a R6 zoning district between Fifth Avenue and Sixth Avenue, from East 9th Street to East 12th Street. R6 districts produce a variety of building types, ranging from attached row houses to “tower-in-the-park” developments. Applying height factor regulations, the maximum FAR for residential use ranges from 0.78 to 2.43. If contextual

regulations are employed through the Quality Housing option, the maximum residential FAR ranges from 2.2 to 2.43. Development of community facility uses is permitted at 4.8 FAR.

There is also an R10 zoning district in the Fifth Avenue corridor from Washington Square North to 12th Street. R10 districts permit the highest residential density in the City, with a maximum FAR of 10.0 for residential uses, or 12.0 pursuant to the Inclusionary Housing Program or plaza bonus. The maximum community facility FAR in R10 districts is 10.0.

Commercial Overlay District

Much of the R7-2 district in the study area contains a C1-5 overlay. C1-5 overlay districts are mapped in the southwest portion of the study area, along Sixth Avenue, MacDougal Street, West 3rd Street, Bleecker Street, LaGuardia Place, and portions of Spring Street. C1-5 commercial overlays are mapped in residential districts along streets that serve the local retail needs of the neighborhood, and are found extensively throughout the City's lower- and medium-density areas and occasionally in higher-density districts. Typical uses include grocery stores, restaurants, and beauty parlors, catering to the immediate neighborhood. Commercial overlays mapped in R7-2 districts permit a maximum commercial FAR of 2.0.

Manufacturing Districts

To the east of Broadway in NoHo is a M1-5B zoning district, while to the south, in SoHo, is a M1-5A zoning district. M1-5B and M1-5A zoning districts were established to protect light manufacturing uses while encouraging stability and growth in mixed-use areas. The M1-5A and M1-5B designations permit light manufacturing uses, office uses, certain community facility uses, and certain retail uses at a maximum FAR of 5.0 for commercial and manufacturing uses and 6.5 for community facility uses. M1-5A and M1-5B districts are also subject to special provisions allowing the conversion of manufacturing uses to joint live-work quarters for artists (JLWQAs). Conversion of manufacturing uses to other uses generally requires a special permit or authorization from the New York City Planning Commission (CPC). Manufacturing uses have declined throughout the study area, and spaces formerly occupied by manufacturing uses have largely been absorbed by commercial and residential uses.

Special Zoning Districts

The Special Limited Commercial District attempts to preserve the character of commercial areas within historic districts by permitting only those commercial uses compatible with the historic district, and by mandating that all commercial uses be in completely enclosed buildings. In addition, limitations are placed on the size and illumination of signs. In the study area, this designation applies to the portion of the Greenwich Village Historic District along Sixth Avenue from Waverly Place to East 10th Street, and along West 8th Street from Fifth Avenue to Sixth Avenue.

The Special Little Italy District was established to preserve and enhance the historic and commercial character of this community. Special use regulations protect the retail area along Mulberry Street while other regulations encourage residential rehabilitation and new development on a scale consistent with existing buildings, discourage the demolition of noteworthy buildings, and increase the number of street trees in the area. This designation applies to the southeast corner of the study area, bounded by Bleecker Street to the north, the Bowery to the east, and Mulberry Street to the west.

Large Scale Residential Development

As discussed above for Proposed Development Area, the Large Scale Residential Development permit that was granted in 1964 includes Block 535, which is not within the project site

boundaries but is located in the study area. The special permit authorized the distribution of floor area, open space, rooms and parking without regard to zoning lot lines.

RECENT REZONING ACTIONS

Third Avenue Corridor Rezoning

The northeast corner of the study area is located in the Third Avenue Corridor Rezoning area, which was adopted in October, 2010. The objective of the rezoning is to balance neighborhood preservation with modest growth within the corridor. The area bounded by East 13th Street to the north, Fourth Avenue to the west, East 9th Street to the south, and Third Avenue to the east, was rezoned from C6-1 to a contextual C6-2A designation and inclusionary housing district. The rezoning established new FAR limits and introduced new height and setback controls, setting minimum and maximum base heights, and maximum overall building heights. The C6-2A district permits a maximum 7.2 FAR for new residential development, provided that 20 percent of residential floor area is used for affordable housing. Sites that do not elect to be part of the Inclusionary Housing Program are permitted a maximum 5.4 FAR. New construction within the proposed C6-2A district would be required to line up with adjacent structures to maintain the existing street wall.

East Village and Lower East Side Rezoning

Just outside the eastern edge of the study area, the East Village and Lower East Side areas were rezoned in 2008. The objective of the rezoning was to ensure that new development throughout the rezoning area relates to the existing scale and character of the East Village and Lower East Side, while encouraging the creation of affordable housing. The area's zoning designations were changed to contextual zoning districts (R7A, R7B, R8B, C4-4A, R8A, C6-2A), with street wall and total building height limits requiring that buildings be constructed at or near the street line. The rezoning also limits the allowable commercial uses to those more commonly found in regional centers, rather than the broader range of commercial uses currently allowed in C6 districts. The rezoning also created higher density R8A and C6-2A districts, located near mass transit along the area's widest streets.

PUBLIC POLICY

PROPOSED DEVELOPMENT AREA

Urban Renewal Plans

The Washington Square Southeast Slum Clearance Plan (the "Urban Renewal Plan"), was approved by the New York City Board of Estimate in 1954. The Urban Renewal Plan mandated redevelopment of the Washington Square Southeast Urban Renewal Area (URA), defined as the present-day Proposed Development Area and Block 535 (immediately north of the North Block). The Urban Renewal Plan proposed the demolition of all buildings in the URA, as described above under "Development History," and the reorganization of nine blocks into three superblocks.

The original 1954 plan contemplated the development of Block 535 only for educational[1] purposes, and the Proposed Development Area for residential[1], retail, and commercial garage

[1] Educational uses are defined to include classrooms, laboratories, libraries and study rooms, athletic facilities, assembly halls for primarily University functions, book stores, food services, and other facilities for faculty and students.

uses. The North Block was to have five residential towers and stores, and the South Block was to have four residential towers, an accessory garage, and stores. The Urban Renewal Plan also mandated the provision of parking facilities, local retail uses, and open spaces. However, no development occurred pursuant to the original 1954 plan.

The Urban Renewal Plan was amended four times—in 1958, 1962, 1966, and 1979—to meet the evolving needs of the City and local community. The first (1958) revisions facilitated the development of Washington Square Village on the North Block with an entirely different site plan than was included in the original 1954 plan. The only portion of the South Block to be developed pursuant to the first (1958) amendment was the Morton Williams grocery store, in 1961. The second (1962) revisions facilitated the development of the remainder of the South Block, including eliminating a previously planned commercial garage on the South Block, and resulting in the development of University Village, in 1967. The third (1966) revisions facilitated the development of Bobst Library in Block 535 but did not affect the Proposed Development Area. The fourth and final revisions (in 1979) facilitated the development of Coles Gymnasium by changing the land use designation from residential to educational. The revisions also required the provision of open space for the adjacent residential structures and placed a 23-foot height limit on Coles Gymnasium.

Overall, the final version of the Urban Renewal Plan allowed for only educational uses on Block 535 and on the Coles Gymnasium site; it did not permit such educational uses in other areas. It also allowed retail uses on: the southeast corner of Bleecker Street and LaGuardia Place, which is the present site of the Morton Williams grocery store; and in a portion of the east side of LaGuardia Place between Bleecker Street and West 3rd Street, the current site of the LaGuardia Place retail building. The Urban Renewal Plan did not permit retail uses in other locations. The remainder of the URA was designated for residential uses, which are not permitted in the educational or retail areas. Therefore, the land use regulations contained in the Urban Renewal Plan reflect present day conditions in the URA.

In addition to use regulations, the Urban Renewal Plan also contains restrictions with regard to density, coverage, building setbacks, height, parking, and off-street loading, as described below.

Density: Residential density is restricted to 375 persons per net residential acre. Educational density is limited to a maximum aggregate floor area for educational uses in the URA of 763,000 sf.

Coverage: Residential coverage is restricted to an average of 35 percent of the net residential area, permitting some flexibility in sub-areas of the total residential area. Retail uses are restricted to a maximum of 31,300 sf.

Setbacks: The minimum residential-building setback from the street line is five feet.

Height: On the North Block, the residential height limit is 17 apartment floors or 178 feet, whichever is less; the height of the educational building on the Coles Gymnasium site is limited to 23 feet above grade, except for mechanical equipment and other minor intrusions. Retail buildings are limited to a height of one story or 20 feet, whichever is less.

Parking: For residential uses, off-street parking must be provided for a minimum of 40 percent of dwelling units in the North Block and 50 percent of dwelling units in the South Block. There are no minimum parking requirements in the Urban Renewal Plan for educational or retail uses.

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[1] Residential uses are defined to include multi-family residential, student and faculty residential, and appurtenant underground and surface parking.

Off-Street Loading: Any structures built after the approval of the 1966 revisions to the URA are required to provide off-street loading facilities.

The Urban Renewal Plan expired by its own terms in January 1994, the 40th anniversary of its adoption by the City in January 1954. However, as a condition of the sale of the North Block and South Block, the City placed deed restrictions (now enforceable by the New York City Department of Housing Preservation and Development [HPD]) on the blocks that mandate adherence to the terms of the Urban Renewal Plan. These restrictions, and therefore the imposition of the regulations contained in the Urban Renewal Plan, expire in or before 2021 in the Proposed Development Area.

Business Improvement Districts

Business Improvement Districts (BIDs) were first established in New York City in the 1980s and are organizations of property and business owners dedicated to promoting business development and improving their neighborhoods. BIDs usually deliver supplemental services such as sanitation and maintenance, public safety and visitor services, marketing and promotional programs, and beautification for the area, funded by a special assessment in the district. The New York City Department of Small Business Services (SBS) is responsible for managing the City's relationships with BIDs. BIDs have supported and promoted the development of commercial districts throughout New York City.

There are no BIDs in the Proposed Development Area, but there are BIDs in adjacent areas, as described below.

New York City Historic Districts

The New York City Landmarks Law of 1965 established the New York City Landmarks Preservation Commission (LPC) and authorized the Commission to designate individual buildings, historic districts, interior landmarks and scenic landmarks of historical, cultural and architectural significance. The Landmarks Law defines a Historic District as an area that has a "special character or special historic or aesthetic interest," represents "one or more periods of styles of architecture typical of one or more eras in the history of the city," and constitutes "a distinct section of the city." Historic district designation by LPC protects buildings from demolition and development that is out of context or insensitive to the historic nature of the area. Property owners are required to obtain LPC approval before altering the exterior of designated buildings.

There are no LPC-designated historic districts in the Proposed Development Area; however, as detailed in Chapter 7, "Historic and Cultural Resources," the University Village complex on the South Block is a designated New York City Landmark. There are several LPC-designated historic districts in areas adjacent to the Proposed Development Area, as shown in **Figure 2-4**, and described below.

New York State Smart Growth Public Infrastructure Policy Act

In 2010, New York State enacted the State Smart Growth Public Infrastructure Policy Act. The purpose of this act is to maximize the social, economic, and environmental benefits from public infrastructure development through minimizing unnecessary costs of sprawl development. The act mandates that all State agencies shall not approve, undertake, support, or finance a public infrastructure project unless that project is—to the extent practicable—consistent with 10 smart growth criteria, which are:

1. To advance projects for the use, maintenance or improvement of existing infrastructure;

2. To advance projects located in municipal centers;
3. To advance projects in developed areas or areas designated for concentrated infill development in a municipally-approved comprehensive land use plan, local waterfront revitalization plan and/or brownfield opportunity area plan;
4. To protect, preserve, and enhance the State's resources, including agricultural land, forests, surface and groundwater, air quality, recreation and open space, scenic areas, and significant historic and archeological resources;
5. To foster mixed land uses and compact development, downtown revitalization, brownfield redevelopment, the enhancement of beauty in public spaces, the diversity and affordability of housing in proximity to places of employment, recreation and commercial development, and the integration of all income and age groups;
6. To provide mobility through transportation choices including improved public transportation and reduced automobile dependency;
7. To coordinate between state and local government and inter-municipal and regional planning;
8. To participate in community-based planning and collaboration;
9. To ensure predictability in building and land use codes; and
10. To promote sustainability by strengthening existing and creating new communities which reduce greenhouse gas emissions and do not compromise the needs of future generations, by among other means encouraging broad based public involvement in developing and implementing a community plan and ensuring the governance structure is adequate to sustain its implementation.

As the proposed development in the Proposed Development Area would require approvals from the Dormitory Authority of the State of New York (DASNY), a consistency assessment with the State Smart Growth Public Infrastructure Policy Act is warranted.

