



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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COREY JOHNSON
Chair

ROBERT J. BENFATTO, JR., ESQ.
District Manager

January 3, 2012
Hon. Meenakshi Srinivasan
Chair
Board of Standards and Appeals
40 Rector Street, 9th Floor
New York, NY 10006

Re: BSA Cal. No. 314-12BZ
Special Permit application
PCE (Physical Culture Establishment)
350 West 50th Street

Dear Chair Srinivasan:

Manhattan Community Board 4 voted, after a duly noted public hearing, at its meeting on January 2, 2013, to recommend approval of this application for a new Special Permit for a PCE – presently operating as Bally’s Total Fitness - at 350 W. 50th Street.

This application requests a new special permit pursuant to Section 73-36 of the Zoning Resolution to permit the continued operation. The proposed facility was granted a special permit for a PCE on January 10, 1989 that expired on January 10, 1999. However it has continued to operated as Bally’s Total Fitness pursuant to the previous agreement. The reason for the length of time in applying to keep the special permit for a PCE was due to Bally’s descent into bankruptcy. Bally’s has since emerged from bankruptcy and is now engaged in fixing all PCE permits in the five boroughs.

The establishment is a 35, 242 square foot facility on the ground floor and sub-cellar levels 2 and 3. It contains a swimming pool, aerobic and exercise training rooms in which classes and programs related to exercise and physical improvement are also given. The applicant is not proposing to undertake any changes to the existing hours of operation or the area of the building currently utilized. The prior conditions that the applicant agreed to continue to follow are:

1. The special permit is for a term of ten (10) years;
2. The hours of operation shall be limited to 6:00 a.m. to 10:00 p.m. Monday through Friday and 8:00 a.m. to 9:00 p.m. Saturday and Sunday;
3. There shall be no change in ownership or operating control of the PCE without prior application to and approval from the Board;
4. These conditions will appear on the Certificate of Occupancy;

In discussions with the Board Office the applicant was represented by Jeremiah Candreva, Esq. and a site visit occurred. The proposed facility is without question a legitimate physical culture establishment.

The Statements of Facts and Findings in the application have been reviewed and we agree that the proposed facility meets the requirements for the requested special permit.

Sincerely,



Corey Johnson
Chair



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

cc: Jeremiah H. Candreva, Esq., representative for applicant