



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

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**Burt Lazarin**  
Chair

**Jesse Bodine**  
District Manager

December 12, 2018

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

**Re: BSA Special Permit Application for a PCE at 550 West 41<sup>st</sup> Street – Silverstein MB LLC d/b/a 550 West 41<sup>st</sup> Gym – Cal. No. 2018-120-BZ**

Dear Ms. Perlmutter:

Manhattan Community Board 4 (MCB4), at its December 5<sup>th</sup>, 2018 Full Board meeting, following a duly noticed public hearing, voted to recommend approval with conditions of a Board of Standards and Appeals (BSA) special permit for a Physical Culture Establishment (PCE) for a fitness facility at 550 West 41<sup>st</sup> Street aka 550 West 41<sup>st</sup> Gym, with 32 in favor, 0 opposed, 0 abstaining and 1 present but not eligible to vote.

The fitness facility is in a C6-4 district (in the Special Hudson Yards District (SHYD), Large-Scale Plan Subdistrict A), which requires a BSA special permit per §32-10 and §73-36 of the Zoning Resolution. At present the premises is a vacant lot located on the western end of the block between West 41<sup>st</sup> and West 40<sup>th</sup> Streets and Eleventh and Gavin Avenues.

The proposed PCE will consist of: reception area, several class studios, a spinning studio, yoga space, outdoor space, fitness room with stairs to a mezzanine for personal trainers, and basketball court. There is also a locker room with direct access to the pool area. The proposed PCE will reside on the 4<sup>th</sup> floor of a soon to be built building and will be accessed by a dedicated elevator within the building.

Often when dealing with PCE applications the Board is met with a situation where a gym or spa is already up and running and without a special permit. However, with this application we are

faced with a conundrum in that the building in which the PCE will reside does not presently exist. Thus, it is difficult for us to say with surety that the PCE is as presented since it doesn't presently exist.

We understand that the applicant for the gym is also the developer of the building and they want to have all their permits at the beginning given the need to build a dedicated elevator, pool area, etc. Consequently, we have agreed to recommend approval of the application - and the applicant has agreed in writing (see enclosed) – provided that the applicant return at a later date to introduce the future gym operator (should it not be the current applicant) and to offer a tour of the premises once built out.

Thus, the 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, conditioned on the enclosed commitment letter and provided the Department of Investigation background check report required by § 73-36(c) of the Zoning Resolution is received and is satisfactory.

Sincerely,



Burt Lazarin  
Chair  
Manhattan Community Board 4



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

Enclosure

cc: Hon. Corey Johnson, Speaker, NYC Council  
Hon. Gale Brewer, Manhattan Borough President  
Jordan Most, Counsel, Bryan Cave Leighton Paisner LLP

November 30, 2018

Jordan Most  
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**BY EMAIL**

Community Board Four  
330 West 42<sup>nd</sup> Street  
New York, New York 10036  
Attention: Janine Pretente

**Re: BSA Calendar No. 2018-120-BZ  
Block 1069, Lot 1  
550 West 41<sup>st</sup> Street  
New York, New York (the "Premises")**

Dear Ms. Pretente:

On November 14, 2018 the CB4 Land Use Committee (the "Committee") held a public hearing and vote on the above-captioned physical culture establishment ("PCE") special permit application previously filed at the New York City Board of Standards and Appeals (the "BSA"). An affiliate of Silverstein Properties, Inc. is developing the building and the PCE, and plans to operate the PCE. As the Committee is aware, in the event there is a change in the operator of a PCE, the applicant is required to submit new operator information to the BSA so the New York City Department of Investigation can investigate that new entity. If requested by the Committee, the applicant agrees, in the event there is a new operator, to (i) introduce the new operator to the Committee, and (ii) arrange for a tour of the operating PCE.

Respectfully submitted,



Jordan Most

cc: Silverstein MB LLC