



NEW YORK UNIVERSITY

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Lynne P. Brown *Senior Vice President*

May 15, 2008

Hon. Scott Stringer
Manhattan Borough President
One Centre Street, 19th floor
New York, NY 10007

Dear Borough President Stringer:

Thank you for your letter regarding 133 – 139 MacDougal Street and the University's proposal to redevelop this site to house our Research Centers for the School of Law. We appreciate the opportunity to provide further information regarding this project and to clarify; our proposal does not call for the Provincetown Playhouse to be demolished. In fact, as part of our efforts to explore design options, we have determined that we can retain the Provincetown Playhouse.

We are confident that you will conclude that this project clearly demonstrates that New York University is taking great care adhering to its commitment to the Planning Principles, which we all endorsed earlier this year.

Both the theater and the existing building have been significantly altered over the years. Our proposal would preserve the working theater on its current site while providing much needed space for the School of Law, which is located across the street.

Although the Landmarks Preservation Commission has declined to calendar the building, we recognize its cultural significance and our proposal takes extraordinary steps to pay homage to and respect the history of the Provincetown Playhouse and its Players.

We have worked with the Dean of our School of Law for some time to ensure that our proposal was one that is aligned with the University's Planning Principles. We believe that that the University has accomplished these goals with a proposal that:

- retains the Provincetown Playhouse, the culturally important component of the site, on the same footprint;
- keeps the currently produced NYU and non-NYU affiliated theatrical and performing arts programming that is open to the public;
- maintains the original volume while making improvements to the functionality of the theater that would be difficult to achieve merely through renovation;
- leaves available FAR on the table; and
- is of high architectural standards and design in order to fit with the surrounding neighborhood and enhance the street wall.

Furthermore, we have been meeting with theater historians and users of the theater to further understand how we can preserve historical components of the theater while working towards creating an improved working theater and maximizing the utilization of our existing assets. These discussions have also reaffirmed the importance of community sustainability by keeping the Provincetown Playhouse as a cultural amenity to be enjoyed by all.

Why is the University unable to continue residential uses in the building?

As you know, the University has been engaged for over a year to plan the University's future growth and expansion. One of the critical points that became clear is that we must prioritize what is located within our academic core area around Washington Square and decentralize facilities that can exist in remote locations.

The former use at 133-139 MacDougal was primarily housing for graduate students and other tenants with some office space on the ground floor for the School of Law, which is located across MacDougal Street. The conversion of this site will allow the Law School to relocate and expand its Faculty and Student Research Center, which have outgrown their existing space, into space which is proximate to the main Law School building.

The student tenants were relocated to one of our two existing Law School residential halls. The peripheral housing provided by the MacDougal site is not essential to the Law School's needs. Additional student housing is not currently a priority for the Law School and if the need should develop in the future, the Law School is committed to the Principles and will prioritize seeking space in areas outside of Washington Square and the immediate surrounding neighborhoods.

This conversion will allow some of the Law School's academic offices to be relocated out of leased space and into the location currently occupied by the Research Centers. These moves will reduce the rising costs and risks associated with our dependency on leased office space, the loss of which has been problematic in the past. Without this conversion, the university would need to find additional space in the immediate area for this programming. This project best utilizes space currently owned by the University.

What uses were considered that would allow re-use of 133-139 MacDougal Street?

The University engaged Langan Engineering, Geotechnical Engineers, and Robert Silman Associates, Structural Engineers, to explore the possibility of renovating the existing building so that it could be reused for academic programming. (See attached report.) The soil under the existing footings has an allowable bearing capacity of two tons per square foot. However, it was determined that presently the actual load is three tons per square foot. According to the engineers, the soil is stressed beyond the recommended limit. Although these findings do not mean that the building is unsafe, it does mean that it is infeasible to add any additional load to the existing foundations.

