



Akerman

January 14, 2016

**VIA CERTIFIED MAIL –  
RETURN RECEIPT REQUESTED**

Manhattan Community Board 8  
505 Park Avenue, Suite 620  
New York, NY 10022

**Re: BSA Calendar No. 2016-1208-BZ  
300 East 64<sup>th</sup> Street  
New York, New York (the "Premises")**

**RECEIVED**  
**JAN 19 2016**  
**BY COMMUNITY BOARD 8**

Joshua Rinesmith

Akerman LLP  
666 Fifth Avenue  
20th Floor  
New York, NY 10103  
Tel: 212.880.3800  
Fax: 212.880.8965

Dir: 212.259.6402  
joshua.rinesmith@akerman.com

Dear Chairperson and Members of the Board:

Our office represents the applicant in a special permit application that has been filed at the Board of Standards and Appeals ("BSA"). This application seeks to permit the operation of a physical culture establishment (fitness center) on the ground and second floors of the existing building at the Premises.

As per the BSA's Rules of Practice and Procedure, we hereby provide the Community Board with notification of the filing and a copy of the special permit application.

We look forward to meeting with the Community Board to discuss this matter.

Very truly yours,

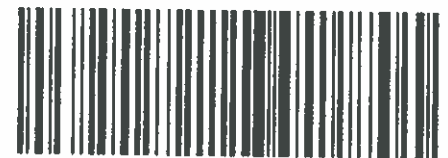


Joshua J. Rinesmith

JR:jy  
Encl.

cc: Board of Standards and Appeals  
Hon. Ben Kallos, Councilmember  
Hon. Gale A. Brewer, Manhattan Borough President  
Ms. Edith Hsu-Chen, Manhattan DCP  
Mr. Christopher Holme, Department of City Planning  
Department of Buildings

akerman.com



7013 1710 0001 6083 2909



**Board of Standards  
and Appeals**

250 Broadway, 29th Floor  
New York, NY 10007  
212-386-0009 - Phone  
646-500-6271 - Fax  
[www.nyc.gov/bsa](http://www.nyc.gov/bsa)

**ZONING (BZ) CALENDAR**  
Application Form

BSA APPLICATION NO. 2016-1208-PZ

CEQR NO. 16-P5A-065M

**RECEIVED**

**Section A**

**Applicant/  
Owner**

Akerman, LLP

NAME OF APPLICANT

666 Fifth Avenue, 20th Floor

ADDRESS

New York

NY

10103

CITY

STATE

ZIP

212

880-3800

AREA CODE

TELEPHONE

212

880-8965

AREA CODE

FAX

joshua.rinesmith@akerman.com

EMAIL

JAN 19 2015

BY COMMUNITY BOARD 8

300 East 64th Street Partners LLC

c/o RFR Holding, LLC

OWNER OF RECORD

390 Park Avenue, 3rd Floor

ADDRESS

New York

NY

10022

CITY

STATE

ZIP

Barry's Bootcamp NYC, LLC

LESSEE / CONTRACT VENDEE

135 West 20th Street

ADDRESS

New York

NY

10011

CITY

STATE

ZIP

**Section B**

**Site  
Data**

300 East 64th Street

STREET ADDRESS (INCLUDE ANY AKA)

10065

ZIP CODE

Premises is located on the southeast corner of the intersection formed by East 64th Street and 2nd Avenue.

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS

1438

Lot 49)

Manhattan

8

N/A

BLOCK

LOT(S)

BOROUGH

COMMUNITY DISTRICT

LANDMARK/HISTORIC DISTRICT

Ben Kallos

C2-8; C2-5/R8B

8c

CITY COUNCIL MEMBER

ZONING DISTRICT

(include special district, if any)

ZONING MAP NUMBER

**Section C**

**Dept of Building  
Decision**

BSA AUTHORIZING SECTION(S) 73-36 for

☐ VARIANCE

☒ SPECIAL PERMIT (Including 11-41)

Section(s) of the Zoning Resolution to be varied 32-10

DOB Decision (Objection/ Denial) date: January 8, 2016 Acting on Application No: 122619639

**Section D**

**Description**

(LEGALIZATION ☐ YES ☒ NO ☐ IN PART)

This application seeks a special permit pursuant to ZR 73-36 to allow the operation of a physical culture establishment (fitness center) within a portion of the existing building's ground and second floors.

**Section E**

**BSA History  
and  
Related Actions**

If "YES" to any of the below questions, please explain in the STATEMENT OF FACTS

YES NO

1. Has the premises been the subject of any previous BSA application(s)? ☐ YES ☒ NO

PRIOR BSA APPLICATION NO(S): \_\_\_\_\_

2. Are there any applications concerning the premises pending before any other government agency?.... ☐ YES ☒ NO

3. Is the property the subject of any court action?..... ☐ YES ☒ NO

**Section F**

**Signature**

I HEREBY AFFIRM THAT BASED ON INFORMATION AND BELIEF, THE ABOVE STATEMENTS AND THE STATEMENTS CONTAINED IN THE PAPERS ARE TRUE.

Signature of Applicant, Corporate Officer or Other Authorized Representative

SWORN TO ME THIS 12th DAY OF January 2016

JACLYN CALCAGNO

NOTARY PUBLIC-STATE OF NEW YORK

No. 02CA6292250

NOTARY PUBLIC in Richmond County

My Commission Expires March 17, 2016

Joshua J. Rinesmith

Partner

Print Name

Title



Department of Buildings  
280 Broadway  
New York, New York 10007  
(212) 566-5000 | TTY (212) 566-4769  
nyc.gov/buildings

MANHATTAN (1)  
280 BROADWAY 3<sup>RD</sup> FLOOR  
New York, NY 10007

BRONX (2)  
1932 ARTHUR AVENUE  
BRONX, NY 10457

BROOKLYN (3)  
210 JORALEMON STREET  
BROOKLYN, NY 11201

QUEENS (4)  
120-55 QUEENS BLVD.  
QUEENS, NY 11424

STATEN ISLAND (5)  
BORO HALL- ST. GEORGE  
STATEN ISLAND, NY 10301

## Notice of Objections

**Applicant:** CHAD SMITH  
DESBRISEY & SMITH ARCHITECTS  
18 WEST 27TH STREET TENTH FLOOR  
NEW YORK NY 10001

**Date:** January 8, 2016  
**Job Application #:** 122619639  
**Application Type:** A1  
**Premise Address:** 300 EAST 64 STREET  
**Zoning District:** C2-87  
**Block:** 863 **Lot:** 29 **Doc(s):**

NYC Department of Buildings Examiner: M. Mannan

## Objections

Note: To discuss and resolve these objections, please call 311 to schedule an appointment with the Plan Examiner listed above. You will need the application number and document number found at the top of this objection sheet. To make the best possible use of the plan examiner's and your time, please make sure you are prepared to discuss and resolve these objections before arriving for your scheduled plan examination appointment.

| #  | Section of Code    | Objection  | Date Resolved | Comments |
|--|--------------------|--|---------------|----------|
| <b>GENERAL</b>                           |                    |  |               |          |
|  |                    | * Bring marked-up plans to the next appointment. Be prepared to answer all comments & questions that appear on them. Do not alter or write on these plans  |               |          |
| <b>PROVIDE/ CLARIFY/ VERIFY/ UPDATE:</b> |                    |  |               |          |
| 1  | ZR32-31<br>ZR73-36 | Proposed use as a Physical culture establishment is not permitted and is contrary to ZR32-31. This job must be referred to the Board of standards and appeals for approval pursuant to ZR 73-36. |               |          |

End of Objections

# DENIED

FOR APPEAL TO BOARD OF STANDARDS AND APPEALS

DATE 1/8/2016

PER  CPE  
Bharat Gami, RA

**BHARAT GAMI, RA**



250 Broadway, 29th Floor  
New York, NY 10007  
212-386-0009 - Phone  
646-500-6271 - Fax  
www.nyc.gov/bsa

# AFFIDAVIT OF OWNERSHIP AND AUTHORIZATION

## Affidavit of Ownership

Ross Fleming, being duly sworn, deposes and says that (s)he resides has an office at 390 Park Avenue, in the City of New York, in the County of New York, in the State of New York; that 300 East 64th Street Partners LLC is the owner in fee of all that certain lot, piece or parcel of land located in the Borough of Manhattan, in the City of New York and known and designated as Block 1438, Lot(s) 7502 (formerly Lot 49), Street and House Number 300 East 64th Street; and that the statement of facts in the annexed application are true.

Check one of the following conditions:

- ☐ Sole property owner of zoning lot  
☐ Cooperative Building  
☒ Condominium Building  
☐ Zoning lot contains more than one tax lot and property owner

## Owner's Authorization

The owner identified above hereby authorizes Akerman LLP

to make the annexed application in her/his behalf.

Signature of Owner

Print Name

Print Title

Sworn to before me this 14th day

of December 2015

Revised March 8, 2012

KATHERINE P. CARPENTIER  
NOTARY PUBLIC - STATE OF NEW YORK  
NO. 01CA6137915  
QUALIFIED IN NASSAU COUNTY  
MY COMMISSION EXPIRES DEC. 5, 2017

Barry's Bootcamp NYC, LLC  
135 West 20<sup>th</sup> Street  
New York, New York 10011

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January 8, 2016

Hon. Margery Perlmutter, Chair  
NYC Board of Standards and Appeals  
250 Broadway, 29<sup>th</sup> floor  
New York, New York 10007

**RECEIVED**

**JAN 19 2016**

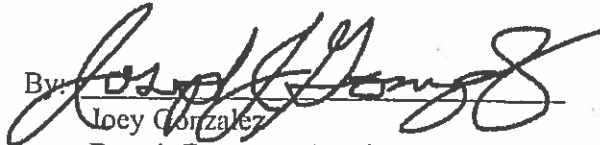
**BY COMMUNITY BOARD 8**

Re: BSA Special Permit Application  
Block 1438, Lot 49  
300 East 64<sup>th</sup> Street, New York, New York

Dear Chair Perlmutter and Members of the Board:

I am an authorized representative of Barry's Bootcamp NYC, LLC, a New York limited liability company. Barry's Bootcamp NYC, LLC is the lessee of a portion of the premises known as and by the street address 300 East 64<sup>th</sup> Street, New York, New York.

Barry's Bootcamp NYC, LLC hereby authorizes Akerman, LLP to file the annexed special permit application on its behalf.

By:   
Loey Gonzalez  
Barry's Bootcamp NYC, LLC

Sworn to before me this  
12<sup>th</sup> day of January 2016

  
Notary Public

JOSHUA RINESMITH  
Notary Public, State of New York  
No. 02R16187099  
Qualified in New York County  
Commission Expires ~~June 23, 2013~~  
Aug. 16, 2016



Joshua Rinesmith

Akerman LLP  
666 Fifth Avenue  
20th Floor  
New York, NY 10103  
Tel: 212.880.3800  
Fax: 212.880.8965

Dir: 212.259.6402  
joshua.rinesmith@akerman.com

January 13, 2016

**STATEMENT OF FACTS AND FINDINGS**

Subject Site: 300 East 64<sup>th</sup> Street  
New York, New York  
Block 1438, Lot 7502 (formerly Lot 49)

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**PRELIMINARY STATEMENT**

This application is filed pursuant to Sections 32-31 and 73-36 of the Zoning Resolution of the City of New York, as amended ("Zoning Resolution" or "ZR"), to permit the operation of a fitness center ("physical culture establishment" or "PCE") on portions of the ground and second floors of an existing condominium building at the Subject Site. The Subject Site is located in C2-8 and C2-5/R8B zoning districts, which do not permit the proposed PCE use as-of-right. Physical culture establishment uses are permitted in C2-8 and C2-5/R8B zoning districts by special permit from the Board of Standards and Appeals pursuant to ZR §§ 32-31 and 73-36.

**SITE LOCATION AND EXISTING CONDITIONS**

The Subject Site is a rectangular-shaped zoning lot located on the southeast corner of the intersection formed by East 64<sup>th</sup> Street and Second Avenue in the Lenox Hill neighborhood of Manhattan. The zoning lot has 50.42 feet of frontage on Second Avenue, 125 feet of frontage on East 64<sup>th</sup> Street and a total lot area of approximately 6,302 square feet. As noted above, it is located within C2-8 and C2-5/R8B zoning districts.

The site is improved with a twenty-seven story mixed residential and commercial building totaling approximately 142,209 square feet of floor area. The applicant has leased a portion of the building's ground and second floors for use as a physical culture establishment (fitness center). The subject space was previously used as a movie theater. The subject zoning lot is located on the corner of East 64<sup>th</sup> Street and Second Avenue in a mixed-use neighborhood along Second Avenue. Second Avenue is a wide commercial avenue in this section of Manhattan and the proposed fitness center (PCE) use will be compatible with the wide range of uses that are found in this area.

[akerman.com](http://akerman.com)

### **PROPOSED CONDITIONS**

As stated above, this application seeks to permit the operation of a fitness center (PCE) within the existing building at the Subject Site. The fitness center will be operated as "Barry's Bootcamp." Barry's Bootcamp was founded in 1998 in West Hollywood, California with the mission of revolutionizing traditional fitness classes by providing cardiovascular and strength training classes that combine traditional military exercises with a fun, upbeat atmosphere. Since the opening of the West Hollywood location, thirteen additional Barry's Bootcamp locations have opened in the United States, including three fitness centers in Manhattan - Barry's Bootcamp Chelsea (BSA Cal. No. 49-11-BZ), Barry's Bootcamp Tribeca (BSA Cal. No. 261-12-BZ), and Barry's Bootcamp NoHo (BSA Cal. No. 168-14-BZ). The franchise is also operating internationally with locations in Bergen, Norway, Oslo, Norway and London, England. The proposed Lenox Hill location will be the franchise's seventeenth fitness center location.

Barry's Bootcamp patrons, or "enlistees," do not enroll in membership contracts, but rather are able to purchase a package of workout sessions. All classes are one hour long and include 30 minutes of interval cardiovascular routines on treadmills or stationary bicycles and 30 minutes of strength training using free weights and other equipment. Barry's Bootcamp currently offers five different types of classes throughout the week that are designed to target specific body areas.

