

169-93-BZ

APPLICANT – Law Office of Fredrick A. Becker, for ZKZ Associates, LP, owner; TSI West 80 Inc., dba New York Sports Club, lessee.

SUBJECT – Application October 21, 2005 – Pursuant to ZR §73-36 for the Extension of Term for a Physical Culture Establishment (New York Sports Club) which expired on May 17, 2004.

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

APPEARANCES –

For Applicant: Lyra Altman.

ACTION OF THE BOARD – Application granted on condition.

THE VOTE TO GRANT –

Affirmative: Chair Srinivasan, Vice-Chair Babbar, and Commissioner Collins.....3

Negative:.....0

THE RESOLUTION –

WHEREAS, this is an application for a waiver of the Rules of Practice and Procedure and an extension of the term for a previously granted special permit for a Physical Culture Establishment (PCE), which expired on May 17, 2004; and

WHEREAS, a public hearing was held on this application on June 20, 2006, after due notice by publication in *The City Record*, and then to decision on July 18, 2006; and WHEREAS, Community Board 7, Manhattan, recommends approval of this application; and

WHEREAS, the site and surrounding area had a site and neighborhood examination by a committee of the Board; and

WHEREAS, the subject premises is located at the southwest corner of West 80th Street and Broadway; and

WHEREAS, the site is occupied by two adjoining five-story commercial buildings; and

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

WHEREAS, on May 17, 1994, the Board granted a special permit pursuant to ZR § 73-36, to permit, in a C4-6A zoning district, the operation of a PCE in the cellar through fifth floors of the building at 248 West 80th Street, and the second floor of the building at 246 West 80th Street; and

WHEREAS, subsequently, the grant was re-opened and amended to allow for an expansion, a modification of the hours of operation, and an extension of the term; and

WHEREAS, the instant application seeks to extend the term of the variance for an additional ten years; and

WHEREAS, accordingly, the Board finds that a ten-year extension is appropriate, with the conditions set forth below.

Therefore it is Resolved that the Board of Standards and Appeals waives the Rules of Practice and Procedure, and reopens and amends the resolution, dated May 17, 1994, so that as amended this portion of the resolution shall read: “to grant an extension of the special permit for a term of ten years from the expiration of the last grant; *on condition* that the use and operation of the PCE shall substantially conform to BSA-approved plans, *on condition* that all work and site conditions shall comply with drawings marked “Received July 14, 2006”–(8) sheets; and *on further condition*:

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

THAT this grant shall be limited to a term of ten years from May 17, 2004, expiring May 17, 2014;

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

THAT the above conditions shall appear on the Certificate of Occupancy;

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; and

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

Adopted by the Board of Standards and Appeals, July 18, 2006.

A true copy of resolution adopted by the Board of Standards and Appeals, July 18, 2006.

Printed in Bulletin No. 29, Vol. 91.

Copies Sent

To Applicant

Fire Com'r.

Borough Com'r.