



# NEW YORK STATE ASSEMBLY

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COMMITTEES:  
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RICHARD N. GOTTFRIED  
75TH ASSEMBLY DISTRICT

CHAIR  
COMMITTEE ON HEALTH

CHAIR  
MANHATTAN DELEGATION

November 6, 2006

Patricia Lancaster, Commissioner  
Department of Buildings  
280 Broadway  
New York, NY 10007

Amanda Burden, Chair  
City Planning Commission  
22 Reade Street  
New York, NY 10007

Dear Commissioner Lancaster and Commissioner Burden:

I am concerned about an application by Donald Trump to construct a “condo-hotel” at 246 Spring Street. While the site is outside my district, I am concerned that interpreting the applicable zoning to allow this building to be constructed will create a precedent that could allow other developers to circumvent the City’s zoning code ban on residential or residential hotel uses in M zones.

As I understand the proposal, the developer plans to sell individual units as condominiums and the owners would then rent out their units through the condo-hotel when they are not in residence. This is highly unusual and it will be difficult to enforce transient use under this arrangement. While many possible arrangements may be imagined on paper to ensure transient use, it is difficult to imagine how the City will enforce these rules and prevent a more permanent residential use from evolving.

Parts of my district have undergone a difficult rezoning processes in the last few years, with much of our precious manufacturing space up-zoned to allow for needed commercial and residential uses. The manufacturing space that remains is important to a number of industries. Where up-zoning has allowed for the creation of lucrative, market-rate housing in “Hudson Yards”/Clinton/Hell’s Kitchen and West Chelsea, incentives and requirements were created to promote the development of affordable housing. This careful balance ensures that West Chelsea and Clinton/Hell’s Kitchen are neighborhoods where a broad range of New Yorkers can afford to live, work, and operate their businesses. It would seriously undermine these provisions if a developer can claim to be building a non-residential hotel while actually creating stealth residential units. The housing would not be subject to the affordable housing provisions because it would not be legally recognized as housing.

The Department of Buildings has already denied a past application from Mr. Trump at this site based on building plans that showed kitchenettes. The zoning text is clear on this point.

Any condo-ownership structure in an M zone opens the door to non-transient use and may be a Trojan horse for future developers. I urge you to deny this application.

Very truly yours,

A handwritten signature in black ink, appearing to read "Richard N. Gottfried". The signature is written in a cursive, somewhat stylized font.

Richard N. Gottfried  
Assembly Member

RNG/ek

cc: Greenwich Village Society for Historic Preservation



THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

DEBORAH J. GLICK  
Assemblymember 66<sup>th</sup> District  
New York County

CHAIR  
Social Services Committee

COMMITTEES  
Children and Families  
Environmental Conservation  
Higher Education  
Ways & Means

August 31, 2006

Assemblymember

Dear Assemblymember

We are writing to you because your district contains areas zoned for manufacturing and we thought that you would be interested in recent developments that will affect manufacturing zones throughout the City. While most areas zoned for manufacturing allow hotels, residential use is prohibited in these areas. This prohibition is necessary for the continued vitality of these areas zoned for manufacturing, as it prevents conflicts between manufacturers and residents over issues such as noise and ensures that manufacturers are not priced out of the City by competition with residential development.

In the South Village/ SoHo neighborhood that we represent, Donald Trump has proposed to build a 45-story condo-hotel in an area zoned for manufacturing. The proposed building is vastly out of character with the neighborhood and is seen as the first of what may be many encroachments into this neighborhood. For these reasons, Trump's proposal is strongly opposed by local community activists and the community board. Under Trump's condo-hotel plan, individual buyers will own each room in the hotel. According to a June 6<sup>th</sup> article in The Villager, a local newspaper, buyers will have a choice as to whether or not to rent out their rooms as hotel units. This appears to create a backdoor route to adding residences to an area zoned for manufacturing. The encroachment of luxury residences into areas zoned for manufacturing is especially troubling at a time when manufacturing firms are struggling to find space in the city.

The Department of Buildings is currently reviewing this application. Since this proposal appears to be the first of its kind, DOB's decision in this case will likely have consequences in other areas of the City. Therefore, we urge you to join in our effort to ensure that DOB does not make a decision that will allow developers to skirt the law in areas zoned for manufacturing throughout New York City. We hope that you will contact DOB and express your concerns about this proposal and about the consequences that this proposal has for areas zoned for manufacturing throughout the City. We have enclosed two sample letters for your convenience. If you do write a letter, please forward a copy to Assemblymember Glick's office. If you need any assistance, please contact Gregory in Assemblymember Glick's office at (212) 674-5153.

Thank you for your attention to this matter.

Sincerely,

Deborah J. Glick  
Assemblymember

Jerrold Nadler  
Member of Congress

Thomas K. Duane  
State Senator

**TONY AVELLA**  
COUNCIL MEMBER, 19<sup>TH</sup> DISTRICT  
QUEENS

**DISTRICT OFFICE:**  
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BAYSIDE, NY 11361  
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THE COUNCIL  
OF  
THE CITY OF NEW YORK

CHAIR  
ZONING & FRANCHISES  

---

COMMITTEES

FIRE & CRIMINAL JUSTICE SERVICES

HIGHER EDUCATION

HOUSING & BUILDINGS

LAND USE

VETERANS

June 28, 2006

Hon. Amanda Burden  
Commissioner  
Department of City Planning

Hon. Patricia Lancaster  
Commissioner  
Department of Buildings

*Fax and Mail*

Dear Commissioners Burden and Lancaster:

I have received a copy of the June 16<sup>th</sup> letter sent to you by officials of the Greenwich Village Society for Historic Preservation, the Tribeca Community Association, the SoHo Arts Council, the Friends of Hudson Square and the SoHo Alliance.

As you will recall, the letter regarded the Donald Trump proposal for a 45-story hotel/condominium at 246 Spring Street in Manhattan.

I share the zoning and building concerns outlined in their letter. I strongly suggest that the Trump organization be enlightened as to the normal legal mechanisms available for developers who wish to build greater than the zoning code allows. The City of New York should not bend the rules for any developer, no matter how well known.

Please let me know as soon as possible how you intend to proceed in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Tony Avella".

Tony Avella  
Council Member  
District 19 - Northeast Queens

cc: Ms. Karen Meara, Director of Legislative Affairs

TA:kam/lms



THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

DEBORAH J. GLICK  
Assemblymember 66<sup>TH</sup> District  
New York County

CHAIR  
Social Services Committee

COMMITTEES  
Children and Families  
Environmental Conservation  
Higher Education  
Ways & Means

August 2, 2006

Patricia Lancaster  
Commissioner  
New York City Department of Buildings  
280 Broadway, 7<sup>th</sup> Floor  
New York, NY 10007

Dear Commissioner Lancaster:

I am writing to you regarding the Trump SoHo Condo Hotel planned for 246 Spring Street. Both the legality of the Trump proposal and the significant effects that this building will have on the neighborhood are major areas of concern for residents of the surrounding community.

Although this site, and much of the surrounding area, is zoned for manufacturing use, developers have shown significant interest in creating new residences in the neighborhood. It is likely that there will be interest on the part of condo owners in the Trump SoHo to use their units as residences. In fact, a June 6<sup>th</sup> article in the Villager describing the project indicated that condo owners would have a choice to offer their units as hotel rooms.

I have been told by representatives of the developer that kitchen facilities will not be included in the units and that there may be a limit on the amount of time that condo owners may use their units. Nonetheless, I remain concerned about the possibility of residential use on the site. As the proposed development will have 24 hour room service and will cater to very high end clientele, it is important to note that many high income New Yorkers never make use of their kitchen facilities.

I urge the Department of Buildings to closely examine the application for this site so as to ensure that neither the letter nor the spirit of the zoning code is violated.

Thank you for your attention to this matter.

Sincerely,

Deborah J. Glick  
Assemblymember



THE SENATE  
STATE OF NEW YORK  
ALBANY

THOMAS DUANE  
SENATOR, 29TH DISTRICT  
RANKING MINORITY MEMBER  
CODES  
CRIME VICTIMS, CRIME & CORRECTION  
COMMITTEES:  
CIVIL SERVICE & PENSIONS  
FINANCE  
HEALTH  
JUDICIARY  
RULES

PLEASE RESPOND TO:  
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ROOM 711-B  
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ALBANY, NEW YORK 12247  
PHONE (518) 455-2451  
FAX (518) 426-6846  
E-MAIL:  
DUANE@SENATE.STATE.NY.US

July 6, 2006

Amanda Burden, Chair  
New York City Planning Commission  
22 Reade Street  
New York, NY 10007

Dear Ms. Burden:

As you know, Donald Trump plans to build a "hotel" on the parking lot at Spring and Varick Streets in SoHo. I have grave concerns about his true intentions for this property and the impact it will have on the surrounding neighborhood.

Mr. Trump has stated that the building will be used as a hotel; however his plans include selling the units to individual owners who would then be given the autonomy to decide whether to rent them out as hotel rooms or maintain them as personal residences. It is absurd to think that in a neighborhood like SoHo, where there is strong demand for residential units, many owners in the proposed building won't keep the units for themselves. This scheme is nothing more than a backdoor effort by Mr. Trump to get around our city's and the neighborhood's zoning regulations.

The area in question is zoned for light manufacturing. As such, long-term occupancy units are forbidden but transient hotels are permitted. If the line between the two is allowed to blur with the approval of Mr. Trump's project, we could see aggressive developers building residential towers in inappropriate areas all across the city.

