

ATTACHMENT A

LR Item 3. Description of Proposal

INTRODUCTION

New York University is the owner of Coles Recreation Center ("Coles"), located on the eastern end of the superblock bounded by Mercer Street and La Guardia Place between Bleecker and Houston Streets (the "Superblock"). The Superblock, and the two superblocks to its north, comprised the Washington Square Southeast Urban Renewal Area ("WSSURA"). The Urban Renewal Plan for WSSURA was approved in 1954 and expired, by its terms, in 1994. The buildings on the Superblock, with the exception of the one story supermarket in its northwest corner, were developed as a large scale residential development ("LSRD"). The roof of Coles, which is at a height of 23 feet, is part of the open space for the LSRD. The University proposes to modify the playground equipment located on the southern end of the roof of Coles to better serve the residents of the LSRD. The original design of the playground was subject to the approval of the Chairman of the City Planning Commission ("CPC"), after review by the CPC, as a condition of the special permit pursuant to which Coles was constructed. No changes are proposed which affect any other conditions of the special permit.

BACKGROUND

A. The WSSURA Plan

The WSSURA Plan was adopted by the Board of Estimate on January 24, 1954, was amended four times, and expired, by its terms, forty years after the date of adoption (i.e. January 24, 1994). The original Plan contemplated the development of the Superblock with four residential towers, stores and a parking garage. The northern part of the Coles site was to be occupied by the garage and the southern part by a residential building. The Land Use Map annexed to the Plan showed the garage as a "Commercial" area and the residential building as part of the "Housing" area. No development occurred on the Superblock pursuant to the initial Plan.

The first amendment to the Plan, adopted in 1958, relocated retail uses and the garage and proposed to use the garage as a commercial rather than accessory garage. The supermarket at the western end of the Superblock was developed after approval of this amendment. The second amendment to the Plan, adopted in 1962, designated the Superblock as "Residential", except for the northwest corner occupied by the

supermarket, which was designated as "Retail." The garage was eliminated. Subsequent to this amendment, the CPC approved authorizations for an LSRD consisting of the entire Superblock, excluding the already built supermarket (CP-18649, approved October 14, 1964, Cal. No. 21). These approvals facilitated the development of three residential buildings on the Superblock. Two of these buildings are rental buildings owned by the University and known as Silver Towers; the other is a Mitchell-Lama cooperative known as 505 La Guardia Place ("505"). Each building has 179 apartments. The site plan for the LSRD showed a "future school" in the northern portion of the Coles site and nothing on the balance of its site. The third amendment to the Plan, adopted in 1966, did not affect the Superblock.

The fourth and final amendment to the Plan, adopted in 1979, designated the eastern end of the Superblock as "Educational" to facilitate the development of Coles (CPC No. C780696 HUM, approved by CPC April 23, 1979, Cal. No. 2). (See Exhibit A.) At the same time, approvals were granted for a special permit and authorization in an LSRD. (CPC. No. C780698ZSM, approved by CPC April 23, 1979, Cal. No. 3). (See Exhibit A.) The special permit modified the minimum spacing between the eastern Silver Towers building and Coles and the authorization modified the open space definition in Section 12-10 of the Zoning Resolution, which would have otherwise required the rooftop open space to be directly accessible by a passageway from the building or by a ramp with a grade of less than 10 percent. The University completed construction of Coles in 1981. Since then, Coles has been heavily used by students, alumni and neighborhood residents.

B. The LSRD Special Permit

The special permit resolution included as one of its conditions, the following:

1. The design of the roof playground, and the proposed scheduled hours of operation, shall be submitted to the City Planning Commission for review. No permanent certificate of occupancy shall be granted until the Chairman of the City Planning Commission has approved the design of the roof playground.

The resolution included a number of other conditions, two of which are relevant to the rooftop playground:

2. Residents of the large-scale residential development bounded by Bleecker Street, Mercer Street, West Houston Street, and La Guardia Place shall have access to the

rooftop via the exterior stairway, interior stairway, and interior elevator at all times when the roof is available to other users of the facility.

...

4. The design of the improvements of the strip of land between the easterly building line and the curb of Mercer Street ["Mercer Street Strip"], shall be submitted to the City Planning Commission for review. No permanent certificate of occupancy shall be granted until the Chairman of the City Planning Commission has approved the design of that strip of land, and the improvements made pursuant to the design.

No changes are proposed to conditions 2. and 4. or any other condition of the special permit.

Drawings of the roof playground and the Mercer Street Strip were submitted to the then Chairman of the Commission, Herbert Sturz, by letter dated May 22, 1980, with further information provided in a letter to the Chairman dated August 12, 1980. (See Exhibits B and B₁.) The drawings were approved by letter of Herbert Sturz to the Department of Buildings dated January 6, 1981 (See Exhibit C.), which identifies the approved drawings as A-2, A-3, and A-4 (See Exhibit D.) The roof playground included a play fountain, clatter bridge, slides, cargo net, vertical rope swing, play deck, play cubes, kickball area, shade trellises and basketball court.¹ No facilities were provided for the physically disabled. The Mercer Street Strip included a playground for young children, consisting of an amphitheater, water spray fountain, clatter bridge, slide, play deck, vertical rope swing and sand area.²

1. The basketball hoops were installed but were removed during the first week the rooftop playground was open after a basketball which had been thrown on the roof went through the windshield of a car traveling on Houston Street. The rope swings were also removed for safety reasons. The benches around the play fountain were never installed.

2. As in the roof playground, the rope swings were installed but were removed for safety reasons. The drawings show a seesaw which was eliminated prior to approval (See Exhibit B₁). In addition, the drawings show a basketball hoop which was never installed because there was insufficient space for its use.