COMMERCIAL OVERLAY AREA

Urban Renewal Plans

The Commercial Overlay Area is not covered by any Urban Renewal Plans. As described above, the Washington Square Southeast Urban Renewal Plan does not extend to the Commercial Overlay Area.

Business Improvement Districts

As with the Proposed Development Area, there are currently no BIDs in the Commercial Overlay Area.

New York City Historic Districts

There are currently no LPC-designated historic districts in the Commercial Overlay Area. However, as discussed in Chapter 7, "Historic and Cultural Resources," a portion of this area has been determined to be State/National Register-eligible as the potential NoHo Historic District Expansion.

New York State Smart Growth Public Infrastructure Policy Act

No approvals from a State agency (such as DASNY) are required for any component of the Proposed Actions in the Commercial Overlay Area.

MERCER PLAZA AREA

Urban Renewal Plans

The Mercer Plaza Area is adjacent to the northernmost block of the Washington Square Southeast URA, as described above. However, as a mapped City street, the Mercer Plaza Area is not affected by the Urban Renewal Plan.

Business Improvement Districts

There are currently no BIDs in the Mercer Plaza Area.

New York City Historic Districts

The Mercer Plaza Area is not within an LPC-designated historic district.

New York State Smart Growth Public Infrastructure Policy Act

No approvals from a State agency (such as DASNY) are required for any component of the Proposed Actions in the Mercer Plaza Area.

STUDY AREA

Business Improvement Districts

There are two BIDs in the study area: the Village Alliance, and NoHo NY. The Village Alliance represents the 8th Street corridor, from Second Avenue to the east, to Sixth Avenue to the west, as well as Sixth Avenue, from West 4th Street to the south to just north of West 8th Street, and University Place from East 8th Street to East 13th Street. Established in 1994, the Village Alliance is comprised of approximately 400 retail businesses. The NoHo NY BID is bounded by East Houston Street to the south, the buildings on the east side of Lafayette Street to the east, roughly Astor Place to the north, and Mercer Street to the west. Founded in 1997, the BID represents approximately 120 retail businesses.

New York City Historic Districts

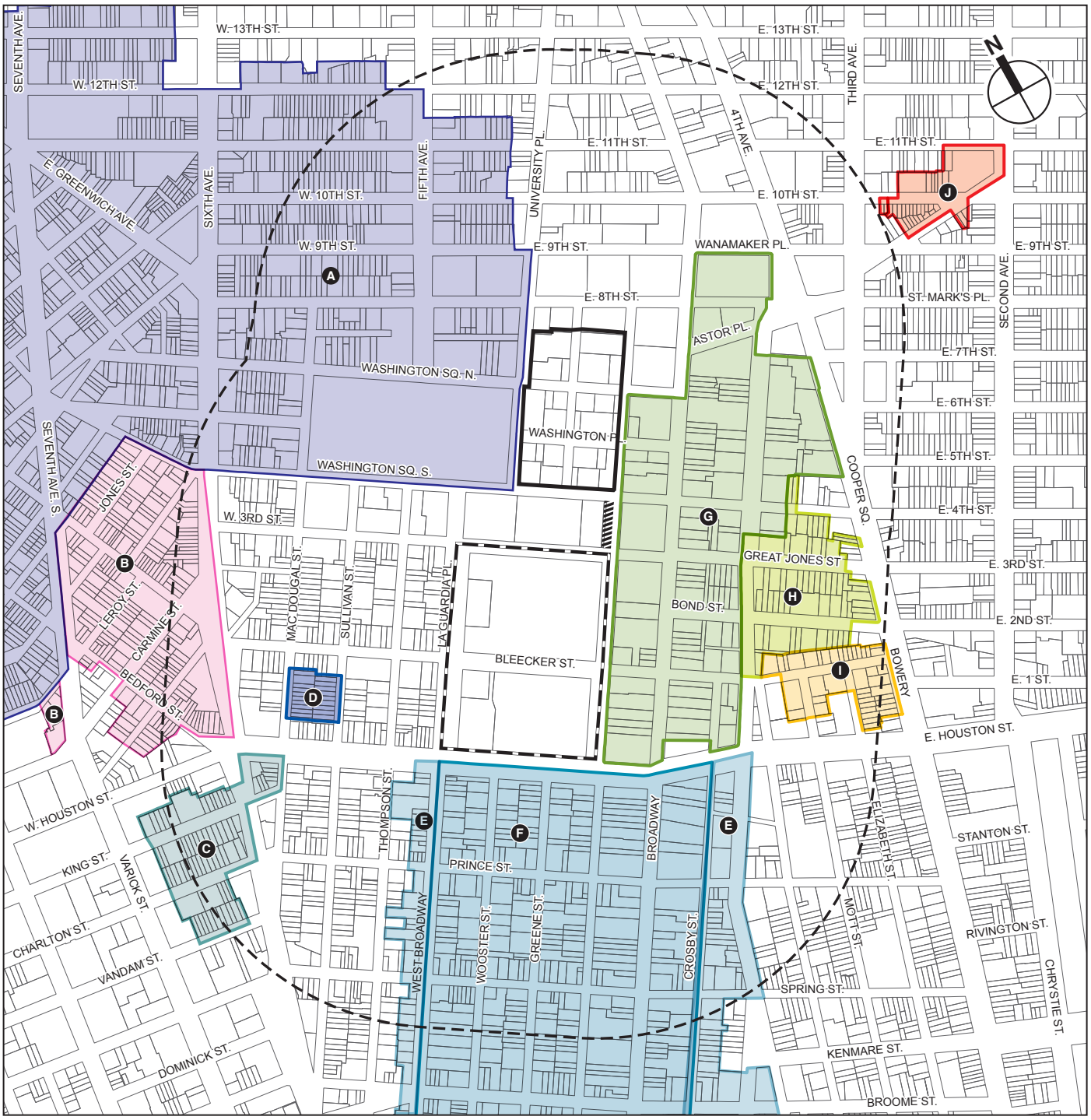
As shown in **Figure 2-5**, there are numerous New York City historic districts located in the study area: the Greenwich Village Historic District (and extension), the SoHo-Cast Iron Historic District (and extension), the NoHo Historic District (and extension), the NoHo East Historic District, the Charlton-Vandam-King Historic District, the MacDougal-Sullivan Gardens Historic District, and the Saint Mark's Historic District (and extension). See Chapter 7, "Historic and Cultural Resources," for a detailed description of these historic districts.

In addition to the LPC-designated historic districts in the study area, there are several State/National Register-listed and State/National Register-eligible historic districts in the study area. These historic districts, in addition to the New York City Historic Districts, are described and analyzed in Chapter 7, "Historic and Cultural Resources."

D. FUTURE WITHOUT THE PROPOSED ACTIONS

This section considers land use, zoning, and public policy conditions for 2021 and 2031, the future analysis years, without the Proposed Actions. These conditions are projected by considering the development that will occur in both the project site and in the study area

6.2.11



Proposed Development Area Boundary

Commercial Overlay Area Boundary

Mercer Plaza Area

Study Area Boundary (1/4-Mile Perimeter)

0 500 1000 FEET

SCALE

- A Greenwich Village Historic District
- B Greenwich Village Historic District Extension II
- C Charlton-King-Vandam Historic District
- D MacDougal-Sullivan Gardens Historic District
- E SoHo-Cast Iron Historic District Extension
- F SoHo-Cast Iron Historic District
- G NoHo Historic District
- H NoHo Historic District Extension
- I NoHo East Historic District
- J St. Mark's Historic District and Extension

NYU Core

New York City Historic Districts

Figure 2-5

independent of the Proposed Actions. With regard to the project site, this section accounts for future conditions in which none of the discretionary actions proposed as part of the Proposed Actions are adopted. The land use, zoning, and public policy conditions described below form the "No Build" or "Future Without the Proposed Actions" condition. This condition describes the baseline conditions in the study area against which the Proposed Actions' incremental changes will be measured.

2021 PHASE 1

LAND USE

Proposed Development Area

It is expected that by 2021 in the future without the Proposed Actions, the Proposed Development Area will remain as it is today and no new development is anticipated, with the exception of two open space improvements. By 2012, Adrienne's Garden, a 4,500-sf playground will be built on the LaGuardia Place Strip on the western edge of the North Block. Additionally, it is expected that a currently closed open space in the South Block would be reopened: the Coles Playground. Other open spaces, the existing Washington Square Village apartments, University Village, Coles Gymnasium, Morton Williams grocery store site, LaGuardia Place retail building, and underground parking garages will not be altered in the future without the Proposed Actions.

Commercial Overlay Area

In the future without the Proposed Actions, several changes are expected to the Commercial Overlay Area. It is expected that by 2021, NYU will develop an additional 20,000 gsf of academic uses at an existing academic building at 25 West 4th Street, and redevelop the existing 74,000-gsf residential building at 15 Washington Place into a 129,000-gsf academic building (see **Table 2-2**, below). The location of these projects is shown on **Figure 2-6**). These new academic uses are consistent with existing uses in the area, and are not expected to significantly affect the mix of existing land uses in the area. Overall, the Commercial Overlay Area will continue to provide predominantly academic and institutional uses, as well as some residential and retail uses.

Mercer Plaza Area

Land use conditions in the Mercer Plaza Area are not expected to change in the future without the Proposed Actions. The underground cogeneration plant that was completed in 2010 will continue to provide reliable, low-emission power for the NYU campus. Mercer Plaza—the public plaza created by the University and opened in 2010—will continue to serve both NYU and non-NYU populations.

Study Area

Absent the proposed project, the study area will continue to see residential, commercial, and institutional development. There are 18 development projects within or adjacent to a 1/4-mile perimeter of the project site that are anticipated to be built by 2021 (including projects in the project site, as noted above). These projects are listed in **Table 2-2**, and **Figure 2-6** shows their location.



Proposed Development Area Boundary

Mercer Plaza Area

Commercial Overlay Area Boundary

Study Area Boundary (1/4-Mile Perimeter)

1 No Build Project

NYU Core

No Build Projects

Figure 2-6

Table 2-2
Planned Projects Within or Near the 1/4-Mile Study Area by 2021

Ref. No.	Project Location	Program/Uses	Build Year/Status[1]
1	15 Washington Place	NYU: 129,000 sf academic	By 2021
2	25 West 4th Street	NYU: 74,000 sf academic	By 2021
3	36 East 8th Street	NYU: 134,000 sf academic	By 2021
4	383 Lafayette Street	NYU: 77,000 sf academic	By 2021
5	7, 8, 14A Washington Mews	NYU: conversion from residential to academic. 7: 12,000 sf 8: 12,000 sf 14A: 12,000 sf	By 2012
6	813 Broadway	40 residential units	By 2021
7	Adrienne's Garden	4,500-sf playground	2012
8	58 Washington Square South	NYU: 91,000-sf Center for Academic and Spiritual Life	2012 (under construction)
9	688 Broadway	31,000 sf residential; 5,000 sf commercial	By 2021
10	791 Broadway	6,500 sf residential; 2,000 sf commercial	By 2021
11	150 Wooster Street	30,000 sf residential; 5,000 sf commercial	2014
12	138 Wooster Street	Addition of 9,000 sf residential; 2,000 sf commercial	By 2021
13	41 East Houston Street	27,000 sf residential	By 2021
14	277 Mott Street	10,000 sf residential	By 2021
15	47 Prince Street	2,000 sf commercial	By 2021
16	403 Lafayette Street	40 residential units	By 2021
17	309 Sixth Avenue	25,000 sf residential; 3,700 sf commercial; 8,100 sf community facility	By 2021
18	302 Lafayette Street	72,000 sf commercial	By 2021

Notes: [1] Projects with unknown build years are assumed to be developed by 2021 (the Phase 1 analysis year for the Proposed Actions)
Sources: AKRF field surveys, 2010 and 2011; DOB 2011.

ZONING

Proposed Development Area

No changes to zoning in the Proposed Development Area are anticipated in the absence of the Proposed Actions by 2021. The Proposed Development Area will continue to be zoned R7-2 and R7-2 with a C1-5 overlay, and the Large Scale Residential Development permit will also remain in place as described in "Existing Conditions."

Commercial Overlay Area

No changes to zoning in the Commercial Overlay Area are anticipated under the No Action scenario by 2021. The area will continue to be an R7-2 zoning district and some existing retail uses in the Commercial Overlay Area will continue to be non-conforming uses under the existing zoning.

Mercer Plaza Area

No changes to zoning in the Mercer Plaza Area are expected in the absence of the Proposed Actions by 2021. The Mercer Plaza Area will remain mapped as a New York City street within an R7-2 zoning district. It is expected that the revocable consent that NYU obtained from NYCDOT for use of the Mercer Plaza Area will continue to be renewed annually.

