

169-93-BZ

APPLICANT – Law office of Fredrick A. Becker, for 2231 Associates LLC, owner; TSI West 80, LLC dba NY Sports Club, lessee.

SUBJECT – Application May 5, 2014 – Extension of Term of a previously granted Special Permit (§73-36) for the continued operation of a physical culture establishment (*New York Sports Club*) which expired on May 17, 2014. C4-6A/EC-3 zoning district.

PREMISES AFFECTED – 246-248 West 80th Street, southwest corner of West 80th Street and Broadway, Block 1227, Lot 54, Borough of Manhattan.

COMMUNITY BOARD #7M

ACTION OF THE BOARD – Application granted on condition.

THE VOTE TO GRANT –

Affirmative: Commissioner Hinkson, Commissioner Ottley-Brown and Commissioner Montanez3

Negative:.....0

THE RESOLUTION –

WHEREAS, this is an application for a reopening and an extension of term for a physical culture establishment (“PCE”), which expired on May 17, 2014; and

WHEREAS, a public hearing was held on this application on July 22, 2014, after due notice by publication in *The City Record*, and then to decision on August 19, 2014; and

WHEREAS, the premises and surrounding area had a site and neighborhood examination by Commissioner Ottley-Brown; and

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

WHEREAS, the subject site is located at the southeast corner of the intersection of Broadway and West 80th Street, within a C4-6A zoning district, within the Special Enhanced Commercial District (“EC-3”); and

WHEREAS, the site is occupied by two adjoining five-story commercial buildings (246 West 80th Street and 248 West 80th Street); and

WHEREAS, the applicant represents that the PCE occupies all of 248 West 80th Street and the second story of 246 West 80th Street, for a total PCE size of 21,458 sq. ft. (a total of 19,163 sq. ft. of floor area on the first through fifth stories and 2,295 sq. ft. of floor space in the cellar); and

WHEREAS, the PCE is operated as a New York Sports Club; and

WHEREAS, on May 17, 1994, under the subject

calendar number, the Board granted a special permit, pursuant to ZR § 73-36, to permit, the operation of a PCE within 248 West 80th Street for a term of ten years, to expire on May 17, 2004; and

WHEREAS, on December 19, 2000, the Board amended the grant to permit expansion of the PCE into the second story of 246 West 80th Street and to modify the hours of operation; and

WHEREAS, most recently, on July 18, 2006, the Board extended the term of the grant for ten years, to expire on May 17, 2014; and

WHEREAS, accordingly, the applicant now seeks a further extension of term; 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 *waives* the Rules of Practice and Procedure, *reopens* and *amends* the resolution, dated May 17, 1994, so that as amended the resolution reads: “to grant an extension of the special permit for a term of ten years from the prior expiration; *on condition* that any and all work shall substantially conform to drawings as they apply to the objection above noted, filed with this application marked ‘Received June 23, 2014’- (13) sheets; and *on further condition*:

THAT this grant will be limited to a term of ten years, to expire on May 17, 2024;

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 hours of operation will be limited to Monday through Thursday, from 5:30 a.m. to 11:00 p.m., Friday from 5:30 a.m. to 10:00 p.m., and Saturday and Sunday, from 8:00 a.m. to 10:00 p.m.;

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

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, August 19, 2014.

A true copy of resolution adopted by the Board of Standards and Appeals, August 19, 2014.

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Copies Sent

To Applicant

Fire Com'r.

Borough Com'r.

