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PRESS RELEASE

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**ELECTED OFFICIALS and CIVIC, BUSINESS, AND
NEIGHBORHOOD GROUPS CALL FOR
BOARD OF STANDARDS AND APPEALS TO
OVERTURN CITY'S APPROVAL OF TRUMP SOHO
'CONDO-HOTEL'**

**Legal Appeal Alleges Condo-Hotel Violates Zoning;
If ruling stands, other condo-hotels in manufacturing zones likely to follow**

Manhattan – City Council Zoning Subcommittee Chair Tony Avella (Queens), the Greenwich Village Society for Historic Preservation, the SoHo Alliance, the Municipal Art Society, the Brooklyn Economic Development Corporation, the Southwest Brooklyn Industrial Development Corporation, the Greenpoint Manufacturing Design Corporation, the Garment Center Industrial Development Corporation, and community groups and community boards from Manhattan and Brooklyn today called for the Board of Standards and Appeals (BSA) to overturn the city's decision to permit the Trump SoHo 'Condo-Hotel.'

The appeal filed by the SoHo Alliance and heard today by the BSA contends that as the city's first-ever 'condo-hotel' in a manufacturing zone, the controversial project violates explicit zoning prohibitions against the development of residences and residential hotels. The developers have been caught repeatedly advertising the project as a residence, and condo-hotels – where individuals purchase units and can then rent them out for income when they are not occupied – are regularly used as permanent residences throughout the country. The decision in this case will not only affect this development, but either open or close the floodgates to similar developments in manufacturing districts throughout the city.

Some of the city's manufacturing zones have been rezoned in recent years to allow residential development. However, such rezonings are part of a public process which allows local communities and businesses to have a say in the type of new development allowed, and addresses impacts upon neighborhood character and traffic, measures environmental impacts, and allows appropriate height and bulk limits to be put in place. In re-interpreting zoning rules to, for the first time ever, allow 'condo-hotels' in manufacturing zones without a zoning change, the city sidestepped this entire public review and approval process.

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Andrew Berman, Executive Director of the Greenwich Village Society for Historic Preservation stated: “It is appalling that the city is spending taxpayer dollars to defend Trump and his development partners in court. The fiction of this development being a true hotel is a sham which no one believes. As the old saying goes, if it walks like a duck and it talks like a duck, it’s probably a duck. And the Trump SoHo team have been quacking about residences and year-round living from the very beginning. This high-rise monstrosity is not only wrong for our neighborhood, but the city’s approval was a total subversion of zoning laws that are supposed to involve communities in major land use decisions. Instead, the public was entirely shut out in this case.”

Sean Sweeney, director of the SoHo Alliance, said. “The SoHo Alliance has undertaken this appeal not just to benefit SoHo but also to preserve the integrity of the zoning laws throughout the city. Responsible developers adhere to the law; arrogant Trump believes he can ignore the law and introduce his Trojan Horse of luxury, high-rise condos into SoHo in the guise of a hotel. Scandal is patent when the City conspires with Trump to let this happen, whether crafting with his lawyers a bogus “Restrictive Declaration”, expediting needed permits for Trump, while withholding crucial legal documents from the SoHo Alliance to thwart our legal rights. Shame on Trump, shame on the City,”

City Council Zoning and Franchises Subcommittee Chair Tony Avella said “I fully support the efforts of the Greenwich Village Society for Historic Preservation and the SoHo Alliance to legally challenge the City’s approval of permits for the construction of the Trump SoHo ‘Condo-Hotel’. This project is out of character with the rest of the area and also violates the City’s zoning code for M1-6 zoning districts, which does not allow the construction of any residential buildings. It is clearly luxury housing masked as a transient hotel and I strongly urge the Board of Standards and Appeals to overturn the Department of Buildings approval of permits for this project,”

The Municipal Art Society said in a prepared statement: “A condo hotel in an M-zone is luxury housing camouflaged as a transient hotel. By allowing the condo hotel to proceed at 246 Spring Street, the city is complicit in allowing developers to exploit a zoning loophole--at the expense of a fuller public review of a change in use, and ultimately, potentially, at the expense of well-paying manufacturing jobs”

Margaret Nelson of the Brooklyn Economic Development Corporation said in testimony submitted to the Board of Standards and Appeals: “It is clear that a condo-hotel such as this facilitates non-transient occupancy in a manner which should disqualify it under the zoning, with the developer clearly advertising the development on numerous occasions as a residence, and referred to the fact that buyers would be able to live there year round if they chose. Therefore we believe that the project violates the zoning for the site, and should never have been given building permits in the first place. the restrictive declaration constructed by the DOB to supposedly ensure conformance with the zoning is impossible to enforce. DOB’s approval in this case amounted to a change in the definition of zoning rules. ”

For more information, see <http://gvshp.org/trump.htm>.

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