Study Area

No zoning changes are anticipated in the study area by 2021 in the future without the Proposed Actions. The study area is expected to continue to contain a mixture of residential, commercial, manufacturing, and special district zoning designations, as described above in "Existing Conditions."

PUBLIC POLICY

Proposed Development Area

Urban Renewal Plans

In the absence of the Proposed Actions, the deed restrictions imposing adherence to elements of the expired Urban Renewal Plan governing the use and development of the Proposed Development Area will expire in or before 2021 in the Proposed Development Area. Thereafter, these restrictions and controls will no longer apply to the Proposed Development Area.

Business Improvement Districts

No notable changes to BIDs affecting the Proposed Development Area are anticipated in the absence of the Proposed Actions by 2021. As with existing conditions, there will not be a BID in the Proposed Development Area.

New York City Historic Districts

In the absence of the Proposed Actions by 2021, no notable changes to LPC-designated historic districts in the Proposed Development Area are anticipated. As with existing conditions, there will not be any LPC-designated historic districts in the Proposed Development Area.

New York State Smart Growth Public Infrastructure Policy Act

In the absence of the Proposed Actions by 2021, no changes to the New York State Smart Growth Public Infrastructure Policy Act are anticipated.

Commercial Overlay Area

Urban Renewal Plans

No notable changes to Urban Renewal Plans affecting the Commercial Overlay Area are anticipated in the absence of the Proposed Actions by 2021. As with existing conditions, there will not be an Urban Renewal Plan applicable to the Commercial Overlay Area.

Business Improvement Districts

No notable changes to BIDs affecting the Commercial Overlay Area are anticipated in the absence of the Proposed Actions by 2021. As with existing conditions, there will not be a BID in the Commercial Overlay Area.

New York City Historic Districts

Irrespective of the Proposed Actions, the State/National Register-eligible potential NoHo Historic District Expansion in a portion of the Commercial Overlay Area could be listed on the State/National Registers, as discussed in Chapter 7, "Historic and Cultural Resources."

New York State Smart Growth Public Infrastructure Policy Act

In the absence of the Proposed Actions by 2021, no changes to the New York State Smart Growth Public Infrastructure Policy Act are anticipated.

Mercer Plaza Area

Urban Renewal Plans

No notable changes to Urban Renewal Plans affecting the Mercer Plaza Area are anticipated in the absence of the Proposed Actions by 2021. As with existing conditions, there will not be an Urban Renewal Plan applicable to the Mercer Plaza Area.

Business Improvement Districts

No notable changes to BIDs affecting the Mercer Plaza Area are anticipated in the absence of the Proposed Actions by 2021. As with existing conditions, there will not be a BID in the Mercer Plaza Area.

New York City Historic Districts

The Mercer Plaza Area is not within a historic district. Therefore, in the absence of the Proposed Actions by 2021, as with existing conditions, there would be no changes to historic districts in the Mercer Plaza Area.

New York State Smart Growth Public Infrastructure Policy Act

In the absence of the Proposed Actions by 2021, no changes to the New York State Smart Growth Public Infrastructure Policy Act are anticipated.

Study Area

Urban Renewal Plans

Irrespective of the Proposed Actions, Block 535 will continue to be subject to Urban Renewal Plan restrictions by 2021. Although the Urban Renewal Plan has expired, the land disposition agreement mandates adherence to the urban renewal plan restrictions until as late as 2029.

Business Improvement Districts

By 2021, it is expected that the Village Alliance and NoHo NY will continue to serve portions of the study area. NoHo NY is proposing to expand its area of operations eastward from its current eastern boundary of the Lafayette Street corridor, to the Bowery corridor, from East Houston Street to East 7th Street. To date, the proposed expansion has not been taken up by the Community Board, City Planning Commission, or City Council.

A new BID has also been proposed for SoHo, which would be located along the Broadway corridor from Houston Street to Canal Street. Due to opposition from some area small business owners, the SoHo BID was rejected by a resolution of Community Board 2 in December 2010. However, the proposed SoHo BID was approved by the City Planning Commission on January 26, 2010, and is currently awaiting a decision from City Council.

New York City Historic Districts

No notable changes to existing LPC-designated historic districts within the study area are anticipated in the absence of the Proposed Actions by 2021. As discussed in Chapter 7, "Historic and Cultural Resources," LPC is actively considering designating one or two new historic districts in the East Village, which could include a portion of the study area. LPC is also considering designating a historic district in the South Village, which would include a portion of the study area adjacent to the western boundary of the Proposed Development Area.

2031 PHASE 2

LAND USE

Proposed Development Area

It is expected that by 2031 in the Future Without the Proposed Actions, the existing Morton Williams grocery store site will be redeveloped as-of-right, as the HPD deed restrictions that mandate adherence to the regulations and controls of the Urban Renewal Plan expire in 2021. The as-of-right development is assumed to result in an approximately 175,000-gsf, nine-story building, containing an approximately 25,000-gsf supermarket, and NYU academic space. The redevelopment of the Morton Williams site, as well as the development of Adrienne's Garden by 2021, are the only substantial change anticipated to occur within the Proposed Development Area under the No Action scenario by 2031. As with the 2021 analysis year, the existing Washington Square Village, University Village, Coles Gymnasium, LaGuardia Place retail building, and underground parking will not be altered.

Commercial Overlay Area

No changes to land use in the Commercial Overlay Area are expected in the absence of the Proposed Actions by 2031, except for the development by NYU of two sites with academic space that will occur by 2021, as described above. The Commercial Overlay Area will continue to provide predominantly academic uses, as well as some residential and commercial uses.

Mercer Plaza Area

As with the 2021 analysis year, land use conditions in the Mercer Plaza Area are not expected to change under the No Action scenario by 2031. The underground cogeneration facility will continue to operate and the public plaza that opened in 2010 will continue to serve both NYU and non-NYU populations.

Study Area

Absent the Proposed Actions, the study area will continue to see residential, commercial, and institutional development. There is one known development project within or adjacent to a 1/4-mile perimeter around the project site that is anticipated to be built between 2021 and 2031: the redevelopment of the Morton Williams grocery store site, as described above. This project is listed in **Table 2-3**, and **Figure 2-5** shows the project location.

Table 2-3
NYU Core:
Planned Projects Within or Near the 1/4-Mile Study Area between 2021 and 2031

Ref. No.	Project Location	Program/Uses	Build Year/Status
19	130 Bleecker Street (Morton Williams Site)	NYU: 175,000 sf academic and commercial	By 2031
Sources: AKRF field surveys, 2010 and 2011; DOB 2011.			

ZONING

Proposed Development Area

No changes are expected to zoning in the Proposed Development Area by 2031 in the Future Without the Proposed Actions. The Proposed Development Area will continue to be zoned R7-2

and R7-2/C1-5, and a portion of it will continue to be subject to a Large Scale Residential Development special permit.

Commercial Overlay Area

No changes are expected to zoning within the Commercial Overlay Area by 2031 in the No Action scenario. The Commercial Overlay Area will continue to be zoned R7-2, and existing retail uses will continue to be non-conforming uses under the existing zoning.

Mercer Plaza Area

As with the 2021 analysis year, no zoning changes are expected to occur in the proposed demapping area in the Future Without the Proposed Actions, by 2031. The Mercer Plaza Area will continue to be mapped as a New York City street within an R7-2 zoning district.

Study Area

No changes to zoning in the study area are currently anticipated by 2031 under the No Action scenario. The study area will continue to include a mixture of residential, commercial, manufacturing, and special district zoning, and a portion of the Proposed Development Area will continue to be subject to a Large Scale Residential Development special permit, as described in "Existing Conditions."

PUBLIC POLICY

Proposed Development Area

Urban Renewal Plans

As discussed above, the Urban Renewal Plan regulations and HPD deed restrictions governing the use and development of the Proposed Development Area will expire in or before 2021. After 2021, these restrictions and controls will no longer apply to the Proposed Development Area.

Business Improvement Districts

No notable changes to BIDs affecting the Proposed Development Area are anticipated in the absence of the Proposed Actions by 2031. As with existing conditions, there will not be a BID in the Proposed Development Area.

New York City Historic Districts

No notable changes to LPC-designated historic districts affecting the Proposed Development Area are anticipated in the absence of the Proposed Actions by 2031. As with existing conditions, there will not be any LPC-designated historic districts in the Proposed Development Area.

New York State Smart Growth Public Infrastructure Policy Act

In the absence of the Proposed Actions by 2031, no changes to the New York State Smart Growth Public Infrastructure Policy Act are anticipated.

Commercial Overlay Area

Urban Renewal Plans

No notable changes to Urban Renewal Plans affecting the Commercial Overlay Area are anticipated in the absence of the Proposed Actions by 2031. As with existing conditions, there will not be an Urban Renewal Plan in the Commercial Overlay Area.

Business Improvement Districts

No notable changes to BIDs affecting the Commercial Overlay Area are anticipated in the absence of the Proposed Actions by 2031. As with existing conditions, there will not be a BID in the Commercial Overlay Area.

New York City Historic Districts

There are currently no LPC-designated historic districts in the Commercial Overlay Area. However, as discussed in Chapter 7, "Historic and Cultural Resources," a portion of this area has been determined to be State/National Register-eligible as the potential NoHo Historic District Expansion.

New York State Smart Growth Public Infrastructure Policy Act

In the absence of the Proposed Actions by 2031, no changes to the New York State Smart Growth Public Infrastructure Policy Act are anticipated.

Mercer Plaza Area

Urban Renewal Plans

No notable changes to Urban Renewal Plans affecting the Mercer Plaza Area are anticipated in the absence of the Proposed Actions by 2031. As with existing conditions, there will not be an Urban Renewal Plan applicable to the Mercer Plaza Area.

Business Improvement Districts

No notable changes to BIDs affecting the Mercer Plaza Area are anticipated in the absence of the Proposed Actions by 2031. As with existing conditions, there will not be a BID in the Mercer Plaza Area.

New York City Historic Districts

The Mercer Plaza Area is not within a historic district. In the absence of the Proposed Actions by 2031, as with existing conditions, there would be no changes to historic districts in the Mercer Plaza Area.

New York State Smart Growth Public Infrastructure Policy Act

In the absence of the Proposed Actions by 2031, no changes to the New York State Smart Growth Public Infrastructure Policy Act are anticipated.

Study Area

Urban Renewal Plans

By 2031, the deed restrictions imposing adherence to elements of the expired Urban Renewal Plan will have expired and these restrictions will no longer apply.

Business Improvement Districts

No notable changes to BIDs affecting the study area are anticipated in the absence of the Proposed Actions by 2031. NoHo NY and the Village Alliance will continue to serve the study area.

New York City Historic Districts

No notable changes to existing LPC-designated historic districts within the study area are anticipated in the absence of the Proposed Actions by 2031. As discussed in Chapter 7, "Historic and Cultural Resources," LPC is actively considering designating one or two new historic districts in the East Village, which could include a portion of the study area. LPC is also

considering designating a historic district in the South Village, which would include a portion of the study area adjacent to the western boundary of the Proposed Development Area.

E. FUTURE WITH THE PROPOSED ACTIONS

This section describes the land use, zoning, and public policy conditions that would result from the completion of the Proposed Actions by 2021 and 2031, and evaluates the potential for the Proposed Actions to result in significant adverse impacts.

As described in Chapter 1, "Project Description," NYU is seeking the following Proposed Actions to facilitate the proposed development:

- **Zoning map change**:
  - Rezone the Proposed Development Area from R7-2 and R7-2/C1-5 to C1-7;
  - Rezone the Commercial Overlay Area from R7-2 to R7-2/C1-5;
  - Rezone an approximately 20-foot-wide strip within the bed of Mercer Street from C6-2 to C1-7 from West Houston Street to West 3rd Street to keep the zoning district boundary line coincident with the center of the street; and
  - Rezone an approximately 10-foot-wide strip within the bed of Mercer Street from C6-2 to R7-2 from West 3rd Street to West 4th Street to keep the zoning district boundary line coincident with the center of the street.
- **Zoning Text Amendment to Sections 74-742 and 74-743:**
  - Allow applications for LSGD special permits within the Washington Square Southeast Urban Renewal Area to be submitted without meeting normally applicable ownership requirements (Sec 74-742); and
  - Allow public parks in the former Washington Square Southeast Urban Renewal Area to be treated as a street for all zoning purposes (Sec 74-743).
- **LSGD Special Permit (ZR Section 74-74):**
  - Transfer of floor area between zoning lots;
  - 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 I 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 II and Coles Gym buildings (ZR Section 23-711); and
  - The existing Large Scale Residential Development (LSRD) would be dissolved as a consequence of the Proposed Action.
- **Concurrent NYU City Map Change Application:**
  - 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 3rd and 4th 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 3rd Streets and authorize its disposition to NYU;
- Map the western 39 feet of Mercer Street between Bleecker and West 3rd 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 3rd Streets and authorize disposition to NYU; and
- Map the eastern 50 feet of LaGuardia Place between Bleecker and West 3rd 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.