The proposed PCE will have 5,433 square feet of floor area between portions of the existing building's ground and second floors. The ground floor space will have 333 square feet of floor area and contain a lobby area with access to an elevator and stairs leading to the main PCE space on the second floor. The second floor will have 5,100 square feet of floor area and include a lobby, fuel bar, exercise studio equipped with treadmills, benches and open floor space, men's and women's locker rooms with showers, changing areas, and restrooms.

Barry's Bootcamp will operate seven days a week between the hours of 5:00 AM and 11:00 PM. It is anticipated that the peak hours for class attendance will be from 6:00 AM to 10:00 AM in the morning and from 5:00 PM to 9:00 PM in the evening. The fitness center will have approximately seven employees staffed during its peak hours and expects between 40 to 60 enlistees during peak class times. The PCE anticipates approximately 200 total daily patrons.

A PCE operational plan, which outlines the number of employees, proposed hours of operation, and projected number of patrons during peak periods of operation, is submitted herewith.

### **ADA Compliance Measures**

The proposed PCE will be fully compliant with all ADA requirements. The building's elevator will provide access from the ground floor to the second level. The men's and women's locker rooms each contain showers and restrooms that are ADA compliant. In addition, all pathways and hallways will have a minimum clearance of 36 inches.

### **Fire Safety Measures**

The PCE's ground and second floors contain clear exit pathways to the street that are equipped with emergency exit lights. The second floor is equipped with a vertical two-hour fire rated stair leading to the ground floor, which is also equipped with emergency exit lights. The building's

second level is equipped with a sprinkler system. In addition, the entire PCE space will be equipped with an interior fire alarm that is connected to the building's central fire alarm system. A memorandum detailing the building's and proposed PCE's fire safety measures is submitted herewith.

#### **DEPARTMENT OF BUILDINGS**

An alteration application and architectural plans were filed at the Department of Buildings under Alteration Application No. 122619639 to permit the proposed PCE use on portions of the building's ground and second floors. On January 8, 2016 the following objection was issued:

"Proposed uuse [sic] as a Physical culture establishment is not permitted and is contrary to ZR 32-31. This job must be referred to the Board of Standards and Appeals for approval pursuant to ZR 73-36."

According to the Department of Buildings website, there are four active New York City Department of Buildings' ("DOB") violations and one ECB violation for the Subject Site. The most recent temporary Certificate of Occupancy ("CO") that expires February 15, 2016 and a copy of the final CO effective August 20, 2014 is submitted herewith.

#### **ZONING RESOLUTION § 73-36**

The BSA has the authority to grant special permits for the operation of physical culture and health establishments pursuant to ZR § 73-36 provided the proposed use satisfies the findings of that Section. The individual findings are discussed below.

#### **Neighborhood Character Finding – ZR § 73-36(a)(1)**

Zoning Resolution § 73-36(a)(1) provides that the BSA may permit a PCE provided that:

*such use is so located as not to impair the essential character or the future use or development of the surrounding area;*

The proposed PCE use is located on the ground and second floors of an existing mixed-use building in the Lenox Hill neighborhood of Manhattan. It is located within C2-8 and C2-5/R8B zoning districts, which permit a range of community facility, commercial, and residential uses. The properties in the immediate vicinity of the Subject Site are primarily improved with mixed-use buildings containing commercial uses on the ground and/or second floors and residential or community facility uses on the upper floors. The proposed fitness center is compatible with all of these uses and will provide the members of this neighborhood with an alternative facility for physical fitness improvement. Therefore, the proposed PCE use will not alter the essential character, future use, or development of the surrounding area.



Facilities Finding – ZR § 73-36(a)(2)

The BSA may permit the operation of a PCE provided that such PCE contains:

- (i) *one or more of the following regulation size sports facilities: handball courts, basketball courts, squash courts, paddleball courts, raquetball courts, tennis courts; or*
- (ii) *a swimming pool of a minimum 1,500 square feet; or*
- (iii) *facilities for classes, instruction and programs for physical improvement, body building, weight reduction, aerobics or martial arts; or*
- (iv) *facilities for the practice of massage by New York State licensed masseurs or masseuses.*

The proposed PCE satisfies the requirement of this subsection since the primary focus of Barry's Bootcamp is to provide its enlistees with classes and instruction for physical improvement, body building, weight reduction and aerobics.

Rooftop Location Finding- ZR § 73-36(b)

The BSA may permit a PCE located on the roof of a commercial building in certain zoning districts provided that the findings enumerated in this Section are made.

*In C4-7, C5-2, C5-3, C5-4, C5-5, C6-4, C6-5, C6-6, C6-7, C6-8, or C6-9 Districts, the Board may permit physical culture or health establishments located on the roof of a commercial building or the commercial portion of a mixed building, provided the following additional findings are made...*

This subsection is inapplicable to the instant application, however, as no portion of the proposed PCE will be located on the rooftop of the subject building.

Department of Investigations Finding – ZR § 73-36(c)

*No special permit shall be issued pursuant to this Section unless:*

- (1) the Board shall have referred the application to the Department of Investigation for a background check of the owner, operator, and all principals having an interest in any application filed under a partnership or corporate name and shall have receive a report from the Department of Investigation which the Board shall determine to be satisfactory; and*
- (2) the Board, in any resolution granting a special permit, shall have specified how each of the findings required by this section are made.*

Copies of the Physical Culture Establishment and Physical Culture Principal Questionnaire forms are being submitted with this application. These forms provide the Board with the necessary information to the Department of Investigations report required by this subsection. It should be noted that the owners/operators of this PCE operate three other Barry's Bootcamp locations in New York City and have obtained BSA special permits for those locations (BSA Cal. No. 49-11-BZ, BSA Cal. No. 261-12-BZ, and BSA Cal. No. 168-14-BZ).

**ZONING RESOLUTION § 73-03 – General Special Permit Findings**

Section 73-03 sets forth general findings that must be made by the BSA for the issuance of all special permits. The finding required by each subsection is set forth below.

- (a) The Board shall make all of the findings required in the applicable sections of this Chapter with respect to each such special permit use or modification of use, parking or bulk regulations and shall find that, under the conditions and safeguards imposed, the hazards or disadvantages to the community at large of such special permit use or modification of use, parking or bulk regulations at the particular site are outweighed by the advantages to be derived by the community by the grant of such special permit. In each case the Board shall determine that the adverse effect, if any, on the privacy, quiet, light and air in the neighborhood of such special permit use or modification of use, parking or bulk regulations will be minimized by appropriate conditions governing location of the site, design and method of operation.*

Subsection (a) conditions the BSA's authority for granting a special permit on the BSA making all required findings and that any disadvantage to the community is outweighed by the advantages to be derived by the community. As discussed above, the proposed PCE satisfies the findings of ZR § 73-36. In addition, the proposed PCE also provides benefits to the community since it will have an exercise studio used exclusively for physical fitness classes. Physical fitness activities provide a variety of physical and mental health benefits such as weight loss, muscle building and toning, stress relief, the improvement of blood and lymph fluid circulation, and the improvement of joint flexibility and range of motion. Barry's Bootcamp strives to improve the physical fitness and well-being of its enlistees. In addition, the PCE use is compatible with the commercial nature of the neighborhood and will not result in any disadvantages to the community.

- (b) In all cases the Board shall deny a special permit whenever such proposed special permit use or modification of use, parking or bulk regulations will interfere with any public improvement project (including housing, highways, public buildings or facilities, redevelopment or renewal projects, or right-of-way for sewers, transit or other public facilities) which is approved by or pending before the Board of Estimate, Site Selection Board or the City Planning Commission as determined from the calendars of each such agency issued prior to the date of the public hearings before the Board of Standards and Appeals.*

Subsection (b) requires that the BSA deny a special permit if it interferes with any public improvement project. The operation of the PCE within the existing building will not interfere with any public improvement projects. Therefore, this subsection is satisfied.

- (c) When under the applicable findings the Board is required to determine whether the special permit use or modification of use, parking or bulk regulations is appropriately located in relation to the street system, the Board shall in its discretion make such determination on the basis of the Master Plan of Arterial Highways and Major Streets*

*on the official City Map. Whenever the Board is required to make a finding on the location of a proposed special permit use or modification of use, parking or bulk regulations in relation to secondary or local streets and such classification of streets is not shown on the Master Plan, the Board in its discretion shall request the City Planning Commission to establish a report on the appropriate classification of such street.*

Subsection (c) requires that the BSA determine whether the special permit is appropriately located in relation to the street system. The requested special permit is located within an existing building on an improved street, thus meeting the finding required under this subsection.

*(d) For applications relating to Sections 73-243, 73-48 and 73- 49, the Board in its discretion shall request from the Department of Transportation a report with respect to the anticipated traffic congestion resulting from such special permit use or modification of use, parking or bulk regulations in the proposed location. If such a report is requested, the Board shall in its decision or determination give due consideration to such report and further shall have the power to substantiate the appropriate finding solely on the basis of the report of the Department of Transportation with respect to the issue referred.*

Subsection (d) states that for applications relating to ZR §§ 73-243, 73-48 and 73-49, the BSA has the discretion to request the Department of Transportation to report on anticipated traffic congestion generated by a grant of the special permit. As the proposed PCE does not relate to ZR §§ 73-243, 73-48 or 73-49, this section is inapplicable.

*(e) If a term of years is specified in the applicable section, the Board shall establish a term of years not to exceed such maximum. For those special permit uses or modification of use parking or bulk regulations for which a maximum term has not been specified, the Board may fix an appropriate term for any such special permit use or modification of use parking or bulk regulations.*

Subsection (e) provides that the BSA is required to set a term of years not to exceed the specified term of years permitted by the specific sections. It is understood that a term of not more than ten years as set forth in ZR § 73-36, will be established by the BSA.

*(f) On application for renewal of any such special permit authorized in this Chapter, the Board shall determine whether the circumstances warranting the original grant still obtain. In addition, the Board shall ascertain whether the applicant has complied with the conditions and safeguards theretofore described by the Board during the prior term. In the event that the Board shall find the applicant has been in substantial violation thereof, it shall deny the application for renewal.*

Subsection (f) is inapplicable, since this application is not for a renewal.

*(g) The Board may permit the enlargement or extension of any existing use, which, if new, would be permitted by special permit in the specified districts under the provisions*

*of Section 73-01 and other applicable provisions of this Chapter, provided that before granting any such permit for enlargement or extension within the permitted districts, the Board shall make all of the required findings applicable to the special permit use, except that:*

*(1) in the case of colleges or universities in R1 or R2 Districts, the Board may waive all such required findings set forth in Section 73-121 (Colleges and universities); and*

*(2) in the case of public utility uses, the Board may waive all such required findings set forth in Sections 73-14 (Public Service Establishments) or 73-16 (Public Transit, Railroad or Electric Utility Substations).*

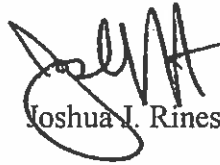
*No such enlargement or extension shall create a new noncompliance or increase the existing degree of non-compliance with the applicable bulk regulations, except as may be permitted in accordance with the provisions of Sections 73-62 to 73-68, inclusive, relating to Modification of Bulk Regulations.*

Subsection (g) is inapplicable, since this application is not for an enlargement or extension of an existing use.

#### CONCLUSION

As detailed above, the use of a portion of the existing building as a PCE meets the findings required by ZR §§ 73-36 and 73-03. Therefore, it is respectfully requested that the BSA grant this application.

Respectfully submitted,



Joshua J. Rinesmith

# Certificate of Occupancy

**CO Number: 122012570T005**

This certifies that the premises described herein conforms substantially to the approved plans and specifications and to the requirements of all applicable laws, rules and regulations for the uses and occupancies specified. No change of use or occupancy shall be made unless a new Certificate of Occupancy is issued. *This document or a copy shall be available for inspection at the building at all reasonable times.*

|   |   |                                  |                                    |
|---|---|----------------------------------|------------------------------------|
| <b>A.</b>   | <b>Borough:</b> Manhattan   | <b>Block Number:</b> 01438       | <b>Certificate Type:</b> Temporary |
|   | <b>Address:</b> 300 EAST 64TH STREET  | <b>Lot Number(s):</b> 49         | <b>Effective Date:</b> 11/17/2015  |
|   | <b>Building Identification Number (BIN):</b> 1044388                            | <b>Building Type:</b><br>Altered | <b>Expiration Date:</b> 02/15/2016 |
| This building is subject to this Building Code: 2008 Code                         |   |                                  |                                    |
| For zoning lot metes & bounds, please see BISWeb.                                 |   |                                  |                                    |
| <b>B.</b>   | <b>Construction classification:</b> 1-B   | (2008 Code)                      |                                    |
|   | <b>Building Occupancy Group classification:</b> R-2                             | (2008 Code)                      |                                    |
|   | <b>Multiple Dwelling Law Classification:</b> HAEA                               |                                  |                                    |
|   | <b>No. of stories:</b> 27   | <b>Height in feet:</b> 267       | <b>No. of dwelling units:</b> 103  |
| <b>C.</b>   | <b>Fire Protection Equipment:</b><br>Fire alarm system, Sprinkler system        |                                  |                                    |
| <b>D.</b>   | <b>Type and number of open spaces:</b><br>None associated with this filing.     |                                  |                                    |
| <b>E.</b>   | <b>This Certificate is issued with the following legal limitations:</b><br>None |                                  |                                    |
| <b>Outstanding requirements for obtaining Final Certificate of Occupancy:</b>     |   |                                  |                                    |
| There are 15 outstanding requirements. Please refer to BISWeb for further detail. |   |                                  |                                    |
| <b>Borough Comments:</b> None   |   |                                  |                                    |



Borough Commissioner

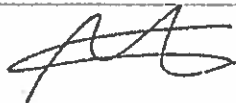


Commissioner

# Certificate of Occupancy

CO Number: 122012570T005

| Permissible Use and Occupancy   |                           |                           |                               |                           |                  |   |
|---|---------------------------|---------------------------|-------------------------------|---------------------------|------------------|---|
| All Building Code occupancy group designations below are 2008 designations. |                           |                           |                               |                           |                  |   |
| Floor From To   | Maximum persons permitted | Live load lbs per sq. ft. | Building Code occupancy group | Dwelling or Rooming Units | Zoning use group | Description of use  |
| CEL   |                           | 65                        | R-2                           |                           | 2                | ACCESSORY GYM, LAUNDRY ROOM   |
| SUB   |                           | OG                        | S-2                           |                           | 2, 6             | WATER METER ROOM, GAS METER ROOM, EJECTOR ROOM, COMPACTOR ROOM, STORAGE CLOSET, ELECTRIC ROOM, PUMP ROOM, STORAGE |
| 001   |                           | 100                       | M<br>R-2                      |                           | 2, 6             | VACANT SPACE/NO OCCUPANCY (RETAIL ESTABLISHMENT) RESIDENTIAL LOBBY  |
| 002   |                           | 100                       | M<br>S-2                      |                           | 6                | VACANT SPACE/NO OCCUPANCY (RETAIL ESTABLISHMENT) (STORAGE)  |
| 003   |                           | 40                        | R-2                           | 7                         | 2                | SEVEN (7) APARTMENTS  |
| 004   |                           | 40                        | R-2                           | 7                         | 2                | SEVEN (7) APARTMENTS  |
| 005   |                           | 40                        | R-2                           | 7                         | 2                | SEVEN (7) APARTMENTS, MECHANICAL ROOM, LIBRARY SCREENING ROOM   |
| 006   |                           | 40                        | R-2                           | 5                         | 2                | FIVE (5) APARTMENTS   |
| 007 020   |                           | 40                        | R-2                           | 4                         | 2                | FOUR (4) APARTMENTS (PER FLOOR)   |
| 021 027   |                           | 40                        | R-2                           | 3                         | 2                | THREE (3) APARTMENTS (PER FLOOR)  |
| RO<br>F   |                           |                           |                               |                           |                  | (LOWER BULKHEAD) MECHANICAL EQUIPMENT   |
| RO<br>F   |                           |                           |                               |                           |                  | (UPPER BULKHEAD) MECHANICAL EQUIPMENT   |
| RO<br>F   | 61                        | 100                       | R-2                           |                           | 2                | RECREATION SPACE  |



Borough Commissioner



Commissioner

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## *Certificate of Occupancy*

CO Number: 122012570T005

END OF SECTION

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Borough Commissioner

A handwritten signature in black ink, appearing to read "Rud Chandler" with a stylized flourish at the end.

