



George Fernandez, Jr., Chairman
Ebenezer Smith, District Manager

Community Board 12M

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September 8, 2015

Hon. Ydanis Rodriguez
City Council Member
10th Councilmanic District
250 Broadway, Suite 1763
New York, NY 10007

Hon. Mark D. Levine
City Council Member
7th Councilmanic District
250 Broadway, Suite 1816
New York, NY 10007

RE: City Council's Proposed Bill Intro 775

Dear Councilman Rodriguez and Councilman Levine:

This is to advise that, at the duly called meeting of the Executive Committee of Community Board 12-Manhattan (CB12M) held on Tuesday, September 8, 2015, the Executive Committee voted to support, by a vote of 11 in favor, 0 in opposition and with 1 abstention, the Historic Districts Council's opposition to Intro 775 as outlined in its memorandum of August 26, 2015 (copy attached) as well as to support Manhattan Borough President Gale Brewer's call for the City Council, in its consideration of options for improving the historic designation process, ensure that it follows a fair, balanced and transparent process that seeks to encourage not hinder designation and is informed by meaningful input from historic preservation stakeholders.

We ask that CB12M's opposition to Intro 775 be read into the record at the Public Hearing to be held on Wednesday, September 9, 2015 to consider various bills moving through the City Council regarding the Landmarks Preservation Commission and the process by which buildings and districts are considered for designation.

Sincerely,


George Fernandez, Jr.
Chair

Cc: Hon. Bill de Blasio, Mayor
Hon. Gale Brewer, Manhattan Borough President
Hon. Letitia James, Public Advocate
Hon. Scott Stringer, Comptroller
Wayne Benjamin, Chair, Land Use, CB12-M



HISTORIC DISTRICTS COUNCIL

THE ADVOCATE FOR NEW YORK CITY'S HISTORIC NEIGHBORHOODS

Why City Council's Proposed Bill Intro 775 is Detrimental to Landmarks

Below is a memo in opposition to Intro 775, the bill which aims to halt landmarks designations. There will be a hearing on **Wednesday, September 9th at 11am in the City Council Chambers at City Hall**. We urge you to attend and testify on this bill as it has the potential to affect all future designation activities of the LPC.

In the memo is the latest list of those groups who have signed on in opposition – including our colleagues at the National Trust for Historic Preservation. If you have responded and do not see your organization named, my apologies – please respond to this email and I will correct the list. If you want to add your organization's name to the list, please respond to this email and tell me – we are listing only organizations only at this time.

BE SURE TO SCROLL DOWN OR CLICK HERE TO LEARN WHICH HISTORIC DISTRICTS MIGHT NOT EXIST IF THIS BILL WERE ALREADY LAW.



Committee on the City
Security and Education
Preservation and Planning



August 26, 2015

Re: Intro. 775

Dear Council Member,

We write to express our serious concerns about Intro. 775. We share the desire for a swift, predictable and transparent landmark designation process and have given much consideration to how the current process could be improved to accomplish those goals. However, the bill as currently written would achieve the exact opposite. It would discourage the consideration of complicated or controversial sites and encourage obstruction rather than designation. In fact, if the provisions of Intro. 775 had been part of the Landmarks Law, some of our city's most cherished and valued landmarks and historic districts would not have been designated (see below). Furthermore, the Landmarks Preservation Commission (LPC) would have been prohibited from considering them again for a period of five years, during which time they would likely have been compromised or destroyed.

Intro. 775 is unnecessary.

The impetus for this bill appears to be the 95 sites currently on the LPC's backlog which were calendared more than five years ago without a final decision yet rendered by the Commission. The LPC has committed to a plan to hear and make final decisions on all of these sites by the end of 2016, thus making this bill superfluous.

Our research shows that the LPC has a solid track record of timely designation, if not within the strict limits described by Intro. 775, then nonetheless within a reasonable period of time.

Intro. 775 makes an existing problem worse.

In the instances where LPC has failed to act within the proposed limits, this failure has been in part a result of the Commission's limited resources. Designations require heavy investment of staff time towards extensive research, in-depth examination of boundaries, a full airing of all information and viewpoints on a subject, and the production of highly-detailed reports.

Intro. 775 would do nothing to expand the resources of the Commission, New York City's smallest agency charged with regulating more than 33,000 structures. Nor would it make complicated designation proposals easier or less time-consuming to vet. Instead, it would force LPC to make decisions about boundaries before they have fully considered all issues. It would prevent LPC from dedicating adequate time to complete the highly-detailed designation reports requested by property owners. At minimum, it would force LPC to make decisions before all information has been contemplated and all discussions have taken place. Far worse, LPC may simply avoid considering sites with complicating factors that might not allow a final decision within the prescribed timeframes.

Intro. 775 creates a new problem.

Intro. 775 would also encourage an owner who is strongly opposed to designation to seek delays in the process in the hopes of "running out the clock" and avoiding landmark designation. The owners of some of our city's most prized landmarks, from Grand Central Terminal to the interior of Radio City Music Hall, opposed designation and likely would have exploited this "do or die" timeframe.

