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Demolition freeze may cover 80% of the city

Brewer bid to protect buildings over age 50 frightens developers, construction unions and housing advocates

BY JOE ANUTA

A politician's proposal to protect the thousands of older buildings in New York that face demolition each year has triggered a backlash not just among powerful developers, but also among construction unions and advocates for affordable housing who fear the measure could drastically curb residential construction in the city.

The storm began on April 4 at a protest outside the stately, likely-to-be-raised Rizzoli bookstore on West 57th Street, when Manhattan Borough President Gale Brewer pledged to do more to prevent such losses in the future. She offered to introduce a bill that would require a 30-day review by the Landmarks Preservation Commission of any demolition

AGING STRUCTURES

Number of buildings constructed before 1965, and percentage of total buildings

New York City	654,420 (80%)
Manhattan	37,157 (91%)
Brooklyn	233,828 (88%)
Queens	272,020 (87%)
Bronx	66,190 (79%)
Staten Island	45,225 (40%)

Source: NYC Department of Finance

down with her and discuss the proposal, which is still being written.

Even extending the threshold age to 80 years, however, would still mean that the law would cover more than half the buildings in the city—and going back a century would still put more than half of Manhattan's properties in the group to be reviewed.

Automatically bringing that many buildings under the purview of Landmarks, which would have the power to halt construction, has members of the development community—including Richard Anderson, president of the New York Building Congress—worried. He notes many buildings with zero historical significance would be brought into the fold, potentially slowing down one of the city's key economic engines—construction.

"Generally, replacement buildings are an improvement, but if an existing structure should be considered a landmark, we have a process for that," Mr. Anderson said. "To put everything under a blanket review—I don't see the basis to do that."

Nonetheless, with a new, progressive administration in office in the city, Mr. Anderson and others are taking the proposal seriously. In part, that is because Ms. Brewer is a savvy and active politician with a track

record of focusing on housing and tenant issues. In fact, in 2004, when Ms. Brewer represented the Upper West Side in the City Council, she signed on to a similar piece of legislation that made its way through several hearings but didn't pass. Among the outspoken opponents of that measure was Landmarks itself, which cited sheer logistics.

Staff shortage

"It is unquestionable that the commission does not have the staff to implement this bill," said Diane Jackier, then director of community and government affairs at Landmarks.

The problem then was that the commission reviewed about 200 requests for designation each year, but the city Department of Buildings issued thousands of demolition permits. A large percentage of those permits would have triggered a review under the previous bill, which also covered buildings older than 50 years, dramatically upping the department's workflow.

Things have not changed much. The commission now receives about the same number of requests for landmark status annually, in addition to 11,000 applications for alterations to landmarked buildings.

Back in 2004, Ms. Jackier pointed out, the proposed rule addressed a widespread problem: The commission often found out about a historic structure only when it was too late. Ms. Brewer and preservationists like Simeon Bankoff, head of the Historic Districts Council, say the same is true today.

"I'm not trying to landmark 80%

of the city," Ms. Brewer said. "I'm trying to spark a serious discussion and improve the landmarks process for the benefit of all."

A source in the City Council predicted that because of its sheer breadth, Ms. Brewer's proposal would be unlikely to gain traction, but noted it highlights the frustration felt on both sides of the debate about the way the landmarking process in New York plays out. In fact, part of her proposal aims to fix a common complaint about the commission: the lack of a standardized time frame for case hearings.

Items that are "calendared" have sat in the commission's to-do box for decades. That effectively puts any development on these sites and any resolution on their landmark status in a perpetual holding pattern. ■