

BZ APPLICATION FORM

Section A (Applicant's Representative and Owner of Record or Operator)			
Akerman LLP <hr/> Name of Applicant's Representative Firm Frank St. Jacques <hr/> Contact Person 666 Fifth Avenue, 20th Floor <hr/> Address New York NY 10103 <hr/> City State Zip (212) 259-6474 <hr/> Phone Number frank.stjacques@akerman.com <hr/> Email		Barry's Bootcamp (PCE Operator) <hr/> Applicant (Owner of Record or Operator) 135 West 20th Street, New York, NY 10011 <hr/> Address adam@barrys.com <hr/> Email <hr/> Lessee/Contract Vendee <hr/> Address <hr/> Email	
Section B (Site Data)			
237-241 East 86th Street 1076327 <hr/> Street Address BIN # Manhattan 1532 16 <hr/> Borough Block Lot(s) C2-8A <hr/> Zoning District (Including Special Purpose District)		8 5 10028 <hr/> Community Board Council District Zip Code Ben Kallos <hr/> NYC Council Member N/A <hr/> Landmark Designation/Historic District	
Section C (Department of Buildings Decision)			
73-36 <hr/> BSA Authorizing Section(s) 32-10 <hr/> Section of ZR to Be Varied		June 1, 2020 NO <hr/> DOB Decision (Objection/Denial) Date Legalization Alt1 Job No. 123912178 <hr/> Acting on (NB/Alt.) Application No.	
Section D (Project Description)			
This application seeks a special permit pursuant to ZR §73-36 to permit the operation of a new Physical Culture Establishment (PCE), a Barry's Bootcamp fitness center, on the cellar level and ground floor of an existing 18-story, mixed residential and commercial building.			
Section E (Affidavit of Applicant)			
I hereby affirm that, under penalty of perjury, all the above information and the statements contained in this application are true and correct to the best of my knowledge, information and belief.			
 Signature of Applicant, Corporate Officer or Other Authorized Agent Frank St. Jacques Associate <hr/> Print Name Title		Sworn to me this <u>14th</u> day of <u>June</u> , 20 <u>20</u> . NOTARY PUBLIC-STATE OF NEW YORK Qualified in Queens County Notary Public Commission Expires 10-02-2021	



Department of Buildings
280 Broadway
New York, New York 10007
(212) 566-5000 | 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 Rejection – Incomplete Application

Applicant: ERIC STYER

DXU ARCHITECTS

412 S. WELLS STREET 2 FL

CHICAGO IL 60607

ERICSTYER@DXUARCH.COM

RUBEN.CC@CUSTODIOCONSULTING.COM

Date: June 1, 2020

Job Application #: 123912178

Application Type: Alteration Type 1, Directive 2

Premises Address: 237 E. 86th St., New York, NY 10028

Zoning District: C2-8A

Special District(s): N/A

Block: 01532 **Lot:** 0016

NYC Department of Buildings Examiner: David L. Hendershot, ACPE, AIA, CFM

Examiner's Signature:

Your Application 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 must be provided:

Item	Section of Code	Construction Document / Incomplete Checklist	Comments
1	ZR 32-10 ZR 32-31 ZR 73-36	Proposed "Physical Culture Establishment" in a C2-8A zoning district is not "as of right" and requires a special permit from The New York City Board of Standards and Appeals (BSA) per ZR 32-31 and ZR 73-36.	A. Submit BSA approval in order for this application to be assigned to a NYCDOB plan examiner for full review.

David Hendershot, RA

David L. Hendershot

DISAPPROVED

Under Directive 2 of 1975

Date: 06/01/2020

MANHATTAN

**RECONSIDERATION
DENIED ON**

JUN 01 2020

FOR OBJECTION #
BY: John Raine, R.A.
Borough Commissioner

AFFIDAVIT OF PCE LESSEE

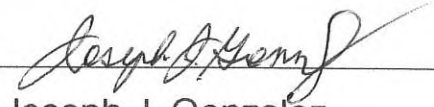
AND AUTHORIZATION

Joseph J. Gonzalez, being duly sworn deposes and says that he/she resides at
355 S. Rimpau Blvd. _____, in the City
of Los Angeles _____, in the County of Los Angeles _____, in the State of California _____; that
Barry's Bootcamp NYC, 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 1532
Lot(s) 16 _____, Street and House Number 241 East 86th Street _____;
and, under penalty of perjury, the above information and statements contained in the annexed application are true
and correct to the best of his/her knowledge, information and belief.

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
☒ Lessee (physical culture establishments only)

LESSEE identified above hereby authorizes Akerman LLP _____ to make the
annexed application on her/his behalf.

Signature of LESSEE 
Print Name Joseph J. Gonzalez
Print Title C.E.O.

Sworn to me this 15th day of April 2020


Notary Public

DEIRDRE NORA BEIRNE
NOTARY PUBLIC-STATE OF NEW YORK
No. 01BE6302662
Qualified in New York County
My Commission Expires 05-05-2022

June 2, 2020

STATEMENT OF FACTS AND FINDINGS

Block 1532, Lot 16
237-241 East 86th Street (BIN: 1076327)
Manhattan, New York (the "Subject Site")

This application is filed pursuant to Sections 73-03 and 73-36 of the Zoning Resolution of the City of New York, as amended ("Zoning Resolution" or "ZR"), for the establishment of a new physical culture establishment ("PCE"), a Barry's Bootcamp fitness center, on the cellar and first floor of the existing 18-story mixed-use building at the Subject Site. The Subject Site is located within a C2-8A zoning district where PCE use is only permitted by special permit from the Board of Standards and Appeals (the "Board" or "BSA") pursuant to ZR § 73-36.

EXISTING CONDITIONS

The Subject Site is located in the Yorkville neighborhood of Manhattan within Community District 8. The Subject Site is located at 237-241 East 86th Street (Block 1532, Lot 16 on the New York City Tax Map). The lot area of the Subject Site is approximately 9,440 square feet. It is bounded by 3rd Avenue to the west, East 86th Street to the south, East 87th Street to the north, and 2nd Avenue to the east. As noted above, the Subject Site is within a C2-8A zoning district.

