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November 9, 2018

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

Re: Cal. No. 2018-174-BZ
1440 3rd Avenue
Manhattan, New York

Dear Chair Clynes:

Please be advised that the enclosed application has been filed at the Board of Standards and Appeals for a special permit, pursuant to § 73-36 of the New York City Zoning Resolution to permit a physical culture establishment ("PCE") within an existing commercial building located in a C1-9 zoning district in Manhattan.

The subject site is an interior lot with 25.54 ft. frontage on the 3rd Avenue by 102.17 ft. depth, a total of 2609 sq. ft. in area. The lot is situated on the west side of 3rd Avenue between East 81st Street and East 82nd Street. The site is developed with an existing cellar and two story commercial building.

It is proposed to establish a new PCE operated as 305 Fitness as the sole tenant of the subject building. The cellar (810 sq. ft. – exempt) would contain storage space. The first floor (2350 sq. ft.) would consist of the entrance lobby, a restroom, and an exercise studio. The second floor (905 sq. ft.) would contain restrooms, lockers, a waiting area and office space. The proposed gross floor area of the PCE is 4065 sq. ft. (3255 sq. ft. of zoning floor area). The premises will comply with Local Law 58/87, and an interior fire alarm and sprinkler system will be installed.

We would be pleased to provide any additional information required, or to appear before your Community Board. Please contact our office accordingly.

Sincerely,


ROTHKRUG ROTHKRUG & SPECTOR LLP

Board of Standards and Appeals
Department of Buildings - Manhattan
Department of City Planning, Central Office
Department of City Planning, Manhattan Office
Gale Brewer, Borough President
Councilperson Ben Kallos

RECEIVED
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BY COMMUNITY BOARD 8



City of New York
Board of Standards and Appeals
 40 Rector Street, 9th Floor
 New York, NY 10006-1705
 Phone: (212) 788-8500
 Fax: (212) 788-8769
www.nyc.gov/bsa

ZONING (BZ) CALENDAR
 Application Form

BSA APPLICATION NO. 2018-174-BZ
 CEQR NO. _____

Section A

**Applicant/
 Owner**

Rothkrug Rothkrug & Spector LLP NAME OF APPLICANT 55 Watermill Lane ADDRESS Great Neck NY 11021 CITY STATE ZIP 516 487-2252 AREA CODE TELEPHONE 516 487-2439 AREA CODE TELEPHONE todd@rrslawllp.com EMAIL	A&L 1440, LLC OWNER OF RECORD 2621 NW 15th Street Delray Beach FL 33445 CITY STATE ZIP 305 Fitness Studio 3rd Avenue LLC LESSEE / CONTRACT VENDEE 1440 3rd Avenue Manhattan NY 10028 CITY STATE ZIP
--	---

Section B

**Site
 Data**

1440 3rd Avenue **10028**
 STREET ADDRESS (INCLUDE ANY A/K/A) ZIP CODE
west side of 3rd Avenue between East 82nd Street and East 81st Street
 DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS

1510 BLOCK	38 LOT(S)	Manhattan BOUOUGH	8 COMMUNITY DISTRICT	n/a LANDMARK/HISTORIC DISTRICT
Ben Kallos CITY COUNCIL MEMBER	C1-9/R8B ZONING DISTRICT (include special district, if any)		9a 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 32-31
 DOB Decision (Objection/ Denial) date: 10/10/18 Acting on Application No: 123376444

Section D

Description

(LEGALIZATION YES NO IN PART)
 Application for special permit to allow physical culture establishment within existing commercial building.

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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
PRIOR BSA APPLICATION NO(S): _____		
2. Are there any applications concerning the premises pending before any other government agency?....	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Is the property the subject of any court action?.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Section F

Signature

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

Adam Rothkrug attorney SWORN TO ME THIS 31 DAY OF oct 2018
 NOTARY PUBLIC STATE OF NEW YORK
 NO. 02DA6182837
 QUALIFIED IN KINGS COUNTY
 COMMISSION EXPIRES MARCH 10, 20 20



Department of Buildings
 280 Broadway
 New York, New York 10007
 (212) 566-3000 | TTY (212) 566-4769
 nyc.gov/buildings

MANHATTAN (1)
 280 BROADWAY 3RD 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: JOHN HOUSTOUN

