



## Community Board 12 - Manhattan Washington Heights & Inwood

530 West 166<sup>th</sup> St. 6<sup>th</sup> Floor, New York, NY 10032

Phone: (212) 568-8500, Fax: (212) 740-8197

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George Fernández Jr. - Chairman  
Ebenezer Smith. District Manager

Oct. 30, 2015

Hon. Meenakshi Srinivan, Chair  
Landmarks Preservation Commission  
Municipal Building  
1 Centre Street 9th Floor  
New York, NY 10007

Dear Chair Meenakshi Srinivan:

At the General Meeting on Tuesday, October 27, 2015 Community Board 12 Manhattan, passed the following resolution with a vote of (31)In favor, (2)Opposed; (1)Abstain Community Board 12M objecting to the Roof-top Addition and the Deck proposed as alterations to 432 West 162<sup>nd</sup> Street as they are currently designed and recommending that the Landmarks Preservation Commission require the applicant to explore design options to reduce the size and profile of the Roof-top Addition so that it is not visible, including from the public surrounding thoroughfares, the Morris-Jumel Mansion and the grounds of the Roger Morris Park.

**Whereas:** 432 West 162<sup>nd</sup> Street (the "Property") is located on the south side of West 162<sup>nd</sup> Street, between Jumel Terrace and St. Nicholas Avenue, within the Jumel Terrace Historic District. Alterations to buildings located within historic districts must be reviewed and approved by the Landmarks Preservation Commission ("LPC"). The new owner of the Property, Canberra Raiders, LLC c/o Dixon Advisory, propose to undertake various renovations to restore the Property to a single-family residence (public records indicate that when the Property was purchased in January 2014 it was a two-family home) and then lease it, initially for a period of five-years for a monthly rent of approximately \$8,000 to \$12,000. The interior renovations can be reviewed and approved by LPC staff. The renovations consisting of a new bulkhead enclosing a half-bath, a pantry and a stair leading from the top floor of the Property to its roof (the "Roof-top Addition"), and a new metal deck (the "Deck") at the parlor level of the rear of the Property (collectively the "Exterior Renovations") must be reviewed and approved by the LPC Commissioners at a public hearing (the "Public Hearing"). The Public Hearing to consider the Exterior Renovations is scheduled for October 13, 2015; and

**Whereas:** At the September 2, 2015 meeting of Community Board 12- Manhattan's ("CB12-M") Land Use Committee ("Land Use" or the "Committee"), Scott Cohen and Noah Howard of Dixon Advisory and Robyn Fleming of RMF Bryant Architects presented the design proposal for the Exterior Renovations. Neither the Roof-top Addition nor the Deck is visible from West 162<sup>nd</sup> Street, the primary street which the Property faces. However, the Roof-Top Addition is visible from Jumel Terrace, Sylvan Place, the Morris-Jumel Mansion and Roger Morris Park. Also, the Deck is visible from portions of Jumel Terrace; and

**Whereas:** At its September 2<sup>nd</sup> meeting the Committee heard from neighboring residents to the Property that they are concerned about the appearance and visibility of the Roof-Top Addition and the precedent it would set, if approved, for further visible, architecturally inappropriate changes to buildings in the historic district. Additionally, the neighbor immediately east of the Property expressed concern that the Deck will partially block light into areas of his back yard and the neighbors immediately east and west of the Property expressed concern that the Deck would invade their privacy by allowing residents of the Property to overlook their backyards to a greater degree than is possible from the windows at the rear façade of the Property; and

**Whereas:** Prior to the September 2<sup>nd</sup> Land Use meeting, after conferring with the Land Use Chair, the District Manager of CB12-M forwarded to Ms. Fleming for reference a copy of the resolution (the "Resolution") passed by CB12M in April 2014 in which CB12M objected to the visible roof-top addition proposed for the adjacent building 434 West 162<sup>nd</sup> Street and recommended that design alternatives be explored to reduce its profile. The design of the Roof-top Addition to the Property, however, was not modified in any way in response to the Resolution, as Ms. Fleming stated that they did not wish to voluntarily reduce its scale and instead prefer to wait until such time as LPC requires them to do so ; now, therefore,

**Be It**

**Resolved:** Community Board 12-Manhattan objects to the Roof-top Addition and the Deck proposed as alterations to 432 West 162<sup>nd</sup> Street as they are currently designed and recommends that the Landmarks Preservation Commission require the applicant to explore design options to reduce the size and profile of the Roof-top Addition so that it is not visible, including from the public surrounding thoroughfares, the Morris-Jumel Mansion and the grounds of the Roger Morris Park.