Commissioner

END OF DOCUMENT



# Certificate of Occupancy

CO Number: 121184752F

This certifies that the premises described herein conforms substantially to the approved plans and specifications and to the requirements of all applicable laws, rules and regulations for the uses and occupancies specified. No change of use or occupancy shall be made unless a new Certificate of Occupancy is issued. *This document or a copy shall be available for inspection at the building at all reasonable times.*

|  |   |                               |                                   |
|--|---|-------------------------------|-----------------------------------|
| <b>A.</b>  | <b>Borough:</b> Manhattan   | <b>Block Number:</b> 01438    | <b>Certificate Type:</b> Final    |
|  | <b>Address:</b> 300 EAST 64TH STREET  | <b>Lot Number(s):</b> 49      | <b>Effective Date:</b> 08/20/2014 |
|  | <b>Building Identification Number (BIN):</b> 1044388                            | <b>Building Type:</b> Altered |                                   |
| <b>This building is subject to this Building Code:</b> 1968 Code |   |                               |                                   |
| <i>For zoning lot metes &amp; bounds, please see BISWeb.</i>     |   |                               |                                   |
| <b>B.</b>  | <b>Construction classification:</b> 1-B   | (2008 Code)                   |                                   |
|  | <b>Building Occupancy Group classification:</b> R-2                             | (2008 Code)                   |                                   |
|  | <b>Multiple Dwelling Law Classification:</b> HAEA                               |                               |                                   |
|  | <b>No. of stories:</b> 27   | <b>Height in feet:</b> 267    | <b>No. of dwelling units:</b> 103 |
| <b>C.</b>  | <b>Fire Protection Equipment:</b><br>None associated with this filing.          |                               |                                   |
| <b>D.</b>  | <b>Type and number of open spaces:</b><br>None associated with this filing.     |                               |                                   |
| <b>E.</b>  | <b>This Certificate is issued with the following legal limitations:</b><br>None |                               |                                   |
| <b>Borough Comments:</b> None                                    |   |                               |                                   |

Borough Commissioner

Commissioner

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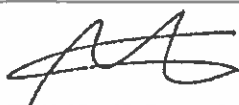


# Certificate of Occupancy

CO Number:

121184752F

| Permissible Use and Occupancy   |                           |                           |                               |                           |                  |   |
|---|---------------------------|---------------------------|-------------------------------|---------------------------|------------------|---|
| All Building Code occupancy group designations below are 2008 designations. |                           |                           |                               |                           |                  |   |
| Floor From To   | Maximum persons permitted | Live load lbs per sq. ft. | Building Code occupancy group | Dwelling or Rooming Units | Zoning use group | Description of use  |
| CEL   |                           | 50                        | M                             |                           | 6                | VACANT SPACE/NO OCCUPANCY (RETAIL ESTABLISHMENT)  |
| SUB   |                           | OG                        | S-2                           |                           | 2                | WATER METER ROOM, GAS METER ROOM, EJECTOR ROOM, COMPACTOR ROOM, STORAGE CLOSET, ELECTRIC ROOM, PUMP ROOM, STORAGE |
| SUB   |                           | OG                        | R-2                           |                           | 2                | LAUNDRY ROOM  |
| 001 001   |                           | 100                       | R-2<br>M                      |                           | 2                | VACANT SPACE/NO OCCUPANCY (RETAIL ESTABLISHMENT) RESIDENTIAL LOBBY  |
| 002 002   |                           | 100                       | S-2<br>M                      |                           | 2                | VACANT SPACE/NO OCCUPANCY (RETAIL ESTABLISHMENT) (STORAGE)  |
| 003 003   |                           | 40                        | R-2                           | 7                         | 2                | SEVEN (7) APARTMENTS, EXERCISE ROOM   |
| 004 004   |                           | 40                        | R-2                           | 7                         | 2                | SEVEN (7) APARTMENTS  |
| 005 005   |                           | 40                        | R-2                           | 7                         | 2                | SEVEN (7) APARTMENTS, MECHANICAL ROOM   |
| 006 006   |                           | 40                        | R-2                           | 5                         | 2                | FIVE (5) APARTMENTS   |
| 007 020   |                           | 40                        | R-2                           | 4                         | 2                | FOUR (4) APARTMENTS PER FLOOR   |
| 021 027   |                           | 40                        | R-2                           | 3                         | 2                | THREE (3) APARTMENTS PER FLOOR  |
| RO<br>F   |                           |                           |                               |                           |                  | (LOWER BULKHEAD) MECHANICAL EQUIPMENT   |
| RO<br>F   |                           |                           |                               |                           |                  | (UPPER BULKHEAD) MECHANICAL EQUIPMENT   |



Borough Commissioner



Commissioner

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## *Certificate of Occupancy*

CO Number:

**121184752F**

EGRESS EASEMENT AGREEMENT: REEL #2199 PAGE #1755-1798 VACANT SPACES AT CEL, 1ST 2ND FLOORS SHALL NOT BE OCCUPIED UNLESS AN AMENDED CO IS OBTAINED

**END OF SECTION**

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Borough Commissioner

A handwritten signature in black ink, appearing to read "John Chanley" in a cursive script.

Commissioner

**END OF DOCUMENT**


[CLICK HERE TO SIGN UP FOR BUILDINGS NEWS](#)

# NYC Department of Buildings

## Property Profile Overview

300 EAST 64 STREET

2 AVENUE

EAST 64 STREET

1212 - 1220

300 - 302

MANHATTAN 10065

Health Area : 4900

Census Tract : 110

Community Board : 108

Buildings on Lot : 1

BIN# 1044388

Tax Block : 1438

Tax Lot : 7502

Condo : YES

Vacant : NO

[View DCP Addresses...](#)
[Browse Block](#)
[View Zoning Documents](#)
[View Challenge Results](#)
[Pre - BIS PA](#)
[View Certificates of Occupancy](#)

Cross Street(s): 2 AVENUE, 1 AVENUE

DOB Special Place Name:

DOB Building Remarks:

Landmark Status:

Local Law:

SRO Restricted:

UB Restricted:

Environmental Restrictions:

Legal Adult Use:

Additional BINs for Building:

NO

NO

NO

N/A

NO

NONE

Special Status:

Loft Law:

TA Restricted:

Grandfathered Sign:

City Owned:

N/A

NO

NO

NO

NO

Special District: UNKNOWN

This property is not located in an area that may be affected by Tidal Wetlands, Freshwater Wetlands, Coastal Erosion Hazard Area, or Special Flood Hazard Area. [Click here for more information](#)

Department of Finance Building Classification: R0-CONDOMINIUMS

Please Note: The Department of Finance's building classification information shows a building's tax status, which may not be the same as the legal use of the structure. To determine the legal use of a structure, research the records of the Department of Buildings.

|   | Total | Open | <a href="#">Elevator Records</a>                 |
|---|-------|------|--|
| <a href="#">Complaints</a>                                  | 12    | 1    | <a href="#">Electrical Applications</a>          |
| <a href="#">Violations-DOB</a>                              | 103   | 4    | <a href="#">Permits In-Process / Issued</a>      |
| <a href="#">Violations-ECB (DOB)</a>                        | 16    | 1    | <a href="#">Illuminated Signs Annual Permits</a> |
| <a href="#">Jobs/Fillings</a>                               | 80    |      | <a href="#">Plumbing Inspections</a>             |
| <a href="#">ARA / LAA Jobs</a>                              | 2     |      | <a href="#">Open Plumbing Jobs / Work Types</a>  |
| Total Jobs  | 82    |      | <a href="#">Facades</a>                          |
| <a href="#">Actions</a>                                     | 97    |      | <a href="#">Marquee Annual Permits</a>           |
| OR Enter Action Type: <input type="text"/>                  |       |      | <a href="#">Boiler Records</a>                   |
| OR Select from List: <input type="text" value="Select..."/> |       |      | <a href="#">DEP Boiler Information</a>           |
| AND <input type="text" value="Show Actions"/>               |       |      | <a href="#">Crane Information</a>                |
|   |       |      | <a href="#">After Hours Variance Permits</a>     |

If you have any questions please review these [Frequently Asked Questions](#), the [Glossary](#), or call the 311 Citizen Service Center by dialing 311 or (212) NEW YORK outside of New York City.

**Buildings**☒ [CLICK HERE TO SIGN UP FOR BUILDINGS NEWS](#)**NYC Department of Buildings****DOB Violation Display for 072213E9027/482157**

Premises: 300 EAST 64 STREET MANHATTAN

BIN: 1044388 Block: 1438 Lot: 7502

Issue Date: 07/22/2013

Violation Category: V - DOB VIOLATION - ACTIVE

Violation Type: E - ELEVATOR

Violation Number: 9027/482157

Device No.: 01P40207

ECB No.:

Infraction Codes:

Description:

Disposition:

Code:

Date:

Inspector:

Comments:

If you have any questions please review these [Frequently Asked Questions](#), the [Glossary](#), or call the 311 Citizen Service Center by dialing 311 or (212) NEW YORK outside of New York City.



 [CLICK HERE TO SIGN UP FOR BUILDINGS NEWS](#)

**NYC Department of Buildings**

**DOB Violation Display for 082914E9027/521358**

Premises: 300 EAST 64 STREET MANHATTAN

BIN: 1044388 Block: 1438 Lot: 7502

Issue Date: 08/29/2014

Violation Category: V - DOB VIOLATION - ACTIVE

Violation Type: E - ELEVATOR

Violation Number: 9027/521358

Device No.: 01P37696

ECB No.:

Infraction Codes:

Description:

Disposition:

Code:

Date:

Inspector:

Comments:

If you have any questions please review these [Frequently Asked Questions](#), the [Glossary](#), or call the 311 Citizen Service Center by dialing 311 or (212) NEW YORK outside of New York City.

[☒ CLICK HERE TO SIGN UP FOR BUILDINGS NEWS](#)**NYC Department of Buildings****DOB Violation Display for 090214E9027/521361**

Premises: 300 EAST 64 STREET MANHATTAN

BIN: 1044388 Block: 1438 Lot: 7502

Issue Date: 09/02/2014

Violation Category: V - DOB VIOLATION - ACTIVE

Violation Type: E - ELEVATOR

Violation Number: 9027/521361

Device No.: 01P37730

ECB No.:

Infraction Codes:

Description:

Disposition:

Code:

Date:

Inspector:

Comments:

If you have any questions please review these [Frequently Asked Questions](#), the [Glossary](#), or call the 311 Citizen Service Center by dialing 311 or (212) NEW YORK outside of New York City.

**Buildings**☒ [CLICK HERE TO SIGN UP FOR BUILDINGS NEWS](#)**NYC Department of Buildings****DOB Violation Display for 061015EVCAT102618**

Premises: 300 EAST 64 STREET MANHATTAN

BIN: 1044388 Block: 1438 Lot: 7502

Issue Date: 06/10/2015

Violation Category: V - DOB VIOLATION - ACTIVE

Violation Type: EVCAT1 - ELEVATOR ANNUAL INSPECTION /  
TEST

Violation Number: 02618

Device No.: 1P40207

ECB No.:

Infraction Codes:

Description: VIOLATION ISSUED TO ELEVATOR-FAILURE TO FILE CATEGORY 1 2014 INSPECTION/TEST

Disposition:

Code:

Date:

Inspector:

Comments:

If you have any questions please review these [Frequently Asked Questions](#), the [Glossary](#), or call the 311 Citizen Service Center by dialing 311 or (212) NEW YORK outside of New York City.