This case bears many similarities to one from 2004, when developers at 848 Washington Street wanted to build in an area with the same zoning restrictions. Back then, those developers attempted to circumvent the restriction against residential buildings by designating only 49 percent of the units for residential use, and the other 51 percent for hotel use. The New York City Department of Buildings denied the developers a permit, and wrote in a letter dated April 19 that their scheme would undermine "the integrity of

the text's prohibition on residential occupancies in the zoning district in which the building is located."

Mr. Trump's building would be an equally egregious undermining of the important zoning distinction between residential and transient occupancy. I urge you to deny Mr. Trump his permit, and send a signal to aggressive developers city-wide that zoning regulations are not to be misinterpreted, circumvented, or undermined.

Sincerely,

*Tom Duane*

Thomas K. Duane  
State Senator

cc: City Council Speaker Christine Quinn  
Manhattan Borough President Scott Stringer  
City Councilmember Alan Gerson  
City Council Zoning Sub-Committee Chair Tony Avella  
State Assemblymember Deborah Glick  
U.S. Congressman Jerrold Nadler  
Andrew Berman, Exec Director, Greenwich Village Society for Historic Preservation  
Carole Desarem, President, Tribeca Community Association  
Don Clark MacPherson, Executive Director, SoHo Arts Council, Inc.  
David Reck, President, Friends of Hudson Square  
Sean Sweeney, Executive Director, SoHo Alliance  
Community Board Two, Manhattan  
New York Industrial Retention Network  
Pratt Center for Community Development



THE SENATE  
STATE OF NEW YORK  
ALBANY

THOMAS DUANE  
SENATOR, 29TH DISTRICT  
RANKING MINORITY MEMBER  
CODES  
CRIME VICTIMS, CRIME & CORRECTION  
COMMITTEES:  
CIVIL SERVICE & PENSIONS  
FINANCE  
HEALTH  
JUDICIARY  
RULES

PLEASE RESPOND TO:  
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PHONE (518) 455-2451  
FAX (518) 426-6846  
□ E-MAIL:  
DUANE@SENATE.STATE.NY.US

July 6, 2006

Mayor Michael Bloomberg  
City Hall  
New York, NY 10007

Dear Mayor Bloomberg:

As you know, Donald Trump plans to build a "hotel" on the parking lot at Spring and Varick Streets in SoHo. I have grave concerns about his true intentions for this property and the impact it will have on the surrounding neighborhood.

Mr. Trump has stated that the building will be used as a hotel; however his plans include selling the units to individual owners who would then be given the autonomy to decide whether to rent them out as hotel rooms or maintain them as personal residences. It is absurd to think that in a neighborhood like SoHo, where there is strong demand for residential units, many owners in the proposed building won't keep the units for themselves. This scheme is nothing more than a backdoor effort by Mr. Trump to get around our city's and the neighborhood's zoning regulations.

The area in question is zoned for light manufacturing. As such, long-term occupancy units are forbidden but transient hotels are permitted. If the line between the two is allowed to blur with the approval of Mr. Trump's project, we could see aggressive developers building residential towers in inappropriate areas all across the city.

This case bears many similarities to one from 2004, when developers at 848 Washington Street wanted to build in an area with the same zoning restrictions. Back then, those developers attempted to circumvent the restriction against residential buildings by designating only 49 percent of the units for residential use, and the other 51 percent for hotel use. The New York City Department of Buildings denied the developers a permit, and wrote in a letter dated April 19 that their scheme would undermine "the integrity of the text's prohibition on residential occupancies in the zoning district in which the building is located."



Mr. Trump's building would be an equally egregious undermining of the important zoning distinction between residential and transient occupancy. I urge you to deny Mr. Trump his permit, and send a signal to aggressive developers city-wide that zoning regulations are not to be misinterpreted, circumvented, or undermined.

Sincerely,

*Tom Duane*

Thomas K. Duane  
State Senator

cc: City Council Speaker Christine Quinn  
Manhattan Borough President Scott Stringer  
City Councilmember Alan Gerson  
City Council Zoning Sub-Committee Chair Tony Avella  
State Assemblymember Deborah Glick  
U.S. Congressman Jerrold Nadler  
Andrew Berman, Exec Director, Greenwich Village Society for Historic Preservation  
Carole Desarem, President, Tribeca Community Association  
Don Clark MacPherson, Executive Director, SoHo Arts Council, Inc.  
David Reck, President, Friends of Hudson Square  
Sean Sweeney, Executive Director, SoHo Alliance  
Community Board Two, Manhattan  
New York Industrial Retention Network  
Pratt Center for Community Development

**LIZ KRUEGER**  
**SENATOR, 26TH DISTRICT**

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 LKRUEGER@SENATE.STATE.NY.US

**NEW YORK**  
**STATE**  
**SENATE**  
 ALBANY, NEW YORK 12247



SEP 28 2006

CHAIRPERSON  
 MINORITY PROGRAM DEVELOPMENT  
 RANKING MINORITY MEMBER  
 HOUSING, CONSTRUCTION &  
 COMMUNITY DEVELOPMENT

COMMITTEES:

BANKS  
 CONSUMER PROTECTION  
 FINANCE  
 HIGHER EDUCATION  
 RULES

September 22, 2006

Patricia Lancaster  
 Commissioner  
 New York City Department of Buildings  
 280 Broadway, 7<sup>th</sup> Floor  
 New York, NY 10007

Dear Commissioner Lancaster:

I am writing to express my opposition to Donald Trump's proposal to construct a condo-hotel in a manufacturing zone at 246 Spring Street in Manhattan. Under Mr. Trump's condo-hotel plan, unit owners will have the choice of renting out their rooms or using the units themselves. This creates a situation where many of the units will be used as residences in violation of the zoning code which prohibits residential use in manufacturing zones.

As you are well aware, manufacturing is essential to the continued economic vitality of New York City. Manufacturing and industrial businesses provide employment for more than 230,000 city residents. Manufacturing jobs pay an average wage of \$43,000 a year — \$10,000 more than the averages in the retail and hospitality sectors. Unfortunately, a severe shortage of available industrial space has made it more and more difficult for manufacturing firms to remain in the city. This shortage has been further exacerbated in recent years by the conversion of industrial buildings, both legally and illegally, to other uses.

Many manufacturing firms simply cannot afford to stay in the city when they are forced to compete for space with residential development. Manufacturing zones were created to help reduce this competition and provide much needed space for firms. It is essential to maintain the integrity of these zones; if the protections provided by manufacturing zones are further undermined, the city will continue to lose manufacturing firms and the good jobs they provide.

If the proposal for 246 Spring Street is allowed, it will set a dangerous precedent that will affect manufacturing zones throughout New York City. I urge the Department of Buildings to protect areas zoned for manufacturing by closely examining all applications within these zones to ensure that they violate neither the letter nor the spirit of the zoning code.

Sincerely,



Liz Krueger  
State Senator

**MIGUEL MARTINEZ**  
COUNCIL MEMBER, 10<sup>TH</sup> DISTRICT

• DISTRICT OFFICE  
601 WEST 174<sup>TH</sup> STREET  
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[www.councilmembermartinez.org](http://www.councilmembermartinez.org)



THE COUNCIL  
OF  
THE CITY OF NEW YORK

SEP 20 2006

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LANDMARKS, PUBLIC SITING &  
MARITIME ISSUES

September 19, 2006

Patricia J. Lancaster  
Commissioner  
NYC Department of Buildings  
280 Broadway  
New York, New York 10007

Dear Commissioner Lancaster:

As a representative of an area zoned for manufacturing use, I am concerned about the proposal for a condo hotel at 246 Spring Street in the South Village/Soho neighborhood in Manhattan. It appears that this proposal will allow residential use in a manufacturing zone and thereby threaten the economic vitality of the neighborhood for manufacturing uses. Under Trump's condo-hotel plan, unit owners may have the choice of renting out their rooms as hotel rooms or using the rooms themselves. This appears to create a backdoor route to adding residences to an area zoned for manufacturing. Furthermore, I am concerned that if this proposal is allowed, it will set a precedent that will affect manufacturing zones throughout the City, including areas in my district.

Manufacturing is essential for the City's continued economic vitality. However, manufacturing firms often can not afford to stay in the city if they face competition with residential development. Manufacturing zoning helps to provide needed space for manufacturing firms. It is essential that these protections are maintained in order to keep manufacturing firms and manufacturing jobs in the city.

I urge the Department of Buildings to protect areas zoned for manufacturing by closely examining the application for this site so as to ensure that neither the letter nor the spirit of zoning code is violated.

Sincerely,

Miguel Martinez  
Council Member, 10<sup>th</sup> District

Cc: Deborah J. Glick, Assemblymember

**GALE A. BREWER**  
COUNCIL MEMBER, DISTRICT 6  
MANHATTAN

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THE COUNCIL  
OF  
THE CITY OF NEW YORK

SEP 21 2006

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HIGHER EDUCATION

MENTAL HEALTH, MENTAL RETARDATION,  
ALCOHOLISM, DRUG ABUSE & DISABILITY SERVICES

OVERSIGHT & INVESTIGATIONS

WATERFRONTS

September 15, 2006

Patricia Lancaster  
Commissioner  
Department of Buildings  
280 Broadway, 7<sup>th</sup> Floor  
New York, NY 10007

Dear Commissioner Lancaster:

I write to you with regard to Donald Trump's proposal for a condo-hotel in a manufacturing zone at 246 Spring Street in Manhattan. I am concerned that this proposal creates a backdoor means for the creation of new residences in areas zoned for manufacturing.

