

Testimony of LANDMARK WEST!

Certificate of Appropriateness Committee Before the Landmarks Preservation Commission Congregation Shearith Israel (the Spanish & Portuguese Synagogue)

Tuesday, July 1, 2003

LANDMARK WEST! is a not for profit community organization committed to the preservation of the architectural heritage of the Upper West Side.

The Certificate of Appropriateness Committee wishes to comment on the application to demolish the existing community house and construct a new 14-story building, and to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a special permit pursuant to Section 74-711 of the Zoning Resolution.

Thank you very much for the opportunity to testify on this vital issue, which affects the future of this individual landmark, this and other midblocks in the Upper West Side/Central Park West Historic

District, as well as communities throughout the city striving to protect neighborhood character. Neighborhood character. Ask ten people to define it, and you'll get ten different answers. No community has a single identity. However, when it comes to historic neighborhoods, it is the role of the Landmarks Preservation Commission to articulate, via the designation report, the distinguishing traits of a built environment.

In the case of the Upper West Side, those traits are reinforced by the 1984 R10-A and R8-B contextual zoning, which laid the foundation for the designation of the Upper West Side/Central Park West Historic District in 1990.

The 1990 designation report and the 1984 zoning report are in complete agreement about the fact that, on the Upper West Side, tall buildings define avenues, and low buildings define side-street midblocks, with few exceptions.

For this reason, the proposal to build a 15-story, 168-foot building in this location is not, and will never be, appropriate. In this side-street midblock location.

The designation report describes the district's side streets as follows:

On most of the side streets of the district, scattered later apartment buildings have interrupted the original rows, but in general the surviving rowhouses present *a strong coherency* and are a major element in creating *a special sense of place* particular to this district on Manhattan's Upper West Side. (p. 46, emphasis added)

Regarding the relationship between the side streets and Central Park West, the report states:

The interplay between the low-scale character of the rowhouse groups which dominate the side streets and the large-scale character of the taller buildings that terminate these blocks on Central Park West reinforces that role of the avenue as an *eastern frame of the district*. (pp. 22-23, emphasis added)

Taller buildings that terminate these blocks on Central Park West. This is the key. To quote one of Commissioner Paulsen's comments from the February 11, 2003, hearing on this matter, the applicant has

proposed "a building that could be appropriate in this district." We agree - on a terminating site on Central Park West.

But the proposed building would not be on Central Park West. It would be on West 70th Street. A side street, a midblock.

Now, admittedly, West 70th Street is not a perfectly typical block. Here, the low-rise landmark synagogue, instead of a tall building, terminates this predominantly brownstone block. And as inappropriate as it would be to demolish the synagogue and construct a tall building on its site, or to cantilever a tall building over the landmark, it would be equally inappropriate to erect a tall building behind it. This would essentially reverse the typical relationship between the side street and Central Park West.

It does not help to argue that 101 Central Park West extends 150 feet into the midblock - which, by the way, is less than the 172 feet that the proposed building would cut into the midblock - because 101 is clearly a Central Park West building. Everything about its orientation and massing suggests that it is a Central Park West building. Most importantly, it is a tall Central Park West building terminating a block of rowhouses. This is the defining pattern of the Upper West Side/Central Park West Historic District, and the proposed building negates this.

On February 11, Commissioner Paulsen also stated that the designation report "recognizes that there are not two types of buildings in the Upper West Side Historic District, but many." Again, we agree. But, these building types occur in a strongly consistent pattern. The zoning report quantifies this pattern, stating that over 85% of the structures in the midblocks conform to the "midblock" type - "the 3 to 6-story, 55 to 60 foot high 'brownstone'."

In his February 16, 2003, *New York Times* "Streetscapes" column, Christopher Gray confirmed this pattern for West 70th Street, calling it "A Block Full of Late-19th-Century Row Houses," that "has remained largely unchanged for many decades."

Gray goes on to note that the West 70th Street midblock does contain two exceptions to the rowhouse rule. But, as much as these buildings are now part of the fabric of the district, illustrating a short-lived, early 20th-century development trend, no one would seriously argue that Numbers 18 and 30 West 70th Street - or for that matter, the 14-story building at 19 West 69th Street - "relate harmoniously" to their side-street contexts. The proposed building would be no more successful. Shouldn't the Commission work to preserve the district's consistency rather than perpetuate its anomalies?

Last February, the applicant suggested that part of this project's "preservation purpose" was "to permit the replacement of a dysfunctional and commonly viewed unattractive community house which is behind the designated landmark." But one does not have to like the design of the 1953 community house to appreciate the fact that its scale is "contextual." It is approximately the same height as the two rowhouses it replaced. If these rowhouses still stood, would there even be a question about whether a 15-story building in this location would be appropriate? No.

That is not to say that the existing community house must not be changed. However, in terms of form, the existing structure provides a good template for what an appropriately scaled building on this site would look like.

Importantly, the community house gives precedence to the landmark. It is slightly lower in height, respecting Brunner & Tryon's vision to create the sense of a free-standing temple anchoring the corner.

By contrast, the proposed building, with its articulated, overtly primary eastern façade and its "ziggurat" top competes with the landmark for a presence on Central Park West.

It undermines the historic order of the landmark and its siting and thus essentially changes the character of the landmark.

All of which reinforces the plain fact that the proposed building is, fundamentally, a Central Park West building on a midblock site, and the design changes since the last hearing have made it even more so. The building bears no remote relationship to the midblock, even though (using zoning as a guideline) 83% of the site is in the midblock. And it is important to recognize that the 125-foot boundary between the Central Park West zoning and the midblock zoning was set specifically with sites including 8 West 70th Street in mind.

The community felt then and believes now that this site should be developed in keeping with the traditional rowhouse scale of most of the area's midblocks. Why go back on that decision now, when the impacts on the individual landmark and the historic district would be so severe?

This building does not relate harmoniously to the landmark or the historic district. Height and bulk are an issue. This will set a precedent for allowing manifestly out-of-scale development in locations that the zoning and the landmark designation report both clearly state should be developed at a lower scale. It represents a fundamentally unfair trade-off between what may in some, only vaguely articulated way benefit the individual landmark and what will clearly undermine the character of the historic district, as defined in the 1990 designation report. It will violate the contextual zoning that underlies the historic district designation, disregarding every established principle of sound planning for this area from height and bulk regulations to front and rear setback requirements. This is the reason that so many neighborhood groups throughout the city have spoken out on this application. They recognize that if such a building is permitted here, where zoning and landmarks protection are so beautifully in sync, it could be permitted anywhere.

This is your watch. Do not allow this building to be built, this character to be destroyed, this precedent to be set.