

St. Vincent's proposal for O'Toole raises a fundamental issue

St. Vincent's plan to demolish the O'Toole Building in order to build a new hospital facility poses a major threat to the Landmarks Law. The O'Toole Building, formerly the National Maritime Union's Joseph Curran Building located on Seventh Avenue and West 12th Street in Manhattan, was built in 1963 with an unforgettable nautical look. Because O'Toole lies within the Greenwich Village Historic District, St. Vincent's filed a hardship application requesting permission to demolish the building. Permission hinges on how the Landmarks Preservation Commission defines hardship. Does hardship relate mainly to the individual structure, or to the institution which owns the structure?

St. Vincent's purchased the building in 1973 and has continuously used it for outpatient services and doctor's offices. The building is therefore economic, but St. Vincent's wants to build a new hospital tower on the site. It claims hardship since without the new tower on the O'Toole site (or some other site) it cannot also demolish and/or renovate its other property across Seventh Avenue where it plans to build additional medical facilities and where a private developer would build residential condos, a key to financing the project.

Hardship up to now has always centered on the economic capacity of the owner to maintain the landmarked building. St. Vincent's cannot meet that test since the building is in economic use, and even if St. Vincent's could not maintain the building, there are purchasers who would be pleased to convert O'Toole to other economic uses.

What St. Vincent's seeks is a ruling that the most advantageous way to meet its future needs would be to demolish O'Toole. That argument strikes directly at the landmark idea, and would, if fully embraced, open the law to attacks from other charitable and non-charitable institutions which could make a similar case for demolishing the old to accommodate the new. St. Vincent's deserves passionate City support, but not in a way that opens the door for broad attacks on the City's inventory of historic properties. The City should help St. Vincent's devise a new plan more consistent with the Landmarks Law.

Ross Sandler

Ross Sandler <i>Executive Editor and Director, Center for New York City Law</i>	Lebasi Lashley <i>Art Director Petting Zoo Design</i>	Kristin Daggan <i>Subscription Coordinator</i>	<p>The Center expresses appreciation to the individuals and foundations supporting the Center and its work: The Steven and Sheila Aresty Foundation, The Robert Sterling Clark Foundation, Fund for the City of New York, The Durst Foundation, The Charina Endowment Fund, The Murray Goodgold Foundation, Jerry Gottesman, The Marc Haas Foundation, The Prospect Hill Foundation, and The Revson Foundation.</p> <p>CITYLAND (ISSN 1551-711X) is published 11 times a year by the Center for New York City Law at New York Law School, 57 Worth St., New York City, New York 10013, tel. (212) 431-2115, fax (212) 941-4735, e-mail: nycitylaw@nyls.edu, website: www.city-law.org © Center for New York City Law, 2008. All rights reserved. Printed on recycled paper. Maps presented in CITYLAND are from Map-PLUTO copyrighted by the New York City Department of City Planning. City Landmarks and Historic Districts printed with permission of New York City Landmarks Preservation Commission.</p> <p>POSTMASTER: Send address changes to CITYLAND, 57 Worth Street, New York, New York 10013-2960. Periodicals postage paid at New York, New York.</p>
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