Manufacturing is essential for the City's continued economic vitality. However, manufacturing firms often cannot afford to stay in the city if they face competition with residential development. Manufacturing zoning helps to provide needed space for manufacturing firms. It is essential that these protections are maintained in order to keep manufacturing firms and manufacturing jobs in the city.

Under Trump's proposal, units will be owned by individual buyers. However, it appears from press accounts that these buyers will have the option to rent out their units as hotel rooms. This creates a situation where many of these units will be used as residences in violation of the zoning code.

I urge the Department of Buildings to protect areas zoned for manufacturing by closely examining the application for this site so as to ensure that neither the letter nor the spirit of the zoning code is violated.

Sincerely,

  
Gale A. Brewer



DANIEL O'DONNELL  
Member of Assembly  
69<sup>th</sup> Assembly District

THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

CHAIR  
Subcommittee on  
Criminal Procedure

COMMITTEES  
Codes  
Environmental Conservation  
Judiciary  
Local Governments  
Oversight, Analysis & Investigation  
Tourism

SEP 18 2006

September 11, 2006

Patricia Lancaster  
Commissioner,  
Department of Buildings  
280 Broadway, 7<sup>th</sup> Floor  
New York, NY 10007

Dear Commissioner Lancaster:

I am writing to you regarding Donald Trump's proposal for a 45-story condo-hotel in a manufacturing zone at 246 Spring Street in Manhattan's Soho/South Village neighborhood. I am concerned that this proposal creates a backdoor avenue for creating new residences in areas zoned for manufacturing.

Some manufacturing is still essential for the City's continued economic vitality. However, manufacturing firms often cannot afford to stay in the City if they compete in an area with residential development. Manufacturing zoning helps to provide space needed by manufacturing firms so that they can continue to operate. It is essential that these protections be maintained in order to keep manufacturers and manufacturing jobs in New York City.

Under Trump's proposal, units will be owned by individual buyers. However, according to press accounts, apparently these buyers will have the option to rent their units as hotel rooms. Nevertheless, many of these units will likely end up being used as residences in violation of the zoning code.

I urge the Department of Buildings to protect areas zoned for manufacturing by closely examining the application for this site, in order to ensure that neither the letter nor the spirit of the zoning law is violated.

Sincerely,

Daniel O'Donnell  
Assembly Member

cc: Deborah J. Glick, Jerrold Nadler, Thomas K. Duane

SEP 18 2006

**VELMANETTE MONTGOMERY**  
18TH SENATE DISTRICT

ALBANY OFFICE  
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LEGISLATIVE OFFICE BUILDING  
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THE SENATE  
STATE OF NEW YORK  
ALBANY

ASSISTANT MINORITY LEADER  
FLOOR OPERATIONS  
RANKING MINORITY MEMBER  
SOCIAL SERVICES, CHILDREN & FAMILIES

COMMITTEES:

CRIME VICTIMS, CRIME & CORRECTION  
EDUCATION  
FINANCE  
HEALTH  
MENTAL HEALTH & DEVELOPMENTAL DISABILITIES  
RULES

September 13, 2006

Patricia Lancaster  
Commissioner  
New York City Department of Buildings  
280 Broadway, 7th Floor  
New York, N.Y. 10007

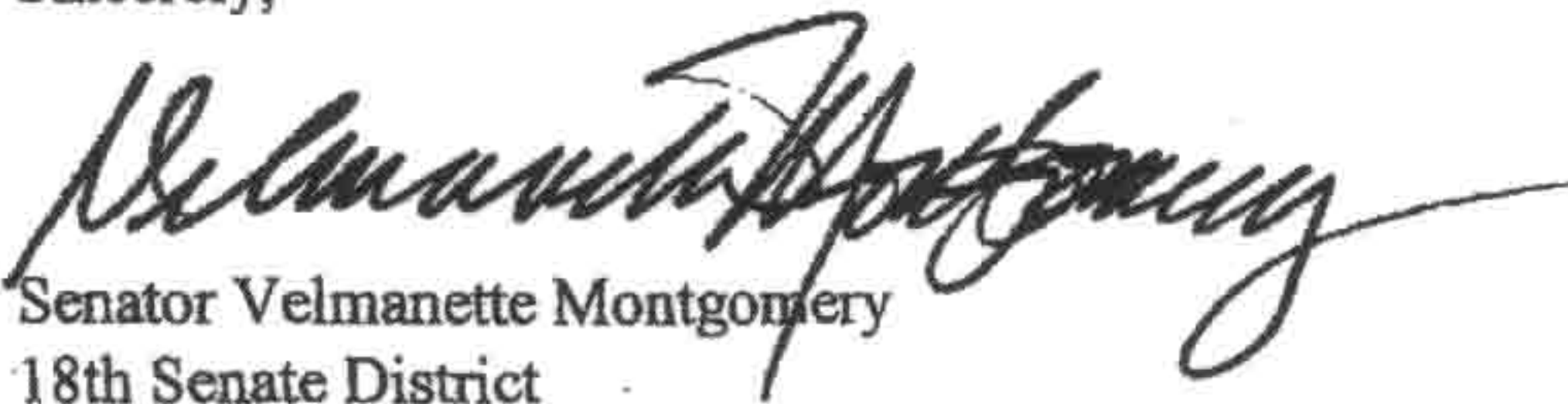
Dear Commissioner Lancaster;

I am writing to you regarding Donald Trup's proposal for a condo-hotel in a manufacturing zone at 246 Spring Street in Manhattan. I am concerned that this proposal creates a backdoor means for the creation of new residences in areas zoned for manufacturing.

Manufacturing is essential for the city's continued economic vitality. However, manufacturing firms often can not afford to stay in the city if they face competition with residential development. Manufacturing zoning helps to provide needed space for manufacturing firms. It is essential that these protections are maintained in order to keep manufacturing firms and manufacturing jobs in the city.

I urge the Department of Buildings to protect areas zoned for manufacturing by closely examining the application for this site so as to ensure that neither the letter nor the spirit of the zoning code is violated.

Sincerely,

  
Senator Velmanette Montgomery  
18th Senate District

Senator Martin Connor  
25th District



THE SENATE  
STATE OF NEW YORK

✓ DISTRICT OFFICE  
250 Broadway, Suite 2011  
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ALBANY OFFICE  
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FAX: (518) 426-6956

October 16, 2006

Hon. Amanda Burden  
Chairwoman  
Department of City Planning  
22 Reade Street  
New York, New York 10007-1216

Re: Condominium Hotels

Dear Chairwoman Burden,

I am writing to you regarding a growing concern in my district regarding condominium hotels (condo-hotels). There is an overwhelming fear regarding these projects that they will introduce residential uses where they are prohibited by zoning, and will create high rise projects filled with transient residents who simply do not care about the character of the community they will be sharing with others.

These projects would get around zoning laws, would deny the public input on de-facto use changes, and it would have an enormous impact on M1 zoned districts. Further these projects would undermine commitments made by the City to preserving manufacturing businesses and jobs in M1 zoned areas. By allowing these types of projects to be build, whole manufacturing districts would be slowly displaced by services to these condo-hotels. It is imperative that we maintain these M1 districts and help foster small business growth. Residents, community groups and community boards all oppose these types of development.

I join my colleagues in government and my constituents in urging you to oppose these types of projects. Allowing such development would set the precedent for similar development across the City and could lead to massive displacement of manufacturing jobs within the City and could put the creation of affordable housing at severe risk in certain portions of the City. Please protect not only a community's character, but also the security of blue-collar jobs.

Very truly yours,

A handwritten signature in cursive script that reads "Martin Connor".

Martin Connor  
State Senator

CC: Mayor Bloomberg  
Patricia Lancaster, Commissioner, Department of Buildings  
✓ Christine Quinn, Speaker, New York City Council



Mayor Michael Bloomberg  
City Hall  
New York, NY 10007

City Planning Commission Chair Amanda Burden  
22 Reade Street  
New York, NY 10007

Department of Buildings Commissioner Patricia Lancaster  
280 Broadway, 3<sup>rd</sup> floor  
New York, NY 10007

October 17, 2006

**Re: Condo-Hotels in Manufacturing Zones/246 Spring Street, Manhattan**

Dear Mayor Bloomberg, Chair Burden, and Commissioner Lancaster:

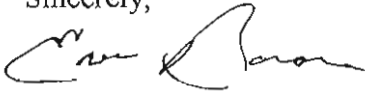
As an organization deeply vested in the ability of the New York City Zoning Resolution to uphold public health and welfare and to accurately reflect the city's land use policies, we write to urge the city to deny the as-of-right construction of condo-hotels in manufacturing zones.

The presence of condo-hotels in manufacturing zones will introduce a new, destabilizing use that has the potential to undermine the operations of longstanding, legal, conforming manufacturing uses. The emergence of non-transient hotels in manufacturing districts has the potential to push these districts to their "tipping point," the point past which the areas begin to lose their character as working neighborhoods and investors begin to question the legitimacy of expansion loans to manufacturers in neighborhoods that will soon "go residential." The speculation that follows, without so much as a single rezoning, results in displacement of manufacturers, primarily renters, who provide well-paying jobs, pay taxes, and contribute to a diverse economy, yet who cannot compete with residential rents.