[CLICK HERE TO SIGN UP FOR BUILDINGS NEWS](#)

### NYC Department of Buildings

#### ECB Violation Details

Premises: 300 EAST 64 STREET MANHATTAN

Filed At: 300 EAST 64 STREET , MANHATTAN , NY 10065

BIN: 1044388 Block: 1438 Lot: 7502

Community Board: 108

#### ECB Violation Summary

**VIOLATION OPEN**

ECB Violation Number: 38232147Y

Severity: CLASS - 1

Certification Status: NO COMPLIANCE RECORDED

Penalty Balance Due: \$0.00

Hearing Status: IN VIOLATION

#### Respondent Information

Name: 300 E 64TH STREET LLC  
 Mailing Address: 440 9 AVENUE , NEWYORK , NY 10001

#### Violation Details

|                 |               |                  |                   |
|-----------------|---------------|------------------|-------------------|
| Violation Date: | 08/01/2014    | Violation Type:  | ELEVATOR          |
| Served Date:    | 08/01/2014    | Inspection Unit: | ELEVATOR DIVISION |
| Device Type:    | ELEVATOR      |                  |                   |
| Device Number:  | <u>1E1857</u> |                  |                   |

#### Infraction Codes

#### Section of Law

#### Standard Description

151 28-301.1

FAILURE TO MAINTAIN BUILDING IN CODE COMPLIANT MANNER: SERVICE EQUIPME NT-ELEVATOR PER BC 3001.2,27-987

#### Specific Violation Condition(s) and Remedy:

CEASE USE.87V07,56Y13,100L10,93M07,97O02,16OM07,69M07,97M07,42M07,42B07.87V07 TOP & BOTTOM LANDING PARTS NOT FINISH WITH FLOOR TRIPING HAZARD.56Y13 SPOIL OIL LEAK 100L10(DEMARATION)LIGHTS NOT WORKING 93M07 CEIL

Issuing Inspector ID: 2542

DOB Violation Number:070114E2542A01

Issued as Aggravated Level: NO

#### Dept. of Buildings Compliance History and Events

Certification Status: NO COMPLIANCE RECORDED

Compliance On:

A Certificate of Correction must be submitted to the Administrative Enforcement Unit (AEU) for all violations. A violation that is not dismissed by ECB will continue to remain ACTIVE or "open" on DOB records until acceptable proofs submitted to the AEU, even if you have paid the penalty imposed by ECB.

#### ECB Hearing Information

Scheduled Hearing Date/Time: 09/18/2014 8:30

Hearing Status: IN VIOLATION

#### ECB Penalty Information

|                      |            |                    |            |
|----------------------|------------|--------------------|------------|
| Penalty Imposed:     | \$1,000.00 |                    |            |
| Adjustments:         | \$0.00     | Amount Paid:       | \$1,000.00 |
| Penalty Balance Due: | \$0.00     | Court Docket Date: | 12/31/2014 |

If you have any questions please review these [Frequently Asked Questions](#), the [Glossary](#), or call the 311 Citizen Service Center by dialing 311 or (212) NEW YORK outside of New York City.



300 East 64<sup>th</sup> Street  
New York, New York  
Block 1438, Lot 7502 (formerly Lot 49)

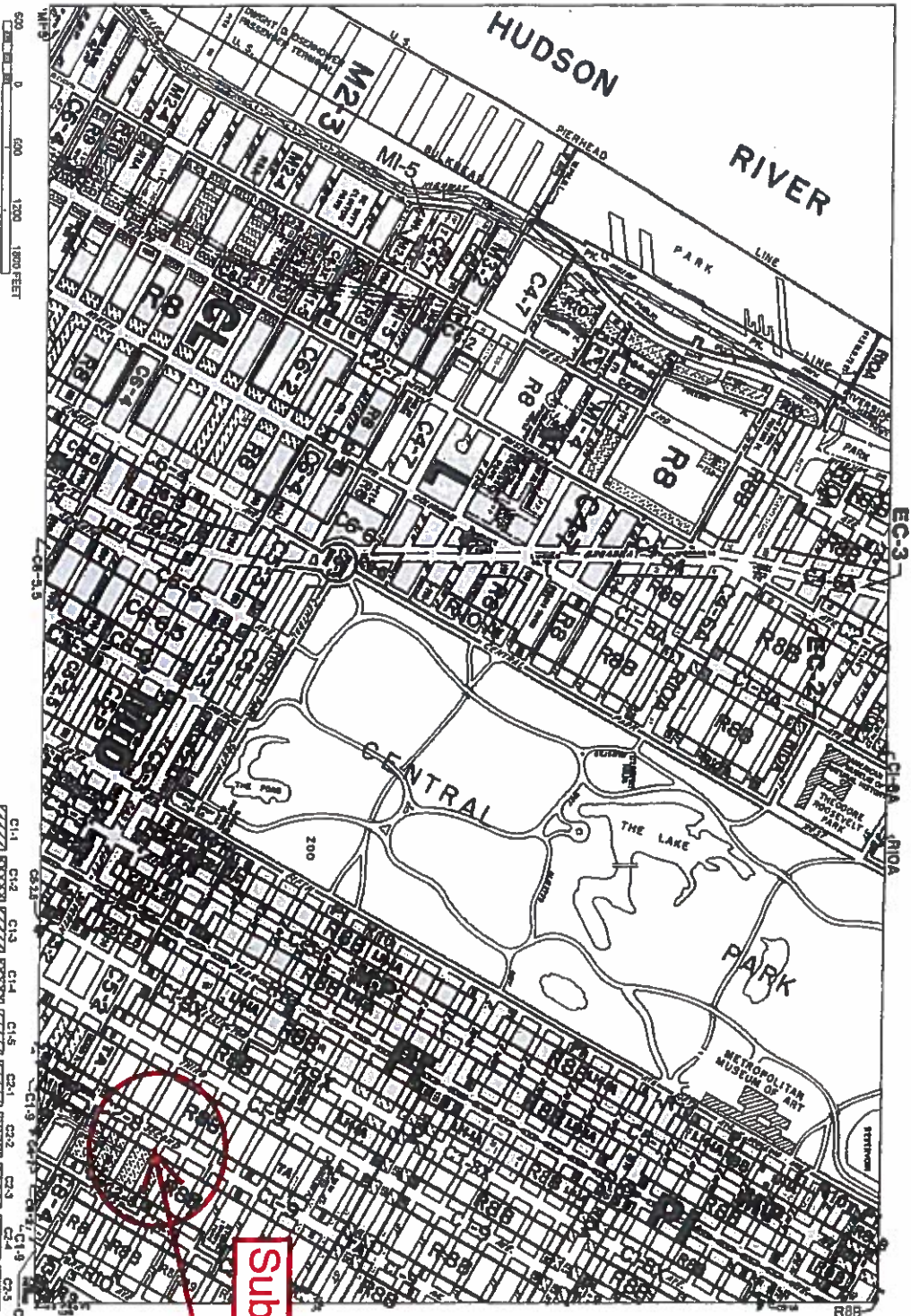
### **PCE SPACE AND OPERATIONAL PLAN**

The proposed Physical Culture Establishment (the "PCE") will provide its patrons with exercise instruction and facilities for weight and cardiovascular training and physical fitness improvement. The proposed PCE will have approximately 5,433 square feet of floor space on a portion of the building's ground and second floors. It will be operated as a "Barry's Bootcamp" fitness center. Barry's Bootcamp was founded in 1998 in West Hollywood California with the mission of revolutionizing traditional fitness classes by providing cardiovascular and strength training classes that combine traditional military exercises with a fun, upbeat atmosphere. Since the opening of the West Hollywood location, thirteen additional Barry's Bootcamp locations have opened in the United States, including three fitness centers in Manhattan - Barry's Bootcamp Chelsea (BSA Cal. No. 49-11-BZ), Barry's Bootcamp Tribeca (BSA Cal. No. 261-12-BZ), and Barry's Bootcamp NYC (BSA Cal. No. 168-14-BZ). The franchise is also operating internationally with locations in Bergen, Norway, Oslo, Norway and London, England. The proposed 2<sup>nd</sup> Avenue location will be the franchise's seventeenth fitness site.

Barry's Bootcamp patrons, or "enlistees," do not enroll in membership contracts, but rather are able to purchase a package of workout sessions. All classes are one hour long and include 30 minutes of interval cardiovascular routines on treadmills or stationary bicycles and 30 minutes of strength training using free weights and other equipment. Barry's Bootcamp currently offers five different types of classes throughout the week that are designed to target specific body areas.

Barry's Bootcamp will operate seven days a week between the hours of 5:00 AM and 11:00 PM. It is anticipated that the peak hours for class attendance will be from 6:00 AM to 10:00 AM in the morning and from 5:00 PM to 9:00 PM in the evening. The fitness center will have approximately seven employees staffed during its peak hours and expects between 40 to 60 enlistees during peak class times. The PCE will have approximately 200 total daily patrons.

Based on the location of this fitness center, it is anticipated that all of the fitness center's patrons will use mass transit, walk or bike to the gym. The subject PCE is located within close proximity to the F, N, Q, R, 4, 5, and 6 subway lines. The Roosevelt Island Tram Station (Manhattan Side) is also located within four blocks of the Premises. There are also many bus routes having stops in close proximity to the Premises, including the Manhattan Nos. BxM1, M101, M102, M103, M15, M66, M15-SBS, and other bus lines such as Queens Nos. Q32, Q60, and Q101.



C1.1 C1.2 C1.3 C1.4 C1.5 C2.1 C2.2 C2.3 C2.4 C2.5  
 C3.1 C3.2 C3.3 C3.4 C3.5 C4.1 C4.2 C4.3 C4.4 C4.5  
 C5.1 C5.2 C5.3 C5.4 C5.5 C6.1 C6.2 C6.3 C6.4 C6.5  
 C7.1 C7.2 C7.3 C7.4 C7.5 C8.1 C8.2 C8.3 C8.4 C8.5  
 C9.1 C9.2 C9.3 C9.4 C9.5 C10.1 C10.2 C10.3 C10.4 C10.5  
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 C99.1 C99.2 C99.3 C99.4 C99.5 C100.1 C100.2 C100.3 C100.4 C100.5

**Subject Site**

## ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

**Major Zoning Classifications:**  
The majority of the City is zoned for residential use. Other major zoning districts include commercial, manufacturing, and special purpose districts. The City also has various special use districts, such as the Central Park Special Use District, which are established by local law.

- R - RESIDENTIAL DISTRICT
- C - COMMERCIAL DISTRICT
- M - MANUFACTURING DISTRICT
- S - SPECIAL PURPOSE DISTRICT

**SPECIAL PURPOSE DISTRICT**  
The City has established several special purpose districts, each with its own set of rules and regulations. These districts are designed to address specific needs and concerns within the City.

**AREAS (S) REZONED**

**Effective Date(s) of Rezoning:**  
C5-25-2014 C 14D181 ZMA

### Special Requirements:

For a list of this subject to CROP environmental requirements, see APPENDIX C.  
For a list of this subject to "O" restrictive decisions, see APPENDIX D.  
For Information Housing designated areas on this map, see APPENDIX F.

### MAP KEY

|    |    |
|----|----|
| 5d | 5b |
| 8a | 8c |
| 8b | 8d |
| 8c | 8a |
| 8d | 8b |
| 9a | 9b |

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**NOTE:** Zoning boundaries are shown on this map to help in understanding the City's zoning system. The City's zoning system is a complex of rules and regulations that govern the use of land in the City. The City's zoning system is designed to address the needs and concerns of the City's residents and businesses.

NYS RA / PE SEAL AND SIGN

## BSA ZONING ANALYSIS

REVISED APRIL 2005

BSA CALENDAR NO.

2016-1208-02BLOCK 1438LOT 49

SUBJECT SITE ADDRESS

300 EAST 64TH STREET

APPLICANT

Akerman, LLPZONING DISTRICT C2-8

PRIOR BSA #

SPECIAL/HISTORIC DISTRICT

COMMUNITY BOARD 8

COMPLIANT: "Y"

IF NOT: "N" and

INDICATE AMT

OVER/UNDER

LOT AREA

LOT WIDTH

USE GROUP (S)

FA RESIDENTIAL

FA COMMUNITY FACILITY

FA COMMERCIAL/INDUST.

FLOOR AREA TOTAL

FAR RESIDENTIAL

FAR COMMUNITY FACILITY

FAR COMMERCIAL/INDUST.

FAR TOTAL

OPEN SPACE

OPEN SPACE RATIO

LOT COVERAGE (%)

NO. DWELLING UNITS

WALL HEIGHT

TOTAL HEIGHT

NUMBER OF STORIES

FRONT YARD

SIDE YARD

SIDE YARD

REAR YARD

SETBACK (S)

SKY EXP. PLANE (SLOPE)

NO. PARKING SPACES

LOADING BERTH (S)

OTHER: PCE

| * <u>APPLICABLE</u> | MAXIMUM   | MINIMUM  | LEGAL PER     |          |          |            |
|---------------------|-----------|----------|---------------|----------|----------|------------|
| ZR SECTION          | PERMITTED | REQUIRED | C of O or BSA | EXISTING | PROPOSED | OVER/UNDER |
|                     |           |          |               | 6,302SF  | 6,302SF  | Y          |
|                     |           |          |               | 50.42'   | 50.42'   | Y          |
| 32-00               | 1-9,14    |          | 2             | 2        | PCE      | N          |
| 32-10               |           |          |               |          |          | Y          |
| 33-123              |           |          |               |          |          | Y          |
| 33-122              | 63020SF   |          | 5,433*        | 5,433*   | 5,433*   | Y          |
| 35-10               | 63020SF   |          | 5,433*        | 5,433*   | 5,433*   | Y          |
| 32-10               | 10        |          |               |          |          | Y          |
| 33-123              | 10        |          |               |          |          | Y          |
| 33-122              | 2         |          | 0.86*         | 0.86*    | 0.86*    | Y          |
| 35-10               | 2         |          | 0.86*         | 0.86*    | 0.86*    | Y          |
| N/A                 |           |          |               |          |          | Y          |
| N/A                 |           |          |               |          |          | Y          |
| N/A                 |           |          |               |          |          | Y          |
| N/A                 |           |          |               |          |          | Y          |
|                     |           |          |               |          |          | Y          |
| 27 STORIES          |           |          |               | 267'     | 267'     | Y          |
|                     |           |          | 27            | 27       | 27       | Y          |
| N/A                 |           |          |               |          |          | Y          |
| N/A                 |           |          |               |          |          | Y          |
| N/A                 |           |          |               |          |          | Y          |
| N/A                 |           |          |               |          |          | Y          |
| N/A                 |           |          |               |          |          | Y          |
| N/A                 |           |          |               |          |          | Y          |
| 36-21               |           |          |               | NOT REQ. | NOT REQ. | Y          |
| N/A                 |           |          |               |          |          | Y          |
|                     |           |          |               |          |          | Y          |

\* In Applicable ZR Section column: For RESIDENTIAL developments in non-residential districts, indicate nearest R district, e.g., R4/23-141, and contrast compliance. For COMMERCIAL or MANUFACTURING developments in residential districts, contrast proposed bulk and area elements to current R district requirements, except for parking and loading requirements (contrast to nearest district where use is permitted). For COMMUNITY FACILITY uses in districts where not permitted, contrast to nearest district where permitted. For all applications, attach zoning map and highlight subject site. Be sure that all items noted in the DOB Denial/Objection are included. NOTES: \* PCE FLOOR AREA ONLY; APPLICATION REQUESTS

SPECIAL PERMIT FROM BSA TO PERMIT PCE USE ON PORTION OF FIRST AND SECOND FLOORS.  
PCE FLOOR AREA = 5,433SF (333SF FIRST FLOOR, 5100SF SECOND FLOOR).