Date: 7/25/2018

Job Application #: 123376444

Application Type: Alt. 1

Premises Address: 1440 3 AVENUE

Zoning District: C1-9/R8B

Block: 1510 Lot: 38

NYC Department of Buildings Examiner: I-Ju Chen, RA

Examiner's Signature

Your Applications is marked as incomplete, and cannot be reviewed. The construction documents submitted are not complete, and the following information must be shown on the drawings for the Plan Examiner to complete First Review. The following items checked below must be provided:

Item	Section of Code	Construction Document / Incomplete Checklist	Comments
1	ZR 32-31 ZR 73-36	Proposed Physical Culture Establishment is not the permitted as-of-right per ZR 32-31. Secure BSA's approval per ZR 73-36.	

**RECONSIDERATION
 DENIED ON**

OCT 1 0 2018

FOR OBJECTION # 1

BY: 

John Raine, R.A.
 Deputy Borough Commissioner

AFFIDAVIT OF OWNERSHIP AND AUTHORIZATION

Affidavit of Ownership

H. Daniel Heller, being duly sworn, deposes and says that (s)he resides at 2621 NW 15th St., in the City of Delray Beach, in the County of Palm Beach in the State of Florida; that A&L 1440, 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 1510, Lot(s) 38, Street and House Number 1440 3rd Avenue; and that the statement of facts in the annexed application are true.

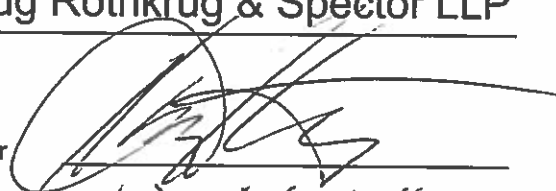
Check one of the following conditions:

- 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 Rothkrug Rothkrug & Spector LLP to make the annexed application in her/his behalf.

Signature of Owner



Print Name

H. Daniel Heller

Print Title

Managing Member

Sworn to before me this 10 day
of October, 2018



Erik Jankowski
Notary Public
State of Florida
My Commission Expires 5/25/19
Commission No. FF 234157

AFFIDAVIT OF LESSEE

SADIE KURZBAN being duly sworn, deposes and says that (s)he resides
at 101 W 8th Street, in the City of NEW YORK, in the County of NEW YORK in the
State of NEW YORK; that 305 Fitness Studio 3rd Ave. LLC is the lessee 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 1510, Lot(s) 38, Street and House Number
1440 3rd Avenue; and that the statement of facts in the annexed application are true.

Check one of the following conditions:

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

Lessee's Authorization

The lessee identified above hereby authorizes Rothkrug Rothkrug & Spector LLP
to make the annexed application in her/his behalf.

Signature of Lessee



Print Name

SADIE KURZBAN

Print Title

Managing Member

Sworn to before me this 26 day

of October 2 018

King J. Wang

Notary Public - State of New York
No. 01110001003
Commission Expires 12/31/2011



DEPARTMENT OF BUILDINGS

CERTIFICATE OF OCCUPANCY

BOROUGH

DATE: 12/27/73

NO.

S9-155

ZONING DISTRICT: C1-2

This certificate supersedes C.O. No.
 THIS CERTIFIES that the ~~AMC~~-altered existing-building premises located at
 Block 1510 Lot 3E
 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 HEREIN

PERMISSIBLE USE AND OCCUPANCY

FLOOR	LIVE LOAD LBS PER SQ FT	MAXIMUM NO OF PERSONS PERMITTED	ZONING SCHEDULE OR ROOMING UNITS	BUILDING CODE HABITABLE ROOMS	ZONING USE GROUP	BUILDING CODE OCCUPANCY GROUP	DESCRIPTION OF USE
Cellar	200	2					Garage
1st	100	20			3		Retail store.
2nd	100	30			3		Sales area in conjunction with store below.

Commercial

These premises have been declared part
of a single zoning lot in accordance with
Section 22-10 Zoning Resolution. Lots in-
cluded: 36, 39, 37, 33.

OPEN SPACE USES _____ SPECIFY: PARKING SPACES, LOADING BERTHS, OTHER USES, NONE!

