



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: 10/29/2013	EXPIRATION DATE: 10/15/2019	DOCKET #: 15-0045	COFA #: COFA 15-0399
ADDRESS 39-41 WEST 23RD STREET HISTORIC DISTRICT LADIES' MILE		BOROUGH: MANHATTAN	BLOCK/LOT: 825/20

Display This Permit While Work Is In Progress

ISSUED TO:

**Stephen Glascock
39 West 23rd Street LLC
c/o Anbau Enterprises, Inc.
206 Fifth Avenue, 4th fl.
New York, NY 10010**

Pursuant to Section 25-307 of the Administrative Code of the City of New York, the Landmarks Preservation Commission, at the Public Meeting of October 15, 2013, following the Public Meeting and Public Hearing of September 24, 2013, voted to grant a Certificate of Appropriateness for the proposed work at the subject premises, as put forth in an application completed on August 29, 2013.

The work, as approved, consists of construction of a 24-story terra cotta, limestone and glass building with decorative metal balcony railings, with an 18-story street wall and a cantilever over the lot to the east at the 14th floor, on West 23rd Street; construction of a 10-story limestone and glass building with glass balcony railings on West 24th Street; and ground floor storefronts and entrance canopies on both buildings, as shown in a booklet labeled "39-41 West 23rd Street Landmarks Preservation Commission Design Book," dated October 15, 2013, prepared by CookFox Architects, submitted as components of the application, and presented at the Public Hearing and Public Meetings. The proposal as initially presented featured a lighter color of terra cotta above the West 23rd Street setback and on the side elevations; and a more complex massing for the West 23rd Street building, as shown in a booklet labeled "39-41 West 23rd Street Landmarks Preservation Commission," dated September 24, 2013, prepared by CookFox Architects.

In reviewing this proposal, the Commission noted that 39-41 West 23rd Street and 22-24 West 24th Street comprise a through-block vacant lot; that the historical development of the Ladies' Miles Historic District may be divided into several phases, which resulted in a variety of building heights and widths adjacent to each other, including: early 19th century residential development which included residences and stable buildings, early commercial development which included mid-rise buildings and the commercial adaptation of some residential buildings and stables, turn of the century large department stores, 20th century large loft buildings, and the conversion of older buildings to manufacturing use; and that many of the early residential buildings on narrow lots were replaced with tall thin buildings during the later phases of development. The Commission further noted

that many streets combine buildings from several or all of these periods, with taller buildings facing the avenues and the major cross-town streets, such as West 14th and West 23rd Streets; and that the facades of the taller buildings frequently feature a strongly articulated base, shaft, and crown and uniform materials (brick, stone and terra cotta), and classically inspired ornament. The Commission finally noted that Certificate of Appropriateness 06-6577 (LPC 06-5335) was issued May 8, 2006 for construction of a new building; that Modification of Use 06-4549 (LPC 06-3888) was issued December 16, 2005 in support of a Special Permit pursuant to Section 74-711 of the Zoning Resolution; and that Miscellaneous/Amendment 12-3799 (LPC 12-3082) was issued August 17, 2011 for modifying the design of the new building.

With regard to this proposal, the Commission found that the construction of a new building on these lots will restore the continuity of the street walls, thereby strengthening the streetscapes around the site; that the height of both of the streetwall facades will relate well to the character of each of their respective blockfronts, and will enhance the continuity of the streetwalls, which are currently disrupted by the vacant lots; that the careful massing of the building into two distinct, but architecturally related parts on each street allows the facades to relate successfully to the streetscape on both West 23rd Street and West 24th Street; that the Ladies' Mile Historic District features a combination of low and mid-rise buildings, tall buildings on large lots, and taller thinner buildings on smaller lots formerly occupied by residential buildings, and that the height and massing of the two sides of the proposed building will recall the variations in the height and massing of the historic buildings in this district; that because of the variety of building types, many undeveloped side facades are exposed and the streetscape is characterized by the juxtaposition of tall and short buildings and of robust primary facades and planar secondary facades, and the height, massing, design and materials of the proposed building express these juxtapositions; that the rotating massing, design and materials of the West 23rd Street building are a contemporary interpretation of the robust, highly articulated primary facades and exposed, planar secondary facades of a darker material palette of the buildings found in the Ladies' Mile Historic District; that the height of the streetwall portion of the West 23rd Street facade will relate to the taller buildings on this side of West 23rd Street, and the distribution of the massing into two interlocking forms, each of which independently relates to the diverse building heights seen in the district, allows for a taller building than is typically found in the district; that the portions of the facade that are expressed as secondary facades are composed of a delicately articulated bronze terra cotta scrim that relates to the scale of the brick side facades, but is carefully designed and detailed and allows the facade to relate harmoniously with the other street facing facades on West 23rd Street; that the proposed West 23rd Street and east facing primary facades are composed of a limestone grid created by vertical and horizontal elements creating a proportional grid that relates well to the proportions, details and materials of the stone front facades in this historic district; that the proposed cantilever is expressed in multiple layers that relate to the interlocking forms of the new building and therefore, does not associate itself with, or detract from, the lower adjacent building; that the proposed streetwall facades on both West 23rd Street and West 24th Street are composed of architectural elements that are harmonious with the proportions, materials, articulation, and streetwall of the other buildings in the streetscape; that the floor to ceiling heights of the new streetwalls of the building will be proportional to those found on the adjacent buildings, and will support a relationship between the new building and its neighbors; that the deeply recessed windows and decorative metal railings create depth and articulation in both the West 23rd and West 24th Street facades that are evocative of the depth and articulation found on the historic store and loft buildings in the Ladies' Mile Historic District; that the ground floor, featuring large windows and glazed doors, will recall the transparency of commercial ground floors of the buildings located with this historic district; that the West 24th Street facade is arranged with a base, shaft and termination recalling the typical composition of the early 20th Century commercial buildings located on this street; that the open grid at the top of the West 24th Street facade will successfully evoke a cornice; that the decorative grilles over the ground floor windows on the West 24th Street facade will relate well to this narrow street which features buildings with more intimately scaled, less transparent, storefronts than those on the wider West 23rd Street; that the primary and secondary vertical and horizontal elements within the West 24th Street facade will create a layered grid that relates well to the scale and proportions of historic buildings in the district; and that the material palette for both buildings consisting of white and bronze terra cotta, limestone, painted metal and decorative metalwork will relate well to the buildings in this historic district which typically feature these materials. Based on these findings, the Commission determined that the work is appropriate to the streetscapes and to the historic district, and voted to approve this application.

The Commission notes that the applicant is applying to the City Planning Commission for certain variances. Any changes to the design required by the City Planning Commission approval must be submitted to the Landmarks Preservation Commission for review and approval prior to the issuance of the final approval letter.

PLEASE NOTE: This permit is issued contingent upon the Commission's review and approval of the final Department of Building filing set of drawings. No work can begin until the final drawings have been marked approved by the Landmarks Preservation Commission with a perforated seal. Please submit these drawings to the Landmarks Preservation Commission staff when they become available.

Also, as the approved work consists of subsurface work, the applicant is required to strictly adhere to the Department of Buildings TPPN 10/88 governing in-ground construction adjacent to historic buildings. It is the applicant's obligation at the time of applying for their permit to inform the Department of Buildings that the TPPN applies.

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 Lisa Schaeffer.

Robert B. Tierney
Chair

**PLEASE NOTE: PERFORATED DRAWINGS AND A COPY OF THIS PERMIT HAVE BEEN SENT TO:
Valerie Campbell, Kramer Levin Naftalis & Frankel LLP**

cc: V. Campbell, Esq.