



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

ISSUE DATE: 05/03/21	EXPIRATION DATE: 8/11/2026	DOCKET #: LPC-21-07690	COFA COFA-21-07690
ADDRESS: 44-54 9TH AVENUE		BOROUGH: MANHATTAN	BLOCK/LOT: 738 / 8, 1
Gansevoort Market Historic District			

Display This Permit While Work Is In Progress

ISSUED TO:

Dov Barnett
Mepa Realty, LLC
27 W. 24th St.
Suite 702
New York, NY 10010

NOT ORIGINAL
COMPUTER-GENERATED COPY

Pursuant to Section 25-307 of the Administrative Code of the City of New York, the Landmarks Preservation Commission, at the Public Meeting of August 11, 2020, following the Public Hearing and Public Meeting June 2, 2020, voted to grant a Certificate of Appropriateness for the proposed work at the subject premises, as put forth in your application completed on May 7, 2020, and as you were notified in Status Update Letter 20-08722 (LPC 20-08722), issued on August 17, 2020.

The proposal, as approved, consists of alterations at the rear yards, a portion of which are outside the boundaries of the historic district, and throughout the west (9th Avenue), south (West 14th Street), north (rear), east (rear), and west (side) facades of the historic buildings at 44-54 9th Avenue and 351-355 West 14th Street, and including demolishing one-story rear yard additions; excavating at the rear yards and constructing a new nine-story building with setback eighth and ninth floors, and a ten-story access tower adjacent to the east side of the new building, featuring dark-grey finished metal exposed framing and single-light windows throughout the west, south, and east and south-facing courtyard facades; vertical and horizontal orange-red terra cotta cladding at the west and south facades; dark grey-finished standing seam metal cladding at the ninth floor and at a mechanical enclosure at the roof; brick cladding, featuring dark grey-finished metal reveals at each floor level, at the north façade, and at the access tower; and one bay of

Page 1

Issued: 05/03/21

DOCKET #: LPC-21-07690

dark grey-finished single-light windows at the north façade; installing 4 HVAC units and three vents at the roof of the new building; installing 1 HVAC unit, a fan, and three vents at the roof of the access tower; removing paint throughout the facades of the West 14th Street buildings, and a stucco coating throughout the facades of the 9th Avenue buildings, utilizing chemical cleaners and strippers as necessary, hand tools, and low pressure water washes; temporarily removing the deteriorated outer wythe of bricks throughout the west and south facades of the historic buildings to facilitate interior structural work, and to correct unsound attachment conditions between the back-up masonry and outer wythes, and reinstalling sound brickwork, or new brickwork, as necessary; replacing deteriorated stucco-clad brownstone lintels and sills at the 9th Avenue buildings, and deteriorated metal-covered brownstone lintels and sills at the West 14th Street buildings, with new cast stone lintels and sills; replacing the modern metal cornice and integral gutter at the 9th Avenue buildings with a new dark grey-finished metal cornice integral gutter, and five (5) leaders at the second and third floors of the west facades of the buildings; replacing the modern metal cornice and integral gutter at the 14th Street buildings with a new dark grey-finished metal cornice, frieze, and integral gutter, in conjunction with installing two (2) leaders at the second through fourth floors of the south facades of the buildings; replacing modern storefront infill throughout the first floor of the historic buildings with new wood storefront infill, featuring paneled bulkheads and recessed entrances; exposing historic cast iron piers at the first floor of the historic buildings, including seven (7) piers at the west façade of the 9th Avenue buildings, two (2) piers at the south façade of the 9th Avenue buildings, and two (2) piers at the south façade of the West 14th Street buildings, in conjunction with stripping and repainting the piers dark grey; constructing new brick piers behind the cast iron piers at the west façade of the 9th Avenue buildings; removing modern wood cladding adjacent to the northernmost entrance and a brown finished wood door at the first floor of the 9th Avenue buildings, and installing a dark grey-finished metal door; installing a black-finished metal continuous balconette and dark grey-finished signband above the first floor storefronts throughout the 9th Avenue buildings; installing projecting sign panels above the storefronts at the first floor of the 14th Street buildings; enlarging and combining the easternmost masonry openings at the first floor of the south façade of the West 14th Street buildings, by removing modern entrance and storefront infill, plain brickwork, and a cast iron pier, and installing new dark grey-finished metal infill, featuring a pair of glass doors and a single-light transom, a single-light sidelight; installing a dark grey-finished metal canopy, featuring integral lighting beneath the canopy, and white-finished metal numbering on the sides (“355”), at the modified easternmost opening at the first floor of the south façade of the West 14th Street building; enlarging masonry openings throughout the second floor of the west and south facades of the 9th Avenue buildings, by removing white-finished metal, six-over-six, double-hung windows, plain brickwork, and stucco-clad sills, and installing pairs of black-finished metal, four-light casement windows, and two-light, fixed transoms, and new cast stone sills; creating two (2) new masonry openings at each of the second and third floors of the south façade of the southernmost 9th Avenue building, and installing pairs of black-finished metal four-light casement windows and fixed, two-light transom windows at the second floor, and black-finished metal, six-over-six, double-hung windows at the third floor; replacing white-finished metal, six-over-six, double-hung windows throughout the third floor of the 9th Avenue buildings and the second through fourth floors of the West 14th Street buildings, with black-finished metal, six-over-six, double-hung windows, including at all remaining areas of the rear facades of the buildings not connected to the new building; demolishing a portion of the east façade of the southernmost 9th Avenue building to create a new lightwell, and installing a skylight above the first floor level of the new lightwell; constructing a dark grey-finished metal and glass connector between the new building and the first through third floors of the 9th Avenue building, by enlarging masonry openings at the first floor by removing plain brickwork and raising the height of the openings, previously altered for the construction of the rear yard additions, to the second floor level, sealing the topmost portions of the second floor masonry openings with new brickwork, as well as lowering the sills at the locations of the eight (8) easternmost masonry openings at the third floor, and widening one opening; constructing a dark grey-finished metal and glass connector between the new building and the first through fourth floors of the north façade of the West 14th Street buildings, by enlarging masonry openings and lowering the sills at two (2) masonry openings at each of the second

