

## E. 12<sup>th</sup> Street Dorm

***“It feels like eminent domain – NYU is taking over. They’re not contributing anything to us except more fast-food joints, noise and congestion.”<sup>1</sup> - Elizabeth Langwith, St. Ann’s Committee***

New York City residents have long expressed concern over NYU’s relationship with the City, and particularly over NYU’s expansion in the Village over the last twenty years. Since the early 1980s, NYU has bought 25 buildings and built another 13.<sup>2</sup> NYU is now preparing to add a 26-story dorm at 110 East 12<sup>th</sup> Street, which is the former site of St. Ann’s Church. Constructed in 1847 as the 12<sup>th</sup> Street Baptist Church, it then served as the Temple Emanu-El synagogue from 1856 to 1868 before finally became home to the Roman Catholic Church in 1870.<sup>3</sup>

Hudson 12<sup>th</sup> Development LLC purchased St. Ann’s for \$15 million in 2005.<sup>4</sup> Shortly thereafter, Hudson 12<sup>th</sup> Development LLC struck a deal with the United State Postal Service for the excess development rights (commonly known as “air rights”) from the adjacent Cooper Station Post office through the Merged Zoning Lot provision of the Zoning Resolution.<sup>5</sup> Hudson Companies purchased an additional 61,520 square feet of air rights, which allows them to build something more than 1.5 times larger than through the default zoning.<sup>6</sup> Later in 2005, NYU entered into a lease agreement with Hudson Companies<sup>7</sup> and announced their intention to build a student residence of 26-stories.<sup>8</sup>

Because the Cooper Station Post Office – erected in 1936 – is a historical landmark, critics have argued that the USPS sale of air rights should have triggered review under section 106 of the National Historic Preservation Act.<sup>9</sup> Under the law, federal agencies are required to take into account the impact that their actions make upon historic properties and are required to consult with the state and the public to ensure their actions have no harmful consequences. The USPS has contended that the sale of the air rights themselves could not have any impact on the historic site, and impact could only arise from actions taken by the developer.<sup>10</sup> Eventually, Robert Anderson, a Postal Service spokesman admitted, “We have recognized that the postal service should undertake a Section 106 review before selling air rights.”<sup>11</sup>

***“It’s so damn big.”<sup>12</sup> - Tony McAndrew, co-op board 111 4<sup>th</sup> Ave***

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<sup>1</sup> “Can a 26-Story Dormitory Fit in a ‘Fragile Ecosystem?’”, *The Villager*, 3/28/2006.

<sup>2</sup> “Not Subject to Review”, *Village Voice*, 3/7/2006.

<sup>3</sup> “Housing of the Holy: St. Ann’s Church to Become Luxury Residences”, *The Villager*, 3/30/2005-4/5/2005.

<sup>4</sup> New York City Land Records, Hudson 12<sup>th</sup> Development LLC and USPS, Deed, 2/23/2005.

<sup>5</sup> New York City Land Records, Hudson 12<sup>th</sup> Development LLC and USPS, Easement, 3/22/2005.

<sup>6</sup> New York City Land Records, Hudson 12<sup>th</sup> Development LLC and USPS, Agreement, 3/22/2005.

<sup>7</sup> New York City Land Records, Hudson 12<sup>th</sup> Development LLC and NYU, Lease, 11/22/2005.

<sup>8</sup> “NYU Announces New Student Residence Project”, NYU Press Release, 11/8/2005.

<sup>9</sup> “Uncle Sam Sells Air Rights, and Preservationists Cringe,” *New York Times*, 8/9/2005.

<sup>10</sup> “Uncle Sam Sells Air Rights, and Preservationists Cringe,” *New York Times*, 8/9/2005.

<sup>11</sup> “Not Subject to Review,” *Village Voice*, 3/7/2006.

<sup>12</sup> “Not Subject to Review,” *Village Voice*, 3/7/2006.

With the additional development rights, NYU's planned E. 12<sup>th</sup> street will become the largest building in the neighborhood. Andrew Berman, Executive Director of the Greenwich Village Society for Historic Preservation recently told *The Villager*, "On its face, a 26-story building sounds extremely inappropriate for this location."<sup>13</sup> Elizabeth Langwith, chair of the ad-hoc St. Ann's Committee, which was formed by concerned renters and owners, told *The Villager*, "We're pretty stunned that something of this size and magnitude could be planned for this area." Scott Sumperstein, a local resident, told the *Village Voice*, "People are pissed. The university wants to transform the East Village into its own private campus."<sup>14</sup>

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<sup>13</sup> "Can a 26-Story Dormitory Fit in a 'Fragile Ecosystem'?", *The Villager*, 3/28/2006.

<sup>14</sup> "Not Subject to Review," *Village Voice*, 3/7/2006.