We have applauded the direction the current Administration has taken in advancing a diverse economy and upholding the city's zoning resolution through the Mayor's Industrial Policy, the Office of Manufacturing and Industrial Businesses, and the establishment of the Industrial Employment Zones (IBZs) and Industrial Ombudsman Areas. We also applaud the increased scrutiny given variance applications by the Board of Standards and Appeals and the Administration's commitment not to grant residential conversion variances in the city's IBZ's.

We urge you to extend the logic of these well-constructed policies to the interpretation of the zoning code in reference to the proposed condo-hotel for 242 Spring Street and to prevent the emergence of this precedent-setting loophole.

Sincerely,

A handwritten signature in black ink, appearing to read "Eve Baron". The signature is fluid and cursive, with a large initial "E" and "B".

Eve Baron  
Director  
The Municipal Art Society Planning Center

Cc: Greenwich Village Society for Historic Preservation  
New York Industrial Retention Network  
Zoning for Jobs

---



headquarters  
275 Seventh Avenue  
Ninth Floor  
New York, NY 10001  
T. 212.366.6160  
F. 212.366.6162  
training center  
182 Mulberry Street  
New York, NY 10012  
www.gidc.org

October 18, 2006

Honorable Michael Bloomberg  
Mayor, City of New York  
City Hall  
New York, NY 10007

Honorable Amanda Burden  
Chair, New York City Planning Commission  
22 Reade Street  
New York, NY 10007

Honorable Patricia Lancaster  
Commissioner, Department of Buildings  
280 Broadway  
New York, NY 10007

**Re: Condo-Hotels in Manufacturing Zones/246 Spring Street, Manhattan**

Dear Mayor Bloomberg, Chair Burden, and Commissioner Lancaster:

It seems that a decision will be made soon on whether to allow the Trump Plan for 246 Spring Street to be built. I am therefore writing to urge you NOT to set a precedent of allowing condo-hotels in manufacturing areas.

Andrew Berman of the Greenwich Village Society for Historic Preservation has already presented you with a comprehensive rationale explaining the harm that the introduction of condo-hotels will do to manufacturing districts and businesses.

We agree with all of the points he made, so I would like to focus here on the issue of increased competition for land. As I mentioned in my letter dated July 13, 2006, the Garment District's over 200 apparel factories are still in business because they have found market niches that are not directly affected by overseas competition. Often the biggest challenge these businesses face is an unstable real estate situation. This instability is hugely magnified when disproportionately lucrative uses are allowed in manufacturing zones.

GIDC's experience in the Midtown Garment District bears this out. For example, residential uses have been allowed in the western half of the Garment District since the Hudson Yards rezoning of January, 2005. After the rezoning, apparel businesses began to be pushed out almost immediately. Within the year, two buildings housing dozens of small manufacturing and other businesses began to buy out leases in order to convert to residential use. A third building, which houses mostly manufacturing businesses, applied for a work permit to convert to residential use in a way that would have violated the Special Garment Center District zoning. Luckily the DOB caught this and rejected the

application. But the pressure to convert is immense and will in all likelihood continue.

We are reaching the point where manufacturing businesses that get displaced have nowhere else in New York City to relocate. The establishment of Industrial Business Zones is an important step, but those areas cannot meet all the demand for manufacturing space. Allowing condo-hotels in manufacturing districts will inevitably reduce this scarce space even further.

We therefore respectfully urge that no permits be issued for this project.

Sincerely,

A handwritten signature in cursive script that reads "Sarah J. Crean". The signature is written in black ink and is positioned above the printed name.

Sarah Crean  
Executive Director

cc: Andrew Berman, Greenwich Village Society for Historic Preservation  
Public Advocate Betsy Gotbaum  
City Council Speaker Christine Quinn



Harlem Community Development Corporation  
Adam Clayton Powell, Jr. State Office Building  
163 West 125th Street, New York, NY 10027  
Tel (212) 961.4100 • Fax (212) 961.4143

October 12, 2006

The Honorable Michael Bloomberg  
Mayor  
City of New York  
City Hall  
New York, NY 10007

The Honorable Amanda Burden  
Chair  
City Planning Commission  
22 Reade Street  
New York, NY 10007

The Honorable Patricia Lancaster  
Commissioner  
Department of Buildings  
280 Broadway, 3<sup>rd</sup> floor  
New York, NY 10007

Re: Condo-Hotels in Manufacturing Zones  
246 Spring Street, Manhattan

Dear Mayor Bloomberg, Chair Burden, and Commissioner Lancaster:

As a Public Benefit Corporation and subsidiary of Empire State Development Corporation, New York State's economic development agency charged with retaining and attracting manufacturing jobs, I write to request that the City find the development of condo-hotels such as the proposed 246 Spring Street project incompatible with manufacturing zoning regulations. If condo-hotels are allowed as-of-right in manufacturing zones, they will have a detrimental impact on New York State's ability to complete an important component of its mission.

In addition, Harlem Community Development Corporation's mission is to restore the economic vitality of upper Manhattan, a region of over half a million residents, a large proportion of which have limited educational attainment and employment opportunities. As you may be

October 13, 2006  
Page 2 of 2

aware, manufacturing jobs are an important source of employment for these residents. If manufacturing continues to decline in the city due to competing real estate interests, upper Manhattan communities will suffer as residents will be left with fewer job opportunities.

Developers currently have the right to appeal their property's zoning designation either through a rezoning or at the Board of Standards and Appeals. I believe this is the best approach to take when one wants to develop a non-conforming or non-compatible use in an M zone. A Building Department ruling in favor of condo-hotels would not allow for a public review of the potential socioeconomic and environmental impacts of the decision and therefore would undermine the City's existing land use process.

Please take these important points into consideration before making any decision on this matter. We appreciate the opportunity to provide input and look forward to working with you on improving the quality of life for all New York residents.

Sincerely,



Curtis L. Archer  
President

cc: New York Industrial Retention Network  
Zoning for Jobs  
Greenwich Village Society for Historic Preservation

# New York Industrial Retention Network

---

11 Park Place, Suite 914, New York NY 10007  
Tel 212 404-6990 ♦ Fax 212 404-6999 ♦ www.nyirn.org



July 12, 2006

Hon. Michael Bloomberg  
Mayor, City of New York  
City Hall  
New York NY 10007

Hon. Amanda Burden  
Chair, New York City Planning Commission  
22 Reade Street  
New York, NY 10007

Hon. Patricia Lancaster  
Commissioner, Department of Buildings  
280 Broadway  
New York, NY 10007

## **Re: Donald Trump Plan for 45-story hotel/condo at 246 Spring Street, Manhattan**

Dear Mayor Bloomberg, Chair Burden, and Commissioner Lancaster:

I am writing to express my deep concern over Donald Trump's proposal to construct a 45-story hotel/condo at 246 Spring Street in Manhattan. I believe that both the letter and the spirit of the definition of the site's M1 zoning should disallow such a project. Were this project allowed to proceed, it could undermine the attempts by your administration and agencies to protect land for our important blue-collar job base.

On its face, the project clearly has the potential to be used as a permanent residence and not a transient hotel. Residences are not permitted in this or any other manufacturing zone. According to the zoning resolution Section 12-10, a transient hotel is "a building or part of a building in which living or sleeping accommodations are used *primarily for transient occupancy, and may be rented on a daily basis* (emphasis added)." By all published accounts I am aware of this "hotel" would allow owners of individual units to live there year-round.

In the Department of Buildings' own ruling of April 19, 2004—which disallowed a plan for a combination hotel/residence at 848 Washington Street—the department interpreted this to require that in a transient hotel "units may not be made subject to sale, lease, or other arrangements under which they would not be available for transient occupancy. This interpretation is final." The terms of the proposed arrangement for 246 Spring Street would clearly seem to contradict the letter of both the zoning resolution and the April 2004 DOB ruling.

Should the current proposal for 246 Spring Street be allowed, however, it would undo the April 2004 ruling and reopen a highly contentious issue throughout New York City. There are perfectly legal options a developer may pursue to get permission for uses not currently allowed in a zoning district in which he seeks to develop. This attempt, however, appears to intentionally circumvent the law and the opportunity for public input.

The New York Industrial Retention Network (NYIRN) is a citywide not-for-profit organization that works to keep manufacturers thriving in New York City. We work with about 400 companies a year, over half of which require some type of real estate assistance. Allowing developments like this one to move forward would further destabilize manufacturing areas and put jobs unnecessarily at risk.

We look forward to hearing back from you, and hope that no permits will be issued for this project.

Sincerely,

A handwritten signature in black ink that reads "Adam Friedman". The signature is written in a cursive, flowing style.

Adam Friedman

Cc: Andrew Berman, Greenwich Village Society for Historic Preservation





July 13, 2006

Hon. Michael Bloomberg  
Mayor, City of New York  
City Hall  
New York, NY 10007

Hon. Amanda Burden  
Chair, New York City Planning Commission  
22 Reade Street  
New York, NY 10007

Hon. Patricia Lancaster  
Commissioner, New York City Department of Buildings  
280 Broadway  
New York, NY 10007

**RE: 246 Spring Street Manhattan**

Dear Mayor Bloomberg, Chair Burden and Commissioner Lancaster:

We write to express our very strong concerns about the plan announced by Donald Trump to construct a 45-story hotel/condo at 246 Spring Street in Manhattan. We are concerned that granting permits for this project would not only have a devastating impact upon the immediate area, but would also undo long-standing zoning regulations which have been reaffirmed in recent years to restrict residential development within manufacturing zones.