The Subject Site is improved with an 18-story mixed residential and commercial building. According to the enclosed Department of Buildings ("DOB") Buildings Information System Property Profile Overview for the building, there are four open DOB violations and no open Environmental Control Board ("ECB") violations for the Subject Site. The open violations are related to building elevators and boilers and do not relate to the proposed PCE use. Details regarding the open DOB violations are enclosed with this application.

PROPOSED CONDITIONS

This application seeks to permit the operation of a new 7,273 square foot PCE on portions of the cellar level and ground floor of the building at the Subject Site. The 3,888 square foot ground floor of the proposed PCE contains a lobby, fuel bar, fitness studio, reception area, laundry, mop and utility room, storage room, and locker rooms. The fitness studio is equipped with treadmills, benches, and weight racks. The lobby area has access to elevators and stairs leading to the PCE

space on the cellar level. The 3,385 square foot cellar level of the proposed PCE contains a “flex lab” for dedicated stretching classes and pre- and post-class stretching, storage rooms, bathrooms and changing rooms. The flex lab is equipped with benches and weight racks.

Barry’s Bootcamp is class-based. 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 (dumbbells having maximum weight of 55 pounds) and other equipment. The dropping of weights during workout routines is not permitted. Barry’s Bootcamp currently offers five different types of classes throughout the week that are designed to target specific body areas. Barry’s Bootcamp proposes to operate seven days a week, Monday through Friday from 5:30 AM to 8:00 PM, and Saturdays and Sundays from 7:00 AM to 5:00 PM. The PCE’s peak hours for class attendance are anticipated from 6:00 AM to 10:00 AM in the morning and from 5:00 PM to 8:00 PM in the evening. The fitness center anticipates approximately seven employees staffed during its peak hours and expects 40 to 60 patrons during peak class times.

SOUND ATTENUATION MEASURES

The PCE employs sound attenuation measures, including a suspended, spring isolated acoustic ceiling, insulated walls, columns, and conduits, and an isolated flooring system with Powerdek acoustic rubber tile flooring. These measures are shown on sheets BSA-103.00 and BSA-104.00 of the enclosed plans.

ADA & FIRE SAFETY COMPLIANCE MEASURES

The proposed PCE is fully compliant with all ADA requirements. All hallways are the minimum width required for ADA compliance and there are accessible toilet and shower rooms. Accessibility is provided in the PCE pursuant to the standards set forth in applicable accessibility laws, including but not limited to Chapter 11 of the NYC Building Code, the 2009 American National Standards Institute (ANSI) A117.1 and Title III of the Americans with Disabilities Act. The PCE exit is accessible by exit paths with a minimum width of 36 inches. With respect to fire safety, the building is fully sprinklered and a fire alarm system with a connection to a central monitoring station will be installed in the PCE space.

DEPARTMENT OF BUILDINGS OBJECTION

An alteration application and architectural plans were filed at the Department of Buildings under Alteration Type 1 Application No. 123912178 to permit the proposed PCE use on portions of the building’s cellar and ground floors. On June 1, 2020 DOB issued the enclosed objection stating that the proposed PCE is not permitted as-of-right in the C2-8A zoning district citing ZR § 32-10.

STATEMENT OF FINDINGS - ZONING RESOLUTION § 73-36 SPECIAL PERMIT

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 use satisfies the applicable findings. The individual findings are discussed below. Pursuant to ZR § 73-36(a), the PCE special permit is applicable in C1-8X, C1-9, C2, C4, C5, C6, C8, M1, M2 or M3 Districts, and in certain special

districts as specified in the provisions of such special district. The PCE special permit is applicable at the Subject Site because it is located within a C2-8A zoning district.

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

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 is located in a C2-8A commercial zoning district in a mixed-use building. The location of the proposed PCE is consistent with mixed-use character of the surrounding area, which has compatible local commercial uses including retail stores, eating and drinking establishments, and other fitness centers, in addition to residential use.

Based on the mixed-use character of the area, the proposed PCE use at the Subject Site will not alter the essential character, future use, or development of the surrounding area. Moreover, the proposed PCE employs sound attenuation measures described above to minimize any potential adverse effects from the PCE at the Subject Site.

ZR § 73-36(a)(2) - Facilities Finding

that such use 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 this finding because it contains facilities for classes, instruction and programs for physical improvement.

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

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 this application because no portion of the PCE is located on the rooftop of the subject building.

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

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*

Copies of the Physical Culture Establishment and Physical Culture Principal Questionnaire forms are enclosed with this application to provide the Board with the necessary information to arrange for the background check required by this subsection.

GENERAL SPECIAL PERMIT FINDINGS PER ZONING RESOLUTION § 73-03

ZR § 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.*

The proposed PCE contains facilities for the practice of physical fitness activities. Physical fitness activities provide many physical and mental benefits such as the relief of stress, anxiety, and muscle tension, the improvement of blood and lymph fluid circulation, the improvement of joint flexibility and range of motion, weight loss, and muscle toning. The proposed PCE represents an advantage to the community because it provides access to the practice of physical fitness activities, which improve physical and mental health. In addition, the operation and sound attenuation measures described above ensure that there are no adverse effects from the PCE at the Subject Site or within the surrounding neighborhood. Based on the foregoing reasons, the PCE provides an advantage to the community at large and this finding is satisfied.

- (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.

This subsection is satisfied because the operation of the PCE is entirely within the existing building and will not interfere with any public improvement projects.

- (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.*

This subsection is not applicable because the Board is not required to make these findings under ZR § 73-36.

- (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.*

This subsection is not applicable because this application does not relate to ZR §§ 73-243, 73-48, or 73-49.

- (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.*

This application requests a maximum term of ten years as set forth in ZR § 73-36.

- (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.

This subsection is not applicable because 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.

This subsection is not applicable because this application is not for an enlargement or extension of an existing use.

CONCLUSION

As detailed above, the proposed PCE use at the Subject Site meets the findings required by ZR §§ 73-36 and 73-03. Therefore, we respectfully request that the Board grant this application.

Respectfully submitted,



Frank St. Jacques

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6, Location of District Boundaries of the Zoning Resolution.



