



THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION

1 CENTRE STREET 9TH FLOOR NORTH NEW YORK NY 10007

TEL: 212 669-7700 FAX: 212 669-7780



ROBERT B. TIERNEY  
*Chair*

July 27, 2004

ISSUED TO:

**G.H. Beane**  
**73 BQ LLC**  
**c/o A.R. Walker 7 Company Inc.**  
**225 W. 80 Street**  
**New York, NY 10024**

Re: **PERMIT DENIAL**  
LPC - 03-2179  
CD 05-0750  
270 COLUMBUS AVENUE  
HISTORIC DISTRICT  
UPPER WEST SIDE-CPW  
Borough of Manhattan  
Block/Lot: 1144/33

Pursuant to Section 25-307 of the Administrative Code of the City of New York, the Landmarks Preservation Commission, at the Public Meeting of July 27, 2004, following the Public Hearing of the same date, voted to deny an application to legalize work done without a permit at the subject premises as put forward in your application completed on June 29, 2004.

The proposal consists of legalizing modifications to the enclosed sidewalk café without Landmarks Preservation Commission permits including installing aluminum-and-glass paneled bulkheads; installing paired, single-pane, sliding windows; and installing an orange Lucite roof as shown in historic photographs (prepared by staff), existing-condition photographs, color and material samples, and drawing 1, 2 and 3 (labeled by staff) dated received July 19, 2004, prepared by Daniel O'Connor, architect, submitted as components of the application and presented at the Public Hearing and Public Meeting.

In reviewing this proposal, the Commission noted that 270 Columbus Avenue is a neo-Grec style flathouse designed by Thom & Wilson and built in 1884-85; and that the building's style, scale, materials and details are among the features which cause it to contribute to the special architectural and historic character of the historic district. The Commission also noted that Notice of Violation 02-0193 was issued on March 6, 2003, for, "Alterations to enclosed sidewalk café at southern end of Columbus Avenue facade without permit(s);" that Notice of Violation 02-0635 was issued on October 10, 2002, for, "Alterations to 3rd northern-most Columbus Avenue shopfront and installation of awning ("Organic Café") without permit(s);" that Notice of Violation 02-0636 was issued October 10, 2002, for, "Installation of awning and painting bulkheads yellow at corner shopfront (Roslyn) without permit(s);" and that Notice of Violation 03-0923 was issued on July 8, 2004, for, "Installation of awning ("City Crepe") at 3rd northernmost Columbus Avenue shopfront without permit(s)."

With regard to this proposal, the Commission found that the alterations to the sidewalk café have increased the appearance of permanence, solidity and bulk, causing an already intrusive streetscape feature to further diminish the character of this block; that the additional framing elements have changed the former relatively simple, transparent enclosure to a complex and opaque object which draws attention away from the historic building and streetscape; that the plastic of the new roof is not a material traditionally used for the tops of

similar enclosures; that the color of the roof is not within the color palette for a building of this style and age; and that the cumulative effect of the work is to detract from the special architectural and historic character of the building and the historic district. Based on these findings, the Commission determined that the work is inappropriate to the building and to the historic district and voted to deny this application.

Please note that Notices of Violation 02-0193, 02-0635, 02-0636 and 03-0923 remain in force against the property. Failure to address these violations immediately may result in the issuance of a Notice of Violation originating from the Environmental Control Board in accordance with Title 63 of the Rules of the City of New York, Section 7-02(c). This Notice of Violation would require a court appearance and a civil penalty may be imposed.

The staff of the Commission is available to assist you in the resolution of these matters. Please direct inquiries to James Dillon.

Robert B. Tierney  
Chair

cc: Daniel O'Connor; Brian Hogg, Director of Preservation; Sarah Carroll, Deputy Director of Preservation;  
Lily Fan, Director of Enforcement; Ann Carlin, Violations Officer