

Gaming Facility Zoning Text Amendment

***New York City Department of City Planning
January 9, 2024
Bronx Community Board 10***

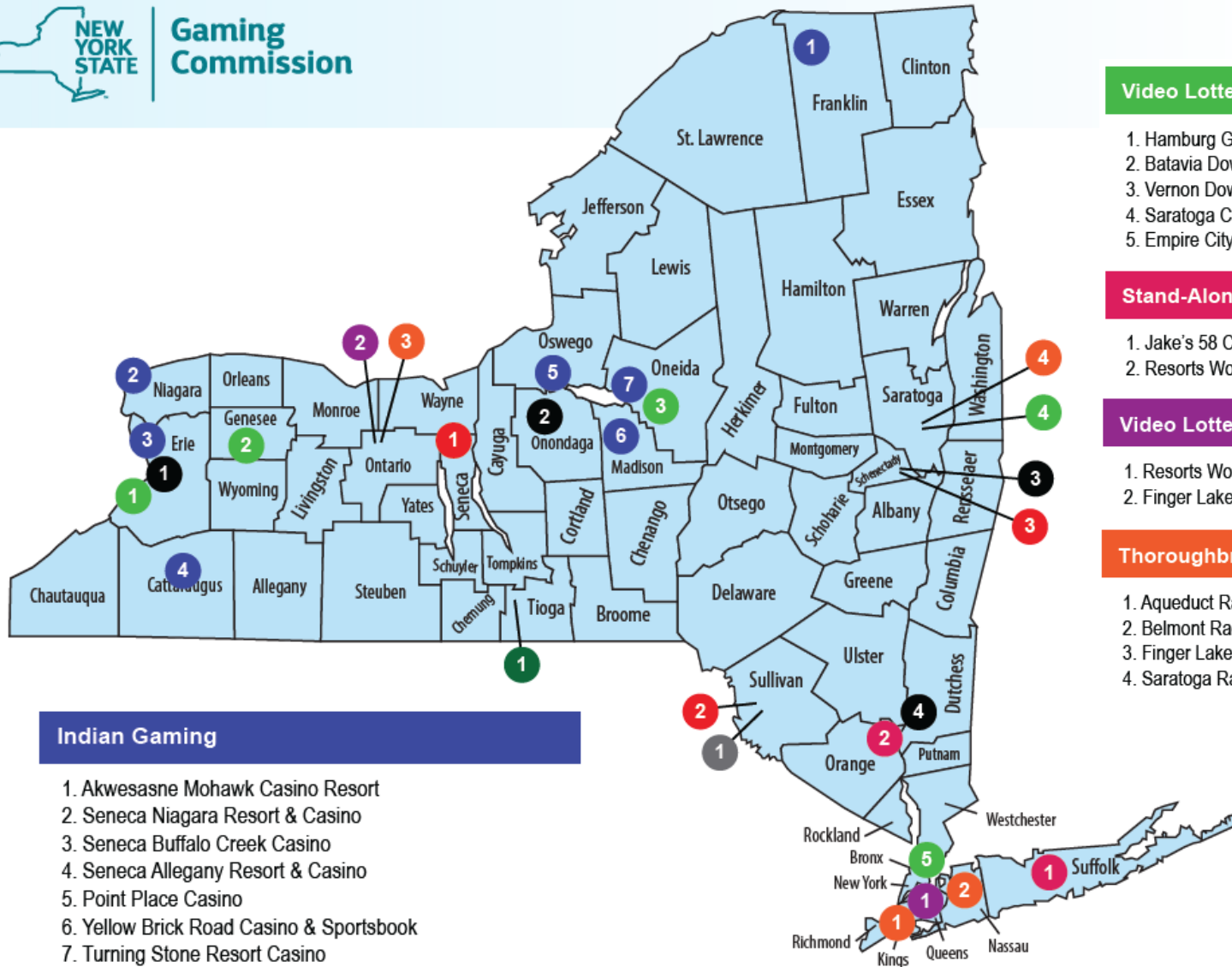


New York State Gaming ~ Background

New York State

- NYS Gaming Commission regulates and oversees gaming facilities, casinos, racetracks, off-track betting (OTB).
- Statewide referendum in 2013 approved new commercial casinos.
 - NYS Constitution amended to authorize up to seven gaming facilities.
 - Four licenses were previously awarded in Upstate New York.
- NYS Gaming Commission creates the NYS Gaming Facility Location Board (GFLB).
 - GFLB announcement in January 2023 pertaining to the remaining three licenses.
 - Issued Requests for Applications to Develop and Operate a Gaming Facility to solicit proposals in the Downstate New York region including New York City, Long Island, Putnam, Rockland, and Westchester.
 - Establishes a new siting and review process including a Community Advisory Committee approval.
- New York City
 - Aqueduct Racetrack and Resorts World in Queens are located on State-owned property.
 - NYC OTB established in 1970 and bankrupt in 2010.