NYC Digital Tax Map

Effective Date : 12-07-2009 14:21:49

End Date : Current

Manhattan Block: 1532

- Legend**
- Streets
 - Miscellaneous Text
 - Possession Hooks
 - Boundary Lines
 - Lot Face Possession Hooks
 - Regular
 - Underwater
 - Tax Lot Polygon
 - Condo Number
 - Tax Block Polygon



0 5 10 20 30 40 Feet

237 East 86th Street, Manhattan

Photo Key Map

Urban Cartographics

Photographed by: Alonso Espinoza on January 24, 2020





237 East 86th Street, Manhattan

View 1

East 86th Street

Urban Cartographics

Photographed by: Alonso Espinoza on January 24, 2020

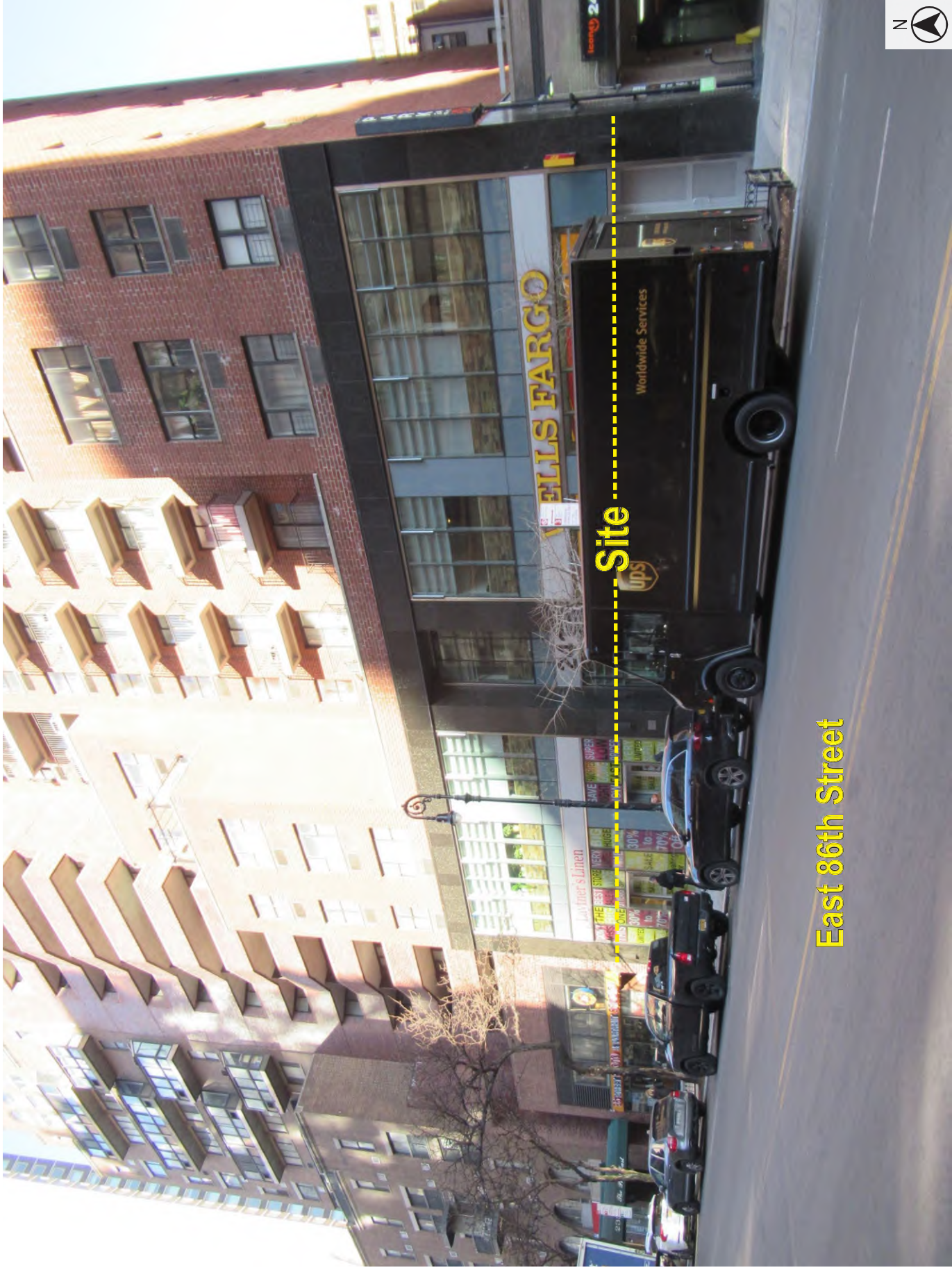


237 East 86th Street, Manhattan

View 2

Urban Cartographics

Photographed by: Alonso Espinoza on January 24, 2020



237 East 86th Street, Manhattan

View 3

Urban Cartographics

Photographed by: Alonso Espinoza on January 24, 2020



East 86th Street



237 East 86th Street, Manhattan

View 5

Urban Cartographics

Photographed by: Alonso Espinoza on January 24, 2020



237 East 86th Street, Manhattan

View 6

Urban Cartographics

Photographed by: Alonso Espinoza on January 24, 2020



237 East 86th Street, Manhattan
View 7



- PCE SCOPE -
FIRST FLOOR & CELLAR LEVEL
- BUILDING
- ZONING DISTRICT BOUNDARY

ZONING DATA

ADDRESS:	241 E 86TH STREET, NEW YORK, NY 10028
BLOCK:	1532
LOT:	16
MAP:	9A
ZONE:	C2-8A
USE GROUP:	PCE - PHYSICAL CULTURAL ESTABLISHMENT
LANDMARK:	NO
OCCUPANT LOAD:	96 OCCUPANTS (GROUND), 63 OCCUPANTS (CELLAR), SEE BSA-101.00 & BSA-102.00.