- **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)**
- **Site Selection by the New York City School Construction Authority**
- **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. On July 27, 2011, LPC approved the proposed landscape changes and issued a CofA. The CofA has not yet been issued in its final form. This is contingent upon LPC's review and approval of the final New York City Department of Building filing set of drawings. No work can begin until the final drawings have been marked approved by LPC with a perforated seal.

As described in Chapter 1, "Project Description," this EIS considers an Illustrative Program and, with respect to some analyses, Reasonable Worst-Case Development Scenarios depending on the environmental issue of concern. For this Land Use, Zoning, and Public Policy assessment, the Illustrative Program includes all of the potential uses that could be developed on the project site as a result of the Proposed Actions, and therefore is appropriately conservative.

As noted above, there are two build years for the proposed development: an interim build year of 2021 and a full build-out year of 2031. **Table 2-4** summarizes the development that would result from the Proposed Actions by these build years. The evaluation of the potential for significant adverse impacts is based on a comparison of the scenarios in the No Build condition, described above, with the incremental changes to land use, zoning, and public policy that would result from the completion of the Proposed Actions in the Build condition, as summarized in **Table 2-4**.

Table 2-4
Illustrative Program for NYU Core Project by 2021 and 2031

Use	Proposed Development Area						Commercial Overlay Area (2021)	TOTAL (gsf)
	South Block (2021)		North Block (2031)					
	Zipper Building (gsf)	Bleecker Building (gsf)	Mercer Building (gsf)	LaGuardia Building (gsf)	North Block Below-Grade (gsf)	Washington Square Village Apartments (gsf)	6 Retail Locations (gsf)	
Academic	135,000	38,000	250,000	160,000	484,000	4,583	0	**1,071,583**
Student Housing (Dormitory)	315,000	55,000	0	0	0	0	0	**370,000**
Faculty Housing	105,000	0	0	0	0	0	0	**105,000**
Athletic Center	146,000	0	0	0	0	0	0	**146,000**
Retail	55,000	0	0	0	0	9,312	24,000	**88,312**
Hotel	115,000	0	0	0	0	0	0	**115,000**
Academic/Conference Space	50,000	0	0	0	0	0	0	**50,000**
Public School (PS/IS)	0	100,000	0	0	0	0	0	**100,000**
Parking	0	0	0	0	76,000	0	0	**76,000**
Mechanical/Service Areas	129,000	32,000	0	0	210,000	5,814	0	**376,814**
Total: 2021	**1,050,000**	**225,000**	**0**	**0**	**0**	**0**	**0**	**1,275,000**
Total: 2021-2031	**0**	**0**	**250,000**	**160,000**	**770,000**	**19,709**	**24,000**	**1,223,709**
OVERALL TOTAL GSF	**1,050,000**	**225,000**	**250,000**	**160,000**	**770,000**	**19,709**	**24,000**	**2,498,709**

Note: The approximately 30,000-sf temporary gymnasium in use during construction not shown. Open space and parking alterations are also not shown.
Source: New York University

2021 PHASE 1

LAND USE

Proposed Development Area

By 2021, the Proposed Actions would result in the full proposed development of the South Block of the Proposed Development Area (see **Table 2-4**). Two existing buildings in the South Block would be demolished: Coles Gymnasium and the retail building containing the Morton Williams grocery store. Coles Gymnasium would be replaced by the approximately 1 million-gsf Zipper Building, which would contain a mix of academic, commercial, residential, and institutional uses, including a replacement student athletic center, and a University-oriented hotel. The Morton Williams site would be redeveloped with an approximately 225,000-gsf, 14-story building ("Bleecker Building") that would contain a new P.S./I.S. public school (if the New York City School Construction Authority [SCA] elects to construct the school), NYU dormitory space above the public school, and NYU academic uses below the public school (i.e., below grade), by 2021. If the SCA elects not to build a school at this location, the Bleecker Building would be constructed with NYU dormitory and academic uses. The existing University Village buildings and South Block underground parking would not be affected.

With the Proposed Actions, the size and bulk of development in the South Block would increase considerably by 2021. The zoning floor area of the five existing buildings on the South Block is 880,000 sf, which would increase to approximately 1.4 million sf by 2021 with the Proposed Actions. The proposed Zipper Building, which would include towers ranging from 68 to 275 feet in height (299 feet in height including the mechanical bulkhead), would be taller than the existing Coles Gymnasium. The proposed Bleecker Building, which would be up to 178 feet tall (208 feet including mechanical bulkhead), would be taller than the existing one-story Morton Williams grocery store. However, the proposed development has been designed to be consistent

with the height of the existing University Village buildings on the South Block; the proposed new buildings would not exceed the height of the three existing 275-foot-tall towers (291 to 299 feet tall including mechanical bulkheads) that comprise University Village. The tallest portion of the Zipper Building would be at the corner of West Houston Street and Mercer Street, where it would best suit the context of higher density mixed-use development along the Houston Street corridor. The building has been designed with low, 60- to 70-foot-tall components alternating with taller towers ranging from 128 feet to 228 feet in height (158 feet to 258 feet in height including mechanical bulkheads), with the tallest, 275-foot-tall tower (299 feet tall including mechanical bulkheads) oriented at the northwest corner of Mercer and West Houston Streets. The varied massing of the Zipper Building is designed to add visual interest and would reflect the form of existing nearby buildings, including the warehouse and loft buildings on the east side of Mercer Street.

The Zipper Building site would also be well-served by public transit, including the nearby Broadway-Lafayette/Bleecker Street Metropolitan Transportation Authority (MTA) subway station that includes the B, D, F, M, and 6 train lines. While the Zipper Building would substantially increase the height and bulk of the current Coles Gymnasium site, this change would not be considered adverse because the height and bulk of the Zipper Building would be compatible with existing buildings in the Proposed Development Area. The Zipper Building would also add street-level retail uses that serve the community where there are currently blank building walls. Therefore, the increases in height and bulk in the Proposed Development Area that would result from the Proposed Actions would not be expected to result in significant adverse land use impacts.

While the Proposed Actions would result in substantial new development in the Proposed Development Area, the proposed uses would be consistent with existing uses, including existing graduate housing, faculty housing, residential, and commercial uses. The proposed gymnasium and retail uses would replace existing gymnasium and retail uses on the South Block, and therefore, would not alter existing land use conditions. Similarly, the proposed faculty housing would be consistent with existing faculty housing on the South Block, and would therefore not significantly impact existing land uses.

Under the Illustrative Program the Proposed Actions would introduce four new uses to the South Block: student dormitories; NYU academic uses; a New York City public school; and a hotel. Student dormitories are typically located in residential and mixed-use areas and are a permitted use under the existing residential zoning of the Proposed Development Area. The proposed dormitory uses would also be consistent with existing dormitory uses nearby, including in the Commercial Overlay Area, and graduate student housing across the street from Washington Square Village on Mercer Street (the NYU Law dormitory). The proposed academic uses would result in a substantial land use change for the South Block, but these uses would be consistent with existing academic uses nearby, such as in Block 535 to the north, and NYU academic space in 194 Mercer Street, across the street from the South Block, to the east. Moreover, portions of the South Block have been part of the NYU campus since the 1960s. Under existing conditions, the South Block contains the primary athletic facility for NYU, Coles Gymnasium, which primarily serves University students, as well as staff, faculty, alumni, and some community residents. Like the existing Coles Gymnasium, new academic uses on the South Block would also serve NYU students, staff, and faculty. Furthermore, academic uses are permitted under the existing R7-2 zoning because these uses are considered to be compatible with residential uses. The P.S./I.S. school would complement the residential uses of the Proposed Development Area and provide a community facility for existing and future neighborhood residents. While the

proposed school would be located in a mixed-use building that would also contain undergraduate dormitories, many New York City schools operate in a dense urban environment with a mixture of uses and populations surrounding them. Moreover, the proposed public school and proposed dormitory would be in separate and distinct portions of the proposed building, accessed through separate entrances facing different streets; access to the school would be from Bleecker Street, while access to the dormitory would be from LaGuardia Place. Schools are also permitted "as of right" under the existing R7-2 zoning designation. Therefore, the proposed school would not present any unusual circumstances and would be compatible with the proposed project. The proposed hotel would result in a new commercial use that would not be permitted under existing zoning. While the hotel would be open to the general public, it would be primarily oriented towards University needs, including providing convenient, moderately priced accommodations for visiting scholars participating in University 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 Washington Square campus. The hotel facility would also serve as an academic/conference space to support NYU's executive education programming, and its wide array of academic conferencing that takes place throughout the year. Therefore, the proposed hotel use would compliment nearby academic uses and help NYU to fulfill its academic mandate. The hotel would be sited at West Houston Street, a busy commercial thoroughfare, as described above, in close proximity to commercial uses and mass transportation. The proposed location of the hotel on the South Block would also place it across the street from commercial uses on the east side of Mercer Street, which is zoned C6-2, a commercial district that allows hotel uses as of right. The hotel would be located approximately one block north of The Mercer, an existing hotel on the west side of Mercer Street on the block immediately south of the Proposed Development Area. Although the hotel would change the land use conditions of the Proposed Development Area, this change would be compatible with existing uses in the area and would not be considered adverse, due to the hotel's location on West Houston Street and use as a University-oriented establishment on the NYU campus. The siting of the proposed mix of uses in the Proposed Development Area would complement existing NYU uses, contributing to a more cohesive academic campus and advancing NYU's goals and objectives, as set forth in Chapter 1, "Project Description." Therefore, the potential uses envisioned for the Proposed Development Area would be compatible with existing and other proposed uses, and would not result in significant adverse land use impacts.

The only development activity on the North Block by 2021 would be the construction of a temporary 38-foot tall, 30,000-gsf gymnasium, which would accommodate recreational demands from the displaced Coles Gymnasium. The temporary gymnasium would be compatible with the existing land uses in the Proposed Development Area, which presently includes Coles Gymnasium. The temporary gymnasium on the North Block would be located on Mercer Street, once block north of where Coles Gymnasium is sited today. Moreover, the temporary gymnasium's principal entrance would face Mercer Street, like the existing Coles Gymnasium. As a community facility use, the temporary gymnasium is permitted under the existing R7-2 zoning district mapped on the North Block. The temporary gymnasium would be demolished upon completion of a new recreational facility that would be located within the proposed Zipper Building. The Proposed Actions would temporarily relocate playground space in the North Block due to the construction of the temporary gymnasium. The temporary replacement playground would be provided on the North Block during this period. Overall, by 2021, the Proposed Actions would improve the quality and quantity of publicly-accessible open space in the Proposed Development Area (see below and Chapter 5, "Open Space"). Therefore, the

relocation of the playground in the North Block would not be considered a significant adverse land use impact.

With the Proposed Actions, the LaGuardia Place Strip adjacent to the North Block and Mercer Street Strip adjacent to the North and South Blocks would be demapped as New York City Streets. As a condition of the proposed demapping action, these strips would not generate floor area. The Proposed Actions would result in the reconfiguration and reprogramming of publicly-accessible open space resources in the South Block. The strip on the west side of Mercer Street from West Houston Street to Bleecker Street would be disposed to NYU, and a portion of the Zipper Building would be constructed upon it. However, the Proposed Actions would result in new, replacement open space, including a toddler playground and dog run on the west side of the proposed Zipper Building (see **Figure 1-8** in Chapter 1, "Project Description").

By 2021, NYU would implement landscaping changes in University Village, which would include widening the north-south pedestrian walkway between the existing eastern University Village tower and the site of the proposed Zipper Building. The widened walkway would include trees, low shrubs, and seating. The Oak Grove would be extended to the east and altered with new low plantings; new plantings and low fencing would also be added to the perimeter of the University Village site. In addition, the dog run currently located on Mercer Street and West Houston Street would be relocated to the site of the existing University Village children's playground and a new children's playground would be created on the University Village site south of the eastern University Village building. The western boundary of the north-south pedestrian walkway establishes the eastern boundary of the LPC-designated landmark site. These landscaping changes were reviewed by LPC in 2011, and LPC issued a Status Update Letter on April 6, 2011 in support of the proposed landscape modifications. In its letter, LPC stipulated that the transition between the plaza and the northwest corner of the proposed playground should be softened. Once this stipulation has been met and when the signed drawings have been reviewed and approved by LPC, LPC will issue a Certificate of Appropriateness. Chapter 5, "Open Space," provides detailed analysis of the effects of the Proposed Actions on open space resources.