As you are aware, the project has been described as a residence (Use Group 2 of the Zoning text) and not a transient hotel (Use Group 5). According to the zoning resolution Section 12-10, a transient hotel is "a building or part of a building in which living or sleeping accommodations are used *primarily for transient occupancy, and may be rented on a daily basis.*" The current proposal for 246 Spring Street appears to be in direct contrast to this definition, by allowing owners of individual units to live there year round.

There are many options that a developer may pursue for legally allowed uses on this site and we believe that allowing a hotel on this site would set a bad precedent.

We sincerely hope that no permits will be issued for this project, and look forward to working with the broad coalition across the city that is working to preserve manufacturing zones.

A handwritten signature in black ink, appearing to read "Brad Lander". The signature is fluid and cursive, written over a white background.

Sincerely,  
Brad Lander  
Director



275 Seventh Avenue  
15<sup>th</sup> Floor  
New York, NY 10001  
T. 212.366.6160  
F. 212.366.6162

July 13, 2006

Hon. Michael Bloomberg  
Mayor, City of New York  
City Hall  
New York, NY 10007

Hon. Amanda Burden  
Chair, New York City Planning Commission  
22 Reade Street  
New York, NY 10007

Hon. Patricia Lancaster  
Commissioner, Department of Buildings  
280 Broadway  
New York, NY 10007

Re: Donald Trump Plan for 45-story hotel/condo at 246 Spring Street,  
Manhattan

Dear Mayor Bloomberg, Chair Burden, and Commissioner Lancaster:

The Garment Industry Development Corporation (GIDC) shares the concern expressed by the Greenwich Village Society for Historic Preservation and others that the Trump Plan for 246 Spring Street is an attempt to intentionally disregard the legal distinction between hotel use and residential use as defined by the New York City Zoning Resolution and by the Department of Buildings' own ruling of April 19, 2004.

This issue is of direct concern to GIDC because hotels are an allowed use under certain circumstances in the heart of the Midtown Garment District (known as the P-1 Preservation Area in the Zoning Resolution); in fact a hotel is being constructed right now on W. 35<sup>th</sup> Street between 7<sup>th</sup> and 8<sup>th</sup> Avenues.

Allowing the proposal for 246 Spring Street to progress would send a signal that residential uses are acceptable in manufacturing districts in spite of the zoning. This could be disastrous for the Garment District, where a recent land use survey conducted by GIDC found that 16% of the usable square feet continues to be used for apparel production in the section of the Garment District covered by the Special Garment Center District zoning.

The Garment District's manufacturing businesses—over 200 apparel factories—have found a market niche in order to survive overseas competition. For the most part the biggest challenge they face is an unstable real estate situation. An interpretation of zoning that encourages residential development under the guise of developing hotels will only make it more difficult for these apparel manufacturing businesses, which play a crucial role in New York's couture-level fashion industry, to hold on to their space.

We therefore respectfully urge that no permits be issued for this project.

Sincerely,

**Sarah Crean**  
Executive Director

Cc: Andrew Berman, Greenwich Village Society for Historic Preservation

# GMDC

1155 MANHATTAN AVENUE  
BROOKLYN, NY 11222  
PHONE 718 383.3935 FAX 718 383.6339  
WWW.GMDCONLINE.ORG

July 12, 2006

Hon. Michael Bloomberg  
Mayor, City of New York  
City Hall  
New York, NY 10007

Hon. Amanda Burden  
Chair, New York City Planning Commission  
22 Reade Street  
New York, NY 10007

Hon. Patricia Lancaster  
Commissioner, Department of Buildings  
280 Broadway  
New York, NY 10007

Dear Mayor Bloomberg, Chair Burden, and Commissioner Lancaster:

We are writing to express our strong concerns about a proposal by the Trump Organization to build a 45-story hotel/condo project at 246 Spring Street in Manhattan. We recently received a copy of the June 16<sup>th</sup> letter sent to you by the coalition of groups including the Greenwich Village Society for Historic Preservation, Tribeca Community Association, SoHo Arts Council Inc., Friends of Hudson Square, and the SoHo Alliance, and support their arguments that this project is an overt effort to circumvent the site's M1-6 zoning.

GMDC agrees with these organizations that the hotel/condo proposal as described would be a residence as defined under Use Group 2 of the zoning resolution, and not a transient hotel as defined under Use Group 5. The Department of Buildings' own ruling of April 19, 2004 disallowed a plan for a hotel/residence at 848 Washington Street. That ruling turned on the interpretation that the "units may not be made subject to sale, lease, or other arrangements under which they would not be made available for transient occupancy."

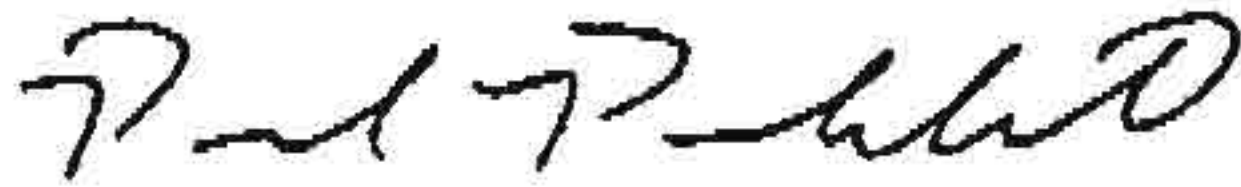
GMDC is concerned with maintaining a friendly and stable business environment for New York City's manufacturing businesses in order to promote a diverse economy for all New Yorkers. The proposed hotel/condo poses not only an immediate threat to the businesses in Greenwich Village but a long-term threat to manufacturing zones citywide. Should permits be

# GMDC

issued for the proposed development at 246 Spring Street, the project will substantially undermine the April 2004 ruling by DoB. It will thereby set a precedent that could embolden developers to seek out creative methods for building residences in manufacturing zones (including Industrial Business Zones) while skirting the variance process administered by the BSA.

Thank you very much.

Sincerely,



Paul Parkhill  
Director of Planning and Development

Cc: Carl Hum, Mayor's Office of Industrial and Manufacturing Businesses

# Brooklyn Economic Development Corporation



175 Remsen Street, Suite 350, Brooklyn, New York 11201

Tel: (718) 522-4600 • Fax: (718) 797-9286 • Email: [Info@bedc.org](mailto:Info@bedc.org) • Web: [www.bedc.org](http://www.bedc.org)

July 10, 2006

Hon. Michael Bloomberg  
Mayor, City of New York  
City Hall  
New York NY 10007

Hon. Amanda Burden  
Chair, New York City Planning Commission  
22 Reade Street  
New York, NY 10007

Hon. Patricia Lancaster  
Commissioner, Department of Buildings  
280 Broadway  
New York, NY 10007

## **Re: Donald Trump Plan for 45-story hotel/condo at 246 Spring Street, Manhattan**

Dear Mayor Bloomberg, Chair Burden, and Commissioner Lancaster:

We write to express our very strong concerns about the plan announced by Donald Trump to construct a 45-story hotel/condo at 246 Spring Street in Manhattan, and to point out the glaring conflict between this proposed project and the zoning for the site. We are very concerned that granting permits for this project would not only have a devastating impact upon the immediate area, but undo long-standing zoning regulations which have been reaffirmed in recent years prohibiting residential uses – even when they are called “hotels”— in manufacturing zones.

By all reasonable interpretations, the project as it has been described would in fact be a residence (Use Group 2 under New York City zoning) and not a transient hotel (Use Group 5), which it is apparently purporting to be. Residences are not permitted in this or any other manufacturing zone. According to the zoning resolution Section 12-10, a transient hotel is “a building or part of a building in which living or sleeping accommodations are used *primarily for transient occupancy, and may be rented on a daily basis* (emphasis added).” By all published accounts, this “hotel” would actually allow owners of individual units to live there year round.

Charles Koehler, Chairman • Carlisle Paul, Vice Chairman • Stuart P. Leffler, Secretary • Christine Wimpenny, Treasurer  
Mark O’Luck, Chairman Emeritus • Lance Myers, Legal Counsel • Hon. Borough President Marty Markowitz (Ex-Officio) • Jon Benguiat, Representative  
Joan Bartolomeo, President • Richard Suarez, Vice President

Domenic Abbatiello • Roy Hastick, Sr. • Mike McMillan • Alison Tocci • John Reinhardt • Ricardo Rodriguez • Dr. Regina Peruggi

