



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD No. 4

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Chair

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District Manager

February 22, 2007

Hon. Robert Tierney
Chair
Landmarks Preservation Commission
One Center Street, 9th floor
New York, NY 10007

Re: General Theological Seminary

Dear Chair Tierney:

Manhattan Community Board No. 4 is writing to you in opposition to the revised proposals described in the linked applications submitted on December 26, 2006 by the General Theological Seminary for the square block in the Chelsea Historic District occupied by the Seminary and sometimes called Chelsea Square. It is located between Ninth and Tenth Avenues, 20th to 21st Streets. . The applications are for Certificates of Appropriateness, a Report pursuant to ZR 74-711 for two waivers of bulk requirements, as well as related requests for a parking garage and a partial waiver of requirements for planting street trees. The current applications replace earlier ones filed in December 2005 but subsequently placed on hold.

This letter follows a series of dialogues with the Seminary and the community lasting over a year and culminating in a heavily attended public forum on Monday, January 22, 2006, at which the Seminary presented the present version of its proposals. A large majority of those speaking, mostly community members, expressed opposition to the proposals.

On January 24 an outline of the attached statement in opposition to the two new buildings on the Seminary block in the form proposed was adopted at a joint public meeting of the Landmarks Task Force and the Chelsea Preservation and Planning Committee by a vote of 9 to 2. At its regular meeting on February 6, 2006, the full Board adopted the statement by a vote of __in favor, __opposed, __abstaining, and__ present but not eligible to vote.

Sincerely,

cc: General Theological Seminary
City Planning Commission
Electeds
Municipal Art Society
Landmarks Conservancy
Historic Districts Council

**Statement of Manhattan Community Board No. 4 in Opposition
to the Proposals of the General Theological Seminary
February 7, 2007**

Summary

Community Board 4 opposes the current application of the General Theological Seminary for a Certificate of Appropriateness because it believes that the proposed building on Ninth Avenue is basically inappropriate in scale, design, and materials to the Seminary “close” and the Chelsea Historic District, and that the smaller building on 20th Street is partially inappropriate in design and materials. We further oppose the application under Section 74-711 of the Zoning Resolution for a waiver of the height limit on Ninth Avenue as inconsistent with the protective zoning put in place by the Chelsea 197-a Plan, thus creating an unfortunate precedent and having broader negative impacts on the Chelsea community. The Board also has concerns with aspects of Section 74-711 arising from this case. We urge study of other solutions that will protect both the Seminary and the community.

Background

The General Theological Seminary forms an important part of Chelsea’s historic heritage and character. The full block site donated by Clement Clarke Moore to the Seminary was the center for the residential development that he planned for his estate and that is now at the heart of the Chelsea Historic District. Between 1825 and 1836 two early Gothic Revival buildings of mica schist were constructed on the block, one of which survives as the West Building near 20th Street.

Late in the 19th Century then Dean Hoffman employed the architect Charles C. Haight to design an academic campus or “close” in the new Collegiate Gothic style, of which it is an early and largely intact example. These buildings share the brick and brownstone materials and the low horizontal scale typical of the Chelsea Historic District. The layout is that of an E with a spine containing the major buildings along 21st Street to the north and opening onto 20th Street to the south. Characterizations such as “low-lying uniformity,” “reposeful,” and “homogeneous use of materials” dot the description of the close in the Chelsea Historic District Designation Report prepared for the landmarking of the District. Across 20th Street one of the finest Greek Revival rows in the city faces the open space of the Seminary. In 1959-61 the historic buildings on Ninth Avenue forming the eastern leg of the E were replaced by Sherrill Hall, a low brick flat-roofed building generally regarded as unsuccessful.

