



THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION

1 CENTRE STREET 9TH FLOOR NORTH NEW YORK NY 10007

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PERMIT CERTIFICATE OF APPROPRIATENESS

ISSUE DATE: 06/22/2007	EXPIRATION DATE: 01/23/2013	DOCKET #: 07-3563	COFA #: COFA 07-9623
ADDRESS 180 WEST 81ST STREET HISTORIC DISTRICT UPPER WEST SIDE-CPW		BOROUGH: MANHATTAN	BLOCK/LOT: 1211/63

Display This Permit While Work Is In Progress

ISSUED TO:

**Jeffrey Kahan, President
Brick and Mortar
c/o JSK Property Management LLC
250 West 89th Street
New York, NY 10009**

Pursuant to Section 25-307 of the Administrative Code of the City of New York, the Landmarks Preservation Commission, at the Public Meeting of January 23, 2007, following the Public Hearing and Public Meeting of the same date, voted to grant a Certificate of Appropriateness for the proposed work at the subject premises, as put forth in your application completed on December 28, 2006. This permit will expire on January 23, 2013.

The work, as approved, at the ground floor of the West 81st Street façade, consists of removing the existing brownstone steps from the residential entry in the eastern most bay to create an at-grade residential entrance; installing a new wood and glass door and transom set in a wood frame, all with a brown (Benjamin Moore HC-68, "Middlebury Brown," or equivalent) painted finish, within the enlarged opening; and installing operable casement windows with transoms, all with a brown (Benjamin Moore HC-68, "Middlebury Brown," or equivalent) painted finish, in the existing masonry openings at the three westernmost bays; in the six center bays at the Amsterdam Avenue façade, consists of removing the non-historic storefront infill and installing new wood and glass storefronts with operable casement windows, all with a brown (Benjamin Moore HC-68, "Middlebury Brown," or equivalent) painted finish; installing new dark green canvas clad retractable awnings with the word "HARU" centered on the skirt; and installing a new pin-mounted, metal, halo-lit sign with a bone colored enamel finish reading "HARU" centered above each of the main divisions of the center bay. The proposal also creates a plan to replace the non-historic storefront infill and install new wood and glass storefronts with operable casement windows, all with a brown (Benjamin Moore HC-68, "Middlebury Brown," or equivalent) painted finish, a new awning, and new pin-mounted halo-lit signage in the southernmost bays on Amsterdam Avenue; to alter the enclosed sidewalk café in the northernmost bays by installing new decorative columns and bulkheads, a new entrance, and new operable casement windows, all with a red (Benjamin Moore HC-68, "Somerville Red," or equivalent) painted finish; replacing the existing café roof to match the proposed new dark green clad awnings; and installing a new pin-mounted, metal, halo-lit sign with a bone colored enamel finish centered above the storefront opening; and at the West 81st Street facade, installing new dark-green clad canvas awnings in the three

masonry openings at the westernmost end of the façade; and installing a new pin-mounted, metal, halo-lit sign with a bone colored enamel finish centered above the three westernmost bays.

This work was shown in photo boards PIC1.0 through PIC1.2, dated June 26, 2006, revised January 10, 2007; material samples; and drawings Pre-1 through Pre-6 and 1 through 4, dated June 26, 2006, revised January 10, 2007; prepared by New York Design Architects, LLP, and submitted as components of the application, and presented at the Public Hearing and Public Meetings.

In reviewing the proposal, the Commission notes that the Upper West Side/Central Park West Historic District Designation Report describes 180 West 81st Street (a.k.a. 429 Amsterdam Avenue) as a Renaissance/Romanesque Revival style apartment building built in 1889-90 designed by A.B. Odgen & Son; and that in terms of its style, scale, materials and details, the building contributes to the special architectural and historic character for which the Upper West Side/Central Park West Historic District was designated.

The Commission also noted Notice of Violation (NOV) 00-0269 was issued December 9, 2003, for "alterations to 2nd northern-most Amsterdam Avenue shopfront in non-compliance with Certificate of Appropriateness 95-0113 (LPC 95-2431), issued the 2nd of March, 1995;" NOV 00-0270 was issued April 19, 2000, for "installation of signage ("Haru") and an awning at 2nd northern-most Amsterdam Avenue shopfront without permit(s) ;" NOV 00-0272 was issued April 19, 2000, for "sealing window opening and installation of a through-the-wall air conditioner unit at West 81st Street ground floor facade without permit(s) ;" NOV 02-0575 was issued December 9, 2003, for "painting at ground floor of West 81st Street facade and installation of lighting above corner shopfront (Monsoon) without permit(s);" Warning Letter 04-0641 was issued March 31, 2004, for "installation of exhaust vent at West 81st Street sidewalk without permit(s) ," remain in effect against the property. The Commission also noted that an escrow account was established to allow additional interior work at the building to correct Department of Buildings violations.