through fourth floors, in conjunction with temporarily removing and reinstalling sound brickwork to facilitate the structural connection to the facades of the historic buildings, or installing new brickwork as necessary; reconstructing the roofs at the 9th Avenue buildings by removing modern dormers and framing throughout the roofs, and installing new steel framing clad in slate shingles, featuring four (4) black-finished metal skylights in the form and location of the historic chimneys at the west-facing slope of the roofs, a black-finished metal snow rail, and bluestone coping stones at the north parapet; reconstructing the roofs of the West 14th Street buildings by removing modern vents, HVAC units, and framing throughout the roofs, and installing new steel framing clad in slate shingles, featuring a black-finished metal snow rail, recreated brick chimneys with bluestone coping stones adjacent to the west lot line and at the two (2) historic party walls between the buildings, and recreating the two (2) brick and bluestone firewalls between the buildings; installing photovoltaic shingles throughout the south-facing slope of the roofs of the 14th Street buildings; and interior alterations, including demolishing the structural elements throughout the historic buildings, and constructing a new steel structure, while retaining or reconstructing approximately 5' of the original brick party walls adjacent to the front and rear facades of the buildings; and eliminating the second floor slab at the 9th Avenue buildings.

The proposal, as initially presented, included constructing a taller nine-story new building, with curtain walls at the south, west, and east and south-facing courtyard facades, clad in grey and dark grey-finished metal vertical, horizontal, and diagonal fins at the primary facades, and light grey-finished stucco at the secondary and access tower facades, and featuring a full floor-height glazed windscreen at the roof; installing two (2) balconies projecting from the west and south facades of the new building over the roofs of the historic buildings; demolishing the entirety of the interior party walls between the historic buildings above the first floor; enlarging and combining additional masonry openings at reconstructed east and north facades of the historic buildings, and reconstructing a portion of them with larger combined and enlarged masonry openings; installing a single, uniform black-finished storefront design throughout each of the rows of buildings, featuring perforated projecting signbands at the 9th Avenue buildings, and solid projecting signbands at the West 14th Street buildings; installing photovoltaic panels throughout the west and south-facing slopes of the roofs of the 9th Avenue buildings; and installing black-finished metal skylights in the form of the historic chimneys at the 14th Street buildings.

