



Greenwich
Village
Society for
Historic
Preservation

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June 16, 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.

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,



Andrew Berman, Executive Director
Greenwich Village Society for Historic Preservation



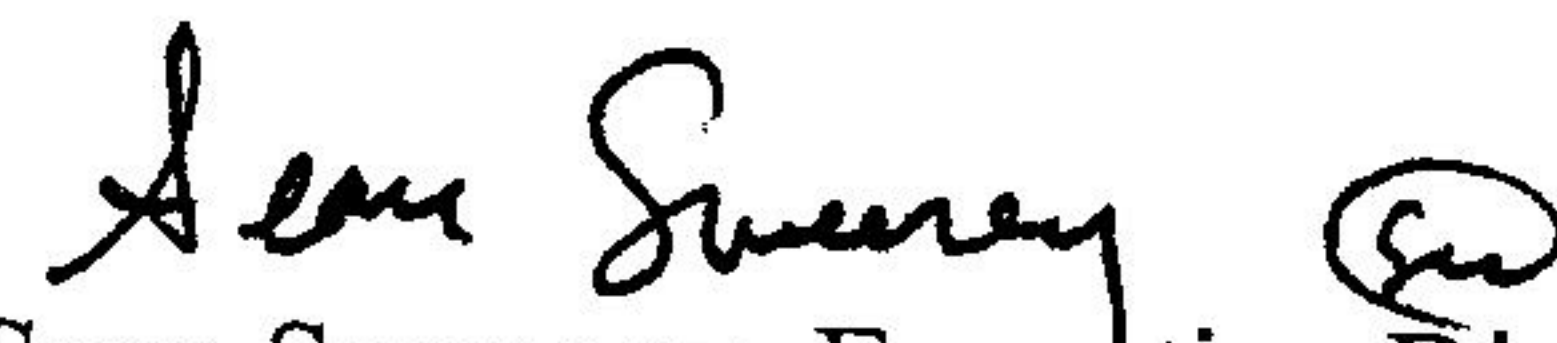
Carole Desarem, President
Tribeca Community Association



Don Clark MacPherson, Executive Director
SoHo Arts Council, Inc.



David Reck, President
Friends of Hudson Square



Sean Sweeney, Executive Director
SoHo Alliance

Cc: City Council Speaker Quinn
Manhattan Borough President Scott Stringer
Congressman Jerrold Nadler
State Senator Tom Duane
City Council Member Alan Gerson
City Council Zoning Sub-Committee Chair Tony Avella
Assemblymember Deborah Glick
Community Board #2, Manhattan
New York Industrial Retention Network
Pratt Center for Community Development