GENERAL NOTES

1. THE PHYSICAL CULTURAL ESTABLISHMENT IN A C2-8A ZONING DISTRICT IS NOT PERMITTED PURSUANT TO ZR 32-10 AND IS REFERRED TO BOARD OF STANDARDS AND APPEALS (BSA) FOR A SPECIAL PERMIT UNDER ZR 73-36.
2. ALL WORK AND SITE CONDITIONS SHALL SUBSTANTIALLY CONFORM TO DRAWINGS FILED AT BSA.
3. ALL PARTITIONS AND EXITS SHALL BE AS APPROVED BY DOB.
4. DOB SHALL ENSURE COMPLIANCE WITH ALL OTHER APPLICABLE PROVISIONS OF THE ZONING RESOLUTION, THE ADMINISTRATIVE CODE AND ANY OTHER RELEVANT LAWS UNDER ITS JURISDICTION IRRESPECTIVE OF THE PLAN(S)/CONFIGURATION(S) NOT RELATED TO THE RELIEF GRANTED.
5. MINIMUM 3'-0" WIDE EXIT PATHWAYS SHALL BE PROVIDED LEADING TO THE REQUIRED EXITS. PATHWAYS SHALL ALWAYS BE MAINTAINED UNOBSTRUCTED, INCLUDING FROM ANY GYMNASIUM EQUIPMENT.
6. ACCESSIBILITY SHALL BE PROVIDED PURSUANT TO THE STANDARDS SET FORTH IN APPLICABLE ACCESSIBILITY LAWS, INCLUDING BUT NOT LIMITED TO CHAPTER 11 OF THE NYC BUILDING CODE, THE 2009 AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) A117.1 AND TITLE III OF THE AMERICAN WITH DISABILITIES ACT. AND SHALL BE AS APPROVED BY DOB.
7. THE SUBJECT BUILDING IS EQUIPPED WITH AN APPROVED FIRE ALARM SYSTEM (APPLICATION NO. 40091431). ACCORDINGLY, A FIRE ALARM SYSTEM SHALL BE PROVIDED IN THE PCE SPACE AS REQUIRED BY 2014 BC SECTION 901.6.2 AND THE NEW YORK CITY FIRE CODE AND SHALL BE MONITORED BY A CENTRAL SUPERVISING STATION IN ACCORDANCE WITH FIRE CODE SECTION 907.14.
8. THE SUBJECT BUILDING IS FULLY SPRINKLERED (APPLICATION NO. M00314441). ACCORDINGLY, THE SPRINKLER SYSTEM SHALL BE EXTENDED INTO THE PCE SPACE, OR, IF A SPRINKLER SYSTEM IS ALREADY INSTALLED IN THE PCE SPACE, SUCH SPRINKLER SHALL BE MAINTAINED (I.E. RECONFIGURED FOR PCE OCCUPANCY) AND COMPLY WITH THE APPLICABLE CONSTRUCTION CODE.
9. NOISE ABATEMENT SHALL BE APPROVED IN THE PCE SPACE TO ENSURE THAT THE SOUND LEVEL IN THE OTHER PORTIONS OF THE BUILDING DOES NOT EXCEED THE MAXIMUM INTERIOR NOISE LEVEL OF 45dBA APPROVED BY THE NYC DEPT/OTHER REGULATORY AUTHORITY. THIS SHALL INCLUDE SOUND EMANATING FROM ANY SOUND SYSTEM IF INSTALLED.
10. THE HOURS OF OPERATION FOR THE PROPOSED PCE WILL BE MONDAY THROUGH FRIDAY FROM 5:30 AM TO 8:00 PM, SATURDAY FROM 7:00 AM TO 3:00 PM, AND SUNDAY FROM 7:00 AM TO 3:00 PM.