The proposal, as approved, was shown in a digital presentation, titled "44-54 Ninth Avenue & 351-355 West 14th Street," dated August 11, 2020, and including 68 slides. The proposal, as initially presented, was shown in a digital presentation, titled "44-54 Ninth Avenue & 351-355 West 14th Street," dated June 2, 2020, and including 72 slides. Both presentations were prepared by BKSK Architects LLP, and consisted of photographs, drawings, photomontages, and material and finish samples, all of which was presented as components of the application at the Public Hearing and Public Meetings.

In reviewing this proposal, the Commission noted that the Gansevoort Market Historic District Designation Report describes 44-54 9th Avenue (aka 357 West 14th Street and 44, 46, 48, 50, 52, and 54 9th Avenue) as a row of Greek Revival style rowhouses with stores, built c. 1845-46 and 351-355 West 14th Street (aka 351, 353, and 355 West 14th Street) as a row of Greek Revival town houses with stores, built c. 1842-44; and that the buildings' style, scale, materials, and details, are among the features that contribute to the special architectural and historic character of the historic district. The Commission also noted that the historic district is characterized by a long history of continuous varied use as a place of dwelling, industry, and commerce; that it experienced waves of adaptive reuse that significantly changed the appearance of many of the buildings and resulted in alterations in building heights and provided greater visibility of rooftop features; and that since the district's designation in 2003, buildings have continued to adapt and now represent varied uses such as retail, restaurants, galleries and offices. The Commission further noted that a portion of the project site is outside the boundaries of the historic district.

With regard to this proposal, the Commission found that the rear yard additions of the West 14th Street and 9th Avenue buildings are not significant features of the buildings or the historic district, and their removal will not eliminate significant historic fabric; that the presence of a large new building in the back of the lot, part of which falls outside of the historic district boundary, will be disassociated with the historic buildings, and will blend in with the design and scale of buildings in the surrounding streetscape just outside of the historic district; that the juxtaposition of taller buildings viewed over shorter buildings is common at the edges of this historic district, and therefore the proposed new building will be in keeping with this condition of being a backdrop to the lower-scale historic buildings; that the setback location and contemporary design of the new building will read as a separate modern structure apart from the restored rowhouses; that the metal, terra cotta, and brick materials, red, black, and grey finishes, and rectilinear pattern of the proposed new building will contrast with the historic Greek Revival style rowhouses, while recalling the canopies, rooftop signs and fire escapes found throughout the historic district, as well as other contemporary buildings and additions within the district; that the use of brick cladding at the access tower and north façade will be typical of materials found at lot line walls and utilitarian structures throughout the district; that the contemporary vocabulary of the new building will create a harmonious juxtaposition with the historic structures below; that the façades, roofs and interiors have undergone numerous alterations over time, and much of the proposed exterior work at the front façades and roofs will restore or recall earlier historic conditions, enhancing the appearance of this ensemble of historic buildings; that portions of the party walls in close proximity to the front facades will be retained at the interior, maintaining the individual character of these attached rowhouses; that the removal and reconstruction of the outer wythe of brick at the front facades of the historic buildings may be warranted by their deteriorated conditions, and the salvaged brick will be reused and reinstalled where feasible; that the design of the wood storefronts will uncover and incorporate historic cast iron piers, and the material, details and basic configuration of the storefronts will be in keeping with some of the historic storefronts; that the design of the signage, featuring a projecting solid sign panel at the West 14th Street buildings and a signband at the 9th Avenue buildings, will be a modern interpretation of the historic conditions above the storefront infill at these buildings, as they evolved over time; that the simple design of the canopy and entrance infill at the West 14th Street buildings will be in keeping with other contemporary canopies and entrances found throughout the historic district; that the lowering of the sills of the 2nd floor windows at the 9th Avenue buildings will be in keeping with significant later alterations to window openings often found at buildings of this type, style, and age; that the proposed window openings at the 14th Street façade of the 9th Avenue buildings will retain the general shape and pattern of the existing windows at the façade and will continue a regular pattern of window openings at these buildings; that the rear façades of the historic buildings have been altered, and feature plain brickwork and punched openings with no significant architectural features, therefore their reconstruction will not damage any significant features and will retain the original volume of the buildings; that the plane of the reconstructed rear facades will align with the historic plane, and many of the punched openings will be retained at exposed portions of the facades, helping them to maintain the character and scale of individual rowhouses; that the larger openings at the rear facades will be limited to those locations where the historic buildings and the new building meet; that the removal of modern dormers and recreation of the form of the prominent historic chimneys at the 9th Avenue buildings and form and materials of the chimneys at the West 14th Street buildings will bring the buildings closer to their historic appearance; and that the presence of solar “shingles” on the shallow pitched roofs of the 14th Street buildings, which will recall the pattern and appearance of historic roofing, and will be minimally perceptible and will not detract from the buildings or the streetscape. Based on these findings, the Commission determined the work to be appropriate to the building and the historic district and voted to approve it with the stipulation that the balcony at the new building wrap around the 14th Street facade; that the top floor of the new building be set back farther from 14th Street; that the details of the balconies and cornice on the 9th Avenue buildings be further refined; that the details, materiality, scale, and variety of storefronts at both street fronts be restudied; and that the solar panels be limited to 14th street buildings.

