



Community Board 12 - Manhattan Washington Heights & Inwood

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Eleazar Bueno, Chairperson
Ebenezer Smith, District Manager

May 28, 2021

Hon. Marisa Lago, Chair
New York City Department of City Planning
120 Broadway
31st Floor
New York, NY 10271

Re: Resolution supporting the Department of City Planning's proposed Citywide Zoning Text Amendment creating a special permit for new Hotel Development.

Dear Chair Lago:

At the General Meeting on Tuesday, May 25, 2021, Community Board 12, Manhattan passed a resolution with a vote of 32 in favor, 0 opposed, 0 abstentions, and 1, not voting, supporting the intent of the Department of City Planning's proposed Citywide Hotel Text Amendment to establish a new Special Permit under the jurisdiction of the City Planning Commission for new hotel developments citywide; and urging the Department of City Planning and the City Planning Commission to implement measures to mitigate the adverse economic impacts identified in the Draft Environmental Impact Statement resulting from the Citywide Hotel Text Amendment.; and urging City Hall and the City Council to authorize the appropriate City agency or agencies to establish and implement policies and procedures to consider the financial feasibility of hotel projects in connection with the Special Permit process.

Whereas: In 2018, the Department of City Planning ("DCP") proposed, and Community Board 12-Manhattan ("CB12-M") supported a citywide M-1 Hotel Text Amendment to introduce a special permit under the jurisdiction of City Planning Commission ("CPC") to establish restrictions on the development of new hotels, motels, tourist cabins, and boatels in Light Manufacturing ("M1") districts to ensure a balanced mix of uses and sufficient opportunities to support the future growth of permitted uses in M1-zoned sites including industrial, commercial, community facility, residential and institutional uses. The M-1 Hotel Text Amendment was adopted in December 2018; and

Whereas: In December 2020, DCP proposed a zoning text amendment to establish a new special permit (the "New Special Permit") under the jurisdiction of the CPC for new hotel development citywide (the "Citywide Hotel Text Amendment" or the "Text Amendment"). The New Special Permit would require new hotels and other transient uses in C1, C2, C4, C5, C6, C8, and Mixed-Use (MX) and paired M1/R districts to go through ULURP and would override existing special permit requirements except for the existing regulations adopted in December 2018 for hotels in M1 districts which would be retained; and

Whereas: The Citywide Hotel Text Amendment intends to create a more consistent zoning framework and allow community input on hotel projects for the first time. It would ensure that new hotels are established on appropriate sites based on reasonable considerations regarding the hotel development's impact on the future use and development of the surrounding area and the potential to conflict with nearby commercial, industrial, and residential uses that new transient uses may introduce, and

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- Whereas: In December 2020, the draft Environmental Impact Statement (the "DEIS") for the Text Amendment was released and a public scoping meeting for the DEIS was held in January 2021. In February 2021 CB12M passed a resolution supporting the Text Amendment and offering comments on the scoping for the DEIS ("CB12M's Comments"). DCP filed the land use application (the "Application") for the Text Amendment on April 29, 2021. The final scope of work for the DEIS was issued on May 3, 2021. On May 5, 2021 representatives of DCP presented the Text Amendment and DCP's responses to CB12M's Comments to CB12M's Land Use Committee ("Land Use" or the "Committee"). Community Boards and Borough Presidents have until July 12, 2021, to provide comments on the Application; and
- Whereas: The DEIS estimates that, because of the provisions of the Special Permit, in 2035 the City will have a shortage of 47,070 hotel rooms, 18,970 fewer hotel jobs, \$1.3 billion in lost wages, and \$5.3 billion foregone direct gross output on the local economy. No measures are proposed in the DEIS to mitigate these adverse economic impacts; and
- Whereas: DCP has not satisfactorily addressed all CB12-M's Comments, which include : 1) The Special Permit application should require a detailed financial feasibility analysis with the application for a Special Permit and an independent review of the analysis; 2) The review of any application under the New Special Permit should include a thorough analysis of the socio-economic impacts of the proposed hotel; 3) An additional ULURP review should be required for any proposed conversion to a homeless shelter, half-way house or other transient facility of any hotel, motel, tourist cabin or boatel developed pursuant to the New Special Permit; 4) The final text amendment should include a concise list of zoning districts where hotel development is permitted as-of-right, i.e.: is not subject to the New Special Permit; 5) DCP should publish a list of all comments received in response to the December 2020 draft scoping documents and a description of how the scope was modified in response to the comments received; and 6) ULURP applications should not be certified within 60 days of community boards going on hiatus for the summer and should not be certified or the ULURP time clock started while community boards are on hiatus during the summer; and
- Whereas: In its response, DCP states that it does not consider the financial feasibility of projects, projects subject to ULURP must undergo environmental review including socioeconomic impacts but does not commit to a thorough analysis of socioeconomic impacts, and the review required for the Special Permit is only applicable to the hotel development and not any subsequent conversion permitted as of right; and
- Whereas: While DCP may not have jurisdiction to address all CB12M's DEIS Comments, the City Council and the City Hall could ensure that other city agencies with jurisdiction implement procedures to address these matters. It is a questionable planning practice to establish a special permit process to ensure that new hotel development does not adversely impact the surrounding areas but does not similarly consider how use changes to approved hotel developments impact the surrounding areas; and
- Whereas: CB12M concurs with the goals and objectives of the Text Amendment but has reservations with its implementation as currently proposed; now, therefore, be it

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Resolved: Community Board 12-Manhattan supports the intent of the Department of City Planning's proposed Citywide Hotel Text Amendment to establish a new Special Permit under the jurisdiction of the City Planning Commission for new hotel development citywide, and be it further

Resolved: Community Board 12-Manhattan urge the Department of City Planning and the City Planning Commission to implement measures to mitigate the adverse economic impacts identified in the Draft Environmental Impact Statement resulting from the Citywide Hotel Text Amendment and be it further

Resolved: Community Board 12-Manhattan urge City Hall and the City Council to authorize the appropriate City agency or agencies to establish and implement policies and procedures to consider the financial feasibility of hotel projects in connection with the Special Permit process, ensure a detailed and thorough analysis of socioeconomic impacts associated with hotel development, and require a review that includes community board input for any conversion of a hotel developed according to the Special Permit process.

Sincerely,



Eleazar Bueno
Chairperson

cc: Hon. Bill de Blasio, Mayor
Hon. Jumaane Williams, Public Advocate
Hon. Scott M. Stringer, Comptroller
Hon. Brian Benjamin, State Senator
Hon. Robert Jackson, State Senator
Hon. Gale Brewer, Manhattan Borough President

Hon. Al Taylor, Assembly Member
Hon. Carmen De La Rosa, Assembly Member
Hon. Ydanis Rodriguez, Council Member
Hon. Mark Levine, Council Member