Additionally, to convert all floors to support offices, the live load would need to increase from 40 pounds per square foot for residential (current) to 50 pounds per

square foot for office per the NYC Building Code. The existing floors are not capable of supporting these additional loads required by code. In order to add any additional floors to the building, extensive reinforcing of the existing structure would be required. There are two possible schemes that are detailed in the attached Silman Structural Engineering Report, both of which impact the usage of the space.

Scheme 1 detailed in the Silman Report would reinforce the existing footings via underpinning to increase the bearing capacity of the footings. Underpinning existing footings is far more complex than constructing a new building and would extend the construction period. Furthermore, there is the risk of destabilizing the existing and adjacent structures and potential cracking in the existing walls if underpinning is not done carefully.

Scheme 1 would also require reinforcement to the existing unreinforced masonry party walls to meet the seismic provisions of the Building Code. Reinforcement of the existing walls would decrease the width in aggregate of each floor resulting in the loss of usable floor area and limiting the usefulness of the existing floors.

Scheme 2 detailed in the Silman Report would independently support the additional floors and loads of the existing structure by threading new columns and bracing beams through the structure. The new columns would similarly significantly limit the layout of the floors and the beams would restrict ceiling heights.

In conclusion, it is possible that Schemes 1 and 2 can be achieved at significant cost and time delays. However, they both limit the useable floor area, the loss of which would require the addition of three floors on top of the existing structure (two more than the proposed) and increase the height of the building. Additionally, these schemes would result in a building that is less consistent with the Planning Principles for it would be taller and not of superior architectural quality.

The current proposed building has been designed:

1. to achieve a more efficient floor layout;
2. to meet the Building Code load requirements;
3. to accommodate the proposed programs within a 7 story structure;
4. to maintain the façade of the Provincetown Playhouse;
5. to keep the volume, and any culturally significant components of the current theater on the existing footprint;
6. to rebuild a better functioning theater which will continue to run the same programming that is open to the public; and
7. to be contextual in design and height to the surrounding street wall and neighborhood.

What protective measures are NYU considering for nearby residents during construction or rehabilitation?

As per New York City Landmarks Preservation requirements, it will be necessary to develop a protection plan for the landmark buildings to the south of this site. NYU will develop a plan that provides vibration monitoring of the adjacent buildings. We will install crack monitors should cracks exist and monitor any movements. If needed, we will perform optical surveys of adjacent structures for vertical and horizontal

movements. This surveying is most critical with respect to any underpinning that takes place. This report will be submitted prior to any work commencing on the site and distributed to adjoining building owners.

The University has extensive experience with ensuring that protective measures are maintained with regards to historic structures. Most notably, NYU construction adjacent to the Judson Memorial Church was completed without incident.

Incidentally, Joseph Tortorella, a principle of Robert Silman Associates, is considered a foremost authority on the protection of historic structures during construction and is involved with developing city guidelines for underpinning with the New York City Building Department and the Structural Engineers Association of New York.

As with all our construction projects, we are committed to respecting the quality of life of our neighbors and will keep them informed during every stage of construction and will take measures to mitigate any issues that may arise.

How does the proposed project relate to NYU's 2031 initiative and the 6 million square feet of new space that the University estimates it will need over the next 25 years?

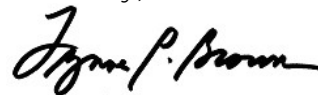
The difference in gained square footage between what is currently on the site and the new building would be counted toward the 6 million square feet.

We are aware that there have been some concerns regarding this project and would welcome additional feedback and guidance from your office and the Task Force. Our priorities for this site are simple: to retain a working theater of the same volume on the existing footprint, to house our Faculty and Student Research Centers, and to adhere to Task Force Principles.

We firmly believe that we have designed the best possible building for the site that respects the limits of the urban environment and continues to make good use of the ground floor by keeping a working theater as a community amenity.

We welcome your thoughts regarding on how we can improve the overall proposal while meeting the above stated goals.

Sincerely,



Lynne Brown
Senior Vice-President
University Relations and Public Affairs