BARRY'S - UES
241 E. 86TH STREET
NEW YORK, NY 10028

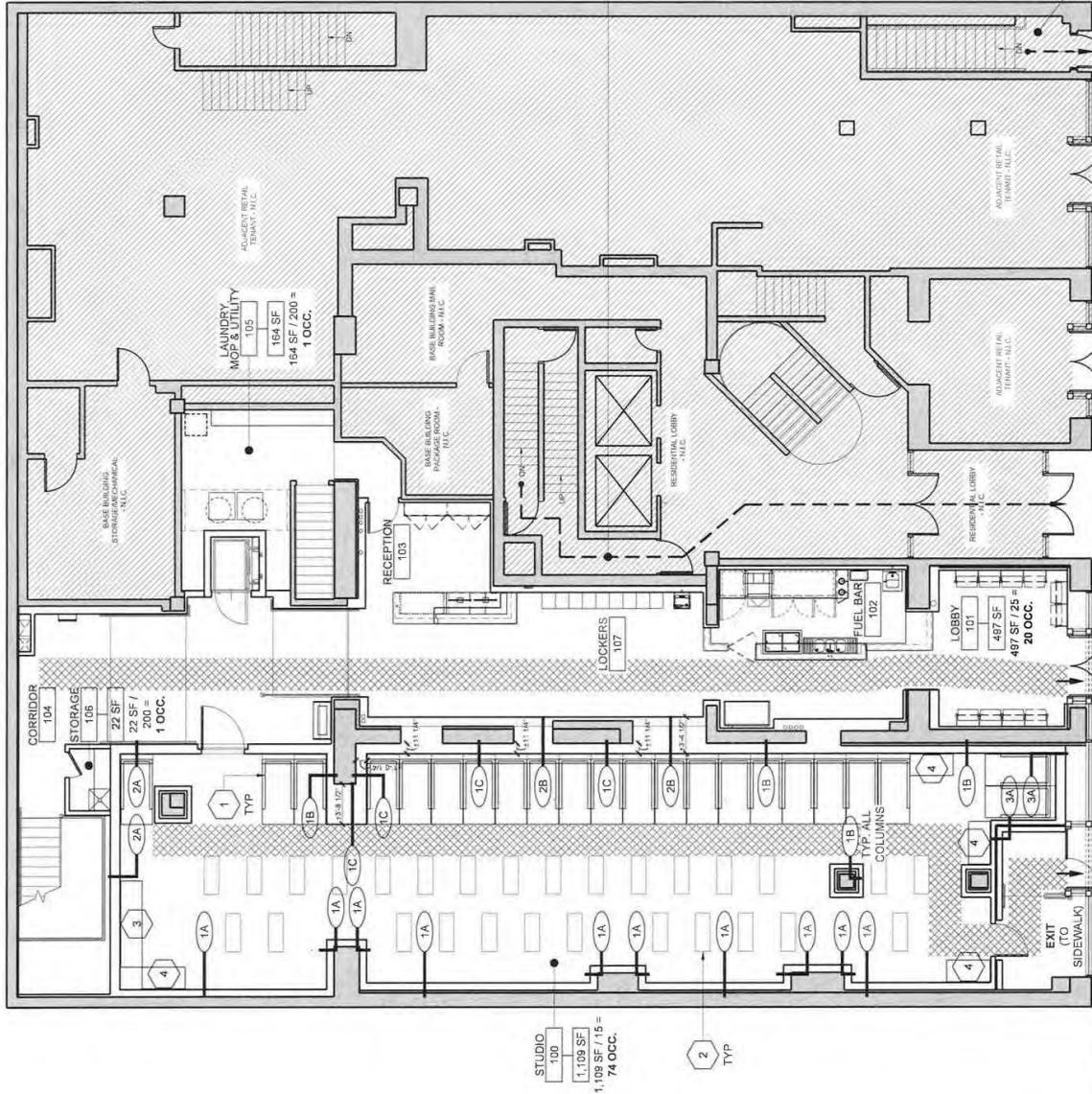
PROJECT #19-161



Date 05-12-2020

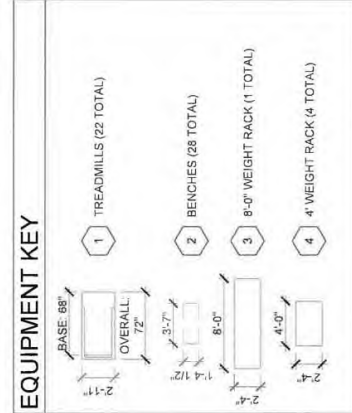
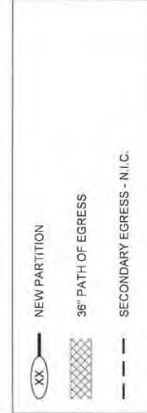
BSA-100.00

Sheet No.



PCE SCOPE AREA	
GROUND LEVEL	3,888 SF
CELLAR LEVEL	3,385 SF
TOTAL	7,273 SF

GROUND FLOOR OCCUPANCY CALCULATIONS	
OCCUPANT LOAD FACTORS	
MERCANTILE (25 SF / PERSON)	
STORAGE (200 SF / PERSON)	
FITNESS (15 SF / PERSON)	
STUDIO 100	74 OCCUPANTS
LOBBY 101	20 OCCUPANTS
FUEL BAR 102	N/A
RECEPTION 103	N/A
CORRIDOR 104	N/A
LAUNDRY, MOP & UTILITY 105	1 OCCUPANT
STORAGE 106	1 OCCUPANT
LOCKERS 107	N/A
TOTAL OCCUPANTS	95 OCCUPANTS



1 GROUND FLOOR PLAN



Date 05-12-2020
 Sheet No. BSA-101.00

BARRY'S - UES
 241 E. 86TH STREET
 NEW YORK, NY 10028

PROJECT #19-161

DXU
 ARCHITECTS
 633-293-8339 • www.dxu.com



STUDIO ACOUSTIC WALL)

TYPE	STUD SIZE	STUD SPACING	FIRE RATING	INSULATION THICKNESS	STUD GAUGE	WALL THICKNESS	STC RATING
A	-	SEE ABOVE	2-HR	SEE ABOVE	SEE ABOVE	SEE ABOVE	N/A
B	-	-	-	-	-	-	-
C	-	-	-	-	-	-	-

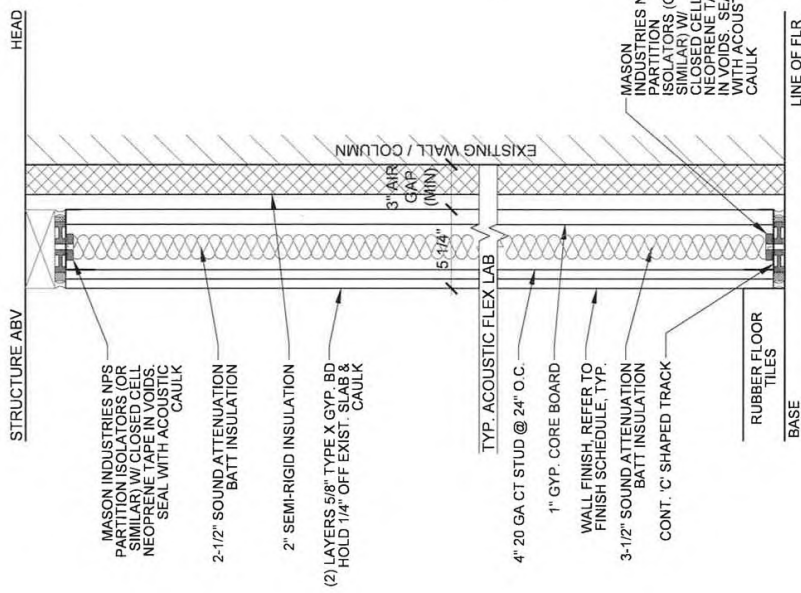
WALL)

TYPE	STUD SIZE	STUD SPACING	FIRE RATING	INSULATION THICKNESS	STUD GAUGE	WALL THICKNESS	STC RATING
A	2" ABOVE SEE	16" ABOVE SEE	N/A	SEE ABOVE	SEE ABOVE	11"	N/A
B	2" ABOVE	16" ABOVE	N/A	SEE ABOVE	SEE ABOVE	SEE PLAN	N/A
C							

EXISTING WALL)

TYPE	STUD SIZE	STUD SPACING	FIRE RATING	INSULATION THICKNESS	STUD GAUGE	WALL THICKNESS	STC RATING
A	2" ABOVE SEE	24" ABOVE SEE	N/A	SEE ABOVE	ABOVE SEE	8-1/4"	N/A
B*	2" ABOVE SEE	24" ABOVE SEE	N/A	SEE ABOVE	ABOVE SEE	8-1/4"	N/A
C*	2" ABOVE SEE	24" ABOVE SEE	N/A	SEE ABOVE	ABOVE SEE	SEE PLAN	N/A

