



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



# PERMIT CERTIFICATE OF APPROPRIATENESS

<b>ISSUE DATE:</b> 06/18/14	<b>EXPIRATION DATE:</b> 4/29/2020	<b>DOCKET #:</b> 154090	<b>COFA #:</b> COFA 15-9101
<b>ADDRESS:</b> 86-02 37TH AVENUE <u>HISTORIC DISTRICT</u> JACKSON HEIGHTS		<b>BOROUGH:</b> QUEENS	<b>BLOCK/LOT:</b> 1474 / 1

**Display This Permit While Work Is In Progress**

ISSUED TO:

**Louis Macari**  
**86-20/20 37th Ave Realty Co.**  
**47 Hillside Avenue**  
**Manhasset, NY 11030**

Pursuant to Section 25-307 of the Administrative Code of the City of New York, the Landmarks Preservation Commission, at the Public Meeting of April 29, 2014, following the Public Hearing of the same date, voted to approve a proposal for certain work, as put forward in your application completed on April 3, 2014. This approval will expire on April 29, 2020.

The proposed work, as approved, consists of the removal of two areas of plain masonry at the secondary brick elevation along 86th Street to create two new openings for storefront infill, with heights to align with the height of the adjacent historic storefront opening; the installation of new infill at the larger northern opening consisting of two pairs of aluminum-framed pivot doors with fixed transom windows above; the installation of new infill at the smaller southern opening consisting of display windows with transom windows above, with clear-finished aluminum framing and with a bulkhead below with a black granite panel; and the installation of retractable awnings above the new infill, clad with dark green canvas and with lettering at the loose skirt of the larger awnings ("FONDA" & "86-02 37TH AVE"); as shown on presentation boards LM-001.00 through LM-007.00, dated 3/31/14, prepared by Lee Architecture, submitted as components of the application, and presented at the April 29, 2014 Public Hearing.

In reviewing this proposal, the Commission noted that the Jackson Heights Historic District Designation Report describes 86-02 37th Avenue as a Moderne style commercial building designed by Max Horn, and built in 1948-49; and that the building's style, scale, materials, and details are among the features that contribute to the special architectural and historic character of the Jackson Heights Historic District. The

Commission also noted that Certificate of No Effect 14-2081 was issued on 3/22/13 to establish a master plan governing the future installation of storefronts, signage, and lighting at the 37th Avenue and 86th and 87th Street facades. The Commission further notes that Notice of Violation 00-0692, for "Installation of security roll-down gates and alterations to shopfront at 86-06 and 86-10 37th Avenue (Esmeralda Travel) without permit(s)", and Notice of Violation 00-0696, for "Replacement of shopfront and security roll-down gates with exterior housing at 86-18 37th Avenue (Talia's Pizza & Pasta) without permit(s)", were both issued on November 15, 2000; Notice of Violation 01-0547, for "Alterations to shopfront at 86-20 37th Avenue, including replacement of doors and windows, without permit(s)", was issued on June 20, 2001; Warning Letter 08-0509, for "Alterations to storefronts at 86-12 37th Avenue without authorization to proceed as outlined in Certificate of No Effect 04-4052 (LPC 04-1048) issued December 24, 2003", was issued on December 17, 2007; Warning Letter 08-0629, for "Installation of three signs at 86-20 37th Avenue ("Urubamba") without permit(s)", was issued on January 10, 2008; Notice of Violation 10-1093, for "Installation of signage at 86-12 37th Avenue storefront ("Pharmacy") without permit(s)", was issued on January 10, 2011; Warning Letter 12-0761, for "Installation of LED signage at 86-18 37th Avenue without permit(s)" and Warning Letter 12-0762, for "Installation of signage ("Queens Professional Dental Care R Grocery") at 86-18 37th Avenue without permit(s)", were both issued on March 15, 2012; Warning Letter 12-0766, for "Installation of LED sign at 86-12 37th Avenue ("Pharmacy") without permit(s)", Warning Letter 12-0767, for "Installation of LED signage at 86-10 37th Avenue without permit(s)", and Warning Letter 12-0768, for "Installation of security camera at 86-10 37th Avenue without permit(s)" were all issued on March 19, 2012; Warning Letter 12-0776, for "Installation of LED signage at 86-06 37th Avenue without permit(s)", Warning Letter 12-0777, for "Installation of signage ("Marcos Barber Shop") at 86-06 37th Avenue without permit(s)", and Warning Letter 12-0778, for "Replacement of storefront at 86-06 37th Avenue without permit(s)", were all issued on March 20, 2012; and Notice of Violation 14-0717, for "Installation of LED signage at 86-16 37th Avenue without permit(s)", was issued on April 23, 2014.

With regard to the proposal, the Commission found that the creation of the new masonry openings will not alter, eliminate or conceal any significant historic features of the building; that the presence of secondary masonry openings at the sidewall will be in keeping with the character of this Moderne style commercial building, and with other corner buildings on 37th Avenue; that the size of the masonry openings will be in keeping with the size of the historic storefront openings at the primary façade and will not alter the overall character of the building or overwhelm any significant features of the facade; that the design of the operable doors with transom windows will be in keeping with the transparent infill found at modern storefronts in buildings of a similar age and style; that the operable doors will not detract from or overwhelm any significant architectural features of the building; that the design of the new display windows with stone bulkhead and transom windows will relate well to the proposed storefront infill at the primary facade, thereby helping to integrate these new elements into the overall storefront design; and that the awnings will be located at the same height as the historic awning covers found at the primary façade, and will project at an angle and be of a length, size and slope which are proportional to the infill. Based on these findings, the Commission determined the proposed work to be appropriate to the building and the Historic District, and voted to approve it.

The Commission authorized the issuance of a Certificate of Appropriateness upon receipt, review, and approval of final signed and sealed Department of Buildings filing drawings for the approved work.

Subsequently, on June 11, 2014 and June 17, 2014, the Landmarks Preservation Commission received final drawings LM-001.00, LM-002.00, LM-003.00, LM-004.00, LM-005.00, LM-006.00, and LM-007.00, dated 6/11/14, prepared by Yeon Chan Lee, R.A. Accordingly, staff reviewed the drawings and found that the configuration of the new operable doors was modified from four (4) to six (6) doors with a clear aluminum base that will match the height of the storefront bulkheads; and that the proposal approved by the

Commission has otherwise been maintained. Based on this and the above findings, the drawings are marked approved with a perforated seal, and Certificate of Appropriateness 15-9101 is being issued.

Please note, this permit is being issued in conjunction with Authorization to Proceed 15-7908.

Please note that Notices of Violation 00-0692, 00-0696, 01-0547, 10-1093, and 14-0717, and Warning Letters 08-0509, 08-0629, 12-0761, 12-0762, 12-0766, 12-0767, 12-0768, 12-0776, 12-0777, and 12-0778, remain in effect against this property. Failure to address these violations will result in the issuance of Notices 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). These NOV's would require a court appearance, and a civil penalty may be imposed and cannot be cured.

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 the approval. The work is limited to what is contained in the perforated document. 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 fine. This letter constitutes the permit; a copy must be prominently displayed at the site while work is in progress. Please direct inquiries to Timothy Shaw.

Robert B. Tierney  
Chair

**PLEASE NOTE: PERFORATED DRAWINGS AND A COPY OF THIS PERMIT HAVE BEEN SENT TO:**  
Diego Gomez, Fonda New York, Inc.

cc: D. Gomez; C. Kane Levy, Deputy Director of Preservation, LPC