

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 Montanez5

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.

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Copies Sent

To Applicant

Fire Com'r.

Borough Com'r.