The Commission authorized the issuance of a Certificate of Appropriateness upon receipt, review and approval of signed and sealed Department of Building filing drawings showing the approved design and incorporating the required changes.

Subsequently, on April 5, 2021 and April 26, 2021, the Commission received final filing materials, consisting of a field report, dated September 9, 2019, and prepared by Walter B. Melvin Architects, LLC; a façade conditions report, dated July 2019, and prepared by Eileen Murdock and Edward Eacker; a report of geotechnical investigation, dated April 26, 2019, and prepared by Nidal M. AbiSaab, PE, and Walter J. Papp, Jr., PE; written specifications, dated April 15, 2021, and prepared by BKSK Architects LLP; a supplemental information package, containing existing conditions photographs, supplemental detail drawings, and material samples, dated April 23, 2021, and prepared by BKSK Architects LLP; and drawings R-100.00, R-200.00 through R-203.00, R-300.00 through R-304.00, dated April 15, 2021, and prepared by Walter B. Melvin Architects, LLC for BKSK Architects LLP; A-000, A-100, Z-101 through Z-108, A-109, A-110, DM-100 through DM-105, A-200 through A-203, A-400 through A-402, A-700, A-701, and A-703, dated (issued) February 25, 2021, and prepared by G. B. M. Schieferdecker, RA; P-001.00, P-099.00 through P-102.00, P-104.00, P-105.00, P-400.00, P-401.00, P-501.00, and P-502.00, dated (issued) December 18, 2020; and M-001.00, M-002.00, M-100.00 through M-102.00, M-104.00, M-105.00, M-300.00, M-301.00, M-400.00 through M-402.00, and M-500.00, dated (issued), February 26, 2021, and prepared by Josephine T. Zurica, PE; S-001.00, S-002.00, S-101.00 through S-104.00, S-201.00, S-302.00, S-401.00 through S-407.00, and S-601.00, dated (revised) March 5, 2021; and FO-101.01 and FO-301.01, dated (issued) March 12, 2021, and prepared by Ramon Emilio Gilsanz, PE; and SOE-001.01, SOE-100.01, SOE-101.01, SOE-200.01 through SOE-203.01, SOE-300.01, and SOE-400.01, dated (issued) March 2, 2021, and prepared by Nidal M. Abi Saab, PE; A-000, A-100, Z-101 through Z-108, A-109, A-110, DM-100 through DM-105, A-200A, A-200B, A-201A, A-201B, A-202A, A-202B, A-203 through A-210, A-400 through A-404, A-410, A-412, A-700, A-701, and A-703, dated (issued) February 25, 2021, and prepared by G. B. M. Schieferdecker, RA; P-001.00, P-099.00 through P-102.00, P-104.00 through P-112.00, P-400.00, P-401.00, P-501.00, and P-502.00, dated (issued) December 18, 2020; and M-001.00, M-002.00, M-100.00 through M-102.00, M-104.00 through M-112.00, M-300.00, M-301.00, M-400.00 through M-402.00, and M-500.00, dated (issued), February 26, 2021, and prepared by Josephine T. Zurica, PE; S-001.00, S-002.00, S-101.00 through S-112.00, S-201.00 through S-203.00, S-301.00 through S-304.00, S-401.00 through S-407.00, and S-601.00, dated (revised) March 5, 2021; and FO-101.01 and FO-301.01, dated (issued) March 12, 2021, and prepared by Ramon Emilio Gilsanz, PE; and SOE-001.01, SOE-100.01, SOE-101.01, SOE-200.01 through SOE-203.01, SOE-300.01, and SOE-400.01, dated (issued) March 2, 2021, and prepared by Nidal M. Abi Saab, PE.

