

**259-00-BZ**

**CEQR #01-BSA-048K**

APPLICANT - Fredrick A. Becker, Esq., for 26 Court Street Associates LLC, owner; TSI Court Street Inc., dba New York Sports Club, lessee.

SUBJECT - Application October 27, 2000 - under Z.R. §73-36, to permit the proposed physical culture establishment, located in portions of the cellar, first floor, mezzanine and second floor, of an existing twenty-eight story plus penthouse commercial office structure building, which requires a special permit as per Z.R. §32-00.

PREMISES AFFECTED - 26 Court Street a.k.a. 179 Remsen Street, northwest corner, Block 250, Lot 1, Borough of Brooklyn.

**COMMUNITY BOARD #2BK**

**APPEARANCES -**

For Applicant: Fredrick A. Becker.

For Administration: Battalion Chief Robert J. Stec and John Scrofani, Fire Department.

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

**THE VOTE TO GRANT -**

Affirmative: Chairman Chin, Vice Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo.....4

Negative:  
.....0

**THE RESOLUTION -**

WHEREAS, the decision of the Department of Buildings, dated October 24, 2000 acting on Alt. Applic. No. 301079696 reads:

“Proposed layout on the cellar, mezzanine, first and second floors is for physical culture establishment. Approval from BSA is required as per section ZR 73-36.”

WHEREAS, Community Board #2, Brooklyn, recommended approval of this application; and

WHEREAS, a public hearing was held on this application on January 16, 2001 after due notice by publication in The City Record, laid over to January 23, 2001 and then to February 6, 2001 for decision; and

WHEREAS, the premises and surrounding area had a site and neighborhood examination by a committee of the Board consisting of Chairman James Chin, Vice-Chair Paul Bonfilio, R.A., Commissioner Mitchell Korbey and Commissioner Peter Caliendo; and

WHEREAS, this is an application under Z.R. §73-36 to permit the proposed physical culture establishment, located in portions of the cellar, first floor, mezzanine and second floor, of an existing twenty-eight story plus penthouse commercial office building and, requires a special permit as per Z.R. §32-00; and

WHEREAS, the proposed hours of operation for the subject premises are Monday to Thursday 6:00 a.m.- 11:00 p.m., Friday 6:00 a.m.-9:00 p.m., and Saturday and Sunday 9:00 a.m. to 7:00 p.m.; and

WHEREAS, the physical culture establishment will contain space for athletic equipment and facilities for classes, instruction and programs for physical improvement, body building, weight reduction, aerobics and martial arts; and

WHEREAS, the Board finds that the proposed action will not alter the essential character of the surrounding area or impair its future use and development nor be a detriment

to public welfare; and

WHEREAS, the Department of Investigation has performed a background check on the corporate owner and operator of the establishment and the principals of the owner and operator of such facility and issued a report which the Board has determined to be satisfactory; and

WHEREAS, the Board has determined that evidence in the record supports the findings to be made under Z.R. §73-36; and

Resolved, that the Board of Standards and Appeals issues a Negative Declaration under 6 NYCRR Part 617 and §6-07(b) of the Rules of Procedure for City Environmental Quality Review and makes each and every one of the required findings under Z.R. §73-36 and grants a special permit, to permit the proposed physical culture establishment, located in portions of the cellar, first floor, mezzanine and second floor, of an existing twenty-eight story plus penthouse commercial office structure building, which requires a special permit as per Z.R. §32-00, limited to the objections cited, on condition that all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked “Received October 27, 2000”(5) sheets, “December 7, 2000”-(2) sheets and “January 18, 2001”-(1) sheet; and on further condition;

THAT the term of the special permit shall be limited to ten years from the date of this grant;

THAT the hours of operation for the subject premises are Monday to Thursday 6:00 a.m.- 11:00 p.m., Friday 6:00 a.m. - 9:00 p.m., and Saturday and Sunday 9:00 a.m. to 7:00 p.m.;

THAT the proposed wet sprinkler system and interior fire alarm system be installed throughout the subject physical culture establishment with both systems connected to a Fire Department approved central station;

THAT the proposed smoke detector system be installed throughout the subject physical culture establishment and be connected to a Fire Department approved central station;

THAT the development, as approved, is subject to verification by the Department of Buildings for compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under the jurisdiction of the Department; and

THAT substantial construction shall be completed in accordance with Z.R. §73-70.

Adopted by the Board of Standards and Appeals, February 6, 2001.