New York State Gaming ~ Background



Indian Gaming

1. Akwesasne Mohawk Casino Resort
2. Seneca Niagara Resort & Casino
3. Seneca Buffalo Creek Casino
4. Seneca Allegany Resort & Casino
5. Point Place Casino
6. Yellow Brick Road Casino & Sportsbook
7. Turning Stone Resort Casino

Video Lottery & Harness Racetracks

1. Hamburg Gaming & Buffalo Raceway at The Fairgrounds
2. Batavia Downs Gaming & Hotel
3. Vernon Downs Casino Hotel
4. Saratoga Casino Hotel
5. Empire City Casino by MGM Resorts / Yonkers Raceway

Stand-Alone Video Lottery Gaming Properties

1. Jake's 58 Casino Hotel
2. Resorts World Hudson Valley

Video Lottery at Thoroughbred Racetracks

1. Resorts World New York City at Aqueduct Racetrack
2. Finger Lakes Gaming & Racetrack

Thoroughbred Racetracks

1. Aqueduct Racetrack
2. Belmont Racetrack
3. Finger Lakes Racetrack
4. Saratoga Race Course

Lottery Customer Service Centers

1. Buffalo
2. Syracuse
3. Schenectady
4. Fishkill

Commercial Casino & Harness Racetrack

1. Tioga Downs Casino Resort & Harness Racing

Commercial Gaming

1. del Lago Resort & Casino
2. Resorts World Catskills
3. Rivers Casino & Resort Schenectady

Stand-Alone Harness Racetrack

1. Monticello Raceway

New York State Gaming Facility Process

A **Community Advisory Committee (CAC)** will be created to review each gaming facility application based on the site's location and consist of six members or appointees by the following elected officials:

1. Governor
2. New York City Mayor
3. State Senator
4. State Assemblymember
5. Borough President
6. New York City Councilmember

The **CAC** is subject to the Open Meetings Law, must hold public hearings, issue a finding establishing public support either approving or disapproving the application (by 2/3 vote).

The **State Gaming Facility Location Board** will:

- Establish an overall timeline for the approval process;
- Establish a reasonable amount of time for applicants to obtain zoning approval for their proposed projects;
- Only review applications with public support via CAC process;
- Review applications on the following factors:
 - *Economic activity and revenue impact*
 - *Local siting impact*
 - *Workforce enhancement*
 - *Diversity framework*

New York State Gaming Commission inquiries can be sent to Kristen M. Buckley, Secretary to the Gaming Commission at Kristen.buckley@gaming.ny.gov and 518-388-3407.

Gaming Facility Text Amendment

The purpose of the text amendment is to add the Gaming Facility Use (Use Group 8) into the NYC Zoning Resolution for the first time. Gaming facilities, such as casinos and racetracks, are not currently, legally-permitted in the City.

The text amendment would allow New York City to be considered as a possible location for a Gaming Facility when the State looks to approve up to three casino licenses in the Downstate region (NYC, Long Island, and Westchester, Putnam, Rockland counties).

- Commercial District Regulations (Section 32-10) Uses permitted in C4 C5 C6 C7 C8 and Manufacturing District Regulations (Section 42-10) Uses permitted in M1 M2 M3.
- Shall be limited to those operating under a gaming license issued by the NYS Gaming Commission pursuant to Section 1306 of the Racing, Pari-Mutuel Wagering and Breeding Law, as such law existed on [date of text amendment referral]. No other gaming facilities shall be permitted.
- May include gaming areas and any other non-gaming #uses# related to the gaming areas including, but not limited to, #transient hotels#, eating or drinking establishments, as well as other amenities.
- As approved by the Gaming Commission at the time of their initial licensure, shall be deemed to have satisfied all other applicable regulations of this Resolution.