Sincerely,



George Fernandez, Jr.  
Chair - CB12M

cc: Hon. Bill de Blasio, Mayor  
Hon. Gail Brewer, Manhattan Borough President  
Hon. Letitia James, Public Advocate  
Hon. Scott Stringer, Comptroller  
Hon. Charles B. Rangel, Congressman

Hon. Adriano Espaillat, NY State Senator  
Hon. Herman D. Farrell, Jr., Assembly Member  
Hon. Guillermo Linares, Assembly Member  
Hon. Ydanis Rodriguez, Council Member  
Hon. Mark Levine, Council Member



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Oct. 30, 2015

Hon. Meenakshi Srinivan, Chair  
Landmarks Preservation Commission  
Municipal Building  
1 Centre Street 9<sup>th</sup> Floor  
New York, NY 10007

Dear Chair Meenakshi Srinivan:

At the General Meeting on Tuesday, October 27, 2015 Community Board 12 Manhattan, passed the following resolution with a vote of (29)In favor; (1)Opposed; (1)Abstain supporting the proposed historic designation of the Loew's 175<sup>th</sup> Street Theater and the Landmarks Preservation Commission prioritizing it for designation in 2016 and calling upon the United Christian Evangelistic Association to work with the community board, local residents and other stakeholders to discuss its concerns, further its understanding of the impacts and benefits of historic designation, explore how it and the United Palace of Cultural Arts can play a more active role in the community and how collectively we can explore sources of expense funds to support United Palace of Cultural Arts' community programs and capital funds to that might become available to support building renovation and restoration projects should the Loew's 175<sup>th</sup> Street Theater be designated a landmark.

**Whereas:** The Landmarks Preservation Commission ("LPC") has developed a plan to address the backlog of 95 properties (the "Properties") that were under consideration for designation, but were not designated or acted upon. LPC's plan allows public notice/comment on the Properties and a public hearing process to facilitate decisions on the backlog items. The backlog includes properties that were placed on the Commission's calendar prior to 2010 and are currently inactive, of which 85 percent were calendared 20 or more years ago. The plan is composed of three phases: (1) Public Review Period, (2) Special Hearings Dedicated to Backlog Items, and (3) Subsequent Decisions. At public meetings, to take place in early 2016, staff will present summaries of the testimony and written submissions for each item. At that time, Commissioners will consider: 1) prioritizing designation for some items (by December 2016); or 2) removing from the calendar by voting not to designate; or 3) removing from the calendar by issuing a no action letter; and

**Whereas:** The Properties include one building located in Manhattan Community District 12, the Loew's 175<sup>th</sup> Street Theater (4140 Broadway, Block 2145/Lot 0001); it is scheduled for LPC's November 12<sup>th</sup> Special Hearing. The Loew's 175<sup>th</sup> Street Theater was built in 1932, closed as a theater in 1969 (the last movie screened was 2001: A Space Odyssey) and was purchased that same year for over \$500,000 by noted television evangelist Rev. Frederick J. Eikerenkoetter II, better known as Rev. Ike. It then became the headquarters of the United Christian Evangelistic Association ("UCEA") and was renamed the United Palace. Since 2007 the United Palace has also been used as a commercial concert venue. In 2012 the non-profit United Palace of Cultural Arts was founded and functions as a community arts center that presents arts events, screening of classic movies and programs for local youth. In 2013 limited film screenings returned to the United Palace; and

**Whereas:** The Loew's 175<sup>th</sup> Street Theater is the fifth and last of the Loew's Wonder Theaters, the theater chain's extravagant flagship theaters constructed in the 1920 and 1930s, and is the only Wonder Theater to retain its original theater pipe organ manufactured by the Robert Morgan Organ Company of Van Nuys, California.

It is one of the finest examples of the exuberant movie palaces built around the time of the Great Depression, survives as one of America's relatively few intact gems from the golden age of theater design, is an architectural and cultural gem that is a reminder of those days when Hollywood ruled the world and everyone went to the movies on Saturday night. It is one of the few remaining great movie palaces that represents the architectural tastes of a glamorous era and embodies a flamboyant architectural style of which there are few if any preserved examples in New York City; and

**Whereas:** The Loew's 175<sup>th</sup> Street Theater is a massive free-standing structure that occupies an entire city block, bounded by West 175<sup>th</sup> and 176<sup>th</sup> Streets, Broadway and Wadsworth Avenue, giving it a monumentality unusual in the city.

