

**272-07-BZ**

APPLICANT – Ellen Hay, Wachtel & Masyr, LLP, for Amsterdam & 76<sup>th</sup> Associates, LLC, owner; Equinox 76<sup>th</sup> Street, Inc., lessee.

SUBJECT – Application November 28, 2007 – Amendment of a Special Permit (§73-36) to allow an enlargement of a Physical Culture Establishment. C2-7A and C4-6A zoning districts.

PREMISES AFFECTED – 344 Amsterdam Avenue, aka 205 W. 76<sup>th</sup> Street aka 204 W. 77<sup>th</sup> Street, west side of Amsterdam Avenue, between West 76<sup>th</sup> and West 77<sup>th</sup> Streets, Block 1168, Lots 1001, 1002, 30, Borough of Manhattan.

**COMMUNITY BOARD #7M**

**APPEARANCES –**

For Applicant: Jodi Siegel-Stein.

**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 and an amendment to permit an extension of the physical culture establishment (“PCE”) use at the cellar level and first floor of the subject site; and

WHEREAS, a public hearing was held on this application on September 2, 2009, after due notice by publication in *The City Record*, and then to decision on October 20, 2009; and

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

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

WHEREAS, the site is located on the west side of Amsterdam Avenue, between West 76<sup>th</sup> Street and West 77<sup>th</sup> Street, partially within a C2-7A zoning district and partially within a C4-6A zoning district; and

WHEREAS, the site is occupied by a 13- and 18-story mixed-use commercial/residential building; and

WHEREAS, the PCE use is located on the cellar level, first floor and second floor, and occupies a total floor area of 27,907 sq. ft. with an additional 5,302 sq. ft. of floor space in the cellar; and

WHEREAS, the Board has exercised jurisdiction over the subject site since May 13, 2008 when, under the subject calendar number, the Board granted a special permit for the establishment of the PCE, to expire on May

**A true copy of resolution adopted by the Board of Standards and Appeals, October 20, 2009.**

**Printed in Bulletin Nos. 41-42, Vol. 94.**

**Copies Sent**

**To Applicant**

**Fire Com'r.**

**Borough Com'r.**

13, 2018; and

WHEREAS, the applicant now seeks an amendment to extend the PCE from 5,302 sq. ft. to 20,116 sq. ft. of floor space at the cellar level, and from 3,433 sq. ft. to 3,837 sq. ft. of floor area on the first floor; and

WHEREAS, the applicant states that the increased space at the cellar level will be occupied by locker rooms, offices, storage space, and yoga studios for the PCE, and the increased floor area on the first floor is necessary to provide a second entrance to the PCE on West 77<sup>th</sup> Street; and

WHEREAS, based upon its review of the record, the Board finds that the requested amendment to the previous grant 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, as adopted on May 13, 2008, so that as amended this portion of the resolution shall read: “to permit the extension of the PCE use at the cellar level and first floor, *on condition* that the use and operation of the site shall substantially conform to approved plans dated “Received September 17, 2009”-(4) sheets; and *on further condition*:

THAT there shall be no change in ownership or operating control of the physical culture establishment without prior application to and approval from the Board;

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. 110021146)

Adopted by the Board of Standards and Appeals, October 20, 2009.