Recently the Seminary has been facing severe financial pressures, including the cost of remedying the effects of long-deferred maintenance on its historic buildings. After fruitless exploration of several possibilities it entered into a contract with the Brodsky Organization to demolish Sherrill Hall and use the Seminary’s unused development rights to replace it with a large new dominantly residential building that will be more than twice as high as allowed by the 75-foot height established by the Chelsea 197-a Plan. Funds from this development are to be used to carry out a preservation plan to repair many of the historic buildings. A cyclical maintenance plan of inspection and repair is to be put in place.

The December 2005 filing sought construction of a 17-story building on Ninth Avenue with the lower four floors to be used mostly for the Seminary’s library and administration and the upper 13 floors for luxury apartments. The current plan reduces the height of the Ninth Avenue building to 15 stories plus mechanicals, reduces the footprint of the apartment tower, places the library in its historic location, and relocates Seminary administration into a new low building to be built on 20th Street.

The proposed changes to the Seminary block require not only a Certificate of Appropriateness from the Landmarks Preservation Commission but also Special Permits from the City Planning Commission to waive the height requirements of the zoning and to enable other actions of varying nature and importance. These can be adapted only through a full Unified Land Use Procedure (ULURP) with requirements for environmental review and hearings and votes at the Community Board, City Planning, and City Council level.

The Applications

The Certificate of Appropriateness

Demolition of Sherrill Hall. The Community Board has no objection to the proposal to demolish the present 1960 building occupying the Ninth Avenue front of the Seminary and turning the corner onto 20th Street as an action taken in isolation. The building is of poor quality and undistinguished design, even though it attempted to relate to its context in a style of the time. It is also in poor condition. Demolition is unacceptable, however, as the first step of the larger proposal the Board regards as inappropriate.

The proposed Ninth Avenue building. The Community Board does not believe the proposed 15-story (plus one mechanical) tower in the Ninth Avenue front is appropriate to the Seminary complex or to the Chelsea Historic District. While the architect has made a serious and ingenious attempt to make the building a modern structure that fits into the historic context, the resulting compromise is not a success. It is neither a new element really harmonious with Haight's style and plan for the Seminary and with the surrounding streets of the Historic District, nor, an even more difficult feat, a truly modern building that plays off Haight's achievement and can be accepted as something new that works as architecture. The tall, bulky structure creates a clearly separate new element that relates ambiguously to the Seminary itself and dominates both it and the nearby streets of the District. The relationship to the chapel tower is particularly uncomfortable. The structure is not unified, but clearly divided into a base and a tower. It thus adds a tower of a new and inharmonious character to Ninth Avenue, a major north-south view corridor in the Historic District, and forms a kind of clump with the apartment tower on the corner just across the avenue.

This wide, lofty structure located in the middle of the avenue front is inconsistent with Haight's plan for the Seminary. The historic entrance building in the middle of the Ninth Avenue front was three-and-a-half stories high, lower than the flanking buildings on the two corners, especially on the 21st Street side where the somewhat higher library corresponded to the high refectory at the west end of the row. This suggests that Haight believed that locating major height on the 21st Street spine, and especially on its ends, was more valuable than the possible views of the chapel tower from the few points from which it would be visible along 21st Street that are cited as an argument for the placement of the new tower in the present proposal.

In scale the tower overwhelms the Seminary close. When seen from the middle or west portion of the close, perhaps the most significant view of all and often publicly accessible, the tower will appear an alien glass element, clearly expressing an upscale residential use that is symbolically as well as visually ill at ease with the quiet, reserved buildings of the close. The glass will be dazzling when the sun is on it. Although thin dividers have been introduced to break up the glass and reduce such effects, they have the unfortunate property of emphasizing the height and verticality of the upper tower.

The brick base of the building makes a serious attempt to harmonize with Haight's buildings along the 21st Street spine. While the windows are inset and the string courses that largely unified Haight's row and reinforced its dominant horizontality are continued in brick and even by metal elements at the entrance opening, the elevations and renderings create the appearance, especially noticeable at points like the new Ninth Avenue entrance to the close, of a flat cladding rather than the solidity of Haight's structures.

