

**246-01-BZ**

APPLICANT – Eric Palatnik, P.C., for Bodhi Fitness Center Inc., owner.

SUBJECT – Application October 16, 2013 – Amendment of a previously approved Special Permit (§73-36) for a physical culture establishment (*Bodhi Fitness Center*). The amendment seeks to enlarge the PCE space by 3,999 sq. ft. M1-1, C2-2/R6 zoning district.

PREMISES AFFECTED – 35-11 Prince Street, between 35th Avenue and Northern Boulevard, Block 4958, Lot 1, Borough of Queens.

**COMMUNITY BOARD #4Q**

**ACTION OF THE BOARD** – Application granted on condition.

**THE VOTE TO GRANT** –

Affirmative: Chair Srinivasan, Commissioner Ottley-Brown, Commissioner Hinkson and Commissioner Montanez.....4

Negative:.....0

Absent: Vice Chair Collins.....1

**THE RESOLUTION** –

WHEREAS, this is an application for a reopening and an amendment of a previously-granted special permit for a physical culture establishment (“PCE”) to permit the enlargement of the PCE; and

WHEREAS, a public hearing was held on this application on March 4, 2014, after due notice by publication in *The City Record*, with a continued hearing on March 25, 2014 and then to decision on April 8, 2014; and

WHEREAS, the premises and surrounding area had site and neighborhood examinations by Chair Srinivasan and Commissioner Hinkson; and

WHEREAS, Community Board 7, Queens, recommends approval of this application; and

WHEREAS, Queens Borough President Helen Marshall recommends approval of this application; and

WHEREAS, the subject site is located on the east side of Prince Street between 35th Avenue and Northern Boulevard, partially within an M1-1 zoning district and partially within a C2-2 zoning district; and

WHEREAS, the site is occupied by a one-story commercial building; and

WHEREAS, the PCE is located on a portion of the first story of the building and occupies 8,962 sq. ft. of floor area; and

WHEREAS, the PCE is operated as Bodhi Fitness; and

WHEREAS, the Board has exercised jurisdiction over the subject site since June 11, 2002 when, under the subject calendar number, the Board granted a special

permit to legalize a physical culture establishment in the subject building for a term of ten years, to expire on June 1, 2008; and

WHEREAS, most recently, on August 25, 2009, the Board granted an extension of the term for ten years, to expire on June 1, 2018; and

WHEREAS, the applicant now seeks an amendment to permit the enlargement of the PCE into other portions of the first story of the building; specifically, the proposal would increase the floor area of the PCE from 8,962 sq. ft. to 12,961 sq. ft.; and

WHEREAS, in addition, the applicant seeks an amendment authorizing minor modifications to the layout of the changing rooms and an increase in the number of accessory parking spaces for the PCE within the cellar of the building from 16 to 17; and

WHEREAS, at hearing, the Board directed the applicant to: (1) confirm that the proposed accessory signage for the PCE complies with the zoning district regulations; and (2) submit a revised site plan that shows the entire zoning lot and the entrance to the parking facility; and

WHEREAS, in response, the applicant confirmed that the signage complies and submitted a revised site plan that shows the entire zoning lot, as well as the entrance to the parking facility; and

WHEREAS, based upon its review of the record, the Board finds the requested amendments to the plans are appropriate with certain conditions as set forth below.

*Therefore it is Resolved* that the Board of Standards and Appeals *reopens*, and *amends* the resolution to permit the noted modifications; *on condition* that any and all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked ‘Received April 2, 2014’ – (5) sheets; and *on further condition*:

THAT signage for the PCE will comply with the C2 regulations;

THAT all conditions from prior resolutions not specifically waived by the Board remain in effect;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code, and any other relevant laws under its jurisdiction irrespective of plan(s)/configuration(s) not related to the relief granted.” (DOB Application No. 420908174)

Adopted by the Board of Standards and Appeals, April 8, 2014.

**A true copy of resolution adopted by the Board of Standards and Appeals, April 8, 2014.**

**Printed in Bulletin No. 15, Vol. 99.**

**Copies Sent**

**To Applicant**

**Fire Com'r.**

**Borough Com'r.**