## BSA SIGN ANALYSIS - COMMERCIAL DISTRICTS

REVISED JANUARY 2004

BSA CALENDAR NO: 2016-1208-B2

LOCATION: 300 EAST 64TH STREET

BOROUGH MANHATTAN

BLOCK 1438

APPLICANT: Akerman, LLP

LOT 49

ZONING DISTRICT: C2-8

SPECIAL DISTRICT

None

LOT AREA: 6,302 SQ FT

EQUIVALENT C DISTRICT

C2-8

## 2ND AVENUE FRONTAGE

|  | SECTION | PERMITTED   | PROPOSED    | COMPLIANCE |
|--|---------|---|-------------|------------|
| ACCESSORY BUSINESS SIGNS   | 32-62   | PERMITTED IN ALL COMMERCIAL DISTRICTS   | 9 SIGNS     | Y          |
| ADVERTISING SIGNS  | 32-63   | C6-5, C6-7, C7, C8 DISTRICTS  | N/A         | Y          |
| TOTAL SURFACE AREA - ALL SIGNS<br>C1 - C8  | 32-641  | SEE TABLE SECT. 32-642 FOR SURFACE AREA<br>PERMITTED = 150SF Per Street   | 149.75 SF   | Y          |
| NON-ILLUMINATED SIGNS<br>C1 - C8   | 32-642  | SEE TABLE THIS SECTION FOR SURFACE AREA<br>PERMITTED = 150SF Per Street   | 140.5 SF    | Y          |
| ILLUMINATED NON-FLASHING<br>C1, C2   | 32-643  | SEE TABLE THIS SECTION FOR SURFACE AREA<br>PERMITTED = 50SF Per Street  | 9.25 SF     | Y          |
| ILLUMINATED OR FLASHING<br>C4, C5-4, C6, C7<br>(NO FLASHING SIGNS IN C6-1A)                      | 32-644  | SEE TABLE THIS SECTION FOR SURFACE AREA<br>PERMITTED =  | N/A         |            |
| ILLUMINATED OR FLASHING<br>SIGNS IN C8 DISTRICTS -<br>BUSINESS OR ADVERTISING                    | 32-645  | TOTAL SURFACE AREA OF ALL SUCH SIGNS<br>< 5X STREET FRONTAGE OF ZONING LOT;<br>EACH SIGN < 500 SF   | N/A         |            |
| PERMITTED PROJECTION<br>C6-5, C6-7, C7<br>SEE SECTION 32-653 FOR ADD'L REGS                      | 32-651  | NO PERMITTED SIGN TO<br>PROJECT ACROSS STREET<br>LINE BY MORE THAN 8'   | N/A         |            |
| PERMITTED PROJECTION<br>FOR ALL REMAINING COMMERCIAL<br>DISTRICTS                                | 32-652  | NO PERMITTED SIGN TO PROJECT<br>ACROSS STREET LINE BY MORE THAN<br>18" FOR DOUBLE OR MULTI-FACETED<br>SIGNS OR 12" FOR ALL OTHERS                                       | Sign 2 =18" | Y          |
| REGULATIONS FOR PROJECTING<br>BUSINESS SIGNS: AWNINGS,<br>CANOPIES, SIGNS ON MARQUEES<br>C1 - C8 | 32-653  | - AWNING OR CANOPY: NON-ILLUM. < 12SF,<br>LETTERS < 12", FOR IDENTIFICATION ONLY;<br>- SIGN ON MARQUEE: MUST PROJECT < 48"<br>ABOVE, > 12" BELOW, EXCEPT C6-5, C6-7, C7 | N/A         |            |
| MAXIMUM HEIGHT OF SIGNS<br>C8  | 32-654  | < 40' ABOVE CURB LEVEL;<br>< 58' FOR NON-ILLUM. OR INDIRECT SIGNS   | N/A         |            |
| MAXIMUM HEIGHT OF SIGNS<br>C1 - C7   | 32-655  | SEE TABLE: 25'-40' RANGE PER DISTRICT;<br>C6-5, C6-7, C7: NO RESTRICTION  | < 25'       | Y          |
| MAXIMUM HEIGHT ABOVE ROOF<br>C1 - C5, C6-1 to 4, C6-6, C6-8, C6-9                                | 32-656  | ONLY VERTICAL SIGNS < 28" WIDE MAY<br>EXTEND UP TO 15' ABOVE ROOF LEVEL   | N/A         |            |
| ROOF SIGNS<br>C1 - C5, C6-1 to 4, C6-6, C6-8, C6-9   | 32-657  | NONE PERMITTED  | N/A         |            |
| ADDITIONAL REGULATIONS FOR<br>SIGNS OTHER THAN ADVERTISING<br>SIGNS IN C6-5, C6-7, C7, C8        | 32-661  | IF WITHIN 200' OF ARTERIAL HIGHWAY OR PARK<br>SIGN SHALL NOT EXCEED 500sf SURFACE AREA<br>IF WITHIN VIEW. SEE EXCEPTIONS  | N/A         |            |
| ADDITIONAL REGULATIONS FOR<br>ADVERTISING SIGNS IN<br>C6-5, C6-7, C7, C8                         | 32-662  | NONE PERMITTED WITHIN<br>200' OF ARTERIAL HIGHWAY OR<br>PARK, IF WITHIN VIEW  | N/A         |            |
| WATERWAY ADVERTISING SIGNS   | 32-663  | NOT PERMITTED ADJACENT TO C DISTRICTS   | N/A         |            |
| PROVISION FOR DIST. BOUNDARIES<br>C2 - C8  | 32-67   | IF WITHIN 100' OF RESIDENCE DISTRICT OR<br>ADJ. TO PARK AND SIGN < 165 DEG., SEE C1 REGS.   | N/A         |            |
| RESIDENTIAL OR MIXED BUILDINGS<br>C1 - C6  | 32-68   | FOR UG 1, 2 or RESIDENTIAL USES, SEE<br>RESIDENTIAL REGULATIONS. FOR NON -<br>RESIDENTIAL USE ON 2 FLOORS - NON-ILLUM.<br>SIGNS ONLY AND BELOW 3RD STORY                | N/A         |            |
| ADULT ESTABLISHMENTS   | 32-69   | SEE SECTION   | N/A         |            |

# BSA SIGN ANALYSIS - COMMERCIAL DISTRICTS

REVISED JANUARY 2004

BSA CALENDAR NO: 2016-1208-BZ

LOCATION: 300 EAST 64TH STREET

BOROUGH MANHATTAN

BLOCK 1438

APPLICANT: Akerman, LLP

LOT 49

ZONING DISTRICT: C2-8

SPECIAL DISTRICT

None

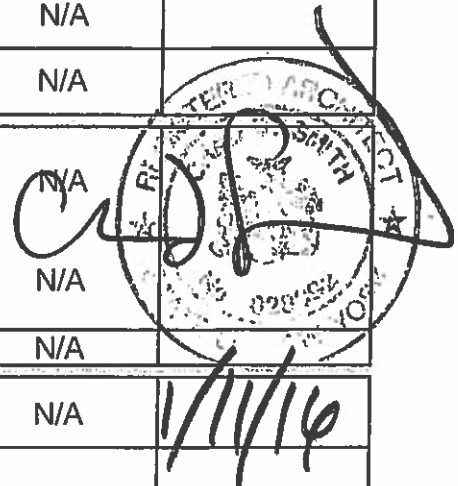
LOT AREA: 6,302 SQ FT

EQUIVALENT C DISTRICT

C2-8

## 64TH STREET FRONTAGE

|  | SECTION | PERMITTED   | PROPOSED | COMPLIANCE |
|--|---------|---|----------|------------|
| ACCESSORY BUSINESS SIGNS   | 32-62   | PERMITTED IN ALL COMMERCIAL DISTRICTS   | 6 SIGNS  | Y          |
| ADVERTISING SIGNS  | 32-63   | C6-5, C6-7, C7, C8 DISTRICTS  | N/A      | Y          |
| TOTAL SURFACE AREA - ALL SIGNS<br>C1 - C8  | 32-641  | SEE TABLE SECT. 32-642 FOR SURFACE AREA<br>PERMITTED = 150SF Per Street   | 83.55 SF | Y          |
| NON-ILLUMINATED SIGNS<br>C1 - C8   | 32-642  | SEE TABLE THIS SECTION FOR SURFACE AREA<br>PERMITTED = 150SF Per Street   | 83.55 SF | Y          |
| ILLUMINATED NON-FLASHING<br>C1, C2   | 32-643  | SEE TABLE THIS SECTION FOR SURFACE AREA<br>PERMITTED = 50SF Per Street  | 0        | Y          |
| ILLUMINATED OR FLASHING<br>C4, C5-4, C6, C7<br>(NO FLASHING SIGNS IN C6-1A)                      | 32-644  | SEE TABLE THIS SECTION FOR SURFACE AREA<br>PERMITTED =  | N/A      |            |
| ILLUMINATED OR FLASHING<br>SIGNS IN C8 DISTRICTS -<br>BUSINESS OR ADVERTISING                    | 32-645  | TOTAL SURFACE AREA OF ALL SUCH SIGNS<br>< 5X STREET FRONTAGE OF ZONING LOT;<br>EACH SIGN < 500 SF   | N/A      |            |
| PERMITTED PROJECTION<br>C6-5, C6-7, C7<br>SEE SECTION 32-653 FOR ADD'L REGS                      | 32-651  | NO PERMITTED SIGN TO<br>PROJECT ACROSS STREET<br>LINE BY MORE THAN 8'   | N/A      |            |
| PERMITTED PROJECTION<br>FOR ALL REMAINING COMMERCIAL<br>DISTRICTS                                | 32-652  | NO PERMITTED SIGN TO PROJECT<br>ACROSS STREET LINE BY MORE THAN<br>18" FOR DOUBLE OR MULTI-FACETED<br>SIGNS OR 12" FOR ALL OTHERS                                       | 0        | Y          |
| REGULATIONS FOR PROJECTING<br>BUSINESS SIGNS: AWNINGS,<br>CANOPIES, SIGNS ON MARQUEES<br>C1 - C8 | 32-653  | - AWNING OR CANOPY: NON-ILLUM. < 12SF,<br>LETTERS < 12", FOR IDENTIFICATION ONLY;<br>- SIGN ON MARQUEE: MUST PROJECT < 48"<br>ABOVE, > 12" BELOW, EXCEPT C6-5, C6-7, C7 | N/A      |            |
| MAXIMUM HEIGHT OF SIGNS<br>C8  | 32-654  | < 40' ABOVE CURB LEVEL;<br>< 58' FOR NON-ILLUM. OR INDIRECT SIGNS   | N/A      |            |
| MAXIMUM HEIGHT OF SIGNS<br>C1 - C7   | 32-655  | SEE TABLE: 25'-40' RANGE PER DISTRICT;<br>C6-5, C6-7, C7: NO RESTRICTION  | < 25'    | Y          |
| MAXIMUM HEIGHT ABOVE ROOF<br>C1 - C5, C6-1 to 4, C6-6, C6-8, C6-9                                | 32-656  | ONLY VERTICAL SIGNS < 28" WIDE MAY<br>EXTEND UP TO 15' ABOVE ROOF LEVEL   | N/A      |            |
| ROOF SIGNS<br>C1 - C5, C6-1 to 4, C6-6, C6-8, C6-9   | 32-657  | NONE PERMITTED  | N/A      |            |
| ADDITIONAL REGULATIONS FOR<br>SIGNS OTHER THAN ADVERTISING<br>SIGNS IN C6-5, C6-7, C7, C8        | 32-661  | IF WITHIN 200' OF ARTERIAL HIGHWAY OR PARK<br>SIGN SHALL NOT EXCEED 500sf SURFACE AREA<br>IF WITHIN VIEW. SEE EXCEPTIONS  | N/A      |            |
| ADDITIONAL REGULATIONS FOR<br>ADVERTISING SIGNS IN<br>C6-5, C6-7, C7, C8                         | 32-662  | NONE PERMITTED WITHIN<br>200' OF ARTERIAL HIGHWAY OR<br>PARK, IF WITHIN VIEW  | N/A      |            |
| WATERWAY ADVERTISING SIGNS   | 32-663  | NOT PERMITTED ADJACENT TO C DISTRICTS   | N/A      |            |
| PROVISION FOR DIST. BOUNDARIES<br>C2 - C8  | 32-67   | IF WITHIN 100' OF RESIDENCE DISTRICT OR<br>ADJ. TO PARK AND SIGN < 165 DEG., SEE C1 REGS.   | N/A      |            |
| RESIDENTIAL OR MIXED BUILDINGS<br>C1 - C6  | 32-68   | FOR UG 1, 2 or RESIDENTIAL USES, SEE<br>RESIDENTIAL REGULATIONS. FOR NON -<br>RESIDENTIAL USE ON 2 FLOORS - NON-ILLUM.<br>SIGNS ONLY AND BELOW 3RD STORY                | N/A      |            |
| ADULT ESTABLISHMENTS   | 32-69   | SEE SECTION   | N/A      |            |

