



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD No. 4**

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**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 letters of the first and last names being capitalized and prominent.

J. Lee Compton  
Chair  
Manhattan Community Board No. 4

cc: local elected officials, Manhattan Community Board 2