NO CHANGES OF USE OR OCCUPANCY SHALL BE MADE UNLESS
A NEW AMENDED CERTIFICATE OF OCCUPANCY IS OBTAINED
THIS CERTIFICATE OF OCCUPANCY IS ISSUED SUBJECT TO FURTHER LIMITATIONS, CONDITIONS AND
SPECIFICATIONS NOTED ON THE REVERSE SIDE.

BOROUGH SUPERINTENDENT

COMMISSIONER

ORIGINAL OFFICE COPY - DEPARTMENT OF BUILDINGS COPY

THAT THE ZONING LOT ON WHICH THE PREMISES IS LOCATED IS BOUNDED AS FOLLOWS

BEGINNING at a point on the West side of Main Street
 distant 100.00 feet from the corner formed by the intersection of
Main Street and East Main Street
 running thence 100.00 feet; thence 100.00 feet 2/3 feet
 thence 100.00 feet; thence 100.00 feet 2/3 feet
 thence _____ feet; thence _____ feet
 thence _____ feet; thence _____ feet
 to the point or place of beginning.

PERMIT NO. 1500/03 DATE OF COMPLETION 10-30-72 CONSTRUCTION CLASSIFICATION CLASS 3-1.1.1
 BUILDING OCCUPANCY GROUP CLASSIFICATION Commercial HEIGHT 2 STORIES 2 FEET

THE FOLLOWING FIRE PROTECTION AND EXTINGUISHING SYSTEMS ARE REQUIRED AND WERE INSTALLED IN COMPLIANCE WITH APPLICABLE LAWS.

	YES	NO	YES	NO
STANDPIPE SYSTEM				
YARD HYDRANT SYSTEM				
STANDPIPE FIRE TELEPHONE AND SIGNALING SYSTEM				
SMOKE DETECTOR				
FIRE ALARM AND SIGNAL SYSTEM				

- STORM DRAINAGE DISCHARGES INTO:
- A) STORM SEWER B) COMBINED SEWER C) PRIVATE SEWAGE DISPOSAL SYSTEM
- SANITARY DRAINAGE DISCHARGES INTO:
- A) SANITARY SEWER B) COMBINED SEWER C) PRIVATE SEWAGE DISPOSAL SYSTEM

LIMITATIONS OR RESTRICTIONS
 BOARD OF STANDARDS AND APPEALS CAL. NO. _____
 CITY PLANNING COMMISSION CAL. NO. _____
 OTHERS: Resolution filed with City Reg. under Reg. #1095, Pages #17-7-175

NYS RA / PE SEAL AND SIGN **BSA ZONING ANALYSIS** **REVISED APRIL 2005**

BSA CALENDAR NO. 2018-____-BZ BLOCK 1510 LOT 38

SUBJECT SITE ADDRESS 1440 3RD AVE. NEW YORK, NY 10028

APPLICANT Rothkrug Rothkrug & Spector LLP

ZONING DISTRICT C1-9/R8B PRIOR BSA #

SPECIAL/HISTORIC DISTRICT N/A

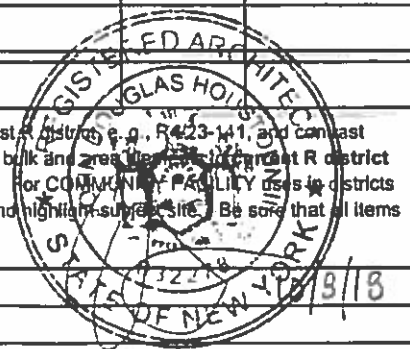
COMMUNITY BOARD 8

COMPLIANT: "Y"
IF NOT: "N" and
INDICATE AMT
OVER/UNDER

* APPLICABLE	MAXIMUM	MINIMUM	LEGAL PER	EXISTING	PROPOSED	
ZR SECTION	PERMITTED	REQUIRED	C of O or BSA			OVER/UNDER
LOT AREA				2,609 SF	2,609 SF	Y
LOT WIDTH				25.5'	25.5'	Y
USE GROUP (S)				6	PCE	SP. PERMIT
FA RESIDENTIAL						
FA COMMUNITY FACILITY						
FA COMMERCIAL/INDUST.	33-122	5,218		3,255	3,255	Y
FLOOR AREA TOTAL	77-22	7,827		3,255	3,255	Y
FAR RESIDENTIAL						
FAR COMMUNITY FACILITY						
FAR COMMERCIAL/INDUST.	33-122	2		1.25	1.25	Y
FAR TOTAL	77-22	2		1.25	1.25	Y
OPEN SPACE						
OPEN SPACE RATIO						
LOT COVERAGE (%)						
NO. DWELLING UNITS						
WALL HEIGHT						
TOTAL HEIGHT				29'	29'	Y
NUMBER OF STORIES				2	2	Y
FRONT YARD						
SIDE YARD						
SIDE YARD						
REAR YARD						
SETBACK (S)						
SKY EXP. PLANE (SLOPE)						
NO. PARKING SPACES	36-21		0	0	0	Y
LOADING BERTH (S)						
OTHER:						

