

CITY PLANNING COMMISSION

July 2, 2003/Calendar No.14

C 030392 PPM

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for disposition of one (1) city-owned property located at 2 Columbus Circle (Block 1030, Lot 1) pursuant to zoning, Borough of Manhattan, Community District 5.

The application for the disposition of city-owned property was filed by the New York City Department of Citywide Administrative Services (DCAS), Division of Real Estate Services (DRES), on March 17, 2003. The application was revised on June 30, 2003 from general disposition pursuant to zoning to a disposition restricted to museum use.

BACKGROUND

DCAS submitted an application for the disposition of a 4,600 square-foot lot 75 feet along Columbus Circle, 41 feet along the eastern side of Eighth Avenue, 97 feet along the northern side of West 58th Street and 75 feet along the western side of Broadway. The lot is currently occupied by a nine-story vacant building. The subject site is located on the trapezoidal block bounded by Columbus Circle, Eighth Avenue, Broadway, and West 58th Street (Block 1030, Lot 1) in a C5-3 zoning district within the Special Midtown District in Community District 5.

The existing vacant building was originally built in 1964 as the Huntington Hartford Museum, and was most recently the home of the City's Department of Cultural Affairs. Once the proposed disposition is approved, DCAS intends to dispose of the property to the Economic Development Corporation (EDC). EDC intends, in turn, to dispose of the site by direct sale to the

Museum of Art and Design (the Museum), a cultural facility. The proposed relocation of the Museum to the site from its current facility at 40 West 53rd Street, would permit the upgrading of the Museum to a modern facility and allow it to display more of its permanent collection, currently in storage, and to pursue educational and artists-in-residence programs at the site. The proposed disposition would permit the complete renovation and upgrading of the deteriorating building to accommodate the cultural facility.

The original massing and form of the building will be retained. A new exterior system will replace the marble and new openings will be made in the exterior on all four sides to allow light into the gallery spaces, views into the museum, and views out to the Circle and the Park.

ENVIRONMENTAL REVIEW

This application (C 030392 PPM) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead agency is EDC. The designated CEQR number is 03DME003M.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on March 26, 2003.

UNIFORM LAND USE REVIEW

This application (C 030392 PPM) was certified as complete by the Department of City Planning on March 31, 2003, and was duly referred to Community Board 5 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 5 held a public hearing on this application (C 030392 PPM) on May 8, 2003, and on that date, by a vote of 18 in favor, 8 opposed and 1 abstention, adopted a resolution recommending approval of the application, subject to the following conditions:

- (i) the financial terms of the disposition remain subject to the review of this Board; and (ii) the Museum will consult with this Board and other community groups with regard to issues of loading and unloading of buses and exhibits, sidewalk and street lamp design, exterior signage, and the availability of the basement auditorium for public use.

Borough President Recommendation

This application (C 030392 PPM) was considered by the Borough President, who issued a recommendation approving the application on May 27, 2003.

City Planning Commission Public Hearing

On June 4, 2003 (Calendar No. 13), the City Planning Commission scheduled June 18, 2003, for a public hearing on this application (C 030392 PPM). The hearing was duly held on June 18, 2003 (Calendar No.17). There were seven speakers in favor of the application, and twenty-four speakers in opposition. Written statements were also submitted, of which four were in favor of

the application and three opposed.

Among the speakers in support of the application were three representatives of the Museum of Arts and Design, including its Executive Director, the Chair of its Building Committee and its Director of Building. Also speaking in favor were the Executive Director of the New York chapter of the American Institute of Architects; the President of the West Side Chamber of Commerce; and the Chair of Community Board 5. Among the speakers in opposition were five representatives from Landmark West!, including its Executive Director; representatives from the Historic Districts Council; the Documentation and Conservation of Buildings, Sites and Neighborhoods of the Modern Movement organization (DOCOMOMO); the president of the Fine Arts Federation of New York; the Executive Director of the Municipal Art Society speaking for the Society's Landmarks Committee; and a representative from the Modern Architecture Working Group.

The speakers in favor emphasized the neglected state of the building as it stands, and the benefits that would be derived from replacing an unused building in derelict condition with a well-designed and vibrant new museum structure. They also asserted the high quality of the new design.

The speakers opposed to the application urged the Commission not to approve the disposition without assurances that a hearing before the Landmarks Preservation Commission would take place, and asserted that there was a consensus among preservation groups that the existing

building designed by Edward Durrell Stone was worthy of landmark designation.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the disposition of this city-owned property as revised is appropriate. The site consists of a 9-story vacant building at 2 Columbus Circle, on the trapezoidal block bounded by Columbus Circle, Eighth Avenue, Broadway, and West 58th Street. It is situated in a C5-3 zoning district within the Special Midtown District.

A museum use at this location will reinforce the on-going revitalization of Columbus Circle and re-activate a long-dormant space. The Commission has been assured by EDC by letter dated June 27, 2003, that the conveyance instruments to the Museum will require compliance with the plans and renderings seen by the Commission at its Review Session with respect to the exterior color and materials and general configuration of the curtain wall. Prior to approving any significant changes to the design of the building, EDC will consult with the Chair of the Commission on these changes. The Commission feels strongly that the appropriate use for this site is a museum, that such a cultural use will anchor the southern part of the Circle and complement the uses throughout the area, and that the use should therefore be restricted, and the application has been revised to reflect that restriction.

The Commission also feels that the building itself needs to be protected from the elements

during the period of its construction and that the scaffolding, which will be up for at least two years, make as minor a visual impact on the circle as possible. By letter dated June 30, 2003, the Museum has assured the Commission that it will make the repairs necessary to stabilize the building, and that it make its best efforts to minimize the impacts of the scaffolding during construction.

The Museum will be working with Community Board 5 to address their concerns about loading and unloading of buses and exhibits, sidewalk and streetlamp design, exterior signage, and the use of the basement auditorium for public use.

Many speakers addressed the issue of landmarks designation. Much of the testimony at the public hearing focused on the landmark status of the building and the desire of those in opposition to have a hearing at LPC. It is not within the purview of the Commission to designate landmarks.

RESOLUTION

RESOLVED, by the City Planning Commission, pursuant to Section 197-c of the New York City Charter, that the disposition of one (1) city-owned property located at 2 Columbus Circle (Block 1030, Lot 1), restricted to museum use, Borough of Manhattan, Community District 5, proposed in an application by the Department of Citywide Administrative Services, dated March 17, 2003, and revised on June 30, 2003, is approved.

The above resolution (C 030392 PPM), duly adopted by the City Planning Commission on July 2, 2003, (Calendar No. 14) is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, AICP, Chair

KENNETH J. KNUCKLES, ESQ, Vice Chairman

**ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., RICHARD W. EADDY,
ALEXANDER GARVIN, JANE D. GOL, CHRISTOPHER KUI, JOHN MEROLO,
KAREN A. PHILLIPS, JOSEPH B. ROSE, DOLLY WILLIAMS, Commissioners**