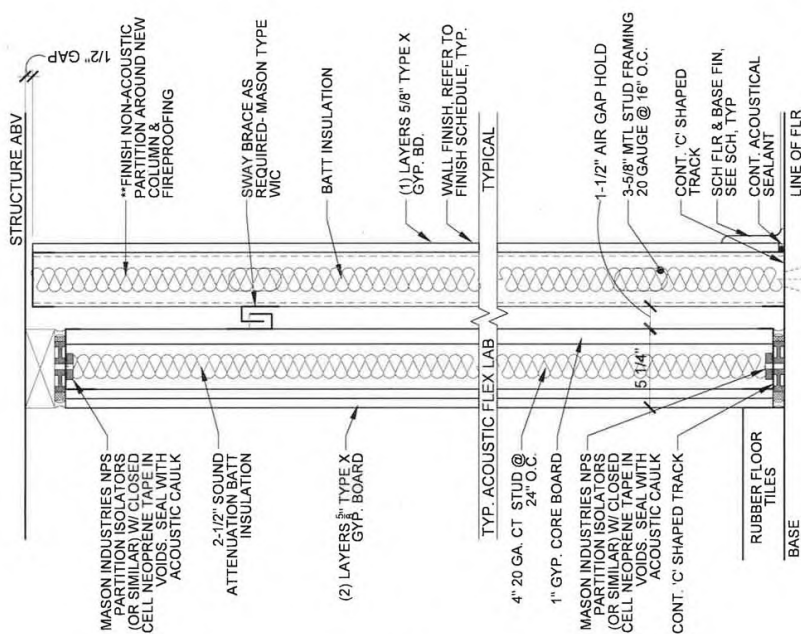




*WHERE PARTITION OCCURS AT EXISTING WALLS, OMIT FIBERGLASS INSULATION

PARTITION: 4 (FLEX LAB ACOUSTIC WALL) AT EXISTING WALL

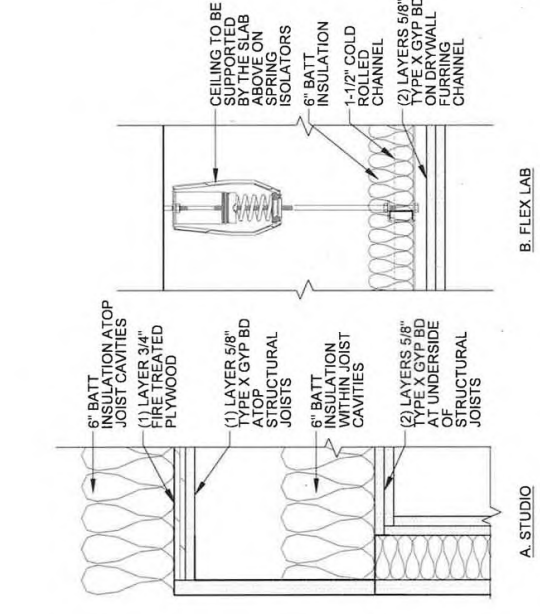
TYPE	STUD SIZE	STUD SPACING	FIRE RATING	INSULATION THICKNESS	STUD GAUGE	WALL THICKNESS	STC RATING
A	SEE ABOVE	SEE ABOVE	N/A	SEE ABOVE	SEE ABOVE	8-1/4"	N/A
B*	SEE ABOVE	SEE ABOVE	N/A	SEE ABOVE	SEE ABOVE	8-1/4"	N/A



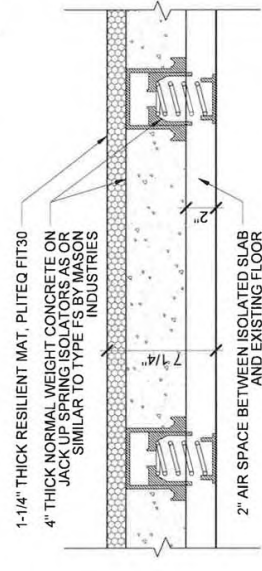
*WHERE PARTITION OCCURS AT TOILET SHOWER AREA USE 5/8\"/>

PARTITION: 5 (TYP. FLEX LAB ACOUSTIC WALL)

TYPE	STUD SIZE	STUD SPACING	FIRE RATING	INSULATION THICKNESS	STUD GAUGE	WALL THICKNESS	STC RATING
A	SEE ABOVE	SEE ABOVE	N/A	SEE ABOVE	SEE ABOVE	11"	N/A
B	SEE ABOVE	SEE ABOVE	N/A	SEE ABOVE	SEE ABOVE	±16"	N/A



2 ISOLATED CLG DETAIL



1 ISOLATED FLR DETAIL



PROJECT #19-161
 BARRY'S - UES
 241 E. 86TH STREET
 NEW YORK, NY 10028
 Date 05-12-2020
 Sheet No. BSA-104.00

SIGNAGE CALCULATIONS			
SIGN TYPE	QTY	SQ. FT./SIGN	
ILLUMINATED SIGN (LOGO)	1	11.8	
NON-ILLUMINATED SIGN (VINYL)	4	0.33	
NON-ILLUMINATED SIGN (VINYL)	2	2.65	
NON-ILLUMINATED SIGN (VINYL)	1	73.4	
NON-ILLUMINATED SIGN (BANNER)	1	12.0	
TOTAL (ILLUMINATED)		1	11.8
TOTAL (NON-ILLUMINATED)		8	92.02
TOTAL (NON-ILLUM. + ILLUM.)			103.82

ZR 32-64-1 TOTAL SURFACE AREA OF SIGNS: IN ALL DISTRICTS THE TOTAL SURFACE AREA OR ALL PERMITTED SIGNS (NON-ILLUMINATED & ILLUMINATED) SHALL NOT EXCEED THE LIMITATION ESTABLISHED FOR NON-ILLUMINATED SIGNS, PER 32-64-2.