* 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 requirements to nearest 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 ZONING FLOOR AREA - GROSS FLOOR AREA 4,065 SF



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RRSLAWLLP.COM

STATEMENT OF FACTS

**1440 3rd Avenue
Manhattan, New York
Block 1510; Lot 38**

Application for a special permit, pursuant to § 73-36 of the Zoning Resolution ("ZR"), to establish a 305 Fitness physical culture establishment ("PCE") within an existing commercial building located in a C1-9¹ zoning district in Manhattan.

The subject site is an interior lot with 25.54 ft. frontage on the 3rd Avenue by 102.17 ft. depth, a total of 2609 sq. ft. in area, located within the area of Community Board 8 of Manhattan. The lot is situated on the west side of 3rd Avenue between East 81st Street and East 82nd Street. Review of the Department of City Planning website does not indicate any pending or proposed changes in the applicable zoning.

The site is developed with an existing cellar and two story commercial building. Certificate of Occupancy #89488 (temporary) issued on November 21, 1986 indicates the following uses:

Cellar	Storage
1st	Retail store
2nd	Sales area in conjunction with store below

The proposed PCE would be the sole tenant of the subject building. Patrons would enter the PCE from an entrance located on 3rd Avenue. The cellar (810 sq. ft. – exempt) would contain

¹ As indicated on submitted materials, the rear portion of the subject lot extends 2.17 ft. into the R8B district to the west. The proposed PCE will be located entirely within the C1-9 commercial district that extends 100 ft. west from 3rd Avenue.

STATEMENT
(continued)

storage space. The first floor (2350 sq. ft.) would consist of the entrance lobby, a restroom, and an exercise studio. The second floor (905 sq. ft.) would contain restrooms, lockers, a waiting area and office space. The proposed gross floor area of the PCE is 4065 sq. ft. (3255 sq. ft. of zoning floor area). The premises will comply with Local Law 58/87, and an interior fire alarm and sprinkler system will be as noted on proposed plans. As the proposed PCE will be the only use in the building, no noise issues are reasonably anticipated.

The proposed PCE will operate as 305 Fitness. The PCE offers class based training with classes offered based on demand. It is anticipated that the site will offer 8 to 12 classes on weekdays and 6 to 9 classes on weekends. Space within classes is reserved in advance with participation limited based on studio space (approximately 25 per class). Peak weekday hours are expected to be 6 PM and 7 PM with approximately 25 patrons in the facility and the peak weekend hours are expected to be noon to 1 PM on Saturdays with approximately 20 patrons in the club. The current and proposed hours of operation are:

Monday to Friday	6:00 AM — 9:00 PM
Saturday	9:30 AM — 3:00 PM
Sunday	9:30 AM — 5:30 PM

Total staff is approximately 15, including management, sales personnel and front desk personnel. Staff works shifts so at most 5 will be on site at one time. It is anticipated that the majority of members will be residents of the neighborhood and employees of the nearby

STATEMENT
(continued)

commercial uses that walk to the facility. No parking is required in connection with the PCE use in a C1-9 zoning district.

SUGGESTED FINDINGS PURSUANT TO
§ 73-03 OF THE ZONING RESOLUTION

The instant application meets each of the findings your Board is required to make pursuant to § 73-03 of the Zoning Resolution:

The Board of Standards and Appeals shall have the power, as authorized by Section 73-01, paragraph (a) or (b), and subject to such appropriate conditions and safeguards as the Board shall prescribe, to grant special permit uses or modifications of use, parking, or bulk regulations as specifically provided in this Chapter, provided in each case:

(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.

(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.

SUGGESTED FINDINGS PURSUANT TO
§ 73-03 OF THE ZONING RESOLUTION
(continued)

(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.