Gaming Facility Text Amendment

- The text amendment only applies to a gaming facility license approved by the State during this particular, legislated-approved process.
- The text amendment does not apply to any future gaming licenses that the New York State legislature might approve.
- Gaming facility application must be approved by a Community Advisory Committee.
- Gaming facility must be compliant with local zoning regulations.
- The text amendment does not apply to any future modifications or changes to a gaming facility site that is approved during the CAC process.

Gaming Facility Proposals

Manhattan

1. Western Rail Yards (WRY) (Related, Wynn)
2. Avenir Hudson Yards (Silverstein, Greenwood Gaming)
3. Times Square (SL Green, Caesars)
4. Saks and Company (Hudson's Bay, Saks)
5. Freedom Plaza East Midtown (Soloviev, Mohegan)

Bronx

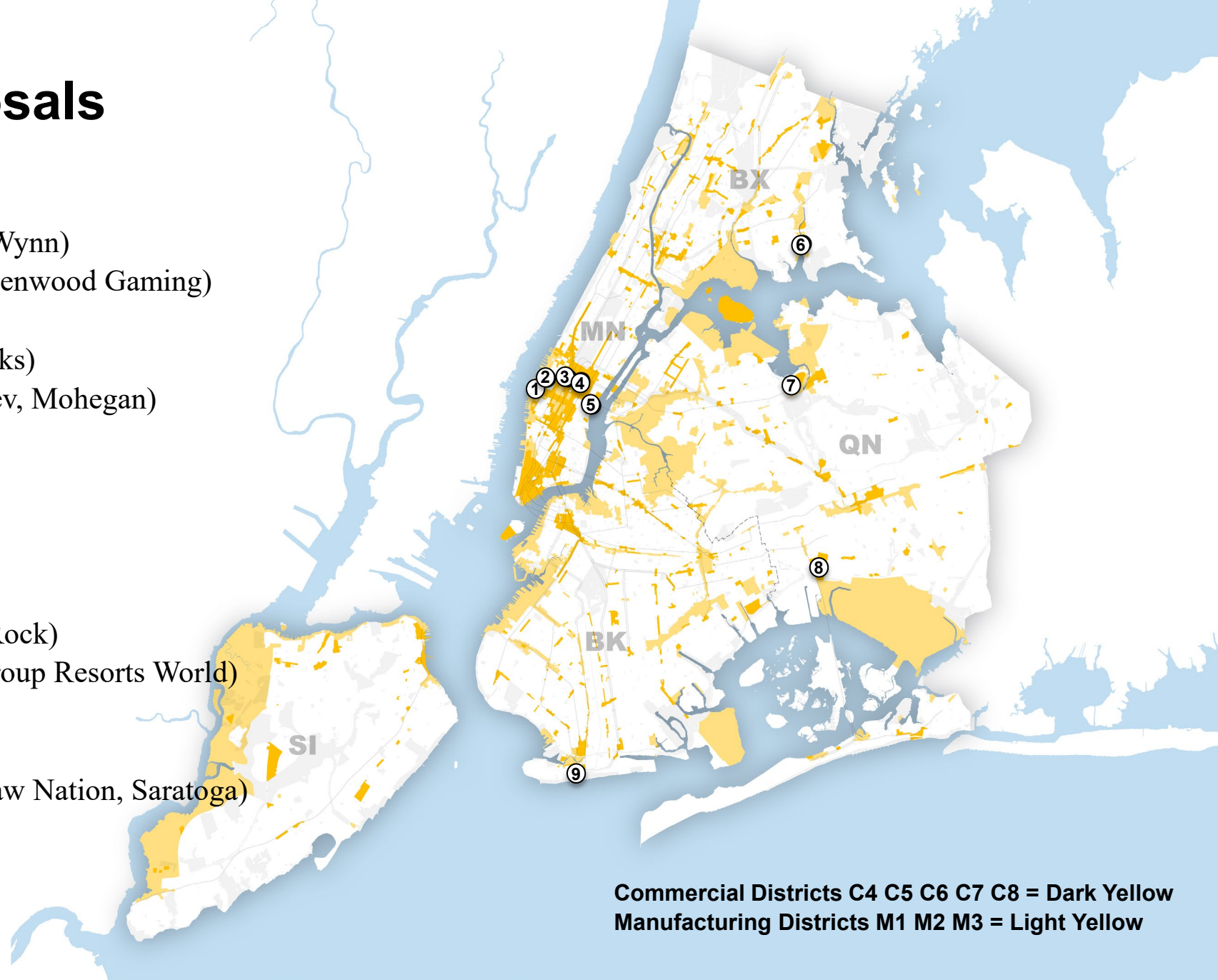
6. Ferry Point Golf Course (Bally's)