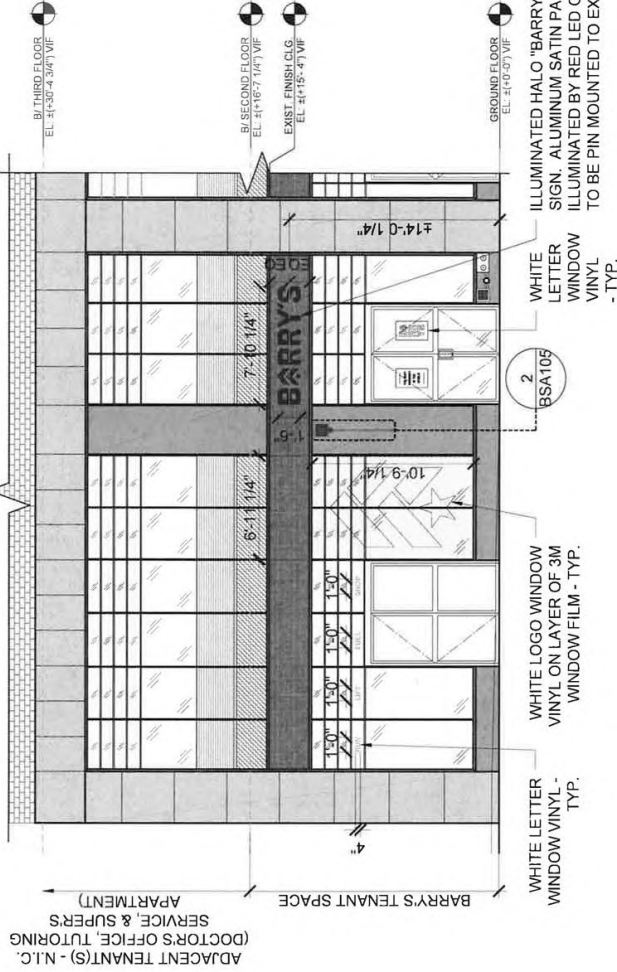
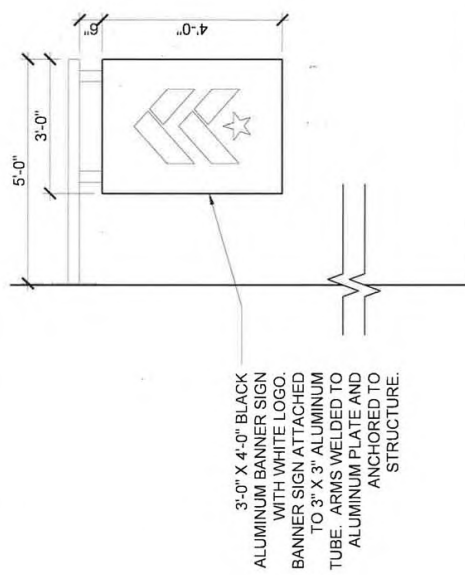
ZR 32-642 NON-ILLUMINATED SIGNS: TOTAL SURFACE AREA OF ALL SUCH SIGNS (IN FEET) SHALL NOT EXCEED THREE TIMES THE STREET FRONTAGE OF THE ZONING LOT AND THAT THE SURFACE AREA OF EACH SIGN SHALL NOT EXCEED 150 SF.

ZR 32-643

ILLUMINATED NON-FLASHING SIGNS: TOTAL SURFACE AREA OF ALL SUCH SIGNS (IN SQUARE FEET) SHALL NOT EXCEED THREE TIMES THE STREET FRONTAGE OF THE ZONING LOT (IN FEET) AND THAT THE SURFACE AREA OF EACH SIGN SHALL NOT EXCEED 50 SF.

ZR 32-652 PERMITTED PROJECTIONS (C2 DISTRICTS): NO PERMITTED SIGN SHALL PROJECT ACROSS A STREET LINE MORE THAN 18" FOR DOUBLE - OR MULTI-FACETED SIGNS OR 12" FOR ALL OTHER SIGNS.

ZR 32-655 NO PERMITTED SIGN SHALL EXTEND ABOVE CURB LEVEL AT A HEIGHT GREATER THAN 25 FT (C2 DISTRICTS).



BANNER SIGN. ELEV. (E. 86TH ST)

$3/8" = 1'-0"$

1 SOUTH EXT. ELEV. (E. 86TH ST)

1/8" = 1'-0"



237 East 86th Street, Manhattan

List of Affected Property Owners

Block	Lot	Owner Name	Address	City, State, Zip Code
1531	28	244 EAST 86TH STREET C/O SHORE ASSETS INC.	19 WEST 21 ST. SUITE 902	NEW YORK NY 10010-3007
	29	VENTURA IN MANHATTAN, INC.	240 E. 86TH ST.	NEW YORK NY 10028-3000
	35	SGRC 225	228 E. 86TH ST.	NEW YORK NY 10028-3005
1532	10	ORNSTEIN 215-217 E.86 LLC	286 NORTHERN BLVD.	GREAT NECK NY 11021-4704
	15	ORSID REATLY CORP.	1740 BROADWAY FL. 2	NEW YORK NY 10019-4315
	16	SGRC 241	230 E. 85TH ST.	NEW YORK NY 10028-3001
	22	CHARLES H. GREENTHAL MANG	551 5TH AVE. RM. 500	NEW YORK NY 10176-5000
	31	240-244 EAST 87TH ST OWNERS CORP	240 E. 87TH ST.	NEW YORK NY 10128-3121
	34	CARMINE LIMITED ATTENTION: MAUTNER GLICK CORP	136 E. 57TH ST. FL. 14	NEW YORK NY 10022-2940
	36	OWNER/AGENT	222 E. 87TH ST.	NEW YORK NY 10128-3138
	39	OWNER/AGENT	220 E. 87TH ST.	NEW YORK NY 10128-3127
	7501	MATTHEW ADAM PROPERTIES - 225 EAST 86 ST. CONDO	375 PEARL ST. FL. 14	NEW YORK NY 10038-1443

237 East 86th Street, Manhattan

List of Affected Property Owners

Official	Name	Address	City, State, Zip Code
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

The foregoing names and addresses were obtained from the City Collector's office on the 21st day of January, 2020.



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

APPLICATION DOCUMENT(S) CERTIFICATION

I, Miya Alcivar, am the [CHECK ALL APPLICABLE]
Printed Name

☐ APPLICANT

☐ PROPERTY OWNER

☐ CONTRACT VENDEE

☐ OTHER PERSON HAVING LEGAL OWNERSHIP OR
CONTROL OF THE PROPERTY IN ACCORDANCE
WITH SECTION 202 OF THE NYC BUILDING CODE

☒ PREPARER OF Affected Owners List

Document Title(s)

for an application relating to a variance, special permit and/or appeal filed on the Board of Standards and Appeals' BZ,
SOC or A Calendar for [ADDRESS] 237 East 86th Street, Manhattan and certify, under
penalty of perjury, that all of the factual information in this submission / the above referenced document(s), submitted
on/around [DATE] 1 / 21 / 2020, is correct to the best of my knowledge and understanding.

I also understand that to "knowingly make or allow to be made a material false statement in any certificate,
professional certification, form, signed statement, application or report that is either submitted directly to the board of
standards and appeals or that is generated with the intent that the Board rely on its assertions" is a violation of New
York City Charter § 670 and may subject me to a civil penalty of up to \$15,000 for each such false statement and that the
Board may dismiss any application in connection with a final determination of such violation.



