

CITY

Museum Wins a Court Battle On Columbus Circle Renovation

By DAVID W. DUNLAP

After being delayed more than a year by litigation, the plan to reclad and recreate 2 Columbus Circle as the new home of the Museum of Arts and Design is poised to proceed after a court decision in its favor yesterday.

A five-judge panel of the Appellate Division of State Supreme Court unanimously upheld the earlier dismissal by Justice Walter B. Tolub of a lawsuit against the reconstruction project by three preservation groups — Landmark West, Historic Districts Council and Docomomo.

“Now, we’re full steam ahead,” said Laurie Beckelman, the director of the new building program at the museum. She said the project, designed by Brad Cloepfil of Allied Works Architecture, might begin by the middle of this year and be completed in mid-2007.

The executive director of Landmark West, Kate Wood, said the groups would explore “all of our options,” including further appeals.

Supported by the National Trust for Historic Preservation, the groups had challenged the environmental review of the project and the failure by the Landmarks Preservation Commission to hold a public hearing on 2 Columbus Circle. The marble-clad, nine-story building by Edward Durell Stone, originally Huntington Hartford’s Gallery of Modern Art, is admired by some as a milestone of romantic modernism and de-

plored by others as a blank-walled bit of 1960’s kitsch.

The commission’s designation committee decided in 1996 that landmark status was not warranted, so no public hearing was ever held.

In its decision, the Appellate Division panel said it found no merit “to the contention that the Landmarks Preservation Commission was obligated to hold a public hearing before declining to calendar a request for the property’s designation.”

Robert B. Tierney, the commission chairman, said the decision affirmed the integrity of the landmarks law and the way the commission conducted its business. “Based on everything I know, have seen and have read,” he said, “I have chosen not to change that 1996 determination,” meaning that the Museum of Arts and Design can proceed with its reconstruction plan, which includes a new terra-cotta facade, without review by the commission.

The museum, now at 40 West 53rd Street, plans to buy 2 Columbus Circle from the city for \$17 million and reconstruct it for about \$30 million. After the suit was filed in 2003, however, it put the acquisition on hold. “The board felt they had a fiduciary responsibility to be out of the court,” Ms. Beckelman said.

In a related case, the city’s Law Department said yesterday that it had received a decision by Justice Harold B. Beeler of State Supreme Court dismissing Landmark



Allied Works Architecture

An architect’s rendering of the planned redesign of 2 Columbus Circle (left center). The Museum of Art and Design renovation project was opposed by preservationists.

West’s challenge to a meeting of the Manhattan borough board on the 2 Columbus Circle plan. The group had charged that the meeting took place without proper notice.

But Ms. Wood said preservationists would not give up their fight.

“It’s absolutely right that we’re pursuing this,” she said, “on behalf of 2 Columbus Circle and how many more buildings will be lost because of the ton of wiggle room being given to the city to hold its meetings behind closed doors.”