The amount of glass throughout is also inconsistent with the horizontal solidity of Haight's buildings and the Historic District as a whole. Beside its dominant presence in the tower, glass clothes all sides of a transitional floor between the base and the tower and appears in great sheets on the 20th Street side of the base not far from Cushman Row. While the large windows on the 21st Street front of the new structure are appropriate as a modern equivalent of the historic library windows in the same location, the vertical glass strip extending six stories upwards from the new Ninth Avenue entrance is an assertive element marking off only too clearly the residential building to the south with its glassy retail frontage as an element quite different from the historic Seminary.

A "Statement by the Commission" at the end of the Designation Report for the Chelsea Historic District discusses such issues as possible new buildings on the property of the Seminary. The only references to criteria are found in two sentences written in terms appropriate to a generic Historic District. The first, "In reviewing a new building proposed for an Historic District the Commission will take into account, and the architect of the new building should take into account the surroundings, including the adjoining buildings, those across the street and along both blockfronts," is clearly conceived in terms of the more typical case of a relatively small building on a harmonious street. The two blockfronts in the Historic District across the street from the Seminary consist mostly of low brick rowhouses. The next sentence continues: "A new building should relate well to its neighbors in terms of the materials which are used, the architectural proportions, the size and shape of the windows and the details in the front of the building."

The preceding paragraphs of this letter make clear the Board's belief that the proposed Ninth Avenue building does not fulfill the requirements of these criteria. In the context of the context of the generic "Statement" the phrase in the first sentence "take into account...those [buildings] across the street" offers in no support for a claim that the presence of an isolated and relatively thin tower just across Ninth Avenue, which was not included in the Chelsea Historic District because of scale and materials incompatible with the defining characteristics of the District, may be taken as justification of the height and bulk of the large building proposed for the Ninth Avenue front of the Seminary block.

The proposed 20th Street building. The Community Board accepts the concept of a low structure on an existing tennis court in the southwest of the close near the West Building, but believes aspects of the present design are basically inappropriate. After the presentation of the Seminary's earlier proposals a building on this site was discussed in meetings with community representatives as an acceptable way of reducing the bulk originally proposed by the Seminary for the Ninth Avenue building. The location was seen as compatible with Haight's original plan for a small building on 20th Street in this part of the close and as not interfering with the major opening of the close to the south centering on the Seminary Chapel.

While the south and west sides of the proposed structure reflect the model originally pointed to, a modest building by Haight in a roughly corresponding location to the east on 20th Street, the east and north sides do not. On the east side a new approach to the close from 20th Street rises on steps to an entrance set in a glass "atrium" or connector that extends from the new building and attaches to the

rough-cut mica schist wall of the early 19th-century West Building, thus making the new building technically an extension of the older one. The entrance requires excavation and exposure of the West Building's foundations. The renderings of the new building show a heavy, windowless wall of smooth mica schist facing the West Building that is broken only by a low door that provides entrance.

This surprising departure from the expected model appears to be a response to a Buildings Department ruling that a separate windowed building could not be built so close to the existing West Building. The proposed remedy is ingenious but clearly inappropriate given the impact of the connector on the important freestanding historic structure and the visual dominance of the blank new wall, which extends outside the connector and is very different from the modulated brick and brownstone of the rest of the new building. The glass tube of the connector, visible from both inside and outside the Seminary, forms a partial visual block to the important southward openness of the close at this point and is inconsistent with the openness Haight thought so important that he planned to demolish the West Building.

It is hard to see how making one building out of two by building a glass connection is more than a nominal cure if a real problem of proximity exists. In any case, a better solution should be found, whether through an appeal to higher levels at the Department of Buildings or by City Planning action.

The north side of the new building breaks into the limited open space north of the line established by the rear of the nearby West Building with a projecting element with large amounts of glass at the northwest corner and what is apparently a walled garden with trellises on the rest of the north front. This doubtfully appropriate treatment, which is without precedent in the presumed model of the corresponding building to the east, reduces the essential open green space of the close. Especially in view of the new structures to be erected on the close, it is essential to maximize the green space called out in the Designation Report and reduce paving wherever feasible in order to maintain the historic character of the close. This portion of the building needs further review both for its design and as a first step in the process of maintaining the integrity of the open space.