Queens

7. Future Queens Project (Cohen, Hard Rock)
8. Resorts World / Aqueduct (Genting Group Resorts World)

Brooklyn

9. Coney Island (Thor Equities, Chickasaw Nation, Saratoga)



Commercial Districts C4 C5 C6 C7 C8 = Dark Yellow
Manufacturing Districts M1 M2 M3 = Light Yellow

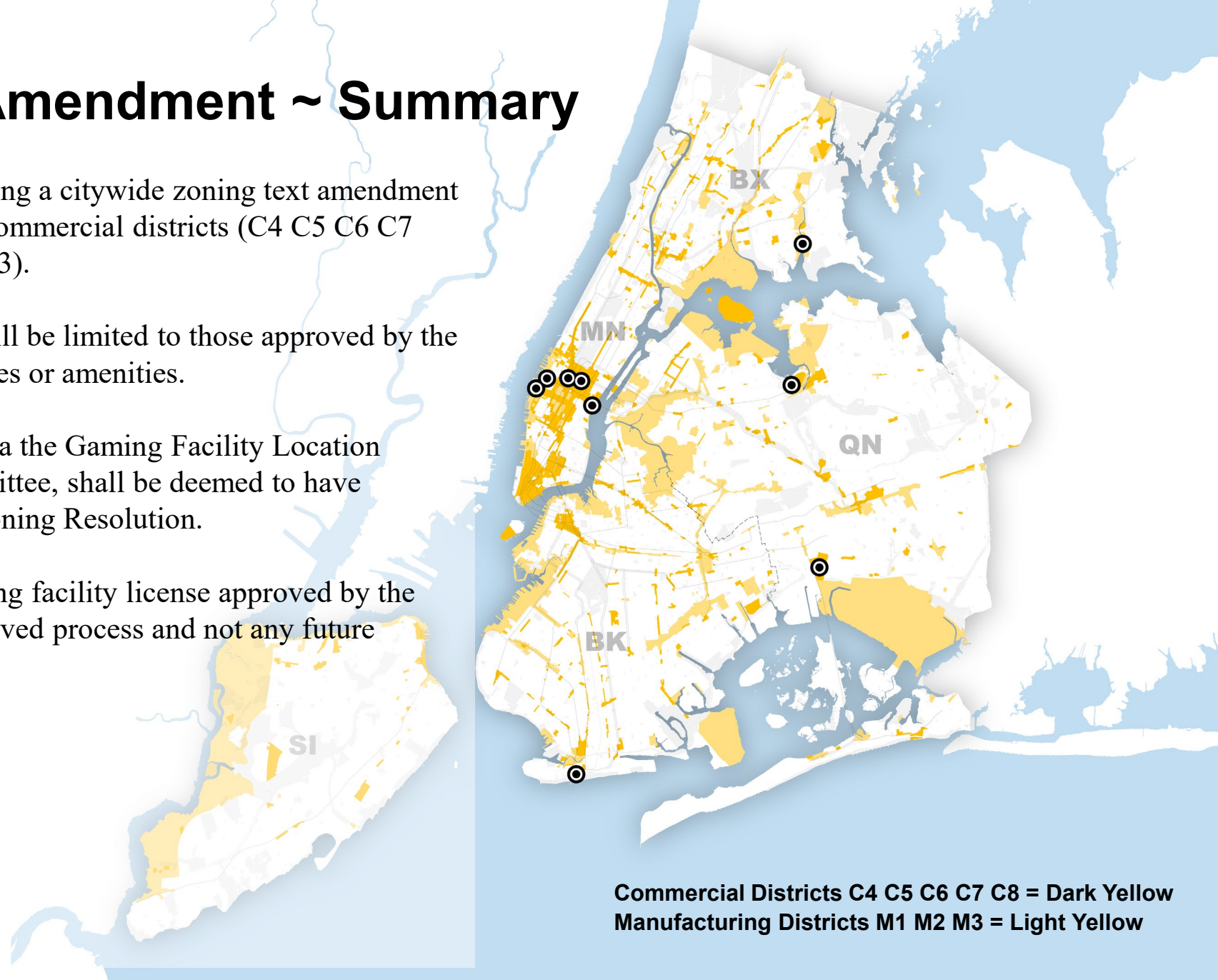
Gaming Facility Text Amendment ~ Summary

The Department of City Planning is proposing a citywide zoning text amendment for a gaming facility use (UG8) in certain commercial districts (C4 C5 C6 C7 C8) and manufacturing districts (M1 M2 M3).

