

Square Feet

The New York Times

After Legal War, a West Side Landmark May Rise

By JULIE SATOW

Since its construction in 1933, the Metro Theater on the Upper West Side has had a turbulent history. Among its numerous iterations: a pornography house, an art-house movie theater and home to two national cinema chains.

This year the longtime owner, Albert Bialek, wrested control of the Metro, an Art Deco landmark, after a protracted legal battle with the leaseholder, John R. Souto. Mr. Souto, whose firm filed for bankruptcy protection last year, had a 49-year lease with an option to buy the property, but defaulted on the terms, Mr. Bialek said. New York City marshals evicted him from the property in January.

Mr. Souto's lawyer, Claude Castro of Claude Castro & Associates, said he was appealing. "It is classic New York litigation, and it is nasty."

Now Mr. Bialek is in discussions to convert the Metro into a new home for Wingspan Arts, a 10-year-old nonprofit group that provides arts education for some 6,000 students in New York City, New York State, New Jersey and Connecticut.

The group is proposing a three-floor theater and education complex at the site, on Broadway between 99th and 100th Streets, with construction costs estimated at as much as \$25 million, said the founder and president, Gary



PHOTOGRAPHS BY ANDREW BURTON FOR THE NEW YORK TIMES

Above left, Albert Bialek, owner of the Metro, with Esther Sperber, an architect, and Sol Levitin, a prospective tenant. Below left, the Art Deco facade of the Metro has been granted landmark status but not its interior.

The Metro Theater may become home to a nonprofit arts group.



TRANSACTIONS

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million

ison Avenue (between 29th Streets)

77-square-foot, five-story, building, to be delivered via 13,436 square feet of buildable area that can be redeveloped as a office or residential building. Its ground floor restaurant space and second-floor office space are vacant, and the remaining apartments are occupied by tenants on short-term leases.

erry Nazarian, Ety Lee and David Schechter of Stern Consolidated

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