

# LANDMARK WEST!

THE COMMITTEE TO PRESERVE THE UPPER WEST SIDE

June 27, 2003

Hon. Amanda M. Burden  
Chair  
New York City Planning Commission  
22 Reade Street  
New York, New York 10007

RE: 2 Columbus Circle

Dear Chair Burden:

We appreciate the City Planning Commission's attention to the testimony of over 30 speakers at the June 18 hearing regarding 2 Columbus Circle. We understand from the Commission's website that this item has been scheduled for a follow-up hearing on July 2.

The enclosed materials are intended to address several vital questions raised by commissioners and staff on June 18.

The vast majority of the June 18 speakers – architects; planners; historians; national, statewide and civic organizations; and neighbors – voiced their strong support for preserving the original 1964 design by internationally renowned Modernist architect Edward Durell Stone.

2 Columbus Circle is more than an important building by an important architect (although that in itself qualifies it for special consideration under CEQR and the New York City Landmarks Law). This building is unique in the vigorous level of public debate it has since its completion in 1964. Moreover, since 1994, when the building turned 30 years old and became eligible for landmark status, the City has received hundreds of letters nominating 2 Columbus Circle for a designation hearing before the Landmarks Preservation Commission (copies of selected letters are enclosed).

According to the Landmarks Commission, the first requests for evaluation were received in Fall 1995. Advocacy on behalf of this building is, therefore, much more than a "knee-jerk" response to imminent change; it is long-standing.

Not until this moment, however, has the public been allowed to participate in a formal discussion and decision-making process to consider the future of this site. This ULURP is the first, and may be our only, opportunity to offer feedback on any potential development plan for this site. The plan that would be facilitated by the Commission's approval of this disposition would clearly have an impact (a negative impact, we believe) on an identified "historic resource" (please see postscript). Yet, several City Planning Commissioners seemed doubtful as to whether ULURP was the appropriate forum for expressing support for preserving 2 Columbus Circle. We feel strongly that it is, for reasons outlined in our June 18 submission to the Commission.

June 27, 2003  
Letter to Amanda M. Burden

List of Enclosures

- 1) Environmental Assessment Statement (March 18, 2003), Attachment C, pp. C-5 and C-10.
- 2) Synopsis of 2 Columbus Circle on-line forum (June 16-July 2 at [www.collectorsworld.org](http://www.collectorsworld.org)).
- 3) Partial list of organizations and individuals that have expressed their support for preserving 2 Columbus Circle, or at least holding a hearing before the NYC LPC (as of June 26, 2003)
- 4) Selected letters in support of preserving 2 Columbus Circle from:

**Pre-ULURP:**

- January 28, 1997, letter from Brooke Astor to Mayor Rudolph Giuliani
- April 19, 2000, letter from museum curator J. Carter Brown to Mayor Giuliani
- April 21, 2000, letter from architect Giorgio Cavaglieri to Neil Smith, EDC
- February 21, 2001, letter from elected officials to Mayor Michael Bloomberg, asking him to support efforts to landmark 2 Columbus Circle

**2003:**

- New York Landmarks Conservancy
- Robert V. Stone, Ph.D. (son of Edward Durell Stone)
- Ken Smith, landscape architect and member of THINK team for World Trade Center design competition
- Richard Roth, Jr., FAIA, RIBA (grandson of architect Emery Roth)

**Other Advocacy:**

- November 17, 1996, *New York Times* article, "A Preservationists Lists 35 Modern Landmarks-in-Waiting"
- October 18, 1999, *New York Observer* advertisement

- 5) January 6, 2003, letter from State Historic Preservation Officer Bernadette Castro to Landmark West!, stating her hope "to work with [the American Craft Museum] to undertake the rehabilitation [of 2 Columbus Circle] in a way that respects the historic character of the structure.
- 6) October 4, 1994, cover letter from Deputy Mayor John S. Dyson to Viacom, Inc., plus pages 1, 4 and 5 of the "Term Sheet," assigning the Economic Development Corporation reversionary interest in 2 Columbus Circle in exchange for industrial development bonds and other tax incentives. The reversionary interest had been held by the Gulf and Western Foundation, a predecessor to Viacom. In a 1980 deed transferring 2 Columbus Circle from GWF to the City of New York, GWF retained reversionary interest to ensure that the property would remain New York's primary cultural facility.