(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.

(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.

(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.

(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

SUGGESTED FINDINGS PURSUANT TO
§ 73-03 OF THE ZONING RESOLUTION
(continued)

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.

a. There are no foreseeable hazards or disadvantages to the community, and no foreseeable adverse effect on the privacy, quiet, light and air in the neighborhood of such special permit use. No modification of the parking or bulk regulations is required or requested, and the applicant will agree to any appropriate conditions with regard to the design and method of operation of the subject facility. It is anticipated that the physical culture establishment will be an asset to the surrounding area, providing a desirable use to the local community.

b. The proposed physical culture establishment will not interfere with any public improvement project which is approved or pending before the City Council, Site Selection Board or City Planning Commission.

c. Section 73-36 does not require the Board to make a finding with respect to the appropriateness of the use in relation to the street system. Nevertheless, it is not anticipated the facility will have any negative impact on the surrounding streets.

SUGGESTED FINDINGS PURSUANT TO
§ 73-03 OF THE ZONING RESOLUTION
(continued)

d. Not applicable.

e. Section 73-36 provides for a maximum term of ten years, and a ten year term is sought in the instant application.

f. Not applicable.

g. Not applicable.

SUGGESTED FINDINGS PURSUANT TO
§ 73-36 OF THE ZONING RESOLUTION

Section 73-36 (a) of the Zoning Resolution permits physical culture establishments such as that proposed in a C1-9 zoning district provided that the following findings are made:

1. *That such use is so located as not to impair the essential character or the future use or development of the surrounding area; and*
2. *That such use contains;*
 - (i) *one or more of the following regulations size sports facilities; handball courts, basketball courts, squash courts, paddleball courts, racketball courts, tennis courts; or*
 - (ii) *a swimming pool, a minimum of 1,500 square feet; or*
 - (iii) *facilities for classes, instruction and programs for physical improvement, body building, weight reduction, aerobics and martial arts; or*

SUGGESTED FINDINGS PURSUANT TO
§ 73-36 OF THE ZONING RESOLUTION
(continued)

(iv) facilities for the practice of massage by New York State Licensed masseurs or masseuses.

Therapeutic or relaxation services may be provided only as accessory to programmed facilities as described in paragraphs (a)(2)(i) through (a)(2)(iv) of this Section.

1. The subject physical culture establishment will be located in a C1-9 commercial district as the sole use within an existing commercial building. The subject physical culture establishment is an extremely desirable use, and there is no reason or evidence to suggest that the facility will impair the essential character or the future use or development of the surrounding area.

2. The subject physical culture establishment contains facilities for classes, instruction and programs for physical improvement, body building, weight reduction, and aerobics.