Designed by noted theater architect Thomas Lamb, the Loew's 175<sup>th</sup> Street Theater is perhaps his most extravagant design. It is an excellent and rare example of the influence of non-western architecture in America – a contrast to Classical, Gothic, Tudor or other western influences often reflected in American buildings. Mr. Lamb turned to Oriental prototypes for the design of this imposing building. Its brick facades are profuse with terra-cotta surface ornament typical of the architecture of India, which adds a lively contrast to the brick surfaces. David W. Dunlap of *The New York Times* described its architectural style as "Byzantine-Romanesque-Indo-Hindu-Sino-Moorish-Persian-Eclectic-Rococo-Deco." Betsy Williams of the Metropolitan Museum of Art's Islamic Architecture Department notes that the theater's facades feature blind arches decorated with muqarnas, a quintessential Islamic architectural detail of stalactite vaulting, and may be the only building in New York City with these façade details; and

**Whereas:** The Loew's 175<sup>th</sup> Street Theater's impressive and monumental exterior architectural design is surpassed only by its astounding interior architectural design. Lamb partnered with Harold Rambush of the Rambush Decorating Company on the theater's interior design which draws audiences into successively grander spaces, from its intricate and lavishly-detailed lobby to its palatial staircase to, its vast and opulent auditorium that Mr. Dunlap described as a "delirious masterpiece". No expense was spared to provide audience with the most glamorous setting possible in order to distract movie-goers minds from the troubles of the Great Depression. The rich interior was enhanced by the addition of authentic Louis XV and XVI furnishings and a collection of art work. Although its current use as a house of worship prevents the interior of the Loew's 175<sup>th</sup> Street Theater from being considered for designation at this time, this does not take away from the fact that it would otherwise merit designation; and

**Whereas:** In addition to its architectural merits and significance, the Loew's 175<sup>th</sup> Street Theater is important to the history and culture of Washington Heights and to New York City because of its association with Rev. Ike, considered to be the first black television evangelist who preached the blessings of material prosperity to a large, predominantly black congregation in New York and to television and radio audiences nationwide. At the peak of his ministry in the mid-1970s Rev. Ike's weekly sermons were carried on magazine he founded, reached more than one million readers. During a time of urban unrest and the abandonment of properties throughout upper Manhattan, New York City and cities nationwide, Rev. Ike's decision to purchase the theater probably saved it from a potential fate of abandonment, vandalism and demolition; and

**Whereas:** At the October 7, 2015 meeting (the "Meeting") of Community Board 12-Manhattan's ("CB12-M") Land Use Committee ("Land Use" or the "Committee") the proposed designation of the Loew's 175<sup>th</sup> Street Theater was discussed with local residents and representatives of the UCEA. Local residents expressed unanimous and enthusiastic support for designation, but representatives of UCEA expressed opposition. However, the opposition to designation appears to reflect a misunderstanding of the impacts of designation, LPC's supposed authority to require physical changes to the property and the extent to which the added regulatory requirements might impact any future building alterations; and