The gaming facility licenses, up to three, will be limited to those approved by the State and may include other non-gaming uses or amenities.

An approval by the Gaming Commission via the Gaming Facility Location Board and the Community Advisory Committee, shall be deemed to have satisfied all applicable regulations of the Zoning Resolution.

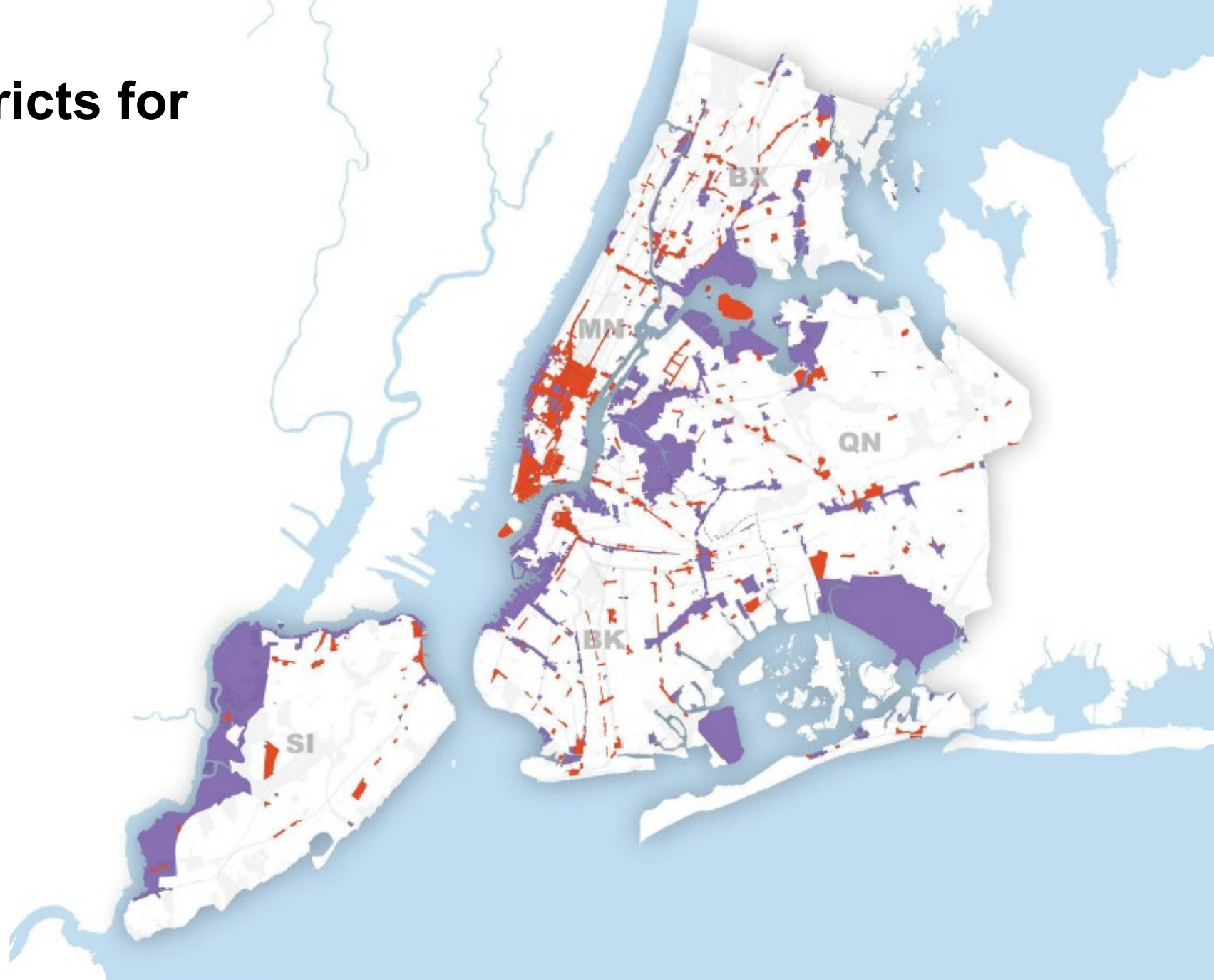
The text amendment only applies to a gaming facility license approved by the State during this particular, legislated-approved process and not any future gaming licenses.