Respectfully submitted,



Rothkrug Rothkrug & Spector LLP

BSA SIGN ANALYSIS - COMMERCIAL DISTRICTS

REVISED JANUARY 2004

BSA CALENDAR NO: 2018-_____-BZ

LOCATION: 1440 3RD AVE, NEW YORK, NY 10028 BOROUGH MANHATTAN

BLOCK 1510

APPLICANT: Rothkrug Rothkrug & Spector LLP

LOT 38

ZONING DISTRICT: C1-9/R8B

SPECIAL DISTRICT

N/A

LOT AREA: 2,609 SF

EQUIVALENT C DISTRICT

N/A

	SECTION	PERMITTED	PROPOSED	COMPLIANCE
ACCESSORY BUSINESS SIGNS	32-62	PERMITTED IN ALL COMMERCIAL DISTRICTS		
ADVERTISING SIGNS	32-63	C6-5, C6-7, C7, C8 DISTRICTS		
TOTAL SURFACE AREA - ALL SIGNS C1 - C8	32-641	SEE TABLE SECT. 32-642 FOR SURFACE AREA PERMITTED = 76.62 SF	64 SF	Y
NON-ILLUMINATED SIGNS C1 - C8	32-642	SEE TABLE THIS SECTION FOR SURFACE AREA PERMITTED =		
ILLUMINATED NON-FLASHING C1, C2	32-643	SEE TABLE THIS SECTION FOR SURFACE AREA PERMITTED =		
ILLUMINATED OR FLASHING C4, C5-4, C6, C7 (NO FLASHING SIGNS IN C6-1A)	32-644	SEE TABLE THIS SECTION FOR SURFACE AREA PERMITTED =		
ILLUMINATED OR FLASHING SIGNS IN C8 DISTRICTS - BUSINESS OR ADVERTISING	32-645	TOTAL SURFACE AREA OF ALL SUCH SIGNS < 5X STREET FRONTAGE OF ZONING LOT, EACH SIGN < 500 SF		
PERMITTED PROJECTION C6-5, C6-7, C7 SEE SECTION 32-653 FOR ADD'L REGS	32-651	NO PERMITTED SIGN TO PROJECT ACROSS STREET LINE BY MORE THAN 8'		
PERMITTED PROJECTION FOR ALL REMAINING COMMERCIAL DISTRICTS	32-652	NO PERMITTED SIGN TO PROJECT ACROSS STREET LINE BY MORE THAN 18" FOR DOUBLE OR MULTI-FACETED SIGNS OR 12" FOR ALL OTHERS		
REGULATIONS FOR PROJECTING BUSINESS SIGNS: AWNINGS, CANOPIES, SIGNS ON MARQUEES C1 - C8	32-653	- AWNING OR CANOPY: NON-ILLUM. < 12SF, LETTERS < 12", FOR IDENTIFICATION ONLY; - SIGN ON MARQUEE: MUST PROJECT < 48" ABOVE, > 12" BELOW, EXCEPT C6-5, C6-7, C7		
MAXIMUM HEIGHT OF SIGNS C8	32-654	< 40' ABOVE CURB LEVEL; < 58' FOR NON-ILLUM. OR INDIRECT SIGNS		
MAXIMUM HEIGHT OF SIGNS C1 - C7	32-655	SEE TABLE: 25'-40" RANGE PER DISTRICT; C6-5, C6-7, C7: NO RESTRICTION		
MAXIMUM HEIGHT ABOVE ROOF C1 - C5, C6-1 to 4, C6-6, C6-8, C6-9	32-656	ONLY VERTICAL SIGNS < 28" WIDE MAY EXTEND UP TO 15' ABOVE ROOF LEVEL		
ROOF SIGNS C1 - C5, C6-1 to 4, C6-6, C6-8, C6-9	32-657	NONE PERMITTED		
ADDITIONAL REGULATIONS FOR SIGNS OTHER THAN ADVERTISING SIGNS IN C6-5, C6-7, C7, C8	32-661	IF WITHIN 200' OF ARTERIAL HIGHWAY OR PARK SIGN SHALL NOT EXCEED 500sqf SURFACE AREA IF WITHIN VIEW. SEE EXCEPTIONS		
ADDITIONAL REGULATIONS FOR ADVERTISING SIGNS IN C6-5, C6-7, C7, C8	32-662	NONE PERMITTED WITHIN 200' OF ARTERIAL HIGHWAY OR PARK, IF WITHIN VIEW		
WATERWAY ADVERTISING SIGNS	32-663	NOT PERMITTED ADJACENT TO C DISTRICTS		
PROVISION FOR DIST. BOUNDARIES C2 - C8	32-67	IF WITHIN 100' OF RESIDENCE DISTRICT OR ADJ. TO PARK AND SIGN < 185 DEG., SEE C1 REGS.		
RESIDENTIAL OR MIXED BUILDINGS C1 - C6	32-68	FOR UG 1, 2 or RESIDENTIAL USES, SEE RESIDENTIAL REGULATIONS. FOR NON - RESIDENTIAL USE ON 2 FLOORS - NON-ILLUM. SIGNS ONLY AND BELOW 3RD STORY		
ADULT ESTABLISHMENTS	32-69	SEE SECTION		