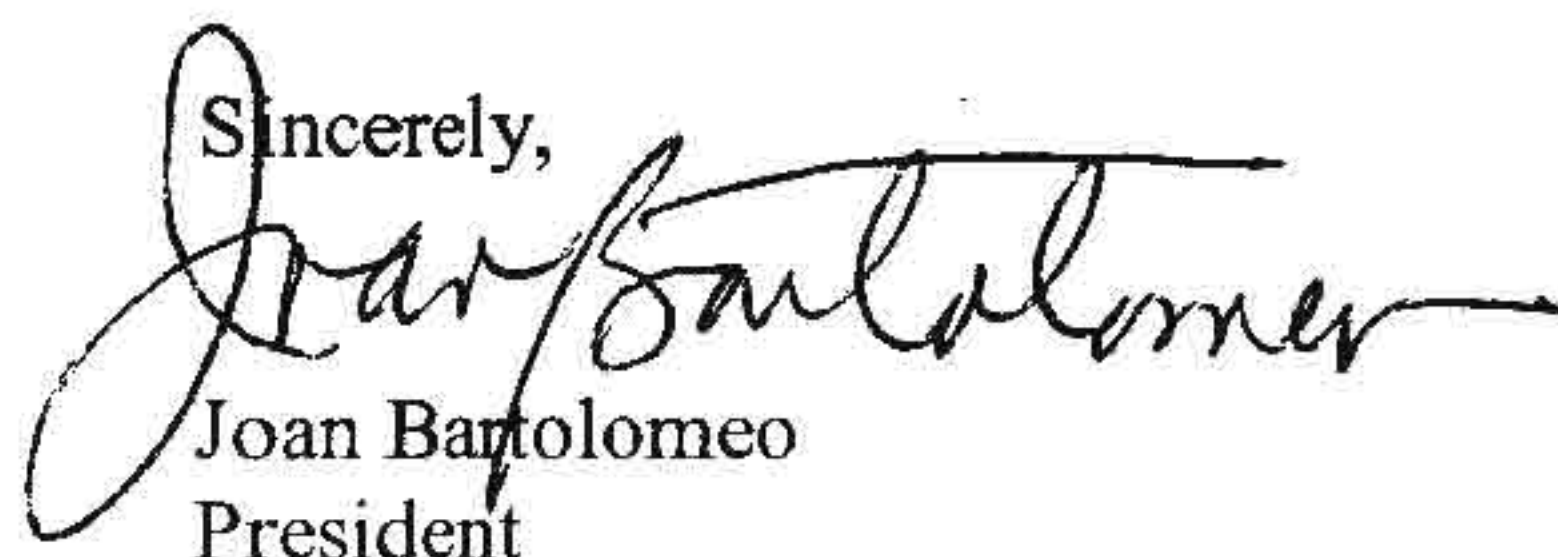
In the Department of Buildings' own ruling of April 19, 2004, which disallowed a plan for a combination hotel/residence at 848 Washington Street, the department interpreted this to require that "in order to develop a transient hotel in a manufacturing district, *units may not be made subject to sale, lease, or other arrangements under which they would not be available for transient occupancy. This interpretation is final* (emphasis added)" (see attached). The terms of the proposed arrangement for 246 Spring Street would clearly seem to contradict the letter of both the zoning resolution and the April 2004 DOB ruling.

As you know, many of us we were part of a broad coalition of interests from across the city that lobbied heavily against an earlier DOB ruling which would have allowed residential uses as part of hotels in manufacturing zones, which helped lead to the April 2004 ruling. In fact, we praised the Department of Buildings and the City for intervening in this manner to ensure that the integrity of the zoning resolution and the protection it offers for neighborhoods was ensured.

Should the current proposal for 246 Spring Street be allowed, however, it would undo the April 2004 ruling and reopen a highly contentious issue throughout New York City. There are perfectly legal options a developer may pursue to get permission for uses not currently allowed in a zoning district in which he seeks to develop. However, a sly circumvention of the law such as this which eliminates public input and appropriate oversight from the bodies which regulate land use in our city is not the way to do it.

We look forward to hearing back from you, and hope that no permits will be issued for this project.

Sincerely,



Joan Bartolomeo  
President

✓ cc: Andrew Berman, Greenwich Village Society for Historic Preservation



**Southwest Brooklyn  
Industrial Development  
Corporation**

241 41st Street, 2nd Floor

Brooklyn, NY 11232

718-965-3100 fax: 718-965-4906

www.swbidc.org

Phaedra Thomas

*Executive Director*

**BOARD OF DIRECTORS**

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Virginia Dare Extract Company

J. David Sweeny  
PDS Development Corp.

John Tear  
Community Capital Bank

Don Guthorn / Member Emeritus

July 6, 2006

Hon. Michael Bloomberg  
Mayor, City of New York  
City Hall  
New York, NY 10007

Hon. Amanda Burden  
Chair, New York City Planning Commission  
22 Reade Street  
New York, NY 10007

Hon. Patricia Lancaster  
Commissioner, Department of Buildings  
280 Broadway  
New York, NY 10007

**Re: Donald Trump Plan for 45-story hotel/condo at  
246 Spring Street, Manhattan**

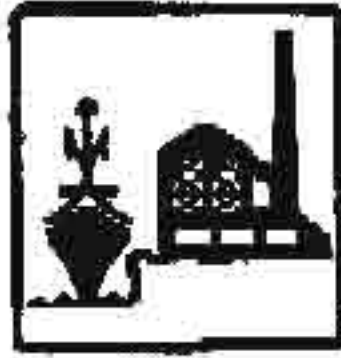
Dear Mayor Bloomberg, Chair Burden, and Commissioner Lancaster:

On behalf of the Southwest Brooklyn Industrial Development Corporation and the more than 2,000 industrial and manufacturing businesses that we serve in Red Hook, Gowanus, and Sunset Park, Brooklyn, we strongly urge the City to refuse permits for the 45-story hotel/condo at 246 Spring Street in Manhattan. We are very concerned that granting permits for this project will undo long-standing zoning regulations, undermine the recently ratified Industrial Business Zones (IBZs), and jeopardize industrial areas throughout New York City.

Permitting this project to go forward will set a dangerous precedent, thus giving developers a legal route to build residential in M1 zones without seeking any approvals, variances, or zoning changes at a time when industrial space is in high demand. According to a comprehensive survey my organization conducted for the New York City Economic Development Corporation in the spring of 2005, Red Hook and Gowanus have an industrial vacancy rate of 3% and Sunset Park, less than 1%.

We celebrated the implementation of the IBZs when they were ratified just a few months ago and saw this policy as testimony of this Administration's dedication to protecting industrial businesses and blue collar jobs. M1 zones are not only plentiful in IBZs, but they provide much needed buffers between residents and the heavier, dirtier, louder, more noxious uses found in M2 and M3 zones. If Mr. Trump's project were allowed, it would open the floodgates to similar developments, each slowly undermining the integrity of our industrial neighborhoods, and each without public review.





**Southwest Brooklyn  
Industrial Development  
Corporation**

241 41st Street, 2nd Floor  
Brooklyn, NY 11232  
718-965-3100 fax: 718-965-4906  
www.swbidc.org

**Phaedra Thomas**  
*Executive Director*

**BOARD OF DIRECTORS**

- Stewart Mann, Chair**  
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Pier 41 Associates
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Collisionville
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Pinwheel Studio Inc.
  - Andrew D. Levine, Treasurer**  
Berenson LLP
  - Alan Buxbaum**  
A. Stein Meat Products
  - Irina Constantine**  
Go Express
  - Tom Early**  
Health Plus
  - Jack Gindl**  
City Merchandise
  - Stuart Leffler**  
Con Edison
  - Concetta Lo Presti-Mazzella**  
Citibank
  - Amy Mugavero**  
Lutheran Medical Center
  - Christopher Murtha**  
JP Morgan Chase
  - Stanley Pawlgon**  
Trimco
  - John Quadrozzi, Jr.**  
Gowanus Industrial Park
  - Roger Rigoli**  
Blue Ridge Tea and Herb Co.
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Keyspan Energy
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PDS Development Corp.
  - John Tear**  
Community Capital Bank
- Don Guthorn / Member Emeritus**

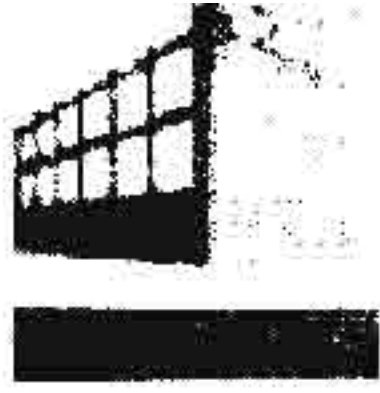
There are perfectly legal options a developer may pursue to get permission for uses not currently allowed in a zoning district in which he seeks to develop. However, a sly circumvention of the law such as this which eliminates public input and appropriate oversight from the bodies that regulate land use in our city is not the way to do it.

Thank you for your consideration.

Sincerely,

**Phaedra Thomas**  
Executive Director

**Cc: City Council Speaker Quinn  
City Council Zoning Sub-Committee Chair Tony Avella  
Carl Hum, Director of the Mayor's Office of Industrial &  
Manufacturing Businesses**