The reconfiguration of open spaces in the South Block would not be considered a significant adverse land use impact because improved replacement space would be provided. Overall, as described in the 2031 analysis year, both the quantity and quality of open space resources in the Proposed Development Area would improve with the Proposed Actions. Therefore, no significant adverse impacts would result from open space reconfiguration and reprogramming by 2021. Overall, the Proposed Actions would not be expected to result in any significant adverse land use impacts in the Proposed Development Area by 2021.

Commercial Overlay Area

In the future with the Proposed Actions, under the Reasonable Worst-Case Development Scenario 23,236 gsf of neighborhood retail uses are projected to be added to the Commercial Overlay Area by 2021. The locations for this projected retail are shown in **Figure 2-3** and displayed below in **Table 2-5**.

Table 2-5
Projected Retail Sites in the Commercial Overlay Area

Location	Present Condition	Potential Retail Space (gsf)
82 Washington Square East	Academic Lobby	3,362
14 Washington Place	NYU Campus Security office, NYU Credit Union, and vacant (former Summer Housing Office)	1,962
246 Greene Street	Kimball Hall	*
18 Waverly Place	Torch Club	6,112
7 Washington Place	Vacant (former copy and print business)	1,800
15 Washington Place	Residential and graduate housing (conversion to academic uses is a No Build project)	10,000
	Total	23,236

Notes: See Figure 2-3
*****18 Waverly Place sf includes 246 Greene Street
Sources: New York University; AKRF field reconnaissance, 2011.

These new uses would not significantly alter the existing land use patterns in the Commercial Overlay Area. As described above (see "Existing Conditions"), there are currently approximately 20 retail establishments in the Commercial Overlay Area. Most of these uses are clustered along Waverly Place, and University-affiliated retail is primarily located along Washington Place and West 4th Street, though University Place and Mercer Street also contain retail uses. Two of the proposed new retail uses are on or adjacent to Waverly Place, where there are already retail uses across the street from the projected locations. However, there are currently fewer retail uses along Washington Place; therefore, the proposed retail uses in these locations would more noticeably affect the land use conditions on this street. However, the additional retail uses would be consistent with existing academic and residential uses, as they would provide additional neighborhood retail services for the benefit of the NYU community and general public. These new retail uses would be expected to improve land use conditions by activating underutilized NYU ground-floor uses and introducing new street level activity. The new uses would cater to meeting the retailing needs of the community, rather than just the needs of the NYU population, as under existing conditions. Therefore, no significant adverse impacts would result from the Proposed Actions in the Commercial Overlay Area by 2021.

Mercer Plaza Area

Within the Mercer Plaza Area the Proposed Actions would enable NYU to purchase the land in which its recently-completed, below-grade, state-of-the-art cogeneration facility is located. When the cogeneration facility was completed, NYU entered into revocable vault license agreement with NYCDOT to enable access to the below-grade space. Although NYU has basic access rights, the license agreement can be unconditionally revoked at any time. NYU seeks to purchase and own the vault space in which the cogeneration facility is located to ensure permanent access to the facility.

No land use changes are anticipated in the Mercer Plaza Area in the future with the Proposed Actions. The narrowing of the mapped street-width would not affect the width of the actual curb-to-curb roadway (approximately 34 feet wide). The site would continue to include an underground cogeneration facility underneath the approximately 6,300-sf Mercer Plaza. As a condition of the proposed demapping action, these strips would not generate floor area. As land

use conditions would not change as a result of the Proposed Actions, the Proposed Actions would not result in significant adverse impacts to land use in the Mercer Plaza Area by 2021.

Study Area

By 2021, the development associated with the Proposed Actions would not result in substantial changes to study area land uses or development patterns. As described in "Development History," the neighborhoods surrounding the project site are firmly established and therefore contain relatively few development sites. The study area also contains numerous development controls, particularly zoning restrictions and historic district designations. As discussed in "Existing Conditions" and shown in **Figure 2-4**, substantial portions of the study area are located in LPC-designated Historic Districts, which limits potential development, as any new development in these districts must receive a Certificate of Appropriateness from LPC. While the Proposed Actions would substantially increase NYU's operations on the project site, the proposed development would be compatible with the land use in the broader study area because, as discussed above, new uses would be compatible with existing uses and the height and bulk of the proposed development, while substantial, would not result in significant adverse impacts. The Proposed Actions would support existing uses and would not fundamentally alter the land use mix of the study area. Therefore, the Proposed Actions would not be expected to result in significant adverse land use impacts in the study area.

As described in Chapter 1, "Project Description," NYU's need for additional space at its Core Campus would result in additional development pressures in the study area if the Proposed Actions are not approved. If the Proposed Actions are approved, construction of new NYU facilities in the Proposed Development Area would largely accommodate NYU's need for additional space at its Core Campus, which would result in less pressure for NYU to seek development opportunities in the study area, beyond the identified NYU No Build projects.

ZONING

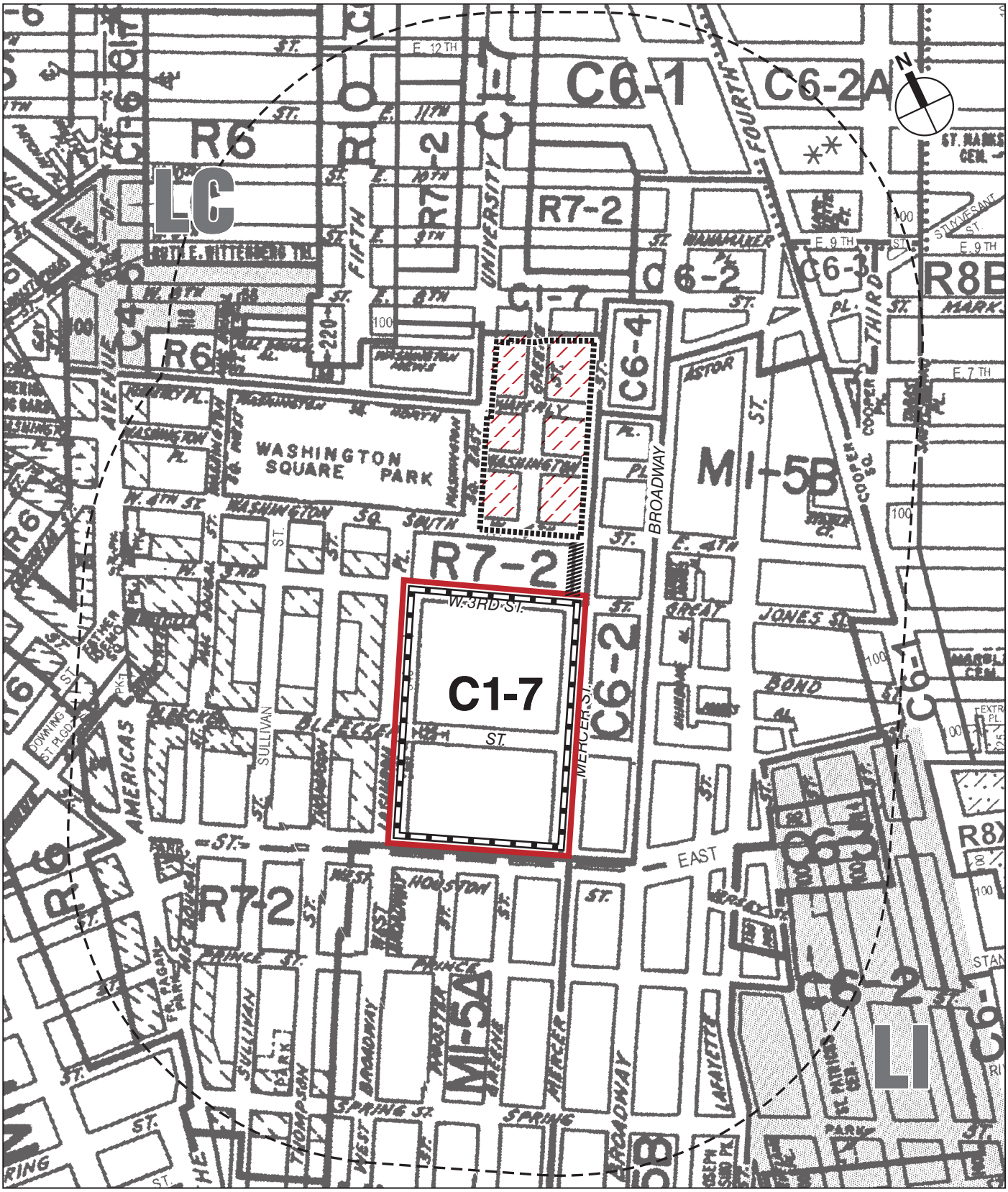
Zoning changes as a result of the Proposed Actions are shown in **Figure 2-7**, and described below.

Proposed Development Area

Under the Proposed Actions, the Proposed Development Area would be rezoned from R7-2, and R7-2 with a C1-5 overlay, to C1-7. C1-7 districts typically are predominantly residential or community facility in character with lower-density commercial uses. They are mapped in medium-density areas of the City. They permit a maximum FAR of 2.0 for commercial uses, 6.02 for residential uses, and 6.5 for community facility uses. The rezoning would facilitate the redevelopment of the Proposed Development Area with new academic, residential, commercial, and institutional uses. The zoning change would be consistent with nearby zoning, as the area a few blocks north of the project site is also zoned C1-7, and there is C6-2 commercial zoning immediately east of the Proposed Development Area, between Mercer Street and Broadway from West Houston Street to Waverly Place. As discussed under "Existing Conditions," there are C6-2 and C6-3 zoning districts in the southeast corner of the study area, and a mix of C1-7, C6-1, C6-2, C6-3, and C6-4 zoning districts in the study area to the north of the project site (see **Figure 2-7**).

The zoning change would not introduce uses that are incompatible or allow for out-of-scale development. Uses permitted under existing R7-2 zoning include residential dwellings, community facilities, and local retail uses, where there is a commercial overlay. The proposed C1-7 zoning would allow local retail use and hotel use throughout the Proposed Development Area. As

6.3.11



Proposed Development Area Boundary

Commercial Overlay Area Boundary

Study Area Boundary (1/4-Mile Perimeter)

Mercer Plaza Area

Zoning District Boundary

C1-5 Overlay

Special Little Italy District

Special Limited Commercial District

Area Boundary of Proposed Rezoning

Area of Proposed C1-5 Overlay

0 500 FEET

SCALE

NYU Core

Proposed Zoning

Figure 2-7

analyzed above in the "Land Use" section, the proposed hotel use would be compatible with existing and other proposed uses in the Proposed Development Area and the broader study area. Therefore, the proposed rezoning would not allow for the development of incompatible uses.

The proposed rezoning would allow certain uses to be developed at a higher density than is currently permitted. Residential uses could be developed at a maximum FAR of 6.02, compared to 3.44 under present zoning. Commercial uses could be developed at a maximum FAR of 2.0 in the entire area, which is the same as under existing conditions for areas of the Proposed Development Area with a commercial overlay. Community facility uses (including NYU academic uses) would continue to be permitted to be developed to a maximum FAR of 6.5. The existing R7-2 district effectively limits the area that can be covered by buildings on a zoning lot due to the height factor zoning regulations and OSR requirements applicable to R7-2 districts. The proposed C1-7 district permits a larger portion of the zoning lot to be covered by building footprints due to the application of different height factor regulations and reduced OSR requirements. These changes in OSR requirements are needed to allow for the development of the proposed buildings in the Proposed Development Area. As analyzed in the "Land Use" section above, the height and bulk of the proposed development that would result from the rezoning would not result in significant adverse land use impacts. The lower OSR required by the C1-7 district is the same as what is required in many R-8 equivalent districts mapped throughout the City; large apartment buildings developed in conformance with the R-8 equivalent OSR requirements are common in these areas. Accordingly, such OSR requirements are considered compatible with residential uses. Moreover, the Proposed Actions would provide for a series of open space improvements, and both the quantity and quality of publicly accessible open space on the Proposed Development Area would increase by 2021 and at full build-out in 2031. The proposed zoning change to C1-7 is necessary to fulfill the purpose and need of the Proposed Actions, as set forth in Chapter 1, "Project Description." Overall, the proposed rezoning would not be expected to result in out-of-scale development, and would not result in any significant adverse impacts with regard to zoning in the Proposed Development Area by 2021.

The Proposed Actions also would result in a change to the City Map within the Proposed Development Area, demapping three areas within the mapped rights-of-way of Mercer Street and LaGuardia Place, and the subsequent disposition to NYU of the demapped portion of Mercer Street between Bleecker and West Houston Streets, as well as below-grade portions of the demapped areas along LaGuardia Place and Mercer Street between West 3rd and Bleecker Streets. The demapped portions of LaGuardia Place and Mercer Street between West 3rd and Bleecker Streets at the surface and above would be mapped as public park subject to certain easements granted to NYU.[1] Specific to the development proposed to be completed by 2021, the demapping and disposition to NYU of a portion of Mercer Street between Bleecker and West Houston Streets would facilitate development of the proposed Zipper Building and the Greene Street walk.