1440 Third Avenue, Manhattan
Block 1510
Lot 38



Third Avenue

SITE

1440 Third Avenue, Manhattan
Block 1510
Lot 38

View #1
9/15/2018

EST. 1998

MAD RIVER View #2
94B2B8

SITE

1445 Third Avenue, Manhattan
Block 1510
Lot 25





1440 Third Avenue, Manhattan
Block 1510
Lot 38

View #3
9/15/2018

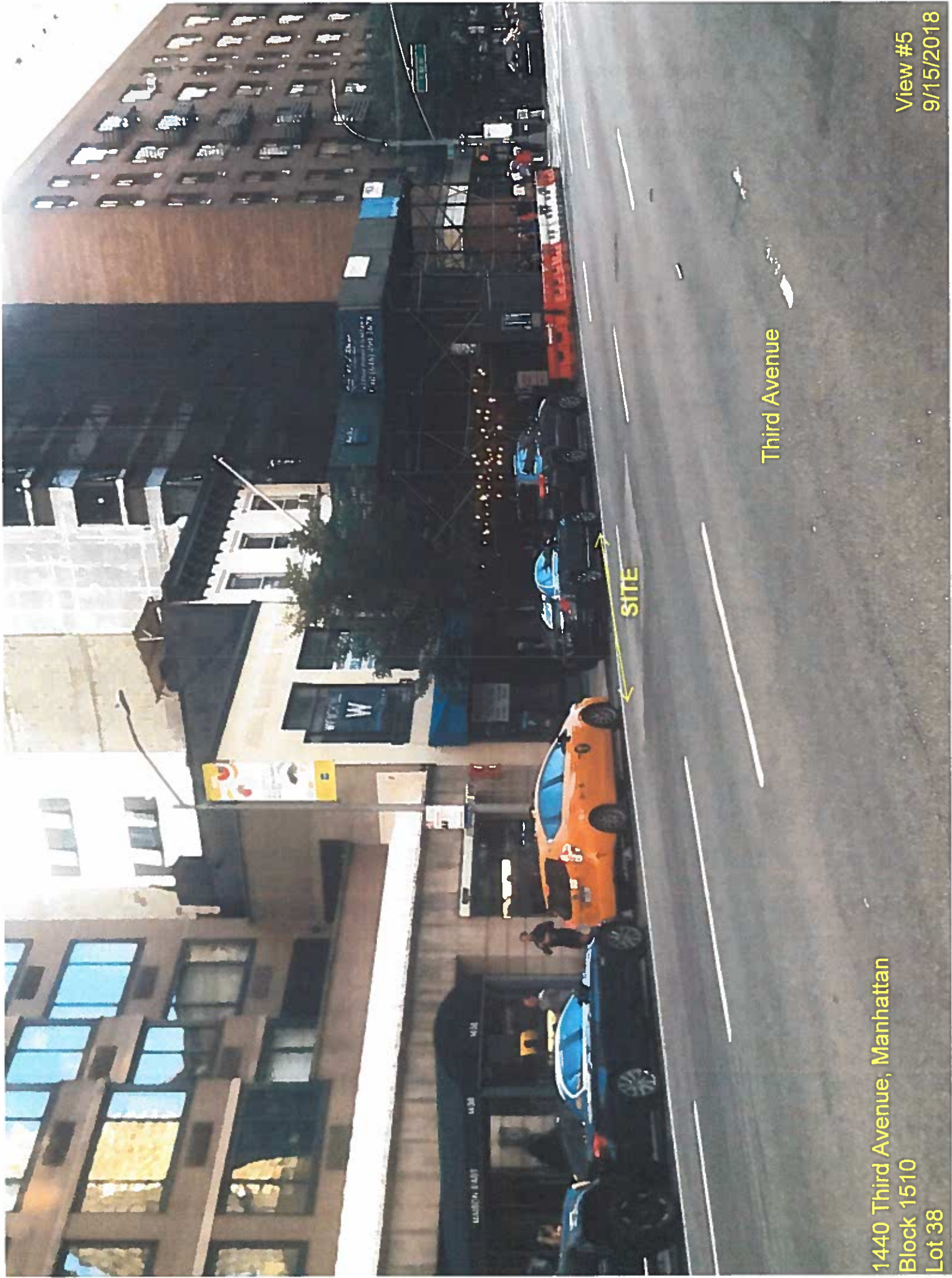


Third Avenue

SITE

View #4
9/15/2018

1440 Third Avenue, Manhattan
Block 1510
Lot 38



1440 Third Avenue, Manhattan
Block 1510
Lot 38

Third Avenue

SITE

View #5
9/15/2018

1440 Third Avenue, Manhattan

Block 1509

Block 1509, Lot 39

C/O THE BRODSKY ORGANIZATION L
163-170 EAST 81ST STREET ASSOCIATES LLC
400 W. 59TH ST.
NEW YORK NY 10019-8023

Block 1509, Lot 41

C/O THE BRODSKY ORGANIZATION L
163-170 EAST 81ST STREET ASSOCIATES LLC
400 W. 59TH ST.
NEW YORK NY 10019-8023

Block 1510

Block 1510, Lot 27

157 EAST 81 OWNERS CO.
157 E. 81ST ST.
NEW YORK NY 10028-1844

Block 1510, Lot 29

J. CHAY ENTERPRISES LLC
P.O. BOX 356
BOICEVILLE NY 12412-0356

Block 1510, Lot 30

CHARLES H. GREENTHAL & CO.
165 E. 81 ST. CP
3030 NORTHERN BLVD.
LONG ISLAND CITY NY 11101-2809

Block 1510, Lot 33

C/O NOAM CORPORATION
1430 THIRD AVE. LLC
1428 36TH ST. STE 219
BROOKLYN NY 11218-3765

Block 1510, Lot 38

A&L 1440, LLC
2621 NW 15TH ST.
DELRAY BEACH FL 33445-1330

Block 1510, Lot 39

1442 THIRD AVE. CORP.
455 NE 5TH AVE. STE D-430
DELRAY BEACH FL 33483-5658

Block 1510, Lot 40

DRK THIRD AVENUE LLC
41 WOOSTER ST.
NEW YORK NY 10013-2266

Block 1510, Lot 41

FRANCO REALTY TRUST
174 E. 82ND ST.
NEW YORK NY 10028-1839

Block 1510, Lot 42

COPPERWOOD REAL ESTATE, LLC
RSL 172 EAST 82ND LLC
317 E. 84TH ST.
NEW YORK NY 10028-2903

Block 1510, Lot 43

C/O WILLIAM CRABLE
HADA, JUNJI
EFFICIENC CAPITAL ADVISORS K. SUITE
NEW YORK NY 10012