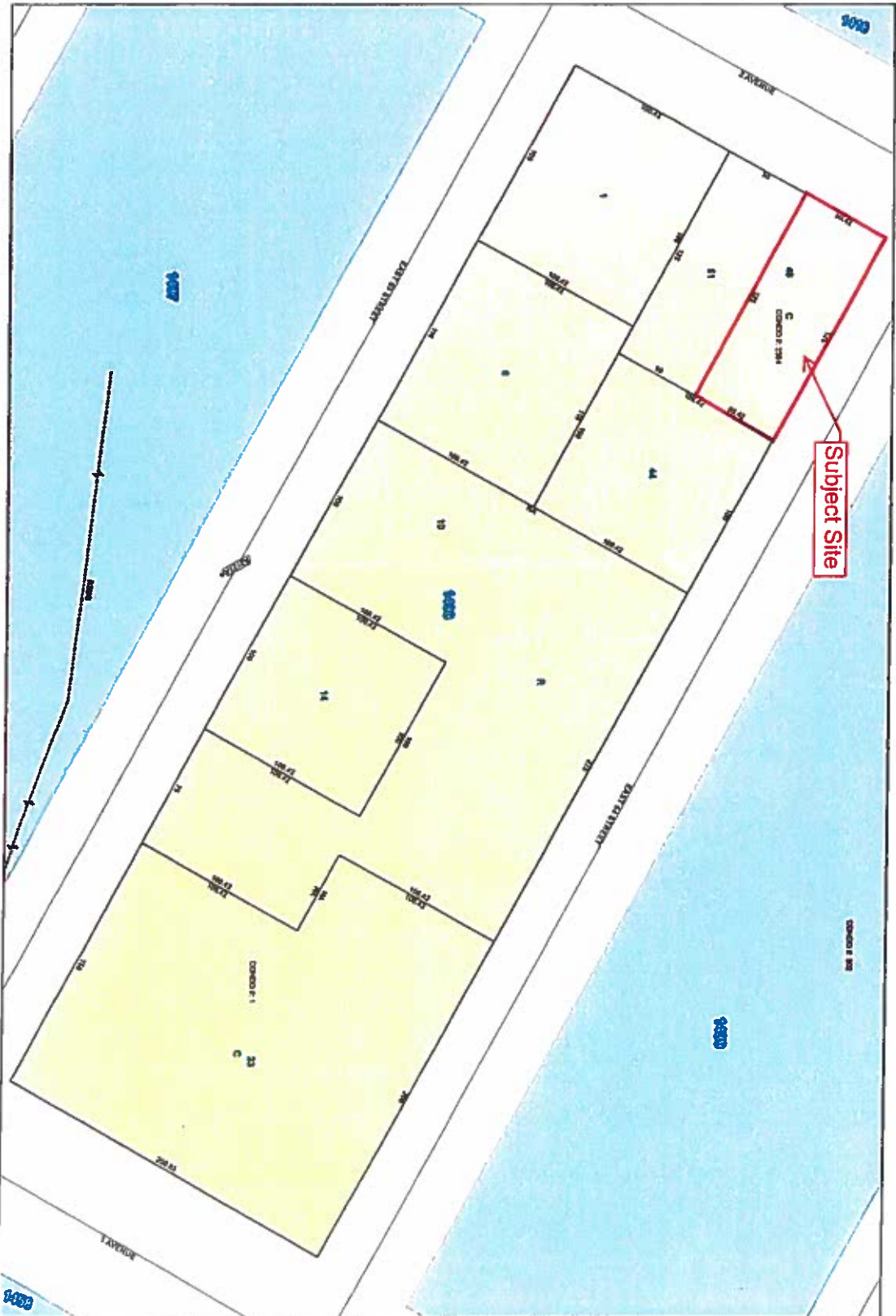


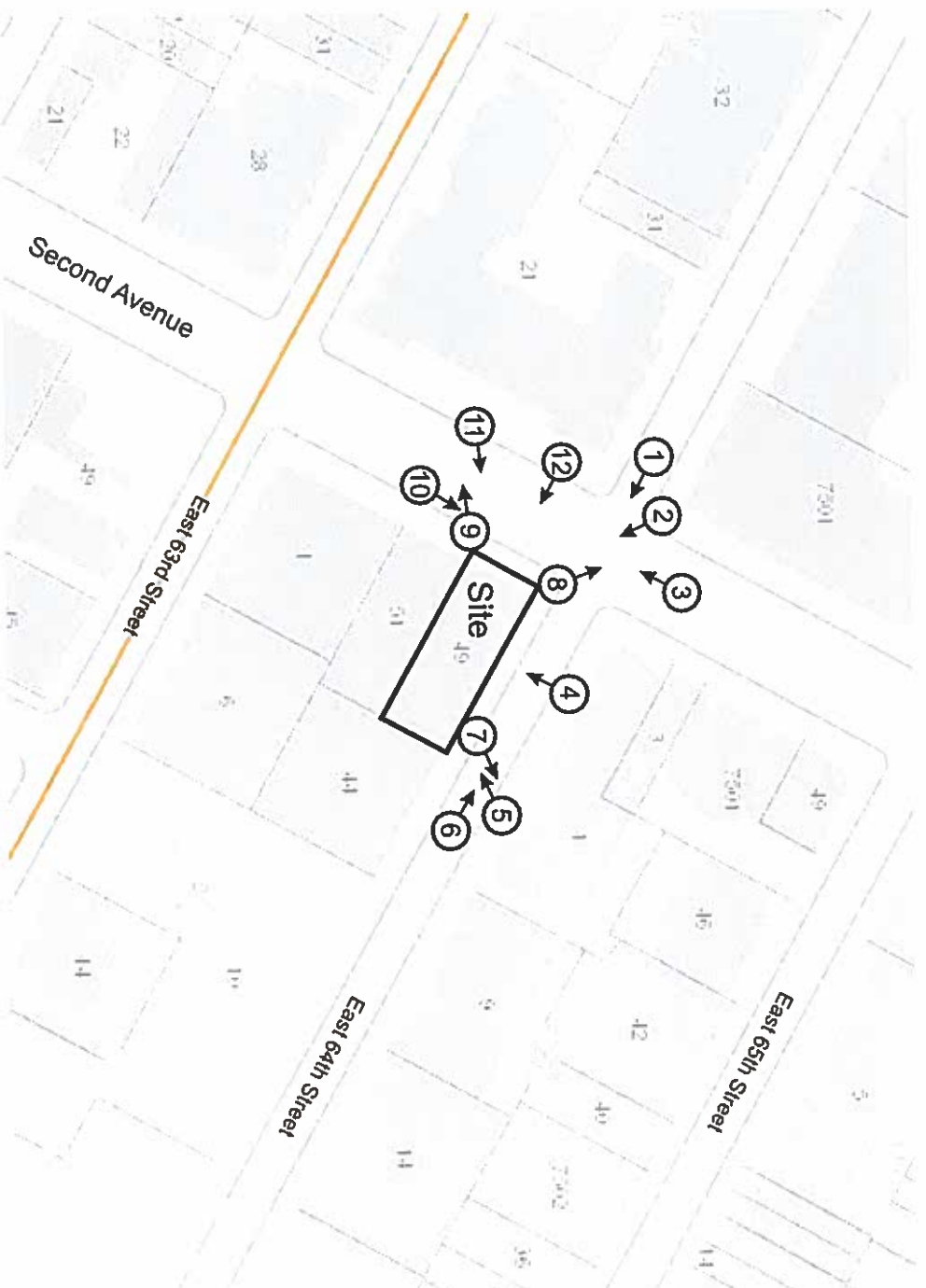




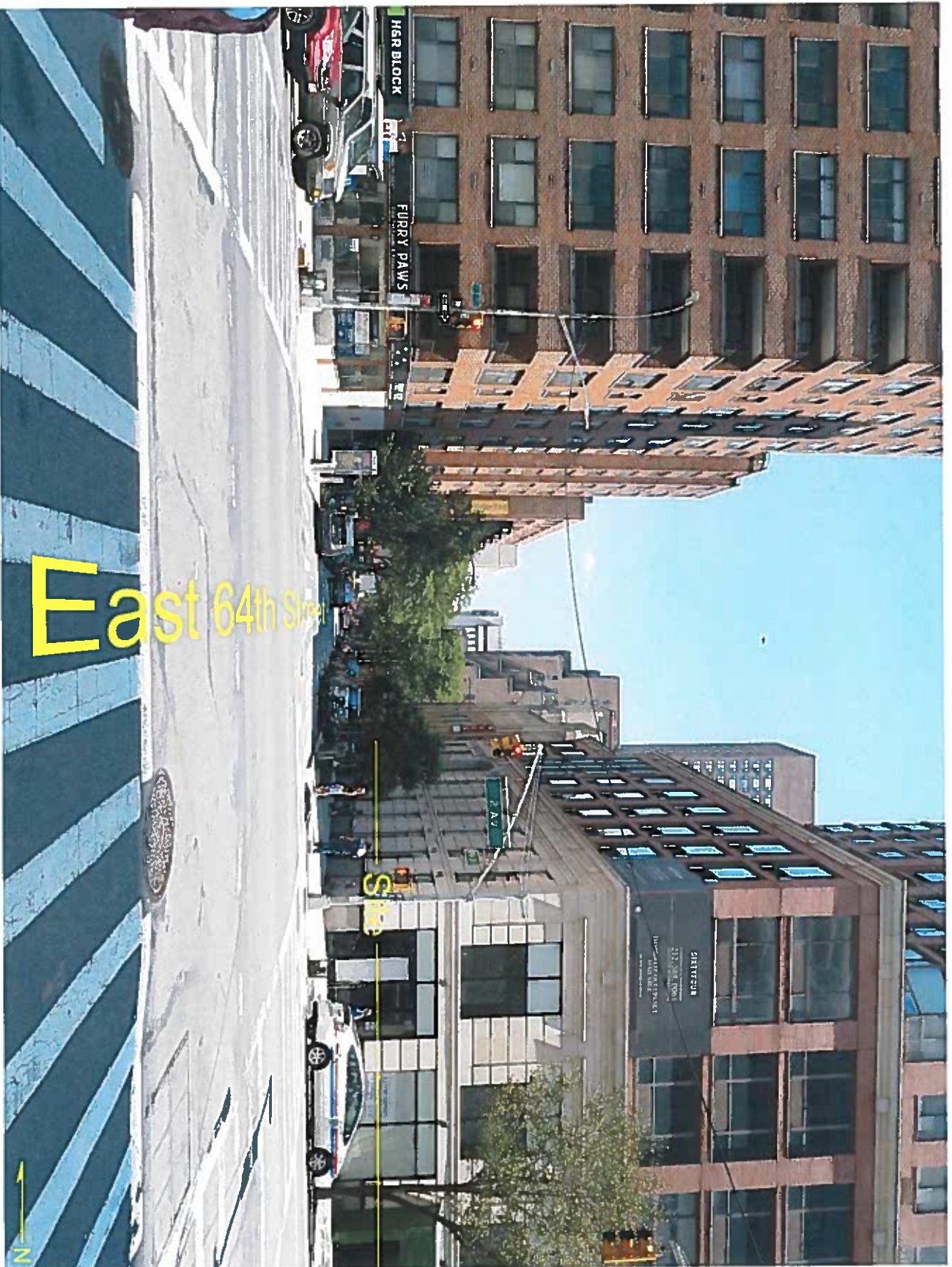
NYC Digital Tax Map  
Effective Date : 06-04-2015 09:02:35  
End Date : Current  
Manhattan Block: 1438

- Legend
- Streets
  - Metropolitan Trust
  - Possession Hooks
  - Boundary Lines
  - Lot Area Possession Hooks
  - Regular
  - Underwater
  - Tax Lot Polygon
  - Canto Number
  - Tax Block Polygon