In connection with the demapping and disposition of portions of Mercer Street, the Proposed Actions would also relocate the zoning district boundary that runs in the centerline of Mercer Street to the east so that the zoning boundary line remains in the centerline of the newly-narrowed

[1] 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 would also be 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.

street. Shifting the zoning district boundary line effectively rezones a 19.57-foot strip adjacent to the South Block and a 19.5-foot strip adjacent to the North Block 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.

The Proposed Actions also include a LSGD special permit pursuant to ZR Section 74-743 to waive regulations of height and setback, rear yard, rear yard equivalent, residential outer court and minimum distance between buildings. Specifically, the LSGD special permit requests: the transfer of floor area between zoning lots; waivers 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); a waiver of rear yard equivalent regulations for the Zipper Building (ZR Section 23-532, 33-283); a waiver of rear yard regulations for the Bleecker Building (ZR Section 33-26); and a waiver of minimum distance between buildings regulation for existing Silver Tower 2 and Coles Gym buildings (ZR Section 23-711).

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 South Block, weaving the block 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 South Block was 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 intends to honor 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 open space on the block would be greatly improved by shifting the mass of the Zipper Building to the east, as facilitated by the requested height and setback waivers along Mercer Street. The existing narrow strip of open spaces at the eastern edge of the block—the legacy of an abandoned plan for street widening—would shift to the west side of the Zipper Building, buffered from the traffic and loading docks on Mercer Street, benefiting from their adjacency to the University Village landscape, and creating an attractive new publicly-accessible open space. The shift would permit the consolidation of fragmented landscape elements to create functional and active landscapes that are inviting to the public and engaged with a publicly-accessible pedestrian thoroughfare. Whereas the open space on South Block today has an unclear division between public and private space, the proposed site plan would clearly differentiate between the public and private realms. The plan would frame and enhance the landmark landscape in the center of the block, which would be restored and enhanced with lower fence heights, refurbished fixtures, a new toddler playground and improved seating areas.

The shift of the Zipper Building to the east, as facilitated by the requested height and setback waivers along Mercer Street and the rear yard equivalent waiver along West Houston and Bleecker Streets, would allow the building to make way for the new Greene Street walkway (several dormitory, academic and retail entrances to the Zipper Building would be accessed from the walkway) and would activate Mercer Street by engaging the sidewalk. The blank set back street wall of Coles Gymnasium 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 active ground floor uses. 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 University Village 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 West 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 were designed to be in strict compliance with zoning bulk regulations. The base volume along West Houston Street would relate to the scale of the buildings in SoHo across the street to the south, and the highest Zipper Building volume would be located on the very wide West Houston Street at a height that is compatible with the University Village buildings.

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). With a public school in the base that would have a height that is similar to the buildings in the South Village, and a higher dormitory volume above, the massing would serve as a transition between the higher buildings to the east and the lower scale of the South Village to the west. The proposed transfer of floor area to the Bleecker Building would allow for the building to meet its programmatic requirements, which would not otherwise be met. The transfer would shift floor area from an area that occupies a portion of the open space on the landmarked University Village site. Since it would be inappropriate to develop a building on the University Village open space, the floor area generated by this area would be more appropriately located in the Bleecker Building. The placement of the dormitory above along the LaGuardia Place frontage would allow an open space for the school to be located on its roof that would have the optimum orientation for 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.

Some of the waivers requested pursuant to this special permit are for existing buildings. The granting of waivers for these buildings would have the benefit of allowing the existing buildings, including Silver Towers, to remain without the need to modify them in order to comply with

zoning. Removing the small areas of non-compliance in the existing buildings would be neither practical nor beneficial.

The LSGD would consist of four zoning lots, as illustrated in **Figure 1-[TBD]**: one on the North Block and three on the South Block. The North Block zoning lot would occupy the entire North Block; the South Block would contain one zoning lot on the site of the existing Morton Williams Supermarket on the South Block's northwestern corner, and two zoning lots on the eastern portion of the South Block, one of which would contain only open space, and the other of which would contain Silver Towers and the existing Coles Gymnasium as well as the area within the mapped width of Mercer Street that is proposed to be demapped and conveyed to NYU. The only part of the South Block that would not be part of the proposed LSGD would be the lot for 505 LaGuardia Place. While the existing LSRD includes the 505 LaGuardia Place zoning lot and not the supermarket lot, the proposed LSGD would exclude the 505 LaGuardia Place zoning lot and would include the supermarket lot. The LSRD would dissolve and be replaced with the LSGD.

In addition to the rezoning and LSGD special permit, the Proposed Actions also include zoning text amendments to ZR Sections 74-742 and 74-743 to facilitate the project and park mapping. Absent the text changes, it would not be possible to include the demapped area adjacent to the South Block within the LSGD, and it would not be possible to map the demapped areas adjacent to the North Block as public park because it would create non-compliances for existing residential windows.

These modifications would not be considered a significant adverse impact because the potential effects are limited to the Proposed Development Area, and they allow for a better site plan than would otherwise be permitted by zoning.

Commercial Overlay Area

Under the Proposed Actions, the Commercial Overlay Area would be rezoned to map a C1-5 commercial overlay zone over the existing R7-2 zoning designation. C1-5 overlay zoning in R7-2 districts allows for a maximum FAR of 2.0 for commercial uses. Commercial overlays are typically mapped along streets that serve the local retail needs of the surrounding neighborhood. Representative retail uses found in C1-5 overlay districts include delis, restaurants, and small clothing stores. The residential bulk in commercial overlays is governed by the residential district within which the overlay is mapped. The rezoning would bring existing retail uses in the Commercial Overlay Area into zoning compliance. The zoning change would complement nearby zoning, as the areas north and east of the Commercial Overlay Area have commercial zoning designations, and the area south of Washington Square Park is also mapped with a C1-5 overlay (see **Figure 2-7**). The rezoning would result in relatively modest changes in ground-floor usage on six buildings within the Commercial Overlay Area, and would not introduce any incompatible uses. The proposed rezoning would enable the development of new retail uses, which would serve the local community. The new retail uses would also improve land use conditions by activating blank or vacant street walls, which would improve the pedestrian experience. Therefore, the proposed rezoning would not be expected to result in any significant adverse impacts with regard to zoning in the Commercial Overlay Area by 2021.

Mercer Plaza Area

With the Proposed Actions, the Mercer Plaza Area would be demapped as a City street and disposed to NYU. The underlying R7-2 zoning would then apply to the site; however, as a condition of the demapping action, these strips would not generate floor area. The demapping would not be considered a significant adverse impact as there would be no associated changes in use and NYCDOT has confirmed that it does not intend to widen Mercer Street at any point in

the future. Therefore, no significant adverse impacts to zoning would result from the proposed demapping.

Like the southern Mercer Street Strip described above, the Proposed Actions would shift the zoning district boundary line east in order to regularize the zoning map. Whereas this portion of Mercer Street between West 3rd and 4th 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 would consequently shift 10.5 feet to the east. Bringing the zoning district boundary line east as well effectively rezones a 10.5-foot-wide strip in the center of Mercer Street from C6-2 to R7-2. This rezoning would have no practical effect of other than regularizing the zoning map.

Study Area

No changes to zoning in the study area are proposed by 2021, except for the changes proposed in the project site. Outside of the project site, the current mix of residential, commercial, special district, and manufacturing zoning would remain, as described above in "Existing Conditions."

PUBLIC POLICY

Proposed Development Area

Urban Renewal Plans

Under the Proposed Actions, the HPD deed restrictions regulating development of the Proposed Development Area would be lifted. Therefore, the deed restrictions requiring adherence to the Urban Renewal Plan regulations concerning use, density, coverage, setbacks, height, parking, and off-street loading (as described in "Existing Conditions") would no longer be in effect. This action is necessary to facilitate the proposed development by 2021, which would be supportive of NYU's goals and objectives, as discussed in Chapter 1, "Project Description." While the proposed development would not be consistent with the controls contained in the Urban Renewal Plan, it would be supportive of the Urban Renewal Plan's stated goal of furthering economic development. Many of the objectives and regulations in the Urban Renewal Plan are considered outdated today, and do not conform to current City policies, such as *PlaNYC 2030: A Greener, Greater New York* (first published in 2007 and updated in 2011). Whereas the Urban Renewal Plan mandated a reduction in density and separation of uses, and promoted private automobile use, current City policy encourages the creation of vibrant mixed-use districts that integrate residential, commercial, and community facility uses, and site dense development in appropriate areas that are well-served by mass transit.[1] As analyzed above, the proposed development would integrate complementary residential, community facility, and commercial uses, and would locate the densest component of the development in a site closest to an MTA subway station. Lifting the deed restrictions would enable new development that is in better alignment with current City policy. Therefore, the lifting of the Urban Renewal Plan regulations on the site would not be considered an adverse public policy impact, as the Urban Renewal Plan regulations do not conform to current City policies, including *PlaNYC 2030*.

Business Improvement Districts

The Proposed Development Area is not located in an area served by a BID. Therefore, the Proposed Actions would not result in any impacts to BID policy by 2021.

[1] 2010 *CEQR Technical Manual*, page 4-27.

New York City Historic Districts

The Proposed Development Area is also not located in an LPC-designated historic district; however, the University Village site is a designated New York City Landmark. The Proposed Actions would result in landscaping changes to the University Village site, as described above, but these changes would occur only after LPC issues a Certificate of Appropriateness. Therefore, the Proposed Actions would not result in any impacts to known public policies in the Proposed Development Area by 2021.

New York State Smart Growth Public Infrastructure Policy Act

By 2021, the Proposed Actions would be consistent with the New York State Smart Growth Public Infrastructure Policy Act, as they would result in a mixed-use development in a centrally located dense urban setting. The proposed project would be energy efficient, utilize low-carbon power sources, and would be highly supportive of transit and non-motorized commuting. Therefore, the Proposed Actions would be fully supportive of the Act, by 2021. The compatibility of the Proposed Actions with the ten criteria of the Act is detailed below.

1. To advance projects for the use, maintenance or improvement of existing infrastructure: by 2021, the Proposed Actions would result in development that would utilize existing transportation, water, sewer, and energy infrastructure, including NYU's cogeneration facility. No major new infrastructure would need to be constructed to serve the proposed development. Therefore, the Proposed Actions are supportive of this criterion by 2021.

2. To advance projects located in municipal centers: by 2021, the Proposed Actions would result in development in a dense urban setting with a diverse mixture of uses and proximity to multiple subway and bus lines. Therefore, the Proposed Actions are supportive of this criterion by 2021.

3. To advance projects in developed areas or areas designated for concentrated infill development in a municipally-approved comprehensive land use plan, local waterfront revitalization plan and/or brownfield opportunity area plan: by 2021, the Proposed Actions would result in development in a developed area (see "Background and Development History" and "Existing Conditions"). Therefore, the Proposed Actions are supportive of this criterion by 2021.

4. To protect, preserve, and enhance the State's resources, including agricultural land, forests, surface and groundwater, air quality, recreation and open space, scenic areas, and significant historic and archeological resources: The potential affects of the Proposed Actions on natural resources, air quality, and open space are analyzed in Chapters 9, "Natural Resources," 15, "Air Quality," and 5, "Open Space," respectively. The assessments find that, by 2021, the Proposed Actions would not have any significant adverse impacts on these technical areas. Rather, the Proposed Actions would increase the quality and quantity of open space in the Proposed Development Area by 2021.

With respect to historic and archeological resources, Chapter 7, "Historic and Cultural Resources" finds that by 2021 the proposed project's introduction of a temporary gymnasium on the North Block has the potential to significantly impact the Washington Square Village development. OPRHP has determined that Washington Square Village is eligible for listing on the S/NR (S/NR-eligible). In a comment letter dated February 23, 2011, OPRHP determined that the Washington Square Village "superblock complex of two residential towers, elevated landscaped plaza, commercial strip, and below-grade parking meets Criterion C as an impressive example of postwar urban renewal planning and design" (see Appendix B, "Historic and

Cultural Resources"). Because the proposed alterations to Washington Square Village would remove elements of this architectural resource that contribute to its significance, a study is being prepared to evaluate the feasibility of retaining elements of Washington Square Village. Measures to partially mitigate significant adverse impacts would be implemented in consultation with OPRHP and would be set forth in a Letter of Resolution (LOR) to be signed by the applicant, OPRHP, DASNY, and other involved agencies. With these mitigation measures in place, the Proposed Actions would be supportive of this criterion.

