

259-00-BZ

APPLICANT – The Law Office of Fredrick A. Becker, for 26 Court Associates, LLC, owner; TSI Court Street, LLC d/b/a New York Sports Club, lessee.

SUBJECT – Application January 25, 2011 – Extension of Term of a Special Permit (§73-36) for the continued operation of a Physical Culture Establishment (*New York Sports Club*) which expires on February 6, 2011. C5-2A (DB) zoning district.

PREMISES AFFECTED – 26 Court Street, northwest corner of Court Street and Remsen Street, Block 250, Lot 1, Borough of Brooklyn.

COMMUNITY BOARD #2BK

APPEARANCES –

For Applicant: Fredrick A. Becker.

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 a reopening, an extension of term of a previously granted special permit for a physical culture establishment (“PCE”), which expired on July 25, 2010, and an amendment to the hours of operation of the PCE; and

WHEREAS, a public hearing was held on this application on January 25, 2011, after due notice by publication in *The City Record*, with a continued hearing on February 15, 2011, and then to decision on March 15, 2011; and

WHEREAS, the premises and surrounding area had a site and neighborhood examination by Commissioner Hinkson; and

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

WHEREAS, the PCE is located on the northwest corner of Court Street and Remsen Street, in a C5-2A zoning district within the Special Downtown Brooklyn District; and

WHEREAS, the subject site is occupied by a 28-story commercial building; and

WHEREAS, the PCE occupies a total of 8,893 sq. ft. of floor area in portions of the first floor, mezzanine and second floor, with an additional 7,991 sq. ft. of floor space located in the cellar; and

WHEREAS, the Board has exercised jurisdiction over the subject site since February 6, 2001 when, under the subject calendar number, the Board granted a special permit for a PCE in the subject building for a term of ten years, to expire on February 6, 2011; and

A true copy of resolution adopted by the Board of Standards and Appeals, March 15, 2011.

Printed in Bulletin No. 12, Vol. 96.

Copies Sent

To Applicant

Fire Com'r.

Borough Com'r.

WHEREAS, most recently, on June 17, 2003, the Board granted an amendment to permit the expansion of the second floor of the existing PCE; and

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

WHEREAS, the applicant also requests an amendment to the hours of operation of the PCE; and

WHEREAS, the previously-approved hours of operation for the PCE are: Monday through Thursday, from 6:00 a.m. to 11:00 p.m.; Friday, from 6:00 a.m. to 9:00 p.m.; and Saturday and Sunday, from 9:00 a.m. to 7:00 p.m.; and

WHEREAS, the proposed hours of operation for the PCE are: Monday through Thursday, from 5:30 a.m. to 10:00 p.m.; Friday, from 5:30 a.m. to 9:00 p.m.; and Saturday and Sunday, from 7:00 a.m. to 8:00 p.m.; and

WHEREAS, based upon its review of the record, the Board finds the requested extension of term and amendment are appropriate with certain conditions as set forth below.

Therefore it is Resolved that the Board of Standards and Appeals *reopens* and *amends* the resolution, as adopted on February 6, 2001, so that as amended this portion of the resolution shall read: “to extend the term for a period of ten years from February 6, 2011, to expire on February 6, 2021, *on condition* that the use and operation of the site shall comply with BSA-approved plans associated with the prior grant; and *on further condition*:

THAT the term of this grant shall expire on February 6, 2021;

THAT the hours of operation of the PCE shall be: Monday through Thursday, from 5:30 a.m. to 10:00 p.m.; Friday, from 5:30 a.m. to 9:00 p.m.; and Saturday and Sunday, from 7:00 a.m. to 8:00 p.m.; and

THAT the above conditions shall be listed 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;

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)/configuration(s) not related to the relief granted.” (DOB Application No. 301079696)

Adopted by the Board of Standards and Appeals, March 15, 2011.