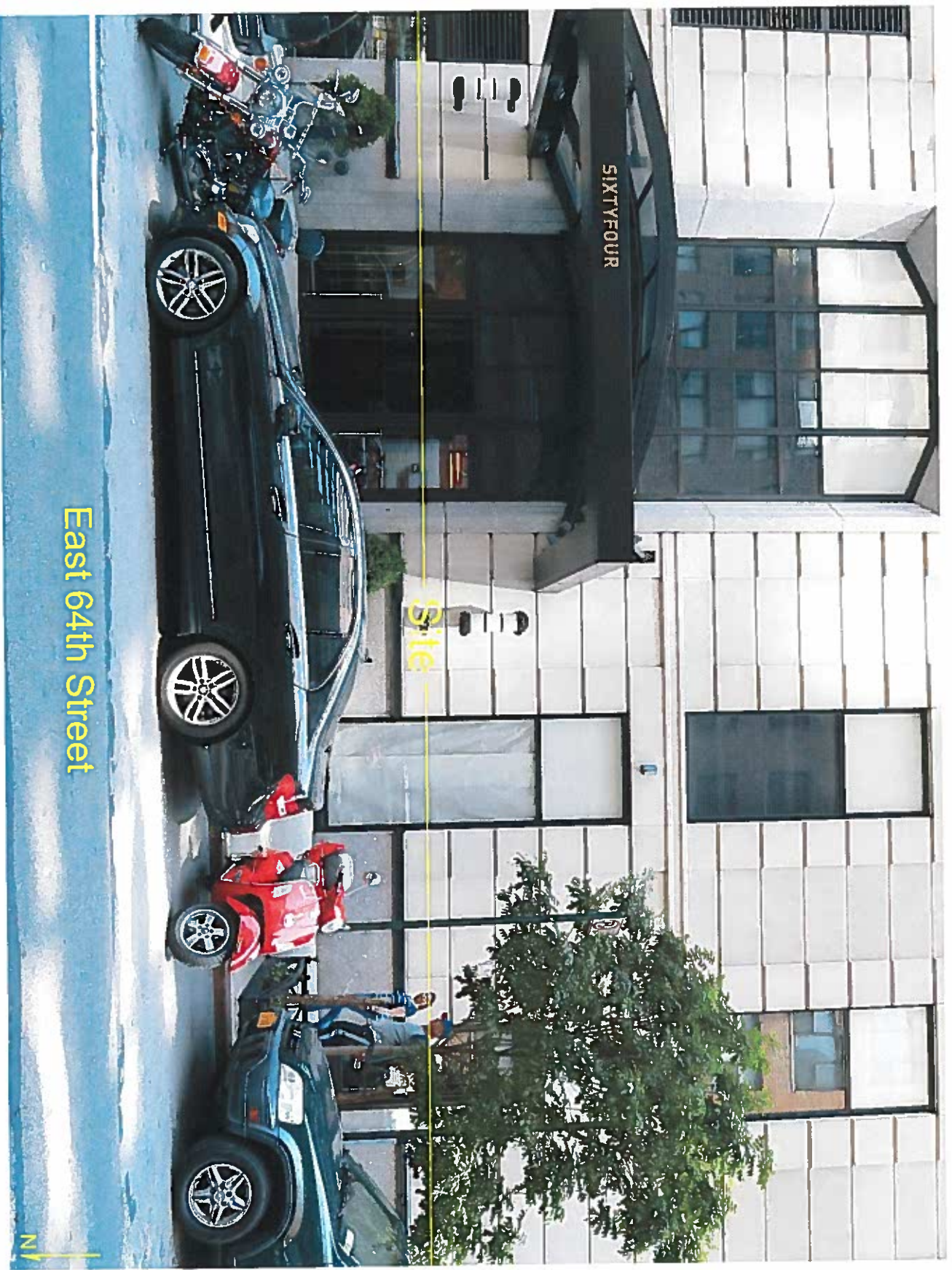












East 64th Street

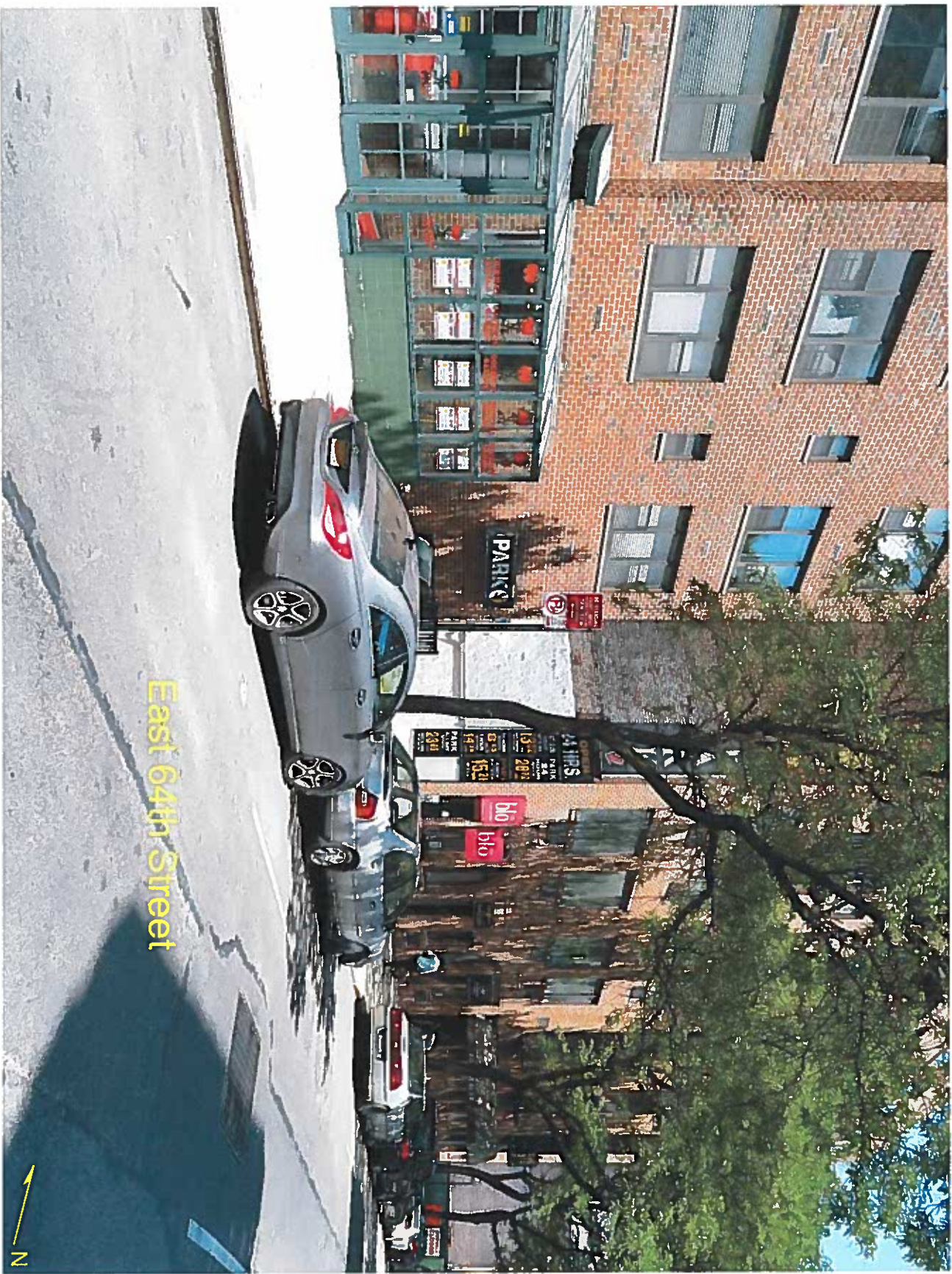




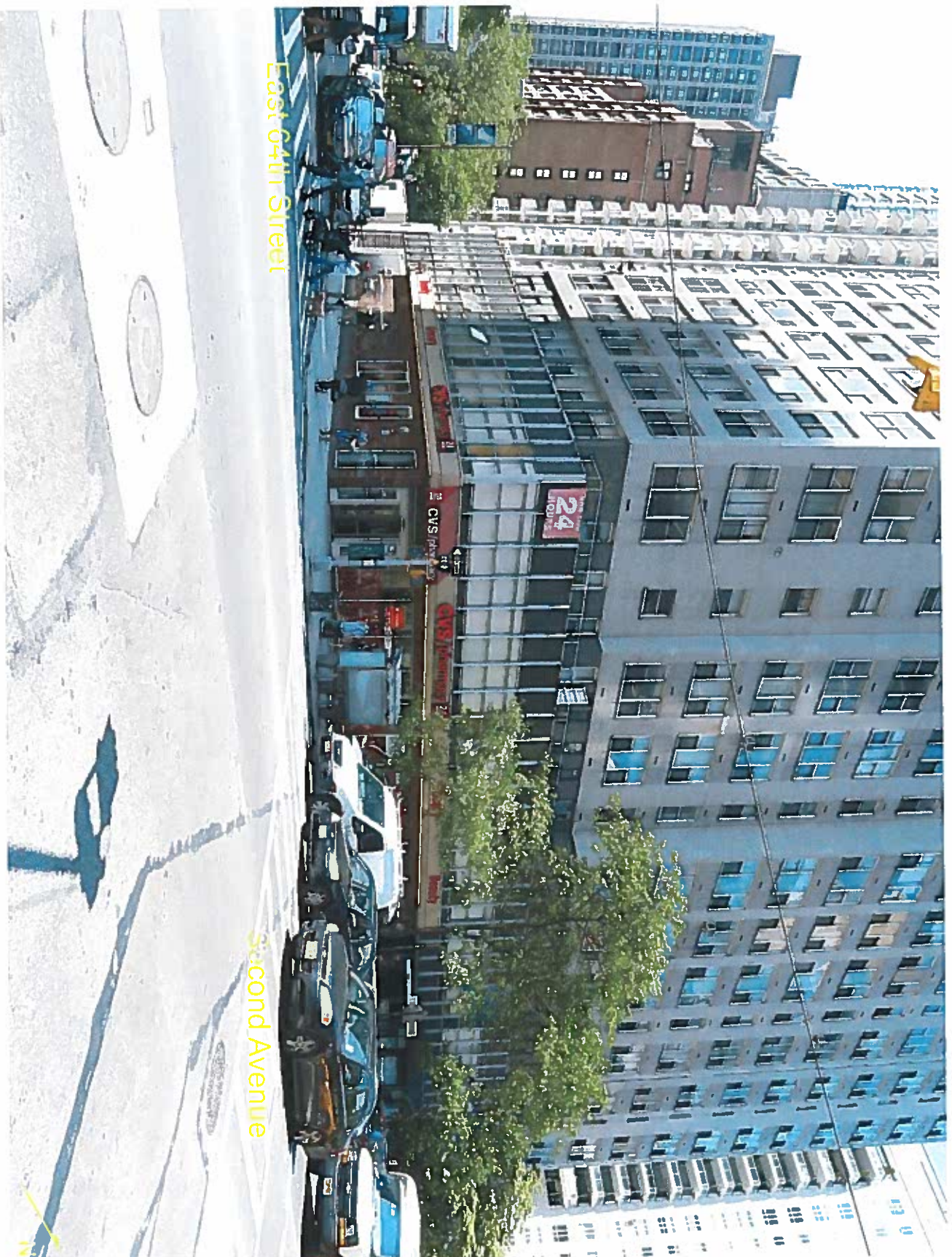








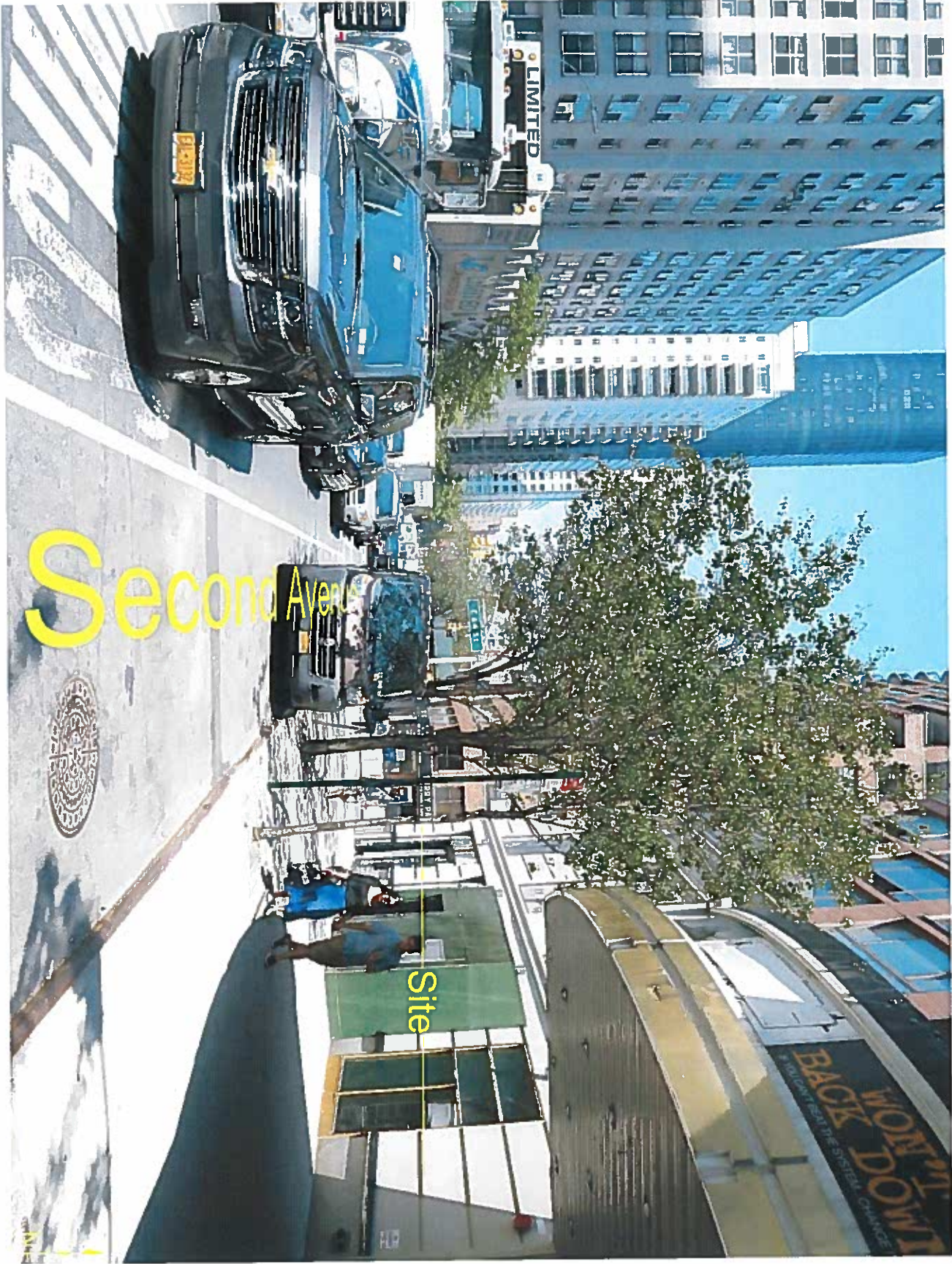








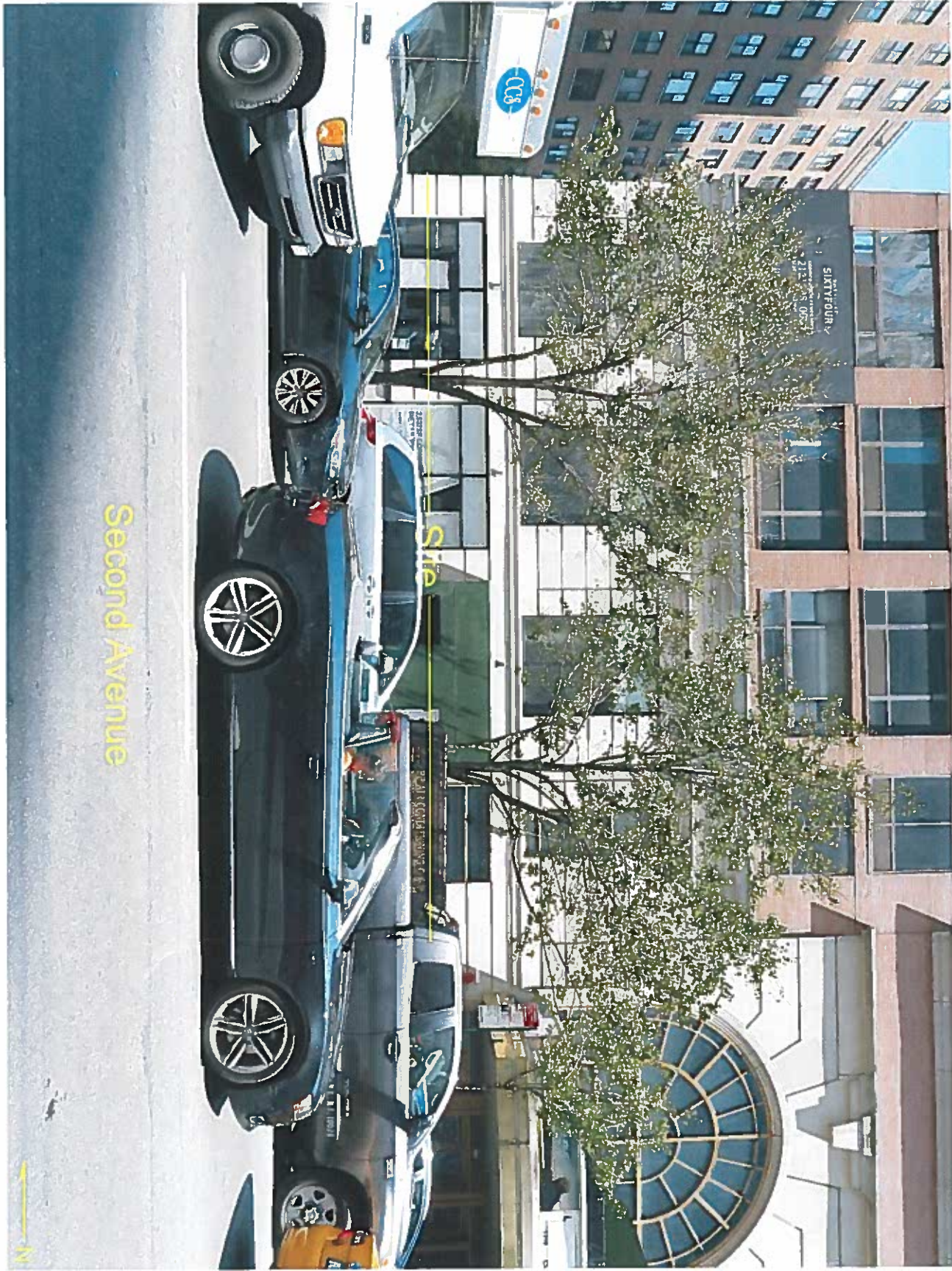












**300 East 64th Street, Manhattan**

**Block 1418**

**Block 1418, Lot 21**

REGENCY TOWERS LLC  
340 E. 46TH ST.  
NEW YORK, NY 10017-3003

**Block 1419**

**Block 1419, Lot 7501**

SECOND AVENUE REALTY CO.  
166 MONTAGUE ST.  
BROOKLYN, NY 11201-3577

**Block 1438**

**Block 1438, Lot 1**

TOOST CONTROL CORP.  
ORSID REALTY CORP.  
1740 BROADWAY FL. 2  
NEW YORK, NY 10019-4315

**Block 1438, Lot 6**

ALKAL L. P.  
P.O. BOX 645  
LOCUST VALLEY, NY 11560-0645

**Block 1438, Lot 10**

CONSOLIDATED EDISON CO. OF N.Y., INC.  
COOPER STATION  
PO BOX 898  
NEW YORK NY 10003

**Block 1438, Lot 44**

304 E. 64TH ST. CO. LLC  
310 EAST 64 STREET  
NEW YORK, NY 10065

**Block 1438, Lot 49**

300 E. 64TH ST. PARTNERS LLC  
JORDAN COOPER & ASSOCIATES, IN  
440 9TH AVE. FL. 15  
NEW YORK, NY 10001-1628

**Block 1438, Lot 51**

1210 SECOND AVENUE FLORIDA, LLC  
6218 NORTH FEDERAL HIGHWAY  
FORT LAUDERDALE, FL 33308

**Block 1439**

**Block 1439, Lot 1**

REGENCY EAST APT. INC.  
ORSID REALTY CORP.  
1740 BROADWAY FL. 2  
NEW YORK, NY 10019-4315

**Block 1439, Lot 3**

CINQUINI 1226 SECOND AVE.  
39 SHERWOOD HTS.  
WAPPINGERS FALLS, NY 12590-3408

**Block 1439, Lot 9**

320 EAST 65TH,  
141 CRESCENT DR.  
ALBERTSON, NY 11507-1103

**Block 1439, Lot 46**

BRISTOL EAST CO.  
CAPRICE MANAGEMENT  
320 E. 58TH ST.  
NEW YORK, NY 10022-2220

**Block 1439, Lot 7501**

RIO, THE CONDOMINIUM AND SPA  
304 E. 65TH ST. 2C  
NEW YORK, NY 10065-6797

**300 East 64th Street, Manhattan**

**Community Board**

Manhattan Community Board 8  
505 Park Avenue, Suite 620  
New York, NY 10022

**City Councilperson**

Ben Kallos  
244 East 93rd Street  
New York, NY 10128

**Borough President**

Office of Manhattan Borough President  
Gale Brewer  
1 Centre Street, 19th Floor  
New York, NY 10007

**Department of City Planning (Manhattan Office)**

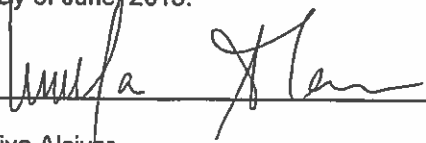
Edith Hsu-Chen  
Director, Manhattan Office  
Department of City Planning  
22 Reade Street, 6W  
New York, NY 10007-1216

**Department of City Planning (Central Office)**

Christopher Holme  
22 Reade Street  
New York, NY 10007-1216

State of New York )  
County of Queens )

Miya Alcivar, being duly sworn, deposes and says: That the foregoing names and addresses were obtained from the City Collector's office on the 12th day of June, 2015.

  
\_\_\_\_\_  
Miya Alcivar

Sworn before me on

this 18<sup>th</sup> day of June, 2015.

IAN RASMUSSEN  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 02RA6298453  
Qualified in Queens County  
My Commission Expires March 24, 2010  
[Notary Public Stamp]





**Board of Standards  
and Appeals**

250 Broadway, 29th Floor  
New York, NY 10007  
212-386-0009 - Phone  
646-500-6271 - Fax  
[www.nyc.gov/bsa](http://www.nyc.gov/bsa)

**CITY ENVIRONMENTAL QUALITY REVIEW  
VARIANCE AND SPECIAL PERMIT APPLICATIONS**

**BSA Cal. No.** 2016-1208-B2

**CEQR No.** 16-RSA-065M

Place an X in the box to the right of the category that applies to your application. If your project is a Type II, an environmental review is not required. If your project is a Type I, an Environmental Assessment Statement (EAS) is required. If you cannot find an appropriate item on the list, your project is most likely "unlisted" and requires the submission of an EAS.

If your application is unlisted or Type I, submit one (1) original and two (2) copies of the completed EAS and one (1) copy in PDF format on a CD. If your application is Type II, submit three (3) copies of the checklist.

If you require assistance in completing this form, please call the Board's CEQR Examiner at (212) 788-8749.

---

**PREMISES AFFECTED BY YOUR APPLICATION**

Street Address 300 East 64th Street Borough Manhattan

Tax Block 1438 Tax Lot 7502 (formerly Lot 49)

Zoning District 8c

**PROJECT DESCRIPTION:** Identify the action (variance or special permit), ZR section the application is filed under, ZR sections to be waived, if applicable, and a description of the proposal, including use, new construction or rehabilitation, square footage of development, and number of stories of proposed building.

The application seeks a special permit pursuant to ZR 73-36 to allow the operation of a physical culture establishment (fitness center) within a portion of the existing 27-story building's ground and second floors at the Premises.



## GENERAL

|    |   |   |
|----|---|---|
| 1. | Any project or action which exceeds 25 percent of any threshold described in items 6-11 and 16 occurring wholly or partially within or substantially contiguous to any publicly-owned or operated parkland, recreation area or designated open space.   | <input type="checkbox"/> Type I: EAS required     |
| 2. | Any unlisted action (unless the action is designed for the preservation of the facility or site) occurring wholly or partially within or substantially contiguous to any historic building, structure, facility, site or district or prehistoric site or that has been proposed by the New York State Board on Historic Preservation for a recommendation to the State Historic Preservation Officer for nomination for inclusion in the National Register, or that is listed on the State Register of Historic Places (The National Register of Historic Places is established by 36 Code of Federal Regulation (CFR) Parts 60 and 63, 1994 (see section 617.17 of this Part). | <input type="checkbox"/> Type I: EAS required     |
| 3. | Any Unlisted action that exceeds a Type I threshold established by an involved agency pursuant to section 617.14 of this Part.  | <input type="checkbox"/> Type I: EAS required     |
| 4. | Any structure exceeding 100 feet above original ground level in a locality without any zoning regulation pertaining to height.  | <input type="checkbox"/> Type I : EAS required    |
| 5. | Maintenance or repair involving no substantial changes in an existing structure or facility.  | <input type="checkbox"/> Type II: No EAS required |
| 6. | Interpretations of an existing code, rule or regulation.  | <input type="checkbox"/> Type II: No EAS required |
| 7. | Minor temporary uses of land having negligible or no permanent effect on the environment.   | <input type="checkbox"/> Type II: No EAS required |
| 8. | Mapping of existing roads, streets, highways, natural resources, land uses and ownership patterns.  | <input type="checkbox"/> Type II: No EAS required |

## NEW CONSTRUCTION

|     |   |   |
|-----|---|---|