Accordingly, the Commission staff reviewed these materials and noted that they include changes to the scope of work, consisting of setting back the south façade of the eighth floor of the new building 18” from the lower facades, and wrapping the glass and terra cotta balcony around from the west facade to the south façade; revising the design of the balcony at the second floor of the 9th Avenue buildings to feature decorative elements based on photographic evidence of the buildings; revising the design of the cornices to closely match the profiles shown in historic photographs; revising the design of the storefronts to include three (3) types, including “Type A,” featuring a dark green finish, 1’ high paneled bulkheads above a granite curb, fixed, two-light display windows and transoms, and recessed entrances, featuring single-light doors, single-light sidelights and transoms adjacent to the door and at the return; “Type B,” featuring a brown finish, 18” high paneled bulkheads above a granite curb, fixed two-light display windows and transoms, recessed entrances, featuring single-light doors, single-light sidelights and transoms adjacent to the door and at the return, a recessed entrance at the corner of 9th Avenue and West 14th Street, featuring a pair of single-light doors and splayed returns, featuring single-light sidelights and transoms, and incorporating projecting sign panels over the continuous signband; and “Type C,” featuring a blue finish, 15” tall paneled bulkheads, with one (1) blue-finished metal louver at the bulkhead, above a granite curb, four and three-light display windows and transoms, recessed entrances featuring single-light doors with single-light transoms, and single-

light sidelights with transoms adjacent to the door and at the returns, and installing pin-mounted letters above the storefront cornice, instead of installing projecting sign panels; and repairing the east and north facades of the historic buildings by repointing deteriorated mortar joints, replacing deteriorated brickwork with new brickwork, as necessary, and resurfacing deteriorated brownstone lintels and sills with a cementitious stucco mix, instead of reconstructing the facades; and that they include additional work, consisting of installing new black-finished wood shutters at window openings throughout the second and third floors of the west and south facades of the 9th Avenue buildings; installing two Siamese connections and associated FDNY signs at the first floor, including installing one at the west façade, and installing one at south façade at the lot line between the 9th Avenue and West 14th Street buildings; installing a black-finished metal gooseneck fresh-air intake at the sidewalk, adjacent to the 14th Street buildings; and installing two (2) through-wall vents at each of the second through fourth floors of the north façade of the 14th street buildings.

With regard to these changes, the Commission found that the setback of the eighth floor of the south façade of the new building, and continuous wrapping of the terra cotta and glass balcony will help create a unified visual termination to the building; that the designs of the balconette and cornices are based on photographic evidence; that the inclusion of three separate storefront designs will provide a variety of design and scale that is in keeping with the variety of storefronts installed at the buildings over time as they were converted from residential to mixed use; and that the repair of the rear facades of the historic buildings will result in the retention of additional historic fabric and support the long term preservation of the building.