Within the Commercial Overlay Area, six buildings would be modified with ground floor alterations, and four of the six buildings are contributing to the State/National Register-eligible Potential NoHo Historic District Expansion. Depending on the extent of alterations and intact historic material to be removed, future alterations to the ground floors of these architectural resources could in some cases result in significant adverse impacts. To avoid potential adverse impacts, a Construction Protection Plan (CPP) would be developed and implemented in consultation with OPRHP and LPC prior to construction of the proposed project. The CPP would include protective measures for the four contributing historic district buildings in the Commercial Overlay Area that would be directly affected by ground floor alterations. With the CPP, the Proposed Actions would be supportive of this criterion by 2021.

5. To foster mixed land uses and compact development, downtown revitalization, brownfield redevelopment, the enhancement of beauty in public spaces, the diversity and affordability of housing in proximity to places of employment, recreation and commercial development, and the integration of all income and age groups: by 2021, the Proposed Actions would result in a vibrant and compact mixed-use development that would incorporate residential, commercial, academic, and open space uses. The Proposed Actions would enhance the beauty of public spaces in the Proposed Development Area through improvements in the quality and quantity of public open space (see Chapter 5, "Open Space"). The Proposed Actions would site new housing near places of employment, recreation, and commercial development, and house varying age and income groups. Therefore, the Proposed Actions are supportive of this criterion by 2021.

6. To provide mobility through transportation choices including improved public transportation and reduced automobile dependency: by 2021, the Proposed Actions would result in transit-oriented development, as the proposed uses would be located near existing subway and bus lines and the large majority of residents and users would use public transportation, walking, or bicycling to access the site (see Chapter 14, "Transportation"). Therefore, the Proposed Actions are supportive of this criterion by 2021.

7. To coordinate between state and local government and inter-municipal and regional planning: by 2021, the planning for, and approval of, the Proposed Actions would require coordination between multiple City and State agencies. Therefore, the Proposed Actions are supportive of this criterion by 2021.

8. To participate in community-based planning and collaboration: the Proposed Actions have undergone extensive public consultation including open house discussions and public presentations facilitated by NYU, Community Board meetings, and a Scoping Hearing held on May 24, 2011. In addition, this DEIS is subject to public review, in accordance with New York City Environmental Quality Review (CEQR) and Uniform Land Use Review Procedure (ULURP) processes with a public hearing and a period for public comment. Therefore, the Proposed Actions are supportive of this criterion.

9. To ensure predictability in building and land use codes: this criterion is not applicable to the Proposed Actions.

10. To promote sustainability by strengthening existing and creating new communities which reduce greenhouse gas emissions and do not compromise the needs of future generations, by among other means encouraging broad based public involvement in developing and implementing a community plan and ensuring the governance structure is adequate to sustain its implementation: by 2021, the Proposed Actions would incorporate numerous environmental sustainability measures that would promote this criterion. NYU intends to attain a project score of 80 or higher under the US Environmental Protection Agency (USEPA) *Energy Star*'s Target Finder, and to meet the requirements for the United States Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) Silver certification for all development in the Proposed Development Area. Currently LEED requires a minimum of 10 percent less energy as compared with the baseline building designed to code. In addition, NYU plans to utilize energy produced by the existing cogeneration facility operating at 251 Mercer Street, which would service the heating and cooling needs of several project buildings. Furthermore, as analyzed in Chapter 16, "Greenhouse Gas Emissions," the proposed development would include many features aimed at reducing energy consumption and GHG emissions, and would be consistent with New York City's citywide GHG reduction goal. Therefore, the Proposed Actions are supportive of this criterion by 2021.

Commercial Overlay Area

Urban Renewal Plans

The Commercial Overlay Area is not included in an Urban Renewal Plan. Therefore, the Proposed Actions would not result in any impacts to an Urban Renewal Plan by 2021.

Business Improvement Districts

The Commercial Overlay Area is not located in an area served by a BID. Therefore, the Proposed Actions would not result in any impacts to BIDs in the Commercial Overlay Area by 2021.

New York City Historic Districts

There are currently no LPC-designated historic districts in the Commercial Overlay Area. However, as discussed in Chapter 7, "Historic and Cultural Resources," a portion of this area has been determined to be State/National Register-eligible as the potential NoHo Historic District Expansion.

Under the Proposed Actions, new development in the Commercial Overlay Area by 2021 would be limited to additional ground floor retail space in existing buildings, and no new significant construction is anticipated. Four of the six buildings that would be modified are contributing to the State/National Register-eligible Potential NoHo Historic District Expansion. Depending on the extent of alterations and intact historic material to be removed, future alterations to the ground floors of these architectural resources could in some cases result in significant adverse impacts. To avoid potential adverse impacts, a CPP would be developed and implemented in consultation with OPRHP and LPC prior to construction of the proposed project. The CPP would include protective measures for the four contributing historic district buildings in the Commercial Overlay Area that would be directly affected by ground floor alterations. With the CPP, the Proposed Actions would not result in any significant adverse public policy impacts in the Commercial Overlay Area by 2021.

New York State Smart Growth Public Infrastructure Policy Act

As no approvals from a State agency (such as DASNY) are required for any component of the proposed project in the Commercial Overlay Area, no analysis is required.

Mercer Plaza Area

The Mercer Plaza Area is not located in an area served by a BID and is not located in an LPC-designated historic district, or within an area covered by an Urban Renewal Plan. No approvals from a State agency (such as DASNY) are required for any component of the proposed project in the Mercer Plaza Area. Further, no changes to the built environment of the proposed demapping area would result from the Proposed Actions. Therefore, the Proposed Actions would not result in any impacts to known public policies in the Mercer Plaza Area by 2021.

Study Area

Urban Renewal Plans

Block 535 is the only area outside of the Proposed Development Area that is subject to Urban Renewal Plan restrictions, under existing conditions. Although the Urban Renewal Plan has expired, the land disposition agreement requires compliance with the Urban Renewal Plan in Block 535 until as late as 2029. No new development or other changes to Block 535 are anticipated by 2021. Therefore, the Proposed Actions would not result in any significant adverse impacts in the study area with regard to an Urban Renewal Plans, by 2021.

Business Improvement Districts

The Proposed Actions would result in development that would increase activity in the study area by adding more residents, students, and workers, who could frequent nearby business establishments. The Proposed Actions are not expected to adversely impact any BIDs in the study area by 2021.

New York City Historic Districts

As discussed in Chapter 5, "Historic and Cultural Resources," portions of the East Village and South Village could be designated as historic districts by the LPC by 2021. However, the Proposed Actions would not result in any development that would adversely impact a nearby historic district in the study area. Therefore, the Proposed Actions are not expected to result in any significant adverse impacts to public policy in the study area by 2021.

2031 PHASE 2

LAND USE

Proposed Development Area

By 2031, the development proposed within the Proposed Development Area would be complete, including almost 900,000 gsf of new academic space in the North Block. Construction would include an approximately 484,000-gsf of new below-grade academic space on the North Block spanning the distance between LaGuardia Place and Mercer Street, and two new buildings above the proposed below-grade space. On the east side of the North Block, the proposed 14-story Mercer building would contain approximately 250,000-sf of academic uses, and the west side of the North Block, the proposed 8-story LaGuardia building would contain approximately 160,000-sf of academic space. NYU's proposal for the North Block also includes the re-cladding of the ground floor of the Washington Square Village apartment buildings, as well as the re-programming and re-configuring of the ground floors and basements of the Washington Square Village apartment buildings. The Proposed Actions would result in the demolition of the existing

LaGuardia Place retail building. The reprogrammed ground floors at Washington Square Village would contain an estimated 4,583 square feet of new academic uses, 9,312 square feet of university-related retail, and a 5,814-square-foot loading bay east of the garage entry on West 3rd Street. Together with separate emergency egress stairs for the subsurface development, certain areas within the Washington Square Village ground floor would require reconfiguration to accommodate the new program (the existing lobbies would remain). As detailed in Chapter 3, "Socioeconomic Conditions," existing residential and institutional uses in the ground floors of Washington Square Village would be relocated, the retail uses within the existing LaGuardia Place retail building would be displaced, and the building itself would be demolished.

As with the 2021 analysis year, the Proposed Actions would result in substantial new development in the Proposed Development Area. The proposed LaGuardia and Mercer Buildings, which would be 128 and 218 feet tall, respectively (158 and 248 feet tall, respectively, including mechanical bulkheads), would be built largely upon currently underutilized private open space. While the new buildings would increase the height and bulk of the North Block, this change would not be considered adverse, as the proposed buildings would not be out-of-scale for the area, compared to other tall buildings. The proposed development has been designed to relate to the scale of the existing buildings on the North Block and the surrounding area. The proposed Mercer and LaGuardia academic buildings (with approximately 215,000 sf and 133,000 sf of zoning floor area, respectively) are substantially smaller than the existing two Washington Square Village apartment buildings (which have a zoning floor area of 575,000 sf and 607,000 sf). The LaGuardia Building, at 128 feet (158 feet including mechanical bulkhead), would be shorter than the existing Washington Square Village apartment buildings, which are 159 feet tall (196 feet tall including mechanical bulkheads). The Mercer Building, at 218 feet tall (248 feet including mechanical bulkhead), would be the tallest building on the North Block. However, this building would not be out-of-scale for the surrounding area, as it would be shorter than the three existing 275-foot-tall (291 to 299 feet tall including mechanical bulkheads) University Village buildings on the South Block, and would be approximately equal to the Mercer Street Residence, a NYU Law School dormitory building at 240 Mercer Street, at the corner of West 3rd Street. Chapter 8, "Urban Design and Visual Resources," provides a detailed analysis of the urban design impacts of the proposed development, and finds that the Proposed Actions would not result in significant adverse urban design impacts. Therefore, the increases in height and bulk in the Proposed Development Area that would result from the Proposed Actions would not be expected to result in significant adverse land use impacts.

As with the 2021 analysis year, the development proposed between 2021 and 2031 would be considered compatible with, and supportive of, existing uses and new uses that would be developed by 2021. Development on the North Block between 2021 and 2031 would introduce new academic uses, whereas there are currently no academic uses on the North Block. The proposed academic uses would be consistent with existing academic uses nearby, such as across the street in Block 535, and the new NYU academic uses that would be developed in the South Block by 2021. Furthermore, as discussed for the 2021 analysis year, academic uses are permitted under the existing R7-2 zoning because these uses are considered to be compatible with residential uses. Reprogramming of the ground floors of the Washington Square Village buildings would introduce uses that are compatible with the ground floor uses envisioned for the LaGuardia and Mercer Buildings and surrounding streets, as well as the gardens, lawns, and play areas connecting the development. While the proposed development would alter the built environment and add new academic and retail uses, the new uses would complement existing uses, and create synergies of location, which is an objective of the Proposed Actions. Therefore,

uses proposed for the North Block by 2031 would complement existing and other proposed uses, and would not result in significant adverse land use impacts.

Under the Proposed Actions, open space resources in the North Block would be reconfigured and reprogrammed. The open spaces on the above-grade portions of the NYCDOT strips on the east and west sides of the North Block would be redeveloped with new City parks, as detailed in Chapter 5, "Open Space." By 2031, a series of new and replacement open spaces would be complete that, as detailed in Chapter 5, "Open Space," are expected to improve the quantity and quality of open space resources in the Proposed Development Area, and all of the North Block open spaces would be open to the public. Whereas the interior open space in the North Block are private and not open to the public under existing conditions, approximately 3.8 acres of publicly accessible open space would be created under the Proposed Actions by 2031 (see Chapter 1, "Project Description," and Chapter 5, "Open Space.")

The Proposed Actions would result in a reduction of 281 below-grade parking spaces. The existing North Block underground garage currently provides 389 required accessory parking spaces and 281 additional, non-required accessory and public spaces and would be displaced due to construction of the proposed below-grade academic space. A new replacement garage would accommodate the relocation of the 389 required accessory spaces and would be accessed from a new entrance on West 3rd Street. As the provision of parking would comply with all applicable regulations, this elimination of public parking would not be considered a significant adverse impact. Overall, the Proposed Actions are anticipated to result in new development that would be consistent with existing uses, and no significant adverse impacts to land use are expected.

No changes to the South Block are anticipated between 2021 and 2031.

Commercial Overlay Area

No substantial additional development in the Commercial Overlay Area is anticipated from 2021 to 2031 in the future with the Proposed Actions. The Commercial Overlay Area would continue to primarily include academic and dormitory uses, as well as local retail uses and other commercial, institutional, and residential uses.

Mercer Plaza Area

No land use changes to the Mercer Plaza Area are expected by 2031 as a result of the Proposed Actions. As a condition of the demapping action, these strips would not generate floor area. The proposed demapping area will continue to provide 6,300-sf of public open space, above an underground cogeneration plant.

Study Area

As with the 2021 analysis year, the development associated with the Proposed Actions would not result in substantial changes to study area land uses or development patterns. The proposed development would support existing uses and would not fundamentally alter the land use mix of the study area. The Proposed Actions would not be expected to result in significant adverse land use impacts in the study area by 2031.

