



THE COMMITTEE TO PRESERVE THE UPPER WEST SIDE

**Testimony of LANDMARK WEST!
Certificate of Appropriateness Committee
Before the Landmarks Preservation Commission
366 Columbus Avenue
May 6, 2008**

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 install signage, a canopy and a green fence at this Renaissance Revival style flats building designed by Thom & Wilson and built in 1891-92.

The fact that this understated flats building has been the subject of three Commission Certificate of Appropriateness hearings over the last 16 months is a testament to its prominence within the district. Already accreted with two enclosed sidewalk cafes, any alterations to the structure should attempt to strike a better balance through more understated commercial design at this corner—which sits at the nexus of a schoolyard, Theodore Roosevelt Park and the American Museum of Natural History, Columbus Avenue’s pedestrian-oriented, retail landscape and a brownstone mid-block.

Unfortunately, this proposal attempts to brand the structure by glomming on architectural elements from Shake Shack’s 2003 retro modern flagship location in Madison Square Park. And the nineteenth-century Renaissance Revival building suffers in the process. Four elements—the commercial sign, the marquee, the green fence and the applied tree silhouette decal—should be revisited before approving this application.

Before addressing these issues, we must first point out that the proposed elements are made that much more prominent by the band of white paint that covers the building’s first floor on the Columbus Avenue and West 77th Street facades. We propose the applicant remove this layer of paint to: bring the building closer to its original condition, reduce the impact of the proposed modern elements, and, in the words of one committee member, “bring the building back down to the ground”. We also recommend that the applicant restore the original string course on the Columbus façade that is extant between the first and second stories on the West 77th Street façade.

Sign, Marquee and Green Fence

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In short, the proposed Shack Shack sign on the Columbus Avenue facade is over-scaled for this building and for the district. The Commission's Madison Avenue Storefront Guidelines, which are applied to Columbus Avenue as well, dictate a maximum height limit of 18 inches for storefront signage, yet as proposed, this applicant's sign is 21 inches in height. The flagship location for the Shake Shack brand is a freestanding structure in Madison Square Park that is an early 21st century spin on a post-World War II highway burger stand. Mimicking the oversized road signs of drive up fast food restaurants, the outsized nature of the flagship's commercial sign and menu band lures in passersby (by the hundred) from the surrounding streets and office buildings. From a design standpoint, these retro kitsch elements work on this solitary park structure.

Yet the size and overt commercialism of these elements are not appropriate for the finely-grained, pedestrian-oriented scale of Columbus Avenue. The proposed sign was clearly designed to beckon visitors—day and night—from the American Museum of Natural History across the avenue, yet we feel that Shake Shack's proven popularity will make this branch a success, no matter the size of the sign. The applicant would do well to look to its next door neighbor, Dovetail, a restaurant at 103 West 77th Street with no exterior signage that is thriving solely on its excellent reputation. If there is any doubt to Shake Shack's cult-like following, one need only consult <http://www.shakeshacknyc.com/camera.html>, a webcam that monitors the long lines at the Madison Square Park location.

Our proposal is to eliminate the proposed sign from the design and instead relocate the commercial signage to the proposed metal marquee. The marquee is a much more appropriate location for the business name than the menu of "fries, shakes and burgers" that the current application proposes. It would set a problematic precedent to allow businesses to incorporate menus into their exterior signage.

The green fence is inappropriate for this location, and the proposal would be enhanced by eliminating it.

Window Treatments

The tree silhouette window treatments are not part of this Certificate of Appropriateness application, but they are of concern and likely not permissible by the Department of Consumer Affairs and the Department of Buildings. Chapter 4, Section 14-32 of the Sidewalk Café Regulations dictate: "all enclosing walls, doors and windows, except for the structural members, above the finished floor level or base wall as provided above, up to a height of 7 feet 0 inches above finished floor level, must be of colorless, untinted, non-reflective transparent material, as approved by the Department of Buildings." The purpose of this rule is to keep enclosed sidewalk cafes as transparent as possible, since they are already a huge imposition on public space.

In conclusion, we look forward to the contributions this new business will make to Columbus Avenue's vitality, but ask that the aforementioned elements be reconsidered to be more cohesive with the historic district and landscape.



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**Testimony of LANDMARK WEST!
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49 West 72nd Street
May 6, 2008**

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 enlarge the existing rooftop addition and modify openings at this neo-Renaissance style apartment building designed by Margon & Holder and built in 1929-30.

Enlargement of the Existing Rooftop Addition

In 2002, when our committee reviewed a previous proposal to expand this penthouse, we commented on the “blandness of the materials and design” that contributed to the addition’s sense of weight and bulk. While the applicant has made progress by rearranging the bulk of the addition in his current proposal, the result is still a hefty expansion to the penthouse and the materials remain a concern.

The current proposal includes the extension of the penthouse’s west wall, making it coplanar with the main building’s west facade. This façade, while utilitarian, is a highly visible—indeed, de facto primary elevation—that is in some ways more easily seen than the primary façade, the 72nd Street elevation. The proposal will extend the historic building’s west facade up one story, equating the penthouse and the main building in a way that is not the original intent. It will also, for the casual observer on Columbus Avenue between 71st and 75th Streets, have the effect of making the primary 72nd Street façade’s cornice seem lower relative to the bulk of the building, by making the historic building’s west facade apparently taller by one story.

As an alternative to this proposal, we urge the Commission to consider the following improvements to:

- reduce the bulk of the addition
- respect the hierarchy of the primary structure and addition
- allow the expansion to read as a circa 2008 contemporary, non-original structure—not to be confused as an original part of the historic building.

The goal of creating a clear distinction between the original building and the new addition can be achieved through the following changes to the design.



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Setback: It is possible for the applicant to set back the wall of the addition, and thereby preserve the secondary nature of the penthouse. Aligning the addition with the current west penthouse wall is quite reasonable.

String Course: A demarcation between new and old can be achieved by adding a string course where the existing parapet meets the proposed addition.

Materials: As mentioned, the proposed addition extends the west façade an additional floor, an effect that misrepresents the true height of the original building in an attempt to camouflage the addition. Constructing the addition with metal and glass—instead of the proposed yellow brick facing—would honestly express the addition, allow it to read as a 2008 structure and reduce its weightiness.

Modification of Window and Door Openings

We are not opposed to the modification of openings in the penthouse, but we do feel strongly that the original fenestration pattern with one central entry door to the penthouse flanked by two windows should be maintained in this proposal. The proposed fenestration pattern currently reads as a sequence of three doors, each leading to the terrace.

In conclusion, we feel that a few changes will lessen the impact of this addition on the Upper West Side-Central Park West historic district.