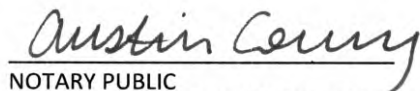
SIGNATURE

1 / 21 / 2020

DATE

Subscribed and sworn to before me this

21st day of January, 2020



NOTARY PUBLIC

AUSTIN COURY

NOTARY PUBLIC-STATE OF NEW YORK

No. 01CO6365241

Qualified in Queens County

My Commission Expires 10-02-2021



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

CITY ENVIRONMENTAL QUALITY REVIEW
VARIANCE AND SPECIAL PERMIT APPLICATIONS

BSA Cal. No. _____

CEQR No. _____

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 241 East 86th Street Borough Manhattan

Tax Block 1532 Tax Lot 16

Zoning District C2-8A

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 permit the operation of a 7,273 square foot physical culture establishment on a portion of the existing building's ground floor and cellar level, contrary to ZR § 32-10.

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: 237-241 East 86th Street, New York, NY (Block: 1532; Lot: 16)

Zoning District: C2-8A

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 at the Premises. The proposed fitness center is 7,273 square feet.

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 20,000 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.

237 East 86th Street, Manhattan
FIRM Map





Board of Standards
and Appeals

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

APPLICATION DOCUMENT(S) CERTIFICATION

I, ELIZABETH FISCHER, am the [CHECK ALL APPLICABLE]
Printed Name

☐ APPLICANT

☐ PROPERTY OWNER

☐ CONTRACT VENDEE

☐ OTHER PERSON HAVING LEGAL OWNERSHIP OR
COTROL OF THE PROPERTY IN ACCORDANCE
WITH SECTION 202 OF THE NYC BUILDING CODE

☒ PREPARER OF ARCHITECTURAL DRAWINGS
Document Title(s)

for an application relating to a variance, special permit and/or appeal filed on the Board of Standards and Appeals' BZ,
SOC or A Calendar for [ADDRESS] 241 E. 86th STREET, NEW YORK, NY 10028 and certify, under
penalty of perjury, that all of the factual information in this submission / the above referenced document(s), submitted
on [DATE] 4/21/20, is correct to the best of my knowledge and understanding.

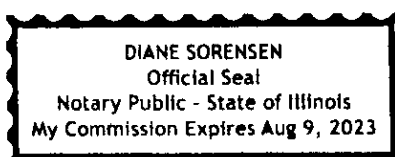
I also understand that to "knowingly make or allow to be made a material false statement in any certificate,
professional certification, form, signed statement, application or report that is either submitted directly to the board of
standards and appeals or that is generated with the intent that the Board rely on its assertions" is a violation of New
York City Charter § 670 and may subject me to a civil penalty of up to \$15,000 for each such false statement and that the
Board may dismiss any application in connection with a final determination of such violation.

Elizabeth Fischer
SIGNATURE
4/21/20
DATE

Subscribed and sworn to before me this

21st day of April, 2020

Diane Sorensen
NOTARY PUBLIC





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

APPLICATION DOCUMENT(S) CERTIFICATION

I, Austin Coury, am the [CHECK ALL APPLICABLE]
Printed Name

☐ APPLICANT

☐ PROPERTY OWNER

☐ CONTRACT VENDEE

☐ OTHER PERSON HAVING LEGAL OWNERSHIP OR
CONTROL OF THE PROPERTY IN ACCORDANCE
WITH SECTION 202 OF THE NYC BUILDING CODE

☒ PREPARER OF Photographs

Document Title(s)

for an application relating to a variance, special permit and/or appeal filed on the Board of Standards and Appeals' BZ,
SOC or A Calendar for [ADDRESS] 237 East 86th Street, Manhattan and certify, under
penalty of perjury, that all of the factual information in this submission / the above referenced document(s), submitted
on/around [DATE] 1/27/2020, is correct to the best of my knowledge and understanding.

I also understand that to "knowingly make or allow to be made a material false statement in any certificate,
professional certification, form, signed statement, application or report that is either submitted directly to the board of
standards and appeals or that is generated with the intent that the Board rely on its assertions" is a violation of New
York City Charter § 670 and may subject me to a civil penalty of up to \$15,000 for each such false statement and that the
Board may dismiss any application in connection with a final determination of such violation.

Austin Coury
SIGNATURE
1/27/2020
DATE

Subscribed and sworn to before me this

27th day of JAN., 2020

[Signature]
NOTARY PUBLIC

IAN RASMUSSEN
NOTARY PUBLIC-STATE OF NEW YORK
No. 02RA6298453
Qualified in Nassau County
My Commission Expires 05-11-2022



**Board of Standards
and Appeals**

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

APPLICATION DOCUMENT(S) CERTIFICATION

I, Frank St. Jacques, am the [CHECK ALL APPLICABLE]
Printed Name

☒ APPLICANT on behalf of Barry's Bootcamp, LLC

☐ PROPERTY OWNER

☐ CONTRACT VENDEE

☐ OTHER PERSON HAVING LEGAL OWNERSHIP OR
CONTROL OF THE PROPERTY IN ACCORDANCE
WITH SECTION 202 OF THE NYC BUILDING CODE

☐ PREPARER OF Application forms, Statement of Facts & Findings

Document Title(s)

for an application relating to a variance, special permit and/or appeal filed on the Board of Standards and Appeals' BZ,
SOC or A Calendar for [ADDRESS] 237-241 East 86th Street, New York, NY and certify, under
penalty of perjury, that all of the factual information in this submission / the above referenced document(s), submitted
on [DATE] June 2, 2020, is correct to the best of my knowledge and understanding.

I also understand that to "knowingly make or allow to be made a material false statement in any certificate,
professional certification, form, signed statement, application or report that is either submitted directly to the board of
standards and appeals or that is generated with the intent that the Board rely on its assertions" is a violation of New
York City Charter § 670 and may subject me to a civil penalty of up to \$15,000 for each such false statement and that the
Board may dismiss any application in connection with a final determination of such violation.

SIGNATURE

June 2, 2020

DATE

Subscribed and sworn to before me this

4th day of June, 2020

Austin Coury
NOTARY PUBLIC

AUSTIN COURY
NOTARY PUBLIC-STATE OF NEW YORK
No. 01CO6365241
Qualified in Queens County
My Commission Expires 10-02-2021