**SUBMISSION TO CITY PLANNING COMMISSION  
REGARDING TWO COLUMBUS CIRCLE  
ULURP #C 03092 PPM  
JUNE 18, 2003**

**Introduction**

The former Gallery of Modern Art at Two Columbus Circle has been loved, loathed, and hotly debated since its opening in 1964. Still controversial after nearly 40 years, it is undeniably a significant part of New York's architectural heritage. Yet there has never been an official opportunity for the public to speak out in favor of preserving this important building for "future generations to enjoy, consider, debate, and learn from."<sup>1</sup>

We urge the City Planning Commission not to approve this disposition without assurances that a hearing before the New York City Landmarks Preservation Commission (LPC) will take place. In addition, we call on the Commission not to adopt a negative declaration of environmental impacts because the Environmental Assessment Statement is based upon the erroneous finding that the proposed action would have no impact on any historic resource.

Leading preservation advocacy organizations – including the National Trust for Historic Preservation, and the Preservation League for New York State – have urged the LPC to calendar a public hearing to consider whether Two Columbus Circle merits designation as a New York City landmark (copies of selected statements, plus a list of organizations that have also called for a public hearing, attached hereto). There is now broad consensus in the national, state, and local preservation communities that Two Columbus Circle deserves its "day in court."<sup>2</sup>

Landmark West! and all New Yorkers welcome the opportunity to re-use Two Columbus Circle as a cultural facility, the use for which the building was originally designed, built, and utilized from 1964 to 1969.<sup>3</sup> We strongly believe that preservation and museum use must not be regarded as mutually exclusive alternatives for this important site. However, the current plan to renovate the building for use by the Museum of Arts and Design would entail extensive façade and interior alterations. Such radical changes must be weighed

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<sup>1</sup> Robert A.M. Stern, quoted from a statement dated February 12, 2003, attached hereto.

<sup>2</sup> There is demonstrated widespread public interest in the future of Two Columbus Circle. On April 14, 2000, over 50 New Yorkers, including architect Robert A.M. Stern and writer Tom Wolfe, rallied in front of the building to urge the Landmarks Commission to schedule a public hearing. On February 12, 2003, over 200 people attended a panel discussion co-sponsored by the AIA New York Chapter/Center for Architecture and Landmark West! on the building. From June 16 to July 2, 2003, architectural critic Paul Goldberger will moderate an on-line forum at [www.collectorsworld.org](http://www.collectorsworld.org) to accommodate interest from an even broader audience worldwide.

<sup>3</sup> Contrary to the testimony of some detractors of Two Columbus Circle, the building's design was not a primary factor in the failure of the original Huntington Hartford museum or subsequent uses. Internal management and programming problems led to the original museum's demise. The city's economic crisis caused the New York Cultural Center, which succeeded the Gallery of Modern Art, to close in 1975. The Department of Cultural Affairs, which occupied the building until 1997, was evicted by the City.

carefully - in an open public forum - against the negative impact they would have on the building's original 1964 design, an essential part of New York's cultural fabric.

Two Columbus Circle was given as a gift to the citizens of New York in 1980. It should not be given away without thoughtful, comprehensive analysis of the irrevocable effect on the City's artistic heritage.

### **The Environmental Review**

The Environmental Assessment Statement (EAS) prepared by Deputy Mayor Daniel Doctoroff's office, the reasoning of which this Commission is being asked to adopt in support of a Negative Declaration, wrongly concludes that the disposition of Two Columbus Circle will have no impact on any historic resource. The basis for this conclusion is that the building is not an historic resource. This is a false conclusion, based on insufficient evidence, failure to adhere to the proper procedure for conducting an EAS, and a distortion of the facts.

According to the City Environmental Quality Review (CEQR) Technical Handbook, the term "historic resources" includes properties that have not been identified by the Landmarks Preservation Commission, but that meet the eligibility requirements for designation as a City landmark, or for listing on the State or National Register of Historic Places (CEQR Technical Handbook (TH), p. 3F-1). Thus, the fact that a property has not been designated a landmark is not the end of the inquiry.