- Whereas:** At the Meeting the Committee reviewed a letter (the "Letter") dated October 7, 2015 from Seyfert Shaw LLP, legal counsel for UCEA ("Legal Counsel") outlining UCEA's reasons for its opposition. The Letter cites and was accompanied by letters from Council Member Ydanis Rodriguez, dated November 3, 2011 and July 20, 2013, and hundreds of radio stations across the United States and Action!, a 2013 (copies of these letters were not previously provided to the CB12-M), reiterating and supporting UCEA's position. The Letter claims that landmark designation would impose a significant financial and regulatory burden on UCEA and that designation would negatively impact both the congregation's religious worship and its ability to use the theater as a commercial concert hall; and
- Whereas:** No basis is presented in the Letter or at the Meeting to support the claim or a rational for the claim that designation would adversely impact use of the theater as a commercial concert hall, nor is a basis presented to support the claim or a rational for the claim that designation would adversely impact the congregation's religious worship, even after Legal Counsel was specifically asked to address this matter. Recognizing the theater's architectural significance would only enhance its value and attraction as a concert venue, making the venue part of what is used to market a concert or other event, and religious worship is a spiritual matter and not a function of a venue's status with respect to historic designation. These two claims are not legitimate and mischaracterize the impacts of landmark designation; and
- Whereas:** To support the claim that designation would impose a significant financial and regulatory burden, the Letter indicates that in 2011 UCEA estimated the minimum cost to renovate the exterior of the theater. The cost estimate included \$3,000,000 to demolish and renovate the marquee, including structural and electrical work; \$300,000 to remove the cross from the building; and \$15,000 to set-back the building's standpipe. However, designation would not give LPC any authority to require UCEA to undertake the referenced work; indeed no one has advocated for the cross to be removed from the building and in fact its use as a church is part of its historical significance. Also, it is the Department of Buildings, not LPC, that has jurisdiction to determine if the condition of the building's exterior or any elements thereof require repair or renovation. If it were to undertake these renovation projects UCEA would be required to retain a licensed architect whether or not the building is designated as a landmark. It would not need to hire an additional architect to undertake these projects if the building is landmarked, rather it would need to hire an architect whose practice includes historic preservation work. This claim also mischaracterizes the impacts of landmark designation, perpetuates the myth that landmark designation is burdensome and expensive and ascribes to designation costs more accurately associated with keeping the property in a state of good repair and protecting public health and safety; and
- Whereas:** At the Meeting the Committee and local residents repeatedly expressed their respect and admiration for the congregation of the United Palace, both for the careful stewardship and restoration of the theatre and the vital arts and culture programs produced for local youth, and commitment to work with the UCEA to ensure that its concerns with respect to historic designation are fully explored; that the designation process, its impacts and benefits are thoroughly explained by LPC and other experts in the designation process; and that sources of expense and capital funds are identified to help support the United Palace of Cultural Art's youth and community programs and building renovation and restoration projects; and
- Whereas:** Since the Loew's 175<sup>th</sup> Street Theater was calendared in 1970, LPC has received letters supporting its designation from New York City residents, architects and cultural institutions, such as the Municipal Arts Society, the Library and Museum of the Performing Arts at Lincoln Center and the Brooklyn Academy of Music; the Loew's Theater organization and interested parties in nationwide, and from Canada and the United Kingdom. Also, the district-wide Land Use and Neighborhood Planning study conducted by CB12-M and City College in 2008, the Executive Summary of which was provided to LPC, identified the Loew's 175<sup>th</sup> Street Theater as a building to evaluate for historic designation; and

**Whereas:** Too often New York City has lost important buildings, parts of its history, because we fail to recognize, appreciate and value before it is too late, great buildings created in confident and ambitious times that may no longer seem to resonate with the present. Washington Heights has already lost the Audubon Ballroom the historic fabric of the original building is gone and what remains is merely a partial facade. The Loew's 175<sup>th</sup> Street Theater is part of this great city's history and culture and a beloved neighborhood feature, indeed already an unofficial landmark. It has inspired depression-era wary movie goers, religious congregations, local youth and a wide range of other audiences. It is an architecturally distinguished building designed by a master theater architect that must be honored and preserved for our children, grand children and their children. Now, therefore,

**Be It Resolved:** Community Board 12-Manhattan supports the proposed historic designation of the Loew's 175<sup>th</sup> Street Theater and the Landmarks Preservation Commission prioritizing it for designation in 2016; and be it further

**Resolved:** Community Board 12-Manhattan calls upon the United Christian Evangelistic Association to work with the community board, local residents and other stakeholders to discuss its concerns, further its understanding of the impacts and benefits of historic designation, explore how it and the United Palace of Cultural Arts can play a more active role in the community and how collectively we can explore sources of expense funds to support United Palace of Cultural Arts' community programs and capital funds to that might become available to support building renovation and restoration projects should the Loew's 175<sup>th</sup> Street Theater be designated a landmark.

Thank you for your consideration of our request.

Sincerely,



George Fernandez, Jr.  
Chair – CB12M

cc: Hon. Bill de Blasio, Mayor  
Hon. Gail Brewer, Manhattan Borough President  
Hon. Letitia James, Public Advocate  
Hon. Scott Stringer, Comptroller  
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Hon. Adriano Espaillat, NY State Senator  
Hon. Herman D. Farrell, Jr., Assembly Member  
Hon. Guillermo Linares, Assembly Member  
Hon. Ydanis Rodriguez, Council Member  
Hon. Mark Levine, Council Member