| 9.  | Any new office structure which has a minimum of 200,000 square feet of floor area and exceeds permitted floor area under existing zoning by more than 20 percent.   | <input type="checkbox"/> Type I: EAS required     |
| 10. | Activities, other than residential construction, which meet or exceed any of the following thresholds:  |   |
|     | (a) Parking for 1,000 or more vehicles.   | <input type="checkbox"/> Type I: EAS required     |
|     | (b) A facility with more than 240,000 square feet of gross floor area.  | <input type="checkbox"/> Type I: EAS required     |
| 11. | Any new community or public facility containing at least 100,000 square feet of floor area, or the expansion of an existing facility by more than 50 percent of floor area where the total size of the expanded facility exceeds 100,000 square feet of floor area.                         | <input type="checkbox"/> Type I: EAS required     |
| 12. | Granting of individual setback and lot line variances.  | <input type="checkbox"/> Type II: No EAS required |
| 13. | Granting of an area variance(s) for a single-family, two-family or a three-family residence.  | <input type="checkbox"/> Type II: No EAS required |
| 14. | Construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (11) and the installation, maintenance and/or upgrade of a drinking water well and a septic system. | <input type="checkbox"/> Type II: No EAS required |

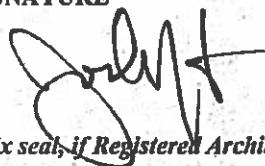
|     |  |   |
|-----|--|---|
| 15. | Construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density.   | <input type="checkbox"/> Type II: No EAS required |
| 16. | Construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities. | <input type="checkbox"/> Type II: No EAS required |

**EXPANSION, MAINTENANCE, ACCESSORY STRUCTURES**

|     |   |   |
|-----|---|---|
| 17. | Expansion of an existing office facility by more than 50 percent of its floor area, where the total size of the expanded facility exceeds 240,000 square feet of floor area.  | <input type="checkbox"/> Type I: EAS required     |
| 18. | Expansion of an existing non-residential facility which exceeds the following thresholds:   |   |
|     | (a) Parking for 500 or more vehicles.   | <input type="checkbox"/> Type I: EAS required     |
|     | (b) A facility with more than 120,000 square feet of gross floor area.  | <input type="checkbox"/> Type I: EAS required     |
| 19. | Replacement, rehabilitation or construction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building and fire codes unless such a facility meets or exceeds any of the thresholds in section 617.4 of this Part. | <input type="checkbox"/> Type II: No EAS required |
| 20. | Maintenance of existing landscaping or natural growth.  | <input type="checkbox"/> Type II: No EAS required |
| 21. | License, lease and permit renewals, or transfers of ownership thereof, where there will be no material change in permit conditions or the scope of permitted activities.  | <input type="checkbox"/> Type II: No EAS required |
| 22. | Routine activities of educational institutions, including expansion of existing facilities by less than 10,000 square feet of gross floor area and school closings, but not changes in use related to such closings.  | <input type="checkbox"/> Type II: No EAS required |

**AFFIRMATION:** I state that I am duly authorized by the fee owner/conditional owner of the said subject premises to make this application to the Board of Standards and Appeals. I have read this application thoroughly. I understand its contents and affirm to the best of my knowledge that the representations made above are true.

**SIGNATURE**



*Affix seal, if Registered Architect or Professional Engineer.*

**NOTE:** This CEQR checklist is not exclusive and lists the Type II actions typically filed at the Board of Standards and Appeals. For further reference, see New York State's Environmental Quality Review Act (SEQRA), Article 8 of the New York State Environmental Conservation Law, New York State Department of Environmental Conservation's SEQRA Regulations at 6 N.Y.C.R.R. '617, including 6 N.Y.C.R.R. '617.5 (Type II actions); 6 N.Y.C.R.R. '617.4 (Type I actions); Official Compilation of the Rules of the City of New York, Title 62, Chapter 5, Appendix A, '6.04 (exempt actions) and '6-15(a)(1), (2) (additional New York City Type I thresholds from Executive Order No. 91 of 1977 as amended); Rules of Procedure for City Environmental Quality Review (CEQR), DCP #91-15, September 1991.

July 21, 2010



**ADDENDUM TO CEQR CHECKLIST  
For BSA Variance and Special Permit applications**

Address: 300 East 64<sup>th</sup> Street, New York, NY

Block: 1438                      Lot: 49

Zoning District:              C2-8/R8B

**Application:**    The subject application requests a special permit pursuant to ZR § 73-36 to allow the operation of a physical culture establishment (fitness center) within the existing building's ground and second floors at the Premises. The proposed fitness center will have 5,433 square feet of floor area.

**Type II:**           Pursuant to Section 5-05(c)(1) of Chapter 5 of Title 62 of the Rules of the City of New York, the subject application for a fitness center having 5,433 square feet of gross floor area is considered a Type II Action and is therefore not subject to review under CEQR, SEQRA or the SEQRA Regulations. Section 5-05(c)(1) states that the following is considered a Type II Action:

- (1) Special permits for physical culture or health establishments for up to 20,000 gross square feet, pursuant to § 73-36 of the Zoning Resolution.

**FIRE SAFETY NARRATIVE  
SYSTEMS, ELEMENTS, CONDITIONS & DEVICES**

Block 1438, Lot 49  
August 26, 2015

The building is of 1968 Code Class I-C non-combustible two-hour protected construction, which includes a two-hour fire rated egress enclosure from the roof to the street level. All floors and occupancies have a minimum three-foot wide unobstructed access to this fire stair. These clear paths of travel to all exits are to be kept clear of any equipment or obstructions at all times.

The vertical two-hour rated fire stair is equipped with lighted exit signs at all landings, visible from corridor doors to these stair halls. Exit doors and openings from each occupancy are supplied with a lighted exit signs.

This stair is also equipped with emergency exit lights that, in the case of a power failure or other emergency, will illuminate the stairs, passageways, landings and egress paths at all elevations throughout the entire route to the street.

The building is also equipped with an automatic sprinkler system covering the cellar level.

Chad Smith, RA

