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## West Side Local

# What's Next For 2 Columbus Circle?

### West Siders Lament Lack of Public Input While Film Crews Take Over Two Columbus Circle

By John Dyer

While West Side politicians and activists call for public hearings on the future of 2 Columbus Circle — with one group going so far as to threaten a lawsuit on the issue — the quirky building on Central Park South is being used as a set for film crews.

Ethel Sheffer, a member of the task force set up by Community Boards 4, 5 and 7 to oversee planning for the circle, said the unpublicized filmmaking reflects the hush-hush atmosphere that surrounds the building.

"There has been a silence for years and in the meantime it apparently has been active with rentals for movies," said Sheffer. "Perhaps that's a good thing in general, but we have no idea of what's going on and how this will affect the building or where the rent money is going."

A film worker at the site recently said the feature film "Martin and Orloff," produced by Belladonna Productions, was being shot in the building. According to the Screen Actor's Guild website, which lists films currently being produced in New York, "Martin and Orloff" has been shooting since May 13 and should wrap up by the middle of June.

"The building is used pretty often for filming. It's popular because it's empty," said Denis Collins, a spokesperson for the Department of Citywide Administrative Services, which operates 2 Columbus Circle. Collins said film work on the site is always approved by the mayor's office of

Film, Theater and Broadcasting.

For years West Siders have charged the city with ignoring the public in regard to the building, which was built in 1962 to house the art collection of eccentric millionaire Huntington Hartford. Many critics of the city's handling of the site, including architect Robert A.M. Stern, want the building landmarked. Others, like Sheffer, simply want the city to record public sentiment on the matter. Donald Trump and Ian Schrager have said — separately — that they would like to purchase the building, demolish it and build a high-rise hotel there.

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Arlene Simon, president of Landmark West!, an organization that helped establish the Upper West Side/Central Park West historic district, said she believes the city might try to sell 2 Columbus Circle without consulting the public. If that happens, her organization is prepared to sue. The grounds for her case lie in the complicated history of the property.

The city acquired the 10-story, marble block building in 1980 from the Gulf and Western Foundation, which sold it on the condition that it be used solely to house the city's visitor services and cultural affairs offices, or else be remanded to the foundation. It was used for those purposes until 1998, when the New York City Convention and Visitor's Bureau moved offices.

In the meantime, however, other aspects of the building's status had changed. In 1996, the Viacom Foundation, which had absorbed Gulf and Western, sold the right to enforce the conditions of



Graffiti marks an inside room in the building.

the original sale to the Economic Development Corporation, a non-profit organization that sometimes acts as the city's real estate agent.

The development corporation, acting on behalf of the city, has since called twice for proposals for the building, which today has no official city function. But none of the proposals were ever accepted, even when the highest bidder for the first call, the Daesh Museum of Art, proposed using the building as a new museum space. Trump was the second-highest bidder in that same request for proposals.

The second call for proposals is still in limbo, said David Farmer, director of the Daesh. Farmer said the museum submitted a second proposal a year ago but has yet to hear back from the EDC. In March Mayor Rudolph Giuliani reconvened a panel of city planners to advise him on proposals for the area, including 2 Columbus Circle, but City Hall has been mum on the issue since that announcement.

Matt Woitkowski, a lawyer who represents Landmark West!, said he feared the city and development corporation were working together to sell the building and circumvent the public review process that should take place when city property is sold.

As long as 2 Columbus Circle is not being used as a visitors' center or for cultural affairs offices, the EDC can enforce its right to reclaim the property. Such a move would entail a court case, however. But if the city refused to defend itself in court, Woitkowski said, the EDC could take control of the building outright and then do whatever it wanted, including selling it to a developer like Trump.

Under this scenario, the city, with the help of the EDC, would have its cake and

eat it, too, said the lawyer. Since the corporation works on behalf of the city, taking control of 2 Columbus Circle requires little more than a shift from one arm of government to another. But since it is also an independent entity, it doesn't have to conform to government rules. Two Columbus Circle could thus be sold with no public oversight.

The city stands to gain from the sale of the building in a direct way, added Woitkowski. In exchange for not challenging the EDC in court if and when the corporation sought to enforce its right to the city and the EDC could agree that the city receive the funds raised from a sale of the building.

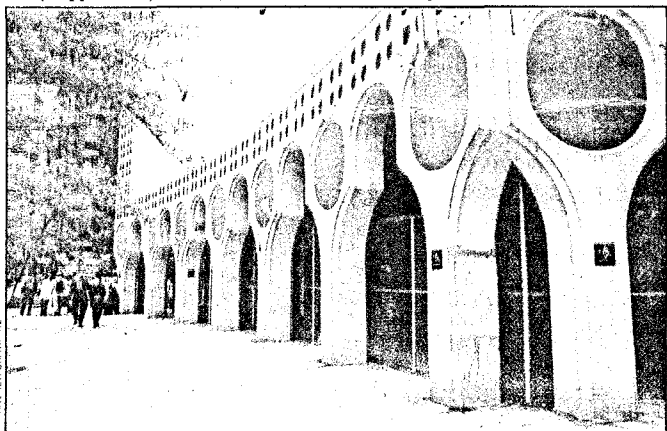
"The EDC and the City of New York are working on this," he said. "They're not separate. They're trying to reach a common goal."

If this scenario occurs, Woitkowski said, Landmark West! would file their suit in state Supreme Court and intervene in the transaction, arguing that the city is forfeiting assets, which requires public review.

In the meantime, the cameras keep rolling.

State Sen. Tom Duane, who has worked on the issue since he was on the City Council, said filmmaking doesn't necessarily flout the requirement that 2 Columbus Circle be used for cultural purpose but he wished the public had had some notice of the work.

"It's not out of hand wrong and filming is not a completely inappropriate use," said the Democrat. "It could be. But we don't know enough to make that decision. This is a city-owned building and the public should have the right to know what the plans for it are."



The Columbus Circle site is being used for filming.

This story included additional reporting by **Andrew Schwartz**.