With regard to this additional work, the Commission found that certain aspects of the work are in accordance with the provisions set forth in Title 63 of the Rules of the City of New York, Section 2-11 for Repair, Restoration, Replacement, and Re-creation of Building Facades and Related Exterior Elements, including Section 2-11(f) for re-creation and restoration of missing façade features; Section 2-11(c)(3) for pointing mortar joints; Section 2-11(c)(4) for repair of natural or cast stone; Section 2-11(d)(1)(i) for in-kind material replacement; Section 2-20 for Health, Safety, and Utility Equipment, including Section 2-20(c)(7) for exterior connections and vents; and Section 2-21 for Installation of Heating, Ventilation, Air Conditioning and other Mechanical Equipment, including Section 2-21(d)(3) for installation of through-wall HVAC equipment on nonvisible secondary facades. Furthermore, with regard to these and other aspects of the work, the Commission found that the proposed signage will help address FDNY requirements and safety hazards; and that the proposed signs will be small in size, discreet in placement, and installed plain masonry. Additionally, the Commission found that the design approved by the Commission has been maintained and that the required changes have been incorporated. Based on these and the above findings, the drawings have been marked approved and Certificate of Appropriateness Certificate of Appropriateness 21-07690 is being issued.

The approved documents, and Department of Buildings filing drawings where applicable, are marked approved by the Commission, with the date of the approval indicated.

Please see Title 63 of the Rules of the City of New York for complete text of any cited Rule section(s): <http://www1.nyc.gov/site/lpc/applications/rules-guides.page>

PLEASE NOTE: As the approved work consists of subsurface work, the applicant is required to strictly adhere to all Department of Buildings' requirements for in-ground construction at, and adjacent to, historic buildings, including, when required, TPPN 10/88 monitoring.

PLEASE ALSO NOTE: This permit approves work shown on two (2) sets of drawings with the same names (A-000, A-100, Z-101 through Z-108, A-109, A-110, DM-100 through DM-105, A-203, A-400 through A-402, A-700, A-701, A-703, P-001.00, P-099.00 through P-102.00, P-104.00, P-105.00, P-400.00, P-401.00, P-

501.00, P-502.00, M-001.00, M-002.00, M-100.00 through M-102.00, M-104.00, M-105.00, M-300.00, M-301.00, M-400.00 through M-402.00, M-500.00, S-001.00, S-002.00, S-101.00 through S-104.00, S-201.00, S-302.00, S-401.00 through S-407.00, S-601.00, FO-101.01, FO-301.01, SOE-001.01, SOE-100.01, SOE-101.01, SOE-200.01 through SOE-203.01, SOE-300.01, and SOE-400.01), but containing different information.

PLEASE FURTHER NOTE: The construction of a one-story extension with HVAC units at its roof, which is outside the historic district boundaries, are shown on the approved drawings.

SAMPLES REQUIRED: Pursuant to Title 63 of the Rules of the City of New York, Section 2-11(b)(5) and 2-11(b)(7) for Repair, Restoration, Replacement and Re-creation of Building Façades and Related Exterior Elements, this permit is being issued contingent upon the Commission's review and approval of installed sample mockups of paint stripping, joint cutting, brick, mortar, cast stone, slate, bluestone, and granite at locations requiring repair, prior to the commencement of work. Review instructions in the subsection cited above before preparing samples. Submit clear, color digital photographs of all samples to MCraren@lpc.nyc.gov for review, or contact staff to schedule a site visit.

SHOP DRAWINGS REQUIRED: Pursuant to Title 63 of the Rules of the City of New York, Section 2-11(b)(6) for Repair, Restoration, Replacement and Re-creation of Building Façades and Related Exterior Elements, this permit is being issued contingent upon the Commission's review and approval of shop drawings for shutters, storefronts, doors, and windows, prior to the commencement of work. Digital copies of all shop drawings may be sent to MCraren@lpc.nyc.gov for review.

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.

The approved documents, and Department of Buildings filing drawings where applicable, are marked as approved by the Commission, with the date of the approval indicated. The work is limited to what is contained in the approved documents and referenced in the approval. 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 Michelle Craren.

Sarah Carroll
Chair

PLEASE NOTE: APPROVED DOCUMENTS, DEPARTMENT OF BUILDINGS FILING DRAWINGS WHERE APPLICABLE, AND A COPY OF THIS PERMIT HAVE BEEN PROVIDED TO:

George Schieferdecker, BSKS Architects

cc: Emma Waterloo, Deputy Director; George Schieferdecker, BSKS Architects