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Proposed Zoning Districts for Gaming Facility Use

- Zoning Districts: C4, C5, C6, C7, C8
- Zoning Districts: M1, M2, M3



Gaming Facility Text Amendment ~ END

Stephen Johnson

NYCDCP

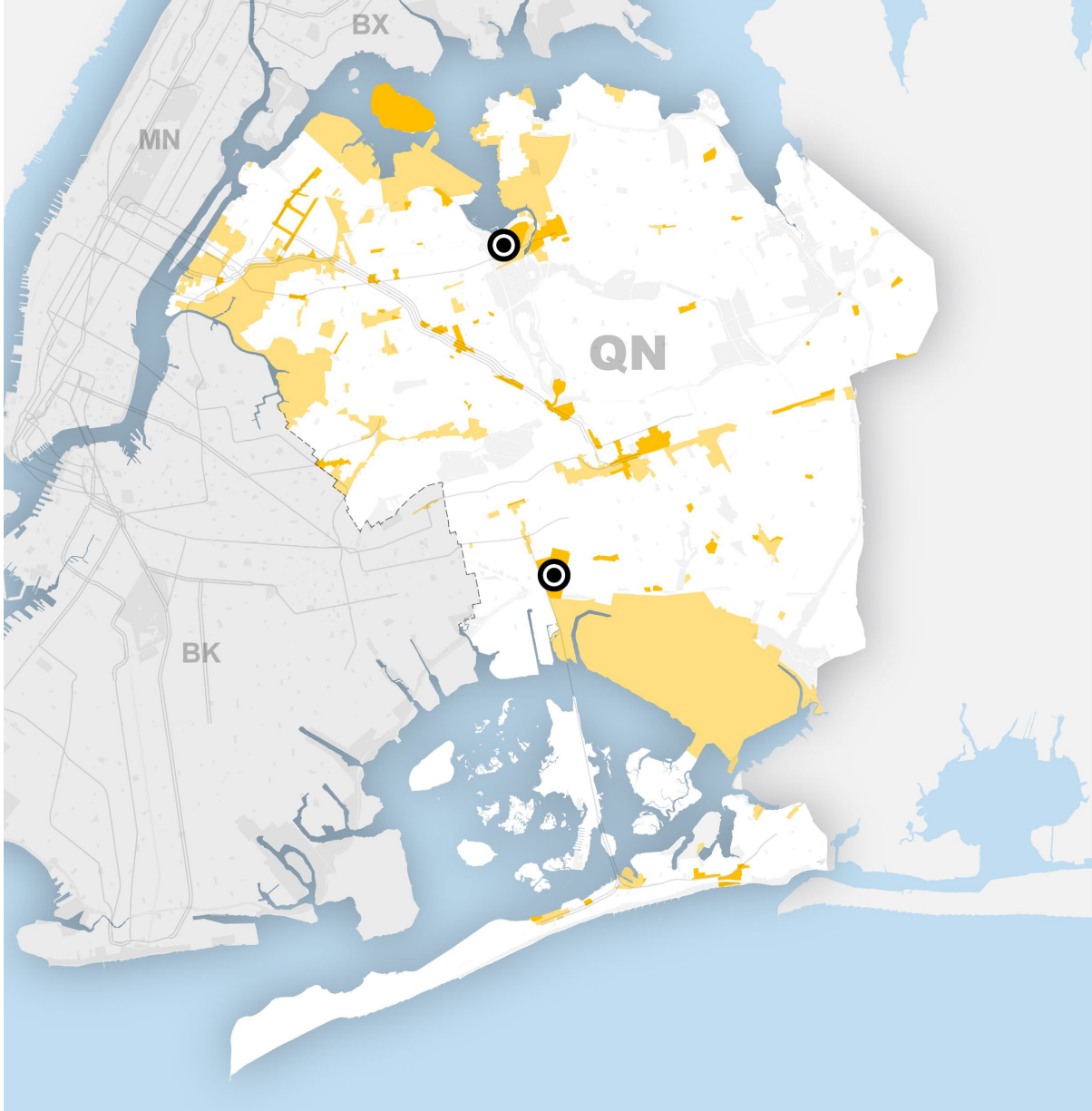
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Proposed Zoning Districts for Gaming Facility Use ~ Bronx