The Special Permits

If the Certificate of Appropriateness for the Ninth Avenue Building is obtained in any form close to that proposed, it will need two further permits to become fully valid. The first and most important of these is a Special Permit from the City Planning Commission to waive the requirement set by the zoning implementing the Chelsea Plan that no new building on the close or on Ninth Avenue nearby shall exceed 75 feet in height. Since the building is inappropriate for reasons that include its scale, the Board clearly must oppose this part of the application.

A second largely technical permit is required to waive the zoning requirements that limit building coverage of corner lots to enable the new building on Ninth Avenue to fill in the footprint of its predecessors, which were built well before these restrictions were in force. While the Board would have no objection to such a waiver for a building that was appropriate, it cannot support this application for the present proposal.

The Chelsea Plan. These waivers are sought under Section 74-711 of the Zoning Resolution, and raise more general issues. The first is the implications of the waiver of the 75-foot height limit set for this portion of the Historic District by the Chelsea 197-a Plan adopted in 1996 and implemented some years later. The Plan was a pioneering attempt to preserve community character by regulating community scale and form, and at its heart was the provision of protective zoning for the Chelsea

Historic District and the area immediately around it. (The Seminary indeed supported the Plan. The text of the Plan's submission of 1994 (revised and expanded from 1987) defines its purpose on page 2: "to establish a framework in which development, particularly of economically integrated housing, can take place without destroying the integrity and character of the community and what is valuable within it. Residential Chelsea is a community whose character is based on the low-scale row-house blocks around the historic core, and the somewhat more varied street-wall development that scales upward to the east of it." The Board notes that the recent West Chelsea Rezoning maintained the principles of the Plan by establishing strict height limits on the west side of Tenth Avenue opposite the historic core of Chelsea, and directly to the west of the Chelsea Historic District and the Seminary in particular.

The current proposal would clearly be inconsistent with the concept of the Plan, as well as with the specific zoning, since it would introduce a large tower on Ninth Avenue at the heart of the Historic District that would not only be incompatible with the built form of the neighborhood but would also provide a large number of upscale apartments and thus reinforce significantly the already strong pressures toward gentrification that are transforming a community correctly described in the Plan of 1994 as one of "economic and ethnic diversity." The Board is seriously concerned both about the various major impacts of this proposal on community character and about the precedent that might be created by this first breach of the Community 197-a Plan.

While the Seminary has offered to donate most of its unused development rights to provide affordable housing to mitigate the impact of the luxury tower, no mechanism has been found to transfer these development rights to an appropriate site. In all probability any such mechanism would also allow the Seminary to sell some of the development rights it is using for the present outscale proposal and enable it to put forward one that would be more consistent with the Chelsea Historic District and the Chelsea Plan. Current prices for development rights from the High Line suggest that a successful search on these lines might well be productive. The Board believes that exploring some means of using these rights in a way with fewer impacts of all types on the community might lead to a more generally acceptable solution. It is our deeply-felt hope that some way can be found to allow the Seminary to remain and thrive in the community without diminishing its historic character: it has been a significant part of our community from its very beginning and its loss would indeed impoverish Chelsea.

Section 74-711. The use of Section 74-711 raises other concerns as well. This section was designed to support preservation of designated landmarks the survival of which was threatened by the inability to find a profitable use under the restrictions of current zoning. The present application appears to be consistent with the broad purpose of this section and to fulfill the legal requirements: (a) there is a real threat to the preservation of the neglected historic buildings; (b) there is a well-designed preservation plan; (c) there is a proposal for continued cyclical maintenance. This is not an example of the abuse of this text represented by some recent applications that seek to maximize an already adequate return by seeking a major exemption from use or bulk restrictions and offering in return a relatively minor restoration combined with a preservation plan and cyclical maintenance.

