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34th Street Partnership

Signs that once proliferated on a storefront at 140 West 32nd Street pushed the limits of the city's sign code, adopted in 1961.

The Letters and the Law

Should New York Change Its Awnings or Its Code?

By ANEMONA HARTOCOLLIS

Last summer, the Bloomberg administration came under fire for issuing what New Yorkers widely perceived as a barrage of nickel-and-dime tickets — to a pregnant woman sitting on the subway stairs, drivers talking on cellphones, parents double-parking in front of school buildings while dropping off their children. Business owners from the Lower East Side to Jackson Heights claimed that they, too, were being unfairly cited for having information-packed awnings in front of their stores.

While the awnings might be a violation of the letter of the law, merchants said, they had been tolerated, had even flourished, for as long as anyone could remember. The city, merchants said, was really handing out tickets as a way to raise money to close the budget gap.

The City Council, eager to restore calm, promptly ordered a six-month moratorium on awning violations and vowed to liberalize the 1961 sign code.

Now, halfway through the moratorium, preservationists, urban historians and neighborhood advocates are lobbying the Council and the City Planning Commission to defend the existing code. They say that large and garish awnings create an atmosphere of chaos, obscure the distinctive architecture of many blocks, and fuel a frenzied competition among storekeepers to outdo their neighbors with even bigger and busier signs.

So far, these neighborhood advocates say, the public debate has been one-sided, focused only on the complaints of merchants. But illegal signs can be as much of a blight on the quality of urban street life as litter, drug-dealing, potholes and graffiti, they say. To these people, the crackdown on illegal awnings was not



Ruth Fromson/The New York Times

The City Council has vowed to liberalize the sign code, but a more restrained awning now hangs from the front of the same building.

Continued on Page B6

Should City Change Awnings or Law?

Continued From Page B1

an irrational attempt to raise money, but, a welcome recognition of a long-standing problem.

"We have been pressing the Buildings Department to move on this for years," said Daniel A. Biederman, president of the 34th Street Partnership. "We were really disappointed that this became a political frenzy and that the mayor was forced to put on a moratorium."

The dispute has arisen partly because of the importance of street life in New York City. Thomas Mellins, an urban historian, once compared the city's streets to "the great public spaces of Europe, which are defined by cathedrals and palaces."

If streets are the city's cathedrals, preservationists say, how should the streetscape look?

To a push-the-envelope sensibility, accustomed to the general clamor for attention of city life, the 42-year-old code governing awnings may seem bizarrely demure, even puritanical. The code dictates that the letters on awnings (signs protruding 12 inches or more from the building) should be no more than 12 inches high, and that stores may not advertise on awnings, which means they are not allowed to give their telephone numbers, or provide long lists of merchandise.

Under these conditions, merchants grumble, who has a prayer of attracting customers? "Without my canopy, I have nothing," said Roberto Guendjian, owner of El Chivito D'Oro, an Argentinian restaurant in Jackson Heights, Queens, who was forced to take down its wraparound awning because it violated the city code. "I need a big one, or they don't see me. If it's raining, you're doing nothing for the people if you don't have it."

Councilman David I. Weprin, a Democrat from eastern Queens, is drafting legislation to liberalize the awning code. His view is that the law should have as few restrictions as possible. If certain neighborhoods want stricter rules, he said, they can do that on their own.

"We're trying to help small business post-9/11," Mr. Weprin said. "A lot of these mom-and-pop stores are hurting."

But preservationists say that eliminating restrictions on awnings, which have become substitutes for other signs, would institutionalize the chaos that has resulted from decades

of almost nonexistent enforcement.

"Cut the clutter," said Dan Pisark, vice president for retail services of the 34th Street Partnership.

Arlene Simon, president of Landmark West, a preservation group on the Upper West Side, argues that signs do not attract customers; merchants do. "Having a store is more than just putting a sign in your window. They want you to ask how their kids are, how the mattress worked out that they bought last week."

Since 1997, Ms. Simon has worked on stripping away what she calls the honky-tonk jumble of signs and awnings on West 72nd Street and revealing its architectural integrity. Period photographs in hand, she has accosted merchants, showing them how their buildings once looked.

She points out that stores thrive in the city's most elegant shopping

Some say you can't see the city for its signs.

areas, like Fifth Avenue and Madison Avenue, with signs that are often no louder than a whisper.

But she insists that she is not arguing in favor of homogeneity or good-taste police. She encourages awnings of different colors and striking fonts. "There's an effort not to make everything too neat and tidy," Ms. Simon said, "so you feel you're in New York, not a theme park."

Ms. Simon can wax lyrical about the virtues of old-fashioned retractable canvas awnings, which gave way in the 70's to stiff "waterfall awnings," which are designed to fit over roll-down security gates — another eyesore, to Ms. Simon.

"There's a whole romance," she said of retractables. "The skirt blows in the wind. You crank it in when it's shady, put it out in the sun. When rain gets caught in the slope you push it up. You take it out in the morning and in at night, and it changes the whole look of the building."

The 34th Street Partnership has tried to use what Mr. Pisark calls a carrot-and-stick approach, flagging illegal signs, then providing free design service for merchants who are interested in complying with the code. On a sign, less is more, Mr. Pisark says. Too much information

makes pedestrians tune out.

Like Landmark West, the Partnership has pushed to eliminate canopies — the overhead canvas tunnels that extend from doorways to the curb. Most commercial canopies are illegal, and long rows of canopies blot out the sky, making the street feel claustrophobic, Mr. Pisark said.

"We once had a glut on 34th Street, as many as 35 canopies, between Madison and Eighth Avenue," he said. "It was out of control."

Even the staunchest preservationists do not argue that the rules should remain rigid across the city.

No preservationist would dream of tampering with the character of Times Square, says Mr. Mellins, co-author with Robert A. M. Stern and David Fishman of "New York 1960," a book about the city's architecture after World War II.

And in Flushing, Queens, the profusion of Chinese and Korean signs, often one on top of the other, conveys the culture of the neighborhood and gives it a peculiarly coherent look.

To those who insist that one person's bad taste is another's good taste, Mr. Mellins suggests an exercise. "Describe a block you walk by on the way home from work in as much detail as you can," he said. Most people, he contends, will be chagrined to discover that they don't know what the buildings look like because they have been mummified by signs.

Jeffrey Saunders, who owns a Japanese restaurant in Jackson Heights and is a local preservationist, says more discreet signs attract a more upscale clientele.

Some preservationists suggest that the bigger-is-better attitude has been driven by sign manufacturers.

Awnings cost \$500 for the most basic to \$20,000 for features like flashing lights, said Matthew Buckley, an account executive at MSD Visual-Manhattan Signs. However, he added, it is up to the merchant to work with a permit broker to ensure that a sign meets code. Sometimes, he said, merchants do not hire brokers because that adds to the cost.

Mr. Weprin said his office was working with Amanda M. Burden, the director of the Department of City Planning, whose office must approve zoning changes. A spokeswoman for Ms. Burden said she was looking for "a solution that's sensitive to the streetscape issues as well as the issues of merchants."

Meanwhile, the moratorium expires on Dec. 24.