With regard to this proposal, the Commission found that the removal of the brownstone steps and lowering of the threshold at the residential entry on West 81st Street will not remove significant amounts of brownstone; that the new at-grade residential entry will maintain the proportions, design, material, and finish of the existing residential entry on the building and is in keeping with the style of the building; that the new storefront infill at the three westernmost bays on West 81st Street will be placed within existing openings; that the new storefront infill will maintain the transparency of the commercial portion of the West 81st Street façade; that the proposed alterations at the Amsterdam Avenue façade will not cause the removal of historic or significant building fabric; that the proposed storefront infill will retain the historic cast iron piers, and that the new infill will fit within the openings framed by these piers, thereby retaining the historic rhythm and scale of the facade; that the configuration and materials of the storefront infill are in keeping with the commercial character of Amsterdam Avenue; that the reduction of size of the sidewalk café will expose the brownstone pier at the corner of the building; that the new casement windows will maintain the transparency of the sidewalk café; that the simple design of the support columns of the sidewalk café will not detract from the storefronts along Amsterdam Avenue; and that the signage will be located within the signband and will not damage, destroy, or obscure significant architectural features of the building. Based on these findings, the Commission determined the proposed work to be appropriate to the building and to the SoHo-Cast Iron Historic District, and voted to approve it.

However, in voting to grant this approval, the Commission made its determination subject to the stipulation that two sets of final signed and sealed drawings, showing the approved work, which are to be filed at the Department of Buildings, be submitted to the staff of the Commission for review and approval.

Subsequently, on May 16, 2007, the staff of the Commission received drawings T1.0, T1.1, A1.0 through A1.6, A2.0, A2.1, and A3.0 through A5.0, dated January 5, 2007, and A2.2, dated June 26, 2006, revised January 19, 2007; prepared by Joseph John Smerina, R.A. The Commission reviewed the submitted drawings and found that proposal approved by the Commission has been maintained. Therefore, these drawings are being marked approved by the Commission with a perforated seal, and this Certificate of Appropriateness is being issued.

Please note that NOVs 00-0269, 95-0113, 00-0270, 00-0272, and 02-0575 and Warning Letter 04-0641, all

remain in effect against the property; that NOV's 00-0269, 95-0113, 00-0270, 00-0272, and 02-0575 and Warning Letter 04-0641, will be rescinded when the work approved under this Certificate of Appropriateness and Certificate of No Effect 07-9625 (LPC 07-6884) has been completed. Please notify the Landmarks Preservation Commission staff when the work has been completed, and send clear color photographs of the completed work and a letter to the Commission requesting that a Notice of Compliance be issued.

PLEASE NOTE THAT THIS PERMIT CONTAINS A COMPLIANCE DATE OF October 31, 2007.

If you do not complete the work by this date, a Notice of Violation (NOV) originating from the Environmental Control Board may be issued in accordance with Title 63 of the Rules of the City of New York, Section 7-02(c). This NOV would require a court appearance and a civil fine may be imposed.

This permit is issued on the basis of the building and site conditions described in the application and disclosed during the review process. By accepting this permit, the applicant agrees to notify the Commission if the actual building or site conditions vary or if original or historic building fabric is discovered. The Commission reserves the right to amend or revoke this permit, upon written notice to the applicant, in the event that the actual building or site conditions are materially different from those described in the application or disclosed during the review process.

All approved drawings are marked approved by the Commission with a perforated seal indicating the date of approval. The work is limited to what is contained in the perforated documents. Other work or amendments to this filing must be reviewed and approved separately. The applicant is hereby put on notice that performing or maintaining any work not explicitly authorized by this permit may make the applicant liable for criminal and/or civil penalties, including imprisonment and fines. This letter constitutes the permit; a copy must be prominently displayed at the site while work is in progress. Please direct inquiries to Rob Panepinto.

Robert B. Tierney
Chair

**PLEASE NOTE: PERFORATED DRAWINGS AND A COPY OF THIS PERMIT HAVE BEEN SENT TO:
Nichole Modafferi, New York Design Architects**

cc: Nichole Modafferi; Sarah Carroll, Director of Preservation; Willam Neeley, Deputy Director of Preservation