While the Board believes that the Seminary is sincere in its plans for preservation and continued maintenance, we have serious concerns about its ability to carry them out given its weak cash position, the dramatic increase in construction costs since the preservation plan was prepared, and the lack of any real assurances of the Seminary's anticipated future solvency

We are not alone in this concern. When, in response to community concerns, the General Theological Seminary asked the New York Landmarks Conservancy to review its proposed preservation plan, the Conservancy responded in a letter of May 9, 2006, "We believe that the proposed restoration is in line

with what is required to preserve these structures.” However, they went on to write, “While we were comfortable with the proposed maintenance plan was [sic] included in the Preservation Plan, we are concerned that the Seminary will not have the funds to administer the maintenance plan.”

In light of these realities, the Board has been deeply disturbed to learn that no party in the process of approval of an application under this section has the responsibility for determining that the proposed plan can be fulfilled, and specifically that no one has the responsibility for determining that the applicant has the means to fulfill the promise contained in the restrictive declaration.

This is of immediate concern to the Board because of what the community is being asked to accept in exchange for a promise by GTS to restore and maintain the buildings on Chelsea Square, but it also is of more general concern. We believe that the Landmarks Preservation Commission and the Department of City Planning should pursue this issue with the goal of proposing changes to ZR 74-711, or other appropriate regulations, that would impose responsibility for determining that a proposed restoration or maintenance plan can be fulfilled by the applicant. Even if this application were to go forward at some point in a more acceptable form, we would find it difficult to support an application under this Section without some verifiable assurance that with its passage the Seminary would be able to fulfill the requirements of the preservation plan.

Other Special Permits. The application includes two other special permits, neither of which is sought under the provisions of Section 74-711 and thus not formally before the Landmarks Preservation Commission. They have apparently been included to show the implications of the total project.

The first of the two is for a 90-space accessory parking garage with its entrance on 20th Street. This raises special issues of the appropriateness of the entrance on the historic block, as well as the normal ones of traffic impacts. Since the traffic issues will be dependent on the size and character of any development finally approved, it seems premature to comment at this time, except for requesting evaluation of the appropriateness of the location and treatment of the entrance. No details of this treatment have been available.

The second application seeks an exemption from the normal requirement for planting street trees except on the Ninth Avenue front of the new building there. The Board notes that Clement Clarke Moore typically reserved the right to require street-tree planting in the deeds for lots in what he clearly intended to be a garden development. We believe it is inappropriate to grant such a blanket exemption of this requirement. In his lifetime the Seminary was a largely open space with trees and a few buildings on it, and the issue of street trees was very different from the one this waiver attempts to address.

Conclusion

Manhattan Community Board No. 4 thanks the Landmarks Preservation Commission for what we believe will be a careful review of this complex application with major implications not only for the Chelsea Historic District but also for the larger Chelsea community. The Board is deeply concerned about the survival of the General Theological Seminary, which has been at the center of the community since its beginnings and has helped maintain its identity across years of change. The Seminary block is rightly called Chelsea Square.

As we have stated, the Board cannot accept the proposals for new buildings on the Seminary block in their present form, since the design of the proposed buildings and the scale of that proposed on the

Ninth Avenue front would severely diminish the character of the Seminary close itself as well as the Chelsea Historic District as a whole. Further, they would add new pressures for displacement and gentrification in this historic, ethnically and economically integrated community. The recent rise in construction costs and the uncertain financial condition of the Seminary add to our concerns that the current proposals might not even attain the goals of the Seminary were they to be adopted.

The complex applications for Certificates of Appropriateness and for actions under Z.R. 74-711 thus require thoughtful evaluation. The Board believes as well that the search should continue for feasible alternatives that will enable the Seminary to maintain its presence in Chelsea and to preserve the historic buildings that are essential to the character of its close and of the Chelsea community that surrounds it.