

**BURT LAZARIN**  
Chair  
**JESSE R. BODINE**  
District Manager

CITY OF NEW YORK  
**MANHATTAN COMMUNITY BOARD FOUR**

330 West 42<sup>nd</sup> Street, 26<sup>th</sup> floor New York, NY 10036  
tel: 212-736-4536 fax: 212-947-9512  
[www.nyc.gov/mcb4.org](http://www.nyc.gov/mcb4.org)

November 12, 2019

Margery Perlmutter  
Chair  
Board of Standards and Appeals  
250 Broadway, 29<sup>th</sup> Floor  
New York, NY 10007

**Re: BSA Special Permit Application for a PCE at 555 Tenth Avenue  
NFC Amenity Management – Cal. No. 2019-72-BZ**

Dear Chair Perlmutter:

Manhattan Community Board No. 4 (MCB4), at its November 6<sup>th</sup> Full Board meeting, following a duly noticed public hearing, voted to recommend the approval of a Board of Standards and Appeals (BSA) special permit for a Physical Culture Establishment (PCE) for NFC Amenity Management at 555 Tenth Avenue, with 37 in favor, 0 opposed, 0 abstaining and 0 present but not eligible to vote.

This application requests a special permit pursuant to Sections 73-03 and 73-36 of the Zoning Resolution to allow operation of a “physical culture establishment” for NFC Amenity Management at 555 Tenth Avenue (between 40<sup>th</sup> and 41<sup>st</sup> Streets). The facility is in C2-8 zoning district within the Special Hudson Yards district, which requires a BSA special permit.

The proposed PCE, will be part of a newly constructed 53-story mixed use building and will be privately owned and operated as a private membership facility solely for residents of the building. Members will have access to the PCE through the residential lobby and elevators only with the use of key cards, which has been approved by the Department of Buildings. The facility will occupy the ninth floor (7,794 square ft.) and will include a yoga room, swimming pool, and fitness area with four treadmills, three ellipticals, one power mill, 16 cable machines, three stationary bikes, aerobic free weights, squat rack, bench press and stretching areas. The PCE will also include outdoor lounge areas for its members and offer fitness classes five times a week.

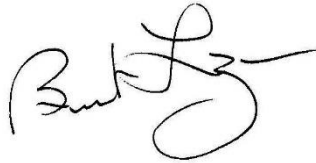
The PCE will have a total staff of 15, employing approximately four persons during operating hours. The hours of operation for the establishment will be 5a.m. – 10p.m daily. The applicant anticipates approximately 55 visits per day.

The applicant has designed and constructed the space in accordance with FDNY and NYC Building Code requirements. The PCE will also be compliant with Local Law 58/87 and is fully compliant with the American with Disabilities Act (ADA). The restrooms, changing rooms, signage and amenities are accessible and compliant with ADA standards and fire alarms will have visual and audible notifications. The facility is located below all residential units in the building and above a floor of mechanical spaces below, which will mitigate any potential noise impacts.

MCB4 believes that this establishment will be a well-run operation with minimal or no disturbance to the neighborhood and to the residential and community facility portions of the building in which it will reside. MCB4 appreciates the commitment of NFC Amenity Management to institute a sliding scale of fees to make the gym a reasonably affordable amenity for all income levels residing at 555 Tenth Avenue. MCB4 asks that BSA confirm this commitment in writing at the time of their BSA hearing.

This Board has reviewed the Statements of Facts and Findings in the application and agrees that the proposed facility meets the requirements for the requested special permit. We therefore recommend approval of the application, provided the Department of Investigation background check report required by Section 73-36(c) of the Zoning Resolution is received and satisfactory.

Sincerely,



Burt Lazardin  
Chair  
Manhattan Community Board 4



Jean-Daniel Noland  
Chair  
Clinton/Hell's Kitchen Land Use Committee

cc: Hon. Corey Johnson, New York City Council Speaker  
Gale A. Brewer, Manhattan Borough President  
Barak A. Wrobel, Representative, NFC Amenity Management