A property eligible for designation as a City landmark includes any building that "has a special character or special historical or aesthetic interest or value as part of the development, heritage, or cultural characteristics of the City, State or nation" (TH, p. 3F-5). A property is eligible for listing on the National Register if, inter alia, it embodies "distinctive characteristics of a type, period, or method of construction or that represent the work of a master, possess high artistic values, or represent a significant and distinguishable entity whose components may lack individual distinction" (TH, p. 3F-2). The LPC has adopted the National Register criteria for use in identifying significant historic resources for CEQR Review (TH, p. 3F-2).

The building at Two Columbus Circle plainly meets these criteria, and the EAS itself implicitly recognizes this. It describes the building as "an important historic civic structure" (EAS, Attachment C, p. C-10, attached hereto), and continues:

The building at Two Columbus Circle was designed by Edward Durrell Stone in 1964, one of America's most important and admired architects of the 21<sup>st</sup> century (sic), at a cost of approximately \$7.4 million. Located on a small isolated lot, the building is an innovative use of space...The building's form with its classical symmetry and portion (sic) evolved from Edward Durrell Stone's own personal architectural style...

Although the building...is a most unusual structure that has endured a significant amount of public scrutiny, praise, and criticism, the building is a carefully articulated structure that was specifically designed to accommodate its intended use and client, Huntington Hartford. It is a distinctive structure that does not

represent any one stylistic category of the times, but an attempt to challenge the Modernistic aesthetic development style that dominated post WWII architecture in the 1950s and early 1960s. It is also one of the first and most notable oppositions to the typically simplistic Modernist form and stringent International architectural style. The building...is a unique, ornamental structure that attempts to synthesize historic and decorative motifs and materials with a modern structural form.

(EAS, Attachment C, p. C-5, attached hereto). Nonetheless, in a conclusion that is at best disingenuous and at worst duplicitous, the EAS finds that the “proposed project is not expected to result in any adverse impacts to the site”<sup>4</sup> (EAS, Attachment C, pp. C-9, C-11).

Landmark West! believes that the language in the EAS does not do sufficient justice to the building, although the language fully supports the claim that the building is a historic resource and that the impact of changing the façade should have been assessed. Edward Durell Stone was an internationally recognized architect. Stone’s work is covered in almost every textbook or reference material on Modern architecture in the U.S. and in hundreds of reviews and articles. Two Columbus Circle is a signature Stone building, encapsulating the architect’s late-career theories. A rare and courageous work that is distinctively of its time, it represents the subset of Modern buildings that rebelled against the preferred Miesian, European-style Modernism favored by corporate America at mid-century, instead establishing a connection with historical and classical styles (excerpts from testimony, attached hereto).

Beyond its architectural merits, Two Columbus Circle is also significant in the history of museums and the reception of art in New York City and beyond. The architecture is part of the original museum's bold and provocative statement to the art world in the 1960's.

### **Prior History At The Landmarks Preservation Commission**

The EAS states the building is not eligible for designation by the LPC (EAS, p. 7; Attachment C, p. C-1). That statement is based upon a one-page comment sheet from an unidentified person at LPC, dated 1/24/03, that simply says, without providing any basis, that the “project site is not eligible for LPC designation.” There is no way to tell how this conclusion was reached (Appendix A to the EAS, attached hereto). Indeed, it appears more that likely that the LPC comment was deliberately concocted to counter the conclusion of the consultant who prepared the EAS that the building is eligible for designation.

In a draft of the EAS dated 1/15/03, eight days before the LPC comment was written, that consultant wrote that the building “is an important historic civic structure in northern Midtown Manhattan that stands out among the high-rise residential and/or office buildings in Midtown; it is eligible for New York City Landmarks Preservation Commission’s designation (emphasis supplied)” (Draft EAS, Attachment C, p. C-9, attached hereto). That conclusion was eliminated in the final version of the EAS.

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<sup>4</sup> This conclusion appears to be based not only on the fact that the building has not been designated a landmark, but also on the premise that MAD will not “significantly change the existing structure.” The changes contemplated are described as a “renovation” of the “shell” or “skin” of the building to accommodate the proposed cultural facility use. This is sophistry. EAS, Attachment C, pp. C-9, C-10.