## **WATERFRONT PRESERVATION ALLIANCE**

July 12, 2006

Mayor Michael Bloomberg  
City Hall  
New York, NY 10007

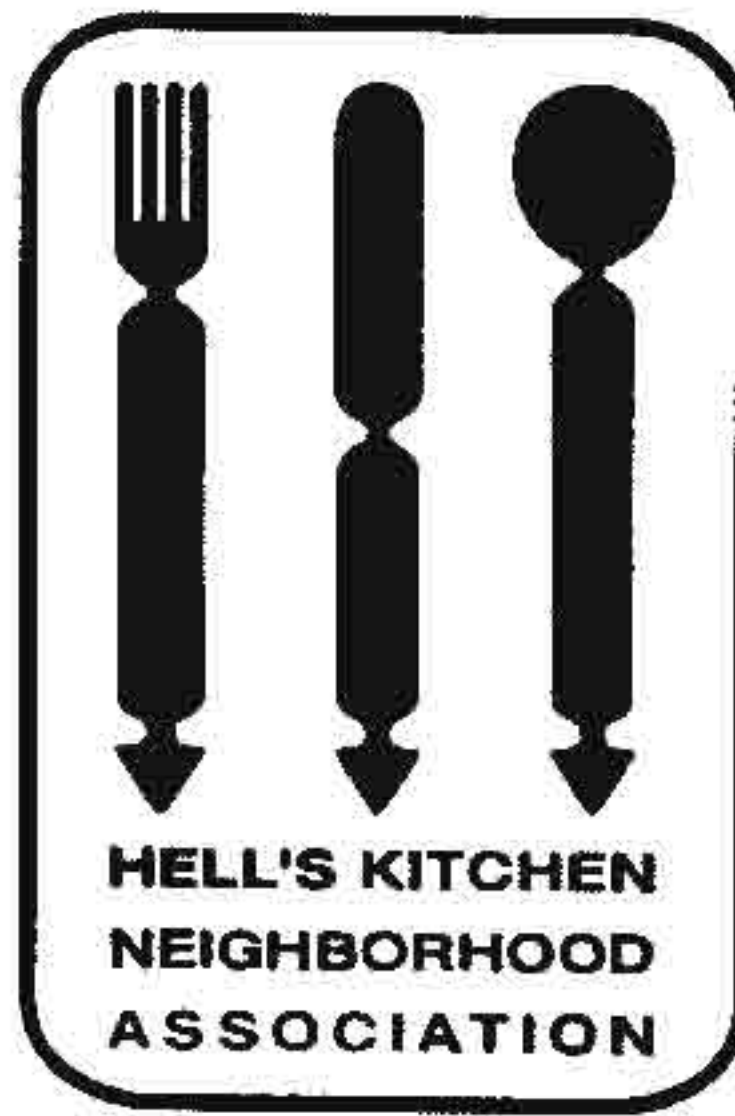
Dear Mayor Bloomberg:

I am very concerned about Donald Trump's plan to build a 45-story "condo-hotel" at Spring and Varick Streets in Manhattan. The building would be woefully out-of-scale with its surroundings. But it would also apparently flout the law by sneaking residential development into an area where the zoning prohibits it. In 2004 the City did the right thing by rejecting a plan by another developer using the same architect to try to sneak a 450-ft. tall high-rise into the Meatpacking District. Please do not undo that good work which protected the integrity of neighborhood zoning by allowing this development to move ahead.

Sincerely,

Alice Rich  
227 Nassau Avenue  
Brooklyn, NY 11222

Waterfront Preservation Alliance of Greenpoint and Williamsburg



Mayor Michael Bloomberg  
City Hall  
New York, New York 10007

July 5, 2006

RE: Donald Trump's 'condo-hotel'

Dear Mayor Bloomberg,

If Greenwich Village is not safe from wanton demolition by the likes of Donald Trump (a 45 story condo-hotel on Varick and Spring Streets), what New York neighborhood is? If historic districts such as the Village are destroyed, what's the impetus for tourists to come here? This latest plan, attempting to undermine zoning that obviously needs tightening and re-wording, sets a very dangerous precedent, indeed.

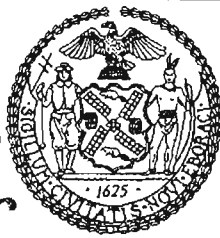
The law is the law – and even Donald Trump must be made to realize that New Yorkers **DO** have a say about their own surroundings.

Best regards,

Kathleen McGee Treat  
Chair

**Hell's Kitchen Neighborhood Association - 454 W 35<sup>th</sup> St, New York City 10001**  
**212-714-0186 - [www.hknanyc.org](http://www.hknanyc.org)**

*The  
City  
of  
New York*



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435 GRAHAM AVENUE - BROOKLYN, N.Y. 11211-2429

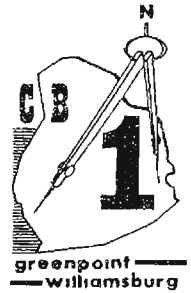
PHONE: (718) 389-0009

FAX: (718) 389-0098

Email: [bk01@cb.nyc.gov](mailto:bk01@cb.nyc.gov)

Website: [www.cb1brooklyn.org](http://www.cb1brooklyn.org)

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HON. DIANA REYNA  
COUNCILMEMBER, 34th CD

October 12, 2006

Hon. Amanda Burden, Chair  
New York City Department of City Planning  
22 Reade Street  
New York, NY 10007

Hon. Patricia Lancaster  
Commissioner  
NYC Department of Buildings  
280 Broadway  
New York, NY 10007

Dear Chairperson Burden and Commissioner Lancaster:

We are writing to express the concern of Community Board No. 1, Brooklyn, regarding the proposed "condominium hotel" proposed for 246 Spring Street in Manhattan. As you know, the industrial waterfront of Community Board No. 1 was recently rezoned for residential use. As part of that rezoning, the Department of City Planning undertook a comprehensive study of the existing land uses. Working with this Community Board, local manufacturers and industrial waterfront advocacy groups, the Department of City Planning identified areas that are appropriate for ongoing manufacturing uses. These areas were excluded from the residential rezoning, and have subsequently been included as part of an Industrial Business Zone.

We understand the current zoning allows transient hotel uses within manufacturing zones, but does not allow residential (or long-stay) hotels within such zones. We are concerned that the approval of a "condominium hotel" as a permitted use in a manufacturing zone could potentially undermine the viability of the remaining manufacturing zones within Community Board No. 1 and could undermine the viability

our new IBZ. These zones provide a valuable service to the city as whole, and are an important source of jobs for many residents of our Board.

The recent rezoning in Community Board No. 1 has put tremendous pressure on manufacturing concerns located within the rezoned area. The remaining manufacturing zones are also under tremendous development pressure for non-manufacturing uses. Any action that would in any way undermine the existing manufacturing zoning within Community Board No. 1 is therefore of great concern to this Board. We urge you to carefully consider the effect of classifying a "condominium hotel" as a permitted use within a manufacturing zone would have on the viability of manufacturing zones.

Working for a Better Greenpoint-Williamsburg.

Sincerely,

A handwritten signature in cursive script that reads "Vincent V. Abate".

Vincent V. Abate  
Chairman

VVA/mbw

cc: Council Member David Yassky  
Council Member Diana Reyna  
Mr. Carl Hum, Director/IMB



## CITY OF NEW YORK COMMUNITY BOARD NO. 2, MANHATTAN

3 Washington Square Village • New York, New York 10012-1899 • (212) 979-2272 • FAX (212) 254-5102  
Greenwich Village • Little Italy • Soho • Noho • Hudson Square  
VIA PERSONAL DELIVERY

**Maria P. Derr**  
*Chair*

July 6, 2006

**Arthur W. Strickler**  
*District Manager*

Commissioner Patricia Lancaster  
Department of Buildings  
280 Broadway  
New York, N.Y. 10007

**Brad Hoylman**  
*1<sup>st</sup> Vice Chair*

**Carol Yankay**  
*2<sup>nd</sup> Vice Chair*

Re: Proposed "condo-hotel" at Spring & Varick Streets

**Rocio Sanz**  
*Treasurer*

Dear Commissioner Lancaster:

**Robert Rinaolo**  
*Secretary*

According to a recent article in "The Villager", our local newspaper, there is a proposal for a "condo-hotel" within Community Board #2. The Villager further reports that a "luxury hotel, equipped with an outdoor pool, a 30 person screening room, restaurant and members library, will be more a pied-a-terre than short stay hotel. Geared toward the hip, wealthy, 30's something crowd, every unit in the Handel Architects-designed building will be sold individually to buyers who might live there year round, from time to time or seasonally. All owners will be free to offer up their Rockwell Group-designed units as hotel rooms, if they so choose. If built, this will be the first all condo-hotel of its kind in the City,

**Mark Rosenwasser**  
*Assistant Secretary*

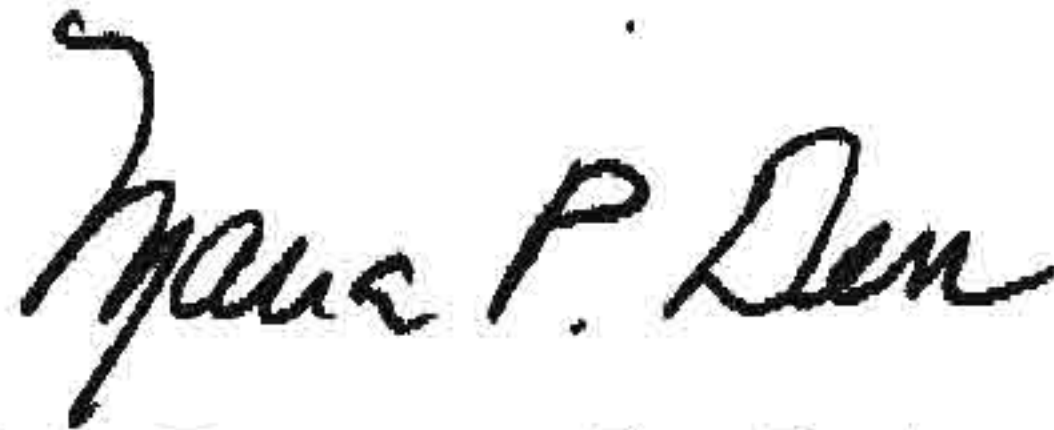
Our understanding is that there are different regulations for "transient hotels" and residential building or residential hotels (Use Group 2 and Use Group 5). We ~~realize may~~ realize that you may have more than one use for a building, but there is a provision requiring separation of uses. In other words, you could have apartments and a hotel in one building, but they would have to have separate entrances, elevators and stairs etc. allocated for separate, not joint use, with no connections between them.

Based upon that information, we are hereby requesting concrete data and information as to whether or not this project complies with New York City Zoning Regulations.