ZONING

Proposed Development Area

No additional zoning changes are anticipated in the Proposed Development Area, except for the rezoning that would occur by 2021. Pursuant to the proposed zoning change that would occur by 2021, the Proposed Development Area would continue to be zoned C1-7, as described above,

and the LSGD special permit and associated actions would be in effect. As described in the 2021 condition above, the Proposed Actions include a LSGD special permit pursuant to ZR Section 74-743 to waive regulations of height and setback, rear yard, rear yard equivalent, minimum distance between buildings, and the transfer of floor area between zoning lots. The following waiver and/or Zoning Resolution text amendments would be necessary to facilitate the proposed development by 2031: waivers height and setback regulations to allow portions of the proposed Mercer and LaGuardia buildings to penetrate the required setback and sky exposure plane (ZR Sections 23-632, 33-432 and 35-23).

These waivers are necessary because they would allow for a better site plan than would otherwise be permitted by zoning. The proposed site plan for the North Block would 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 public 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 placement of the buildings, 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 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 is intended to provide visual interest by introducing exciting, new contemporary architecture to the block. The organic forms are intended to serve as a counterpoint to the rigidly linear modernist volumes of Washington Square Village. The curves and related landscape plan are intended to 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.

Some of the waivers requested pursuant to this special permit are for existing buildings. The granting of waivers for these buildings would have the benefit of allowing the existing buildings, including Washington Square Village, to remain without the need to modify them in order to comply with zoning. Removing the small areas of non-compliance in the existing buildings would be neither practical nor beneficial.

These modifications would not be considered a significant adverse impact because the potential effects are limited to the Proposed Development Area, and they allow for a better site plan than would otherwise be permitted by zoning. The distribution of floor area, open space and the design, entrances and location of the proposed buildings would result in a superior site plan to the plan that would be available without such distribution and will benefit the occupants of the LSGD, the neighborhood and the City as a whole.

Commercial Overlay Area

No additional zoning changes are anticipated in the Commercial Overlay Area, except for the rezoning that would occur by 2021. Pursuant to the proposed zoning change that would occur by

2021, the Commercial Overlay Area would continue to be zoned R7-2 with a C1-5 overlay, as described above.

Mercer Plaza Area

No changes in zoning are expected to the Mercer Plaza Area by 2031 as a result of the Proposed Actions. The site would continue to be mapped R7-2 after being demapped as a New York City Street by 2021.

Study Area

No changes to zoning in the study area are proposed by 2031. As discussed above, the project site would be rezoned by 2021. Outside of the project site, the current mix of residential, commercial, and manufacturing zoning would remain, as described above in "Existing Conditions."

PUBLIC POLICY

Proposed Development Area

Urban Renewal Plans

The Proposed Actions would not impact any Urban Renewal Plans by 2031, as the HPD deed restrictions that mandate adherence to the Urban Renewal Plan regulations and controls would be lifted within the Proposed Development Area before 2021. Therefore, the Proposed Actions would not result in any significant adverse impacts in the Proposed Development Area with regard to an Urban Renewal Plan, by 2031.

Business Improvement Districts

As with the 2021 analysis year, the Proposed Development Area is not located in an area served by a BID. Therefore, the Proposed Actions would not result in significant adverse impacts to a BID in the Proposed Development Area by 2031.

New York City Historic Districts

No additional development in the South Block, which contains the landmarked University Village site, would result from the Proposed Actions between 2021 and 2031. As with existing conditions, the Proposed Development Area would not be located within an LPC-designated historic district. Therefore, the Proposed Actions would not result in any impacts to established public policies in the Proposed Development Area by 2031.

New York State Smart Growth Public Infrastructure Policy Act

As with the 2021 analysis year, by 2031 the Proposed Actions would be consistent with the New York State Smart Growth Public Infrastructure Policy Act, as they would result in a mixed use development, in a centrally located dense urban setting, that is energy efficient, utilizes low-carbon power sources, and is highly supportive of transit and non-motorized commuting. With mitigation measures in place to ensure that no significant adverse impacts to historic resources would occur, the Proposed Actions would be fully supportive of the Act. Below, the compatibility of the Proposed Actions with the ten criteria of the Act are described in detail.

1. To advance projects for the use, maintenance or improvement of existing infrastructure: as with the 2021 analysis year, the Proposed Actions would result in development that would utilize existing transportation, water, sewer, and energy infrastructure, including NYU's cogeneration facility, by 2031. No new infrastructure would need to be constructed to serve the proposed development. Therefore, the full build out of the Proposed Actions would be supportive of this criterion.

2. To advance projects located in municipal centers: as with the 2021 analysis year, the Proposed Actions would result in development in a dense urban setting with a diverse mixture of uses and proximity to multiple subway and bus lines, by 2031. Therefore, the full build out of the Proposed Actions would be supportive of this criterion.

3. To advance projects in developed areas or areas designated for concentrated infill development in a municipally-approved comprehensive land use plan, local waterfront revitalization plan and/or brownfield opportunity area plan: as with the 2021 analysis year, the Proposed Actions would result in development in a developed area by 2031 (see "Background and Development History" and "Existing Conditions"). Therefore, the full build out of the Proposed Actions would be supportive of this criterion.

4. To protect, preserve, and enhance the State's resources, including agricultural land, forests, surface and groundwater, air quality, recreation and open space, scenic areas, and significant historic and archeological resources: The potential affects of the Proposed Actions on natural resources, air quality, and open space are analyzed in Chapters 9, "Natural Resources," 15, "Air Quality," and 5, "Open Space," respectively. As with the 2021 analysis year, the assessments find that the Proposed Actions would not have any significant adverse impacts on these technical areas by 2031. Chapter 7, "Historic and Cultural Resources," analyzes the affects of the Proposed Actions on historic and archeological resources, and finds that the Proposed Actions have the potential to significantly impact the Washington Square Village development by 2031. OPRHP has determined that Washington Square Village is eligible for listing on the S/NR (S/NR-eligible). In a comment letter dated February 23, 2011, OPRHP determined that the Washington Square Village "superblock complex of two residential towers, elevated landscaped plaza, commercial strip, and below-grade parking meets Criterion C as an impressive example of postwar urban renewal planning and design" (see Appendix B, "Historic and Cultural Resources"). Because the proposed alterations to Washington Square Village would remove elements of this architectural resource that contribute to its significance, a study is being prepared to evaluate the feasibility of retaining elements of Washington Square Village. Measures to partially mitigate significant adverse impacts would be implemented in consultation with OPRHP and would be set forth in a Letter of Resolution (LOR) to be signed by the applicant, OPRHP, DASNY, and other involved agencies. With these mitigation measures in place, the full build out of the Proposed Actions would be supportive of this criterion.

5. To foster mixed land uses and compact development, downtown revitalization, brownfield redevelopment, the enhancement of beauty in public spaces, the diversity and affordability of housing in proximity to places of employment, recreation and commercial development, and the integration of all income and age groups: as with the 2021 analysis year, the Proposed Actions would result in a vibrant and compact mixed-use development that would incorporate residential, commercial, academic, and open space uses by 2031. The Proposed Actions would enhance the beauty of public spaces in the Proposed Development Area through improvements in the quality and quantity of public open space (see Chapter 5, "Open Space"). The Proposed Actions would site new housing near places of employment, recreation (such as the new fitness center), and commercial development, and house varying age and income groups. Therefore, the full build out of the Proposed Actions would be supportive of this criterion.

6. To provide mobility through transportation choices including improved public transportation and reduced automobile dependency: as with the 2021 analysis year, the Proposed Actions would result in transit-oriented development, as the proposed uses would be

located near existing subway and bus lines and the large majority of residents and users would use public transportation, walking, or bicycling to access the site (see Chapter 14, "Transportation"). Therefore, the full build out of the Proposed Actions would be supportive of this criterion.

7. To coordinate between state and local government and inter-municipal and regional planning: planning for, and approval of, the Proposed Actions would require coordination between multiple City and State agencies. Therefore, the Proposed Actions are supportive of this criterion.

8. To participate in community-based planning and collaboration: the Proposed Actions have undergone extensive public consultation including open house discussions and public presentations facilitated by NYU, Community Board meetings, and a Scoping Hearing held on May 24, 2011. In addition, this DEIS is subject to public review, in accordance with the CEQR and ULURP processes with a public hearing and a period for public comment. Therefore, the Proposed Actions are supportive of this criterion.

9. To ensure predictability in building and land use codes: this criterion is not applicable to the Proposed Actions.

10. To promote sustainability by strengthening existing and creating new communities which reduce greenhouse gas emissions and do not compromise the needs of future generations, by among other means encouraging broad based public involvement in developing and implementing a community plan and ensuring the governance structure is adequate to sustain its implementation: as with the 2021 analysis year, the Proposed Actions would incorporate numerous environmental sustainability measures that would promote this criterion by 2031. NYU intends to attain a project score of 80 or higher under the US Environmental Protection Agency (USEPA) *Energy Star*'s Target Finder, and to meet the requirements for the United States Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) Silver certification for all development in the Proposed Development Area. Currently LEED requires a minimum of 10 percent less energy as compared with the baseline building designed to code. In addition, NYU plans to utilize energy produced by the existing cogeneration facility operating at 251 Mercer Street, which would service the heating and cooling needs of several project buildings. Furthermore, as analyzed in Chapter 16, "Greenhouse Gas Emissions," the proposed development would include many features aimed at reducing energy consumption and GHG emissions, and would be consistent with New York City's citywide GHG reduction goal. Therefore, the full build out of the Proposed Actions would be supportive of this criterion.

Commercial Overlay Area

Urban Renewal Plans

As with the 2021 analysis year, the Commercial Overlay Area is not located in an area covered by an Urban Renewal Plan, and therefore, no impacts to an Urban Renewal Plan would result from the Proposed Actions by 2031.

Business Improvement Districts

As with the 2021 analysis year, the Commercial Overlay Area is not located in an area served by a BID, and therefore, the Proposed Actions would not result in any impacts to BIDs in the Commercial Overlay Area by 2031.

New York City Historic Districts

There are currently no LPC-designated historic districts in the Commercial Overlay Area. However, as discussed above and as detailed in Chapter 7, "Historic and Cultural Resources," a portion of this area has been determined to be State/National Register-eligible as the potential NoHo Historic District Expansion.

No new development in the Commercial Overlay Area is expected between 2021 and 2031. Therefore, the Proposed Actions would not adversely impact any New York City Historic District in the Commercial Overlay Area, and the Proposed Actions are consistent with this policy.

New York State Smart Growth Public Infrastructure Policy Act

As with the 2021 analysis year, no approvals from a State agency (such as DASNY) are required for any component of the proposed project in the Commercial Overlay Area by 2031, and no analysis is required.

Mercer Plaza Area

Urban Renewal Plans

As with the 2021 analysis year, the Mercer Plaza Area is not located in an area covered by an Urban Renewal Plan, and therefore, no impacts to an Urban Renewal Plan would result from the Proposed Actions by 2031.

Business Improvement Districts

As with the 2021 analysis year, the Mercer Plaza Area is not located in an area served by a BID, and therefore, the Proposed Actions would not result in any impacts to BIDs in the Mercer Plaza Area by 2031.

New York City Historic Districts

As with the 2021 analysis year, the Mercer Plaza Area is not located in an LPC-designated historic district. Therefore, the Proposed Actions would not result in any impacts to established public policies in the Mercer Plaza Area by 2031.

New York State Smart Growth Public Infrastructure Policy Act

As with the 2021 analysis year, no approvals from a State agency (such as DASNY) are required for any component of the proposed project in the Mercer Plaza Area by 2031, and no analysis is required.

Study Area

Urban Renewal Plans

The Proposed Actions would not impact any Urban Renewal Plans by 2031, as the HPD deed restrictions that mandate adherence to the Urban Renewal Plan regulations and controls would expire before 2031. Therefore, the Proposed Actions would not result in any significant adverse impacts in the study area with regard to an Urban Renewal Plan, by 2031.

Business Improvement Districts

As with the 2021 analysis year, the Proposed Actions would result in development between 2021 and 2031 that would increase activity in the study area by adding more residents, students, and workers, who could frequent nearby business establishments that are members of the neighboring BIDs. The Proposed Actions are not expected to adversely impact any BIDs in the study area by 2031.

New York City Historic Districts

As noted for the 2021 analysis year, portions of the study area (in the East Village and the South Village) could be designated as historic districts by the LPC by 2021 or 2031. However, the Proposed Actions would not result in any development that would adversely impact a nearby historic district in the study area. Therefore, the Proposed Actions are not expected to result in any significant adverse impacts to public policy in the study area by 2031. ✷