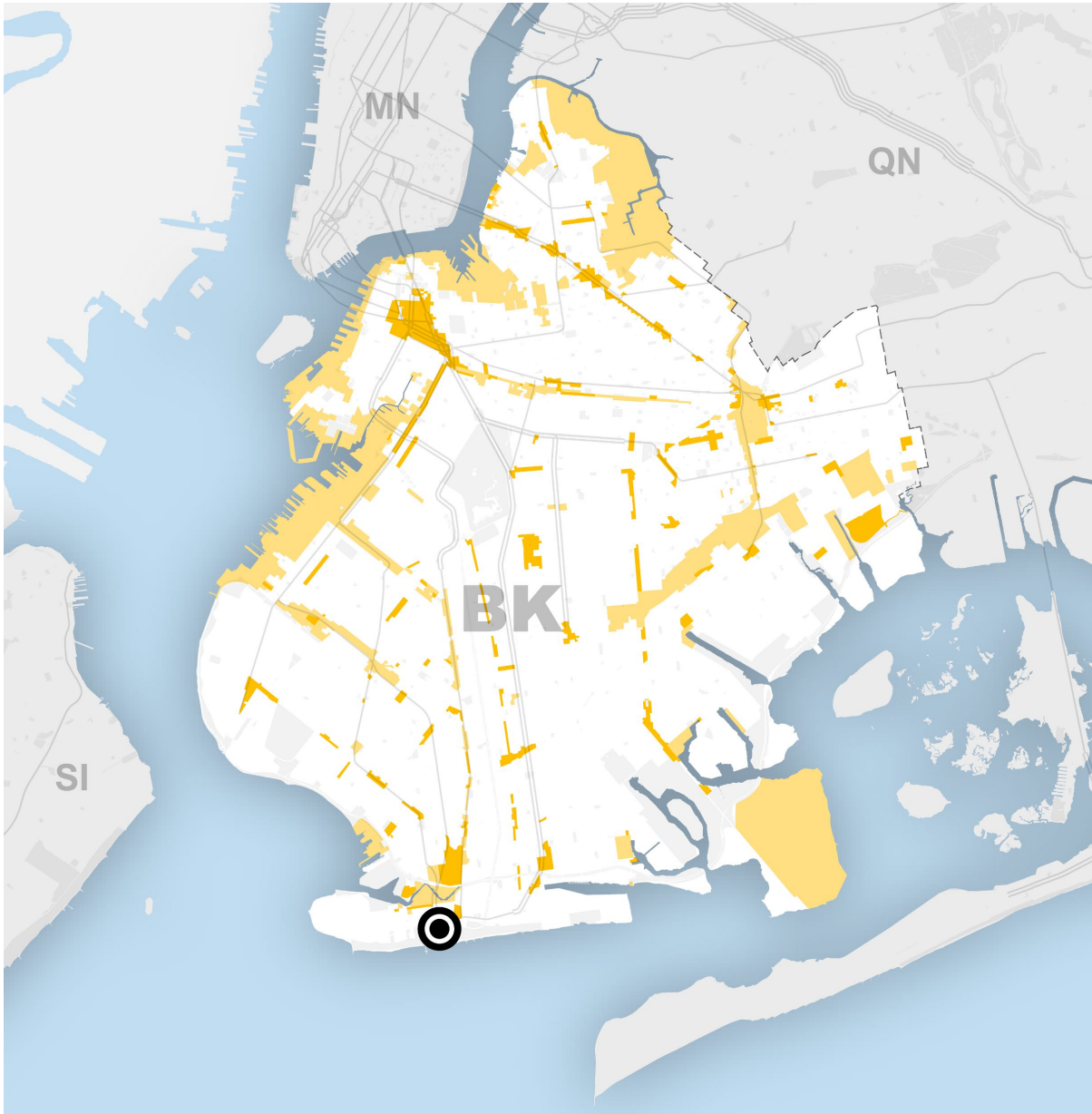
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Proposed Zoning Districts for Gaming Facility Use ~ Queens



