

BLOCKS / David W. Dunlap

Fate of 2 Columbus Circle Is Hidden Behind Marble Walls

THERE are few public buildings in New York City more inscrutable than 2 Columbus Circle, with its nearly windowless marble walls.

That opacity seems to have inspired City Hall.

For seven years, the government has revealed almost nothing about its ever-changing plans for the building, instead handling the matter behind, well, marble walls.

An announcement is expected soon about who will get the filligreed nine-story box — the American Craft Museum, the Daheah Museum of Art or Donald J. Trump — and whether it will be preserved, altered or demolished.

"We're absolutely committed, once the designation is made, to have extensive community outreach," Deputy Mayor Daniel L. Doctoroff said on Tuesday.

But there have been no public hearings to date.

Even if this approach can be justified legally — and the preservation group Landmark West is preparing to challenge that notion — it may have been a conceptual mistake, given the building's renown (hate it or love it) and its role as a gateway between Midtown and the Upper West Side.

It isn't as if public review would have slowed or complicated an otherwise streamlined process. Under Mayor Rudolph W. Giuliani, the city said in 1995 that it would issue a request for redevelopment proposals. Over the next three years, however, the only apparent movement was the departures of the New York Convention and Visitors Bureau and the Cultural Affairs Department. In 2000, a second request for proposals was issued.

Responses were due two years and 21 days ago. Nothing has been heard since.

"I'm mystified by the mystery about

it," said Frank E. Sanchis III, executive director of the Municipal Art Society. "And I can't understand why it's gone on so long."

It seemed in 1980 as if the future of 2 Columbus Circle would be secure for 30 years. A brass plaque in the lobby attested to it: "This building was given to the City of New York for use as its principal facility for visitors services and cultural affairs by the Gulf and Western Foundation. Edward I. Koch, Mayor of the City of New York. Charles G. Bluhdorn, Chairman, Gulf and Western Foundation."

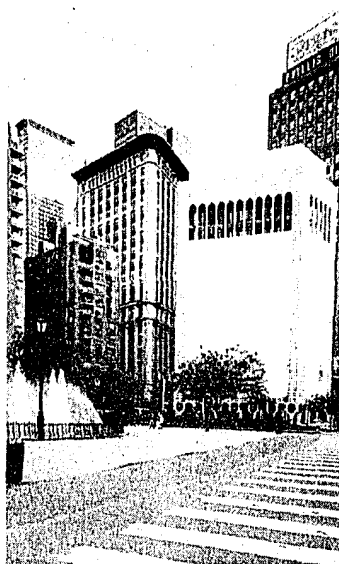
Instead, 2 Columbus Circle has been sitting empty for four years, serving principally as a giant screen on which advertisements are projected after dark. Even in its unused state, though, it is more a gateway than ever, matching one corner of the AOL Time Warner Center under construction across Eighth Avenue.

Designed by Edward Durell Stone and completed in 1964 as the home of Huntington Hartford's Gallery of Modern Art, 2 Columbus Circle is arguably a landmark. Though easily dismissed as kitsch, it left an unmistakable mark on the cityscape and certainly epitomizes its jet-set era.

But the full Landmarks Preservation Commission has never considered it. The commission's designation committee decided in 1996, after reviewing its architectural features and historical and cultural associations, that landmark status was not warranted. So no public hearing was scheduled.

Public hearings would also have been required under the city's uniform land-use review procedure, which involves the Community Board, borough president, City Planning Commission and City Council in the sale, lease or exchange of any city-owned property.

But the Giuliani administration asserted that 2 Columbus Circle was not subject to



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2 Columbus Circle once housed Huntington Hartford's Gallery of Modern Art.

such review, based on what is called a reversionary interest.

To ensure that the city maintained the building as a visitors center and cultural affairs headquarters for 30 years, Gulf and Western held a reversionary interest in the property, under which ownership could revert to the foundation if the city failed in its

obligation.

The Viacom Foundation, successor to Gulf and Western, transferred this interest to the New York City Economic Development Corporation, which is not a municipal agency but a nonprofit corporation operating under contract to the city, with a president and chairman appointed by the mayor.

SINCE the building is obviously no longer used for the purposes intended by the donor, the Economic Development Corporation could exercise the reversionary interest and take title from New York City, with the consent of city officials. Thus, the subsequent disposition of the property would be exempt from review.

The transfer of the reversionary interest to the Economic Development Corporation occurred in 1994 as part of a \$15 million incentive agreement between the Giuliani administration and Viacom that was intended to keep 4,450 jobs in New York City.

If the city paid Viacom for the reversionary interest — say, by granting tax breaks — then New York City itself, not the Economic Development Corporation, is the true landlord at 2 Columbus Center, said Matthew W. Woitkowski of Woitkowski & Schmidt, legal advisers to Landmark West.

"There should be public participation because the city owns the property outright," Mr. Woitkowski said.

Deputy Mayor Doctoroff said he believed there had already been a "significant amount of community input," even if it was through informal channels. "I think there's been a healthy debate," he said this week. "But that is not to say it's necessarily going to end."

Which may be the one clear thing about 2 Columbus Circle.