Block 1510, Lot 44

166 E. 82 STREET
228 E. 45TH ST. RM. 1800
NEW YORK NY 10017-3329

Block 1510, Lot 45

162-164 82ND ST. LLC
254 W. 31ST ST. FL. 6
NEW YORK NY 10001-2813

Block 1510, Lot 46

CHOICE NEW YORK MANAGEMENT
162-164 82ND ST. LLC
254 W. 31ST ST.
NEW YORK NY 10001-2813

Block 1510, Lot 7501

OWNER/AGENT
1438 3RD AVE.
NEW YORK NY 10028-1978

Block 1511

Block 1511, Lot 28

163 E. 82, LLC
163 E. 82ND ST.
NEW YORK NY 10028-1856

Block 1511, Lot 29

165 EAST 82 LLC
165 E. 82ND ST.
NEW YORK NY 10028-1856

Block 1511, Lot 33

170 EAST 83RD STREET LLC
1450 3RD AVE.
NEW YORK NY 10028-1902

Block 1511, Lot 7502

C/O BOARD OF MANAGERS
THE MERRITT HOUSE
167 E. 82ND ST.
NEW YORK NY 10028-1888

Block 1527

Block 1527, Lot 1

FAME EQUITIES & MANAGEMENT CO.
150 E. 58TH ST. FL. 28
NEW YORK NY 10155-0002

Block 1527, Lot 45

RP WIMBLEDON OWNER, L.L.C.
200 E. 82ND ST.
NEW YORK NY 10028-2746

Block 1527, Lot 7501

LE TRIANON CONDOMINIUM ASSOC
11-11 44TH DRIVE 2ND FLOOR
LONG ISLAND CITY NY 11101

Block 1528

Block 1528, Lot 1

ARYEH REALTY CORP.
1020 MADISON AVE. LBBY 2
NEW YORK NY 10075-0174

1440 Third Avenue, 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
NYC Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Department of City Planning (Central Office)

Zoning & Urban Design Division
NYC Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

State of New York)
County of New York)

Miya Alcivar, being duly sworn, deposes and says: That the foregoing names and addresses were obtained from the City Collector's office on the 1st day of August, 2018.



Miya Alcivar

Sworn before me on
this 1st day of August, 2018.

AUSTIN COURY
NOTARY PUBLIC-STATE OF NEW YORK
No. 01C05365241
Qualified in Queens County
My Commission Expires 10-02-2021

[Notary Public Stamp]