In summary, Intro. 775 as currently written should not be approved because:

The bill imposes an unnecessary, unrealistic, and retroactive 18-month timeframe in which to consider every property on its docket.

The proposed timeframes for hearings and final votes are not reasonable for all cases, especially those which are complicated and controversial.

It provides no additional resources to ensure that LPC can consider calendared sites or districts within the proposed timeframe.

It does not allow LPC the option of continuing to consider a landmark or historic district after the deadline has been reached, regardless of the stage of consideration, negotiation, or discussion, or if new information has been introduced.

The five year moratorium on the reconsideration of landmarks and historic districts would unduly hamper LPC and is not reflected in the regulatory frameworks of other city agencies.

Sincerely, (signed) LIST IN FORMATION

FRIENDS of the Upper East Side Historic Districts

Greenwich Village Society for Historic Preservation

Historic Districts Council

LANDMARK WEST!

29th Street Neighborhood Association

Bay Improvement Group

Beachside Bungalows Preservation Association

Bowery Alliance of Neighbors

Brooklyn Heights Association

Carnegie Hill Neighbors

Citizens Emergency Committee to Preserve Preservation

Coalition for a Livable West Side

Defenders of the Historic Upper East Side

2. East Harlem Preservation, Inc.
1. East Village Community Coalition
2. Fiske Terrace-Midwood Park Historic District
3. Four Borough Neighborhood Preservation Alliance
1. Friends of Brook Park
5. Friends of Petrosino Square
3. Friends of Steinway Mansion
7. Friends of Terra Cotta
3. Friends of the Lower East Side
3. Greater Astoria Historical Society
2. Greenwich Village Community Task Force
1. Historic Park Avenue
2. Jackson Heights Garden City Society
3. Kew Gardens Civic Association
4. Lower East Side Preservation Initiative
5. Morningside Heights Historic District Committee
3. National Trust for Historic Preservation
7. New York Preservation Alliance
3. Park Slope Civic Council
3. Preservation Greenpoint
2. Queens Preservation Council
1. Save Chelsea
2. Save Harlem Now!
3. Senator Street Historic District
4. Society for the Architecture of the City
5. Sunnyside Gardens Preservation Alliance
3. Tribeca Trust
7. Victorian Society of New York
3. West End Preservation Society

Analysis of the Effects of

Intro. 775 on Landmark Designation

As proposed, Intro. 775 mandates for the consideration of historic districts the LPC has:

- 12 months from a vote to calendar to hold a public hearing
- 12 months from the public hearing to vote to designate

or the district cannot be acted upon for five years.

While the City Council's own dataset shows that only 20% of historic districts have exceeded the thresholds proposed by Intro. 775 since 1998, a look back to the creation of the Landmarks Law 50 years ago demonstrates that more than one third (38%) of all districts would not have made it through the proposed timeline. Particularly troubling is the breadth and diversity of the historic districts which would have been rejected – or, at best, deferred for five years.

Under Intro. 775, the following historic districts could not have been designated when originally proposed:

1. Bedford-Stuyvesant /Expanded Stuyvesant Heights
2. Bertine Block
3. Boerum Hill
4. Carnegie Hill
5. Carnegie Hill Expansion
6. Carroll Gardens
7. Central Park West - 76th Street
8. Central Ridgewood
9. Chelsea
10. Clay Avenue
11. Clinton Hill
12. Cobble Hill Extension
13. Crown Heights North Phase III
14. Fieldston
15. Fiske Terrace/Midwood Park
16. Gramercy Park
17. Gramercy Park Extension
18. Grand Concourse
19. Greenpoint
20. Greenwich Village
21. Hamilton Heights
22. Henderson Place
23. Hunters Point
24. Jackson Heights
25. Ladies' Mile
26. MacDougal-Sullivan Gardens
27. Morris Avenue
28. Morris High School
29. Mott Haven
30. Mott Haven East
31. Mount Morris Park
32. Park Slope
33. Ridgewood South
34. Riverdale
35. Riverside Drive-West 80th- 81st Street
36. Riverside Drive-West 105th Street
37. Riverside Drive-West End

38. Riverside Drive-West End Extension I
39. Riverside Drive-West End II
40. SoHo-Cast Iron
41. South Street Seaport Extension
42. St. Mark's
43. St. Mark's Extension
44. Stuyvesant Heights
45. Tribeca East
46. Tribeca North
47. Tribeca South
48. Tribeca South Extension
49. Tribeca West
50. Tudor City
51. Upper East Side
52. Upper West Side/Central Park West West 71st Street
53. West End - Collegiate Extension

Further analysis suggests that larger, more expansive historic districts take the longest for the LPC to consider for designation as they require more community education, architectural research and consensus-building. **These 53 historic districts encompass more than 17,900 buildings, approximately 54% of the total number of buildings currently protected by the Landmarks Law.**

If Intro. 775 had been in effect since 1965, half of New York City's landmark properties would not be protected and New York City would be infinitely poorer for it.

CONTACT YOUR COUNCIL MEMBER ABOUT INTRO. 775:

<http://council.nyc.gov/html/members/members.shtml>

TESTIFY ON WEDNESDAY, SEPTEMBER 9th AT 11:00 A.M.