The final EAS indicates that in 1996 the LPC did consider the building for designation and declined to recommend it for a hearing. The EAS claims “In 1996, the LPC’s Research Department and Designation Committee carefully reviewed the building’s architectural merits and its historical and cultural associations, and declined to recommend the building to the full Commission for consideration (see Appendix A)” (EAS, p.7). Appendix A, however, provides no direct evidence of what occurred in 1996. The quote comes from a June 2002 letter from the Executive Director of LPC, writing in response to a request from the Municipal Art Society that the LPC hold a hearing on whether to designate the building. In that letter, the Director claimed that there had been a “careful” internal review in 1996. The accuracy of this claim cannot be determined.<sup>5</sup>

Moreover, at that time, the City had just completed a complex deal with Viacom in order to gain control of the building, and wished to sell the building as soon as possible<sup>6</sup> (Memorandum from John S. Dyson to William J. Diamond, September 21, 1995, and Letter from John S. Dyson to Commissioner Schuyler Chapin and Mr. Steven Morello, March 21, 1996, attached hereto). In the 1996 letter, then Deputy Mayor Dyson indicates that EDC intended to issue an RFP for the sale of the site “in the near future.” Given this context, the City was not likely to encourage the LPC to consider the building for designation (2 Columbus Circle Timeline, attached hereto).

### **Conclusion**

That Two Columbus Circle has never been given a fair opportunity to be heard for potential landmark status is contrary to our City’s dedication, and the LPC’s stated mandate, to preserve its cultural heritage. Furthermore, the fact that the City has diligently sought to avoid public review of plans for the transfer of the Two Columbus Circle property is disrespectful of processes for protecting the public interest against short-sighted, single-interest development.

A genius of the New York City Landmarks Law is that it enables buildings to be designated not less than 30 years after their construction. The time frame for the State and National Registers of Historic Places is 50 years. The rule is intended to prevent architectural taste alone from becoming the basis for determining whether or not a building merits landmark status.

Subjecting Two Columbus Circle and, if the property were designated, the proposed design changes to careful review by the LPC - the municipal agency with acknowledged expertise in supervising appropriate modifications to historic resources - would not impose any great economic hardship on the City or the Museum of Arts and Design.

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<sup>5</sup> At page C-1 of Attachment C, the EAS also claims that the decision that the building does not meet the criteria for designation “was recently revisited and supported.” This statement is clearly erroneous. The June 28, 2002 letter from the Executive Director says absolutely nothing about the revisiting the supposed 1996 decision.

<sup>6</sup> According to the “Term Sheet,” dated October 4, 1994, in exchange for Viacom’s agreement to cause Gulf & Western Foundation to assign to EDC the Reverter Estate in 2 Columbus Circle, Viacom received a host of corporate benefits, including the issuance of \$292 million in NYC IDA bonds and various tax benefits.

Indeed, the Museum has publicly acknowledged that recladding the building according to their proposed design would cost substantially more than restoring the existing façade.<sup>7</sup> Furthermore, the conditions report prepared for the Museum by R. A. Heintges Architects Consultants does not conclusively find that façade replacement is necessary (June 17, 2003, statement of architect Kyle Normandin, attached hereto).

Meanwhile, Modern masterworks such as Lever House and the Whitney Museum, both designated individual landmarks, have recently undergone façade restorations, overseen by the Landmarks Commission, that enhanced their appearance without compromising their integrity. The Landmarks Commission also frequently approves major alterations to improve buildings' functionality, such as the box-like addition to Frank Lloyd Wright's organic "spiral" design for the Guggenheim Museum.

This disposition should not be approved until a formal determination of the value of the historic resource at stake has been made. Two Columbus Circle clearly meets the criteria for a LPC hearing. Whether or not it deserves to be a landmark should be the subject of testimony in an open, public forum before the Landmarks Preservation Commission, and the Commission should determine whether to designate it.

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<sup>7</sup> Clearly, the cost of preserving the existing design of Two Columbus Circle is not a factor in the Museum's decision to reclad the building. The Museum commissioned R.A. Heintges Architects Consultants to conduct a condition assessment of the façade, which stated that, "In the long term, it may be possible to maintain the existing façade through a program of reactive repair, although the expected lifespan would be limited. The life cycle cost of this approach would be quite high...A more realistic alternative might be to remove the existing cladding and design and install a new cladding system utilizing current technology..." (p. 3). This report is dated March 26, 2003, one week before Community Board 5's Land Use and Zoning Committee meeting (April 3, 2003) and obviously after the Museum's decision to pursue a radically different, new design for the building.