

**119-03-BZ**

APPLICANT – Rothkrug Rothkrug & Spector LLP, for A/R Retail LLC, owner; Equinox Columbus Centre, LLC, lessee.

SUBJECT – Application October 1, 2013 – Extension of term of a special permit (§73-36) to allow the continued operation of a physical culture establishment (*Equinox*), which expired on September 16, 2013. C6-6 (MID) zoning district.

PREMISES AFFECTED – 10 Columbus Circle, aka 301 West 58th Street and 303 West 60th Street, northwest corner of West 58th Street and Columbus Circle, Block 1049, Lot 1002, Borough of Manhattan.

**COMMUNITY BOARD #4M**

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

**THE VOTE TO GRANT** –

Affirmative: Chair Srinivasan, Vice Chair Collins, Commissioner Ottley-Brown, Commissioner Hinkson and Commissioner Montanez .....5

Negative:.....0

**THE RESOLUTION** –

WHEREAS, this is an application for an extension of term for a physical culture establishment (“PCE”), which expired on September 16, 2013; and

WHEREAS, a public hearing was held on this application on December 17, 2013, after due notice by publication in *The City Record*, and then to decision on January 28, 2014; and

WHEREAS, the premises and surrounding area had site and neighborhood examinations by Chair Srinivasan, Vice-Chair Collins, Commissioner Hinkson, Commissioner Montanez, and Commissioner Ottley-Brown; and

WHEREAS, Community Board 4, Manhattan, recommends approval of this application; and

WHEREAS, the subject site is an irregular lot located on the west side of Columbus Circle, between West 59th Street and West 60th Street, within a C6-6 zoning district within the Special Midtown District; and

WHEREAS, the site is occupied by a 54-story commercial building, known as the Time Warner Center, with approximately 2,103,828 sq. ft. of floor area; and

WHEREAS, the PCE is located on a portion of the sub-cellar (40,887 sq. ft. of floor space) and first floor (720 sq. ft. of floor area) of the building, for a total PCE floor space of 41,607 sq. ft.; and

WHEREAS, the PCE is operated as Equinox; and

WHEREAS, on September 16, 2013, under the

subject calendar number, the Board granted a special permit, pursuant to ZR § 73-36, to permit, in a C6-6 zoning district within the Special Midtown District, the operation of a PCE for a term of ten years; and

WHEREAS, the applicant now seeks to extend the term of the PCE special permit for ten years; and

WHEREAS, based upon its review of the record, the Board finds that an extension of term for ten years is appropriate with certain conditions as set forth below.

*Therefore it is Resolved*, that the Board of Standards and Appeals *reopens* and *amends* the resolution, dated September 16, 2003, so that as amended the resolution reads: “to grant an extension of the special permit for a term of ten years, to expire on September 16, 2023; *on condition* that all work shall substantially conform to drawings as they apply to the objections above-noted, filed with this application and marked ‘Received January 14, 2014’-(6) sheets; and *on further condition*:

THAT this grant will be limited to a term of ten years, to expire on September 16, 2023;

THAT any massages will be performed only by New York State licensed massage professionals;

THAT there will be no change in ownership or operating control of the PCE without prior approval from the Board;

THAT the above conditions will appear on the certificate of occupancy;

THAT a certificate of occupancy will be obtained by January 28, 2015;

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

THAT DOB 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) and/or configuration(s) not related to the relief granted.”

Adopted by the Board of Standards and Appeals, January 28, 2014.

**A true copy of resolution adopted by the Board of Standards and Appeals, January 28, 2014.**

**Printed in Bulletin Nos. 4-5, Vol. 99.**

**Copies Sent**

**To Applicant**

**Fire Com'r.**

**Borough Com'r.**