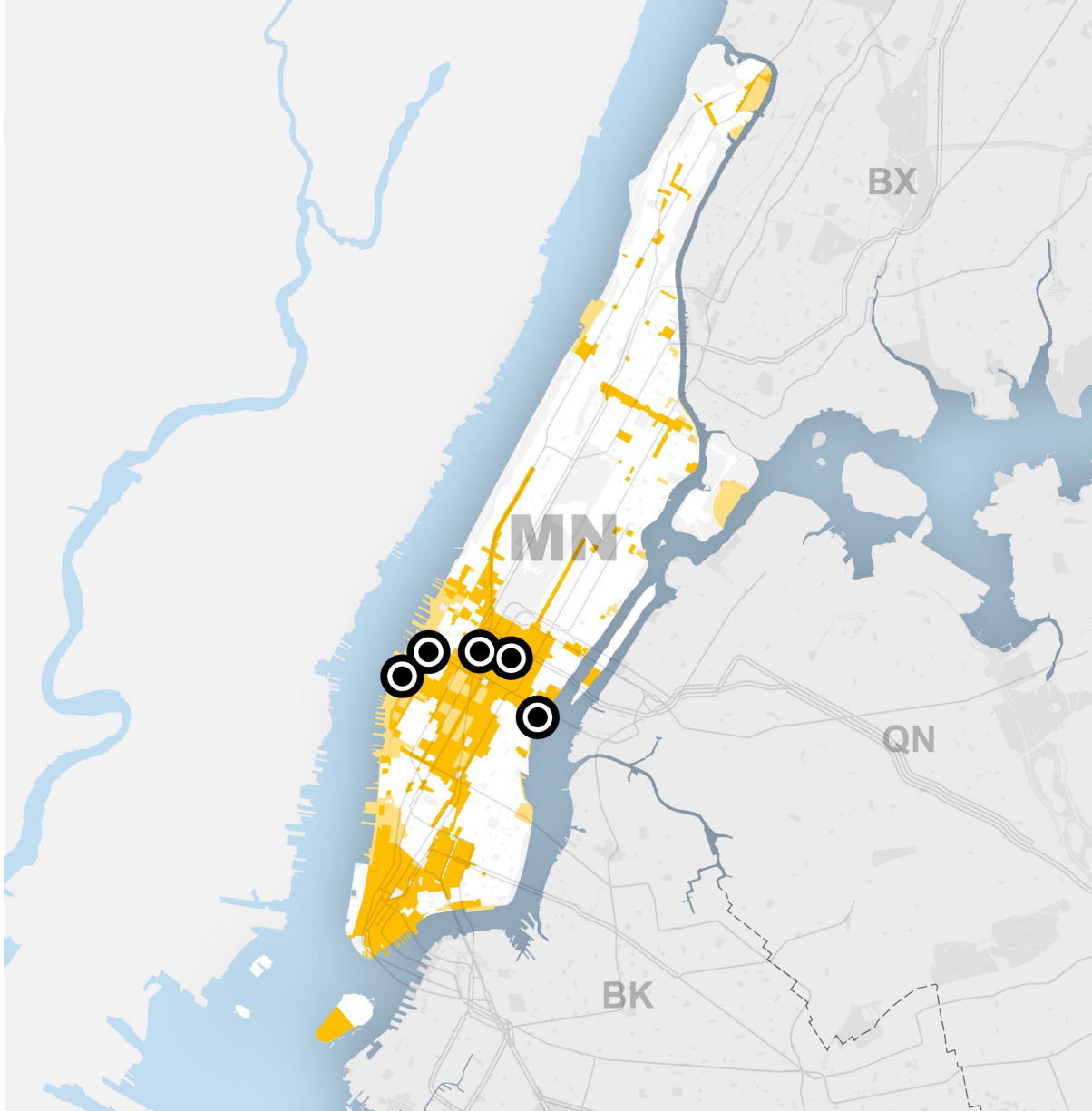
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Proposed Zoning Districts for Gaming Facility Use ~ Brooklyn



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Proposed Zoning Districts for Gaming Facility Use ~ Manhattan



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