As this matter will be heard before the Zoning Committee of Community Board#2 on July 13, 2006, we request a speedy reply to our inquiry.

Thank you for your assistance in this matter.

Very truly yours,

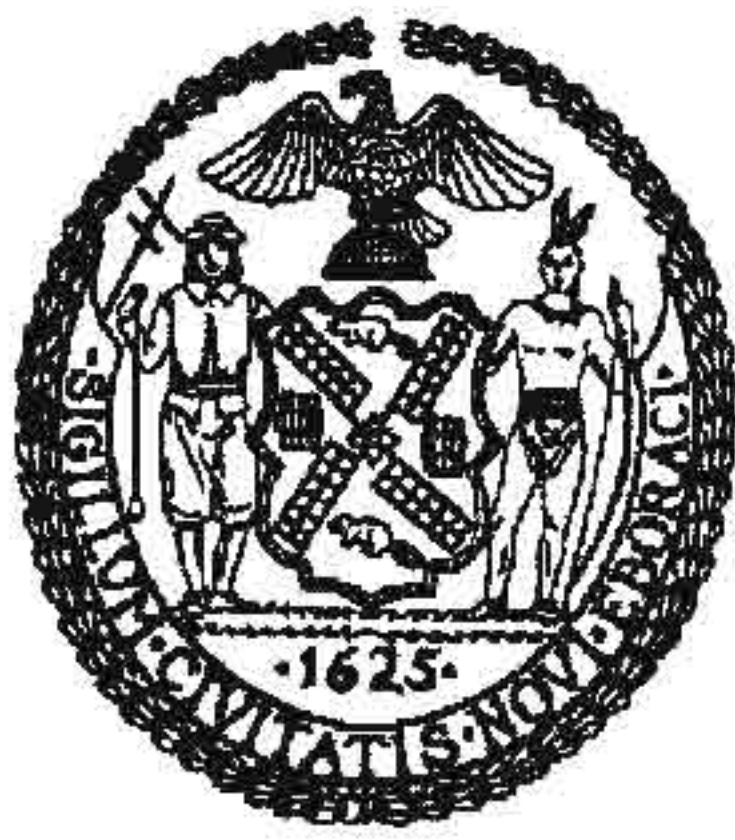


Mariar Passannante Derr, Esq.  
Chair, Community Board#2



Doris Diether, Chair  
CB#2 Zoning Committee

Cc: Amanda Burden Burden, City Planning Commissioner  
Alan Gerson, Councilmember  
Christine Quinn, City Council Speaker  
Scott Stringer, Manhattan Borough President  
Deborah Glick, Assemblymember  
Thomas Duane, State Senator



## MANHATTAN COMMUNITY BOARD FIVE

450 Seventh Avenue, Suite 2109

New York, NY 10123-2199

(212) 465-0907

fax: (212) 465-1628

office@cb5.org

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David Diamond, *Chair*

Gary Parker, MSW, *District Manager*

July 31, 2006

Hon. Michael Bloomberg  
Mayor, City of New York  
City Hall  
New York, NY 10007

Hon. Amanda Burden  
Chair, New York City Planning Commission  
22 Reade Street  
New York, NY 10007

Hon. Patricia Lancaster  
Commission, Department of Buildings  
280 Broadway  
New York, NY 10007

**Re: Construction of a condominium hotel at 246 Spring Street, Manhattan whose use may contravene the Zoning Resolution of the City of New York**

Dear Mayor Bloomberg, Chair Burden and Commissioner Lancaster:

We write in support of Community Board Two's efforts to halt the issuance of a building permit for the above referenced site, and in defense of the preservation of the manufacturing zones within Community Board Five.

We understand that an application has been made to the Department of Buildings for the construction of a new transient hotel at 246 Spring Street, which is in an M1 (Light Manufacturing) District within Greenwich Village. The developer proposes to sell each hotel "room" as a condominium unit, raising the concern that each unit purchaser would take permanent occupancy of the room, utilizing it as an apartment.

The Zoning Resolution does not permit residential or apartment hotel uses, which fall within Use Group 2 (ZR §12-10), in M1 zones. However, the Zoning Resolution does permit transient hotels (Use Group 5) within M1 zones. The difference between apartment and transient hotels lies not with the physical layout, both may have kitchenettes, separate bedrooms, etc., but with the length of stay by the occupant.

The ability to sell a hotel "room", with all the attributes of an apartment, to an individual who may occupy it for any length of time, makes a mockery of the City's zoning efforts and undermines each community's ability to manage development in a rational manner. If this kind of application is permitted to go forward, the urgent pressure to develop and sell residential space in New York City would result in luxury housing pushing out secondary commercial and light manufacturing users, notwithstanding the underlying zoning.

There are several M1 Districts within Community Board Five; they house mostly B grade office buildings and some trade centers like the Garment and Flower Districts. Small businesses, which make up a large



part of our Central Business District, depend on the availability of space in these areas. The diversity of use and the affordability of rents in these districts enhance our community, provide different rhythms of use of the streets and permit employment for space users who might otherwise be forced out of Manhattan. We would strongly oppose any attempt by a developer to conduct an end run around the zoning in the manner described above.

This issue serves to highlight a weakness within the process by which the Department of Buildings issues building permits – that of insuring that the on-going use of a building is in compliance with the zoning. In the case of dormitories, the Department of Building's regulations now require that a building application must be accompanied by a 10-year (minimum) lease with an accredited institution, so as to verify that the intended use is the actual use.

A similar approach can be adopted to meet the situation before the Department of Buildings now. If an application for the construction of a transient hotel in an M1 zone is accompanied by a lease with a legitimate hotel operator covering all the transient rooms to be constructed, there is a greater certainty that the building will comply with the City's use requirements.

There is a second undertaking that can reinforce the likelihood a new transient hotel will comply with the City's use requirements. We do not oppose any form of ownership of a hotel, including that of individual condominium ownership, but we recognize that condominium ownership is more vulnerable to abuses. Therefore, we recommend that an application for a building permit for a transient hotel wherein individual rooms are to be sold to the public, be accompanied by a form of the Offering Memorandum showing, as a "Special Risk" that the building is a transient hotel, and may not be occupied by an owner on a permanent basis.

We look forward to working with the City, the City Planning Commission and the Department of Buildings on this issue.

Sincerely,



David Diamond  
Chair

Nancy Goshow  
Co-Chair, Land Use and Zoning

Meile Rockefeller  
Co-Chair, Land Use and Zoning

Cc: New York City Council Speaker Christine Quinn  
Manhattan Borough President Scott Stringer  
New York State Senator Thomas Duane  
New York State Senator Liz Krueger  
New York State Assemblymember Richard Gottfried  
New York State Assemblymember Deborah Glick  
New York State Assemblymember Sylvia Friedman  
New York State Assemblymember Jonathan Bing  
New York City Councilmember Rosie Mendez  
New York City Councilmember Dan Garodnick  
Manhattan Community Boards 1-12



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD No. 4**

330 West 42<sup>nd</sup> Street, 26<sup>th</sup> floor New York, NY 10036  
tel: 212-736-4536 fax: 212-947-9512  
www.ManhattanCB4.org

**J. LEE COMPTON**  
Chair

July 31, 2006

Hon. Michael Bloomberg  
Mayor, City of New York  
City Hall  
New York, NY 10007

Hon. Amanda Burden  
Chair, NYC Planning Commission  
22 Reade Street  
New York, NY 10007

Hon. Patricia Lancaster  
Commissioner, Department of Buildings  
280 Broadway  
New York, NY 1007

Dear Mayor Bloomberg, Chair Burden and Commissioner Lancaster,

Manhattan Community Board No. 4 writes in support of the recent action by neighboring Manhattan Community Board No. 2 opposing plans by Donald Trump to construct a condo-hotel at 246 Spring Street. While the location is too distant to physically affect us, allowing this building to be constructed as-of-right as planned may well pose a potential threat to our community district in conceptual terms as it may to other districts in the City with significant amounts of space zoned for manufacturing.

This project appears to be an attempt by the developers to circumvent the City's zoning code ban on residential or residential hotel uses in M zones. As we understand it from sketchy preliminary information, the plan is to sell individual units as condo's and let owners decide whether to reside in them or allow them to be sublet for short periods of time. This highly unusual financing arrangement makes us suspicious of the developer's real intent. Enforcement difficulties make it impossible to insure that such a building is legally used as a transient hotel even if the units are sold subject to paper rules. To call such a building a "transient hotel" and therefore a permitted M zone use seems to be a flagrant abuse of the English language as well as an attempt to do an end run around the law.

Any such interpretive stretch is bad, but in the case of Community District 4 is particularly threatening. As I am sure you all know, we have been subject to massive rezoning in the last few years. Much of our manufacturing space has been up-zoned to commercial or residential to meet City needs. The relatively small amount of manufacturing space remaining is essential for industrial uses or for our large number of art galleries.

Developers desiring to expand the possibilities for residential construction should do so through the legal channels of re-zoning or variance, actions subject to ULURP. Back door attacks by developers, even if well known, must be rejected by every agency and by any possible means.

This letter was approved at the full meeting of the Board on July 26, 2006 by a vote of. 35 in favor, 0 opposed, 1 abstention and 0 present but not voting.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Lee Compton". The signature is fluid and cursive, with the first name "J. Lee" and the last name "Compton" clearly distinguishable.

J. Lee Compton  
Chair  
Manhattan Community Board No. 4

cc: local elected officials, Manhattan Community Board 2