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May 21, 2021

Marisa Lago, Chair
City Planning Commission
22 Reade Street
New York, NY 10007

Dear Ms. Lago:

At its Full Board meeting on May 20, 2021, CB#2, Manhattan (CB2, Man.), adopted the following resolution:

**Citywide Hotels Text Amendment:** The proposed zoning change would require City Planning Commission approval for new and enlarged hotels and motels, tourist cabins and boatels in commercial, mixed-use and paired M1/R districts. The new Special Permit requirement would override existing hotel special permit requirements. However, the existing special permit provisions that apply in M1 districts, which require the Commission to make findings specific to industrially- zoned areas, will remain in place from passage of the M1 Hotels Text Amendment in 2018.

**Whereas:**

1. In December 2018, Department of City Planning (DCP) adopted a city-wide zoning text amendment to establish a new Special Permit for hotels in M1 districts under the jurisdiction of the City Planning Commission (CPC). These uses were then as of right in M1 districts and, if passed, would then require a Special Permit (except in MX and M1/R).
2. CB2M supported the 2018 text amendment with the following conditions:
    a. An additional finding be added to protect and encourage a harmonious balance of uses consistent with the mixed-use character of CB2's M1-5 districts where non-manufacturing uses are prevalent.
    b. The text change specifically allow the Planning Commission to prescribe appropriate additional conditions: for example, limitations on eating and drinking

establishments, based on their impact on residential uses in the area—similar to the Conditions and Safeguards provision from ZR 74-21.

**c.** The existing restrictions on certain uses below the level of the second floor in M1-5A and M1-5B districts be retained and the text amendment require a hotel Special Permit to not supersede the requirement for any other Special Permit that may otherwise be applicable.

**3.** This 2021 Citywide Hotel text amendment would require a CPC Special Permit for new hotels and enlargements where hotels are permitted as-of-right today: C1 (except for C1-1, C1-2, C1-3 or C1-4 Districts), C2-4, C4, C5, C6, C8, Mixed Use (MX), and paired M1/R districts.

**4.** The proposed CPC Special Permit would replace existing CPC Special Permits for new hotels in special purpose districts such as Special Hudson Square District in CB2.

**5.** The new Special Permit requirement would override existing hotel Special Permit requirements. However, it would retain the existing findings and regulations for hotels in M1 districts as found in the 2018 text amendment for industrially-zoned areas.

**6.** CB2 is opposed to making any changes before the effects of the pandemic on the tourism industry specifically, and the City in general, are better understood.

**7.** We are concerned that introduction of regulation(s) in this particular area of the economy might decrease demand (due to higher costs), stymie job growth, stifle competition, and hinder economic recovery.

**8.** This amendment would make hotels more expensive, encouraging tourists to use cheaper hotels outside the City, and worse, encouraging AirBnB usage which has proved so harmful to affordable housing in the city.

**9.** The Hotel Trades Council, which supports this Special Permit text amendment, was the only union to endorse the Mayor's presidential bid.

**Therefore, be it resolved** that CB2 recommends denial of this text amendment and looks forward to working cooperatively to address the concerns behind this legislation with an administration unencumbered by appearances of providing benefits to financial backers.

**Be it further resolved** that in the event that this text amendment passes, the following conditions be added:

**1.** An additional finding that protects a harmonious balance of uses consistent with the character of CB2's historic districts.

**2.** The text change specifically allow the Planning Commission to prescribe appropriate additional conditions: for example, limitations on eating and drinking establishments, based on their impact on residential uses in the area—similar to the Conditions and Safeguards provision from ZR 74-21.

**3.** The text amendment require a hotel Special Permit to not supersede the requirement for any other Special Permit that may otherwise be applicable.

**Vote**: Passed unanimously with 42 Board members in favor.

Please advise us of any decision or action taken in response to this resolution.

Sincerely,

Jeannine Kiely, Chair
Community Board #2, Manhattan

Frederica Sigel, Chair
Community Board #2, Manhattan
Land Use & Housing Committee

JK/jt

c: Hon. Jerrold Nadler, U.S. Representative
Hon. Carolyn Maloney, U.S. Representative
Hon. Nydia Velazquez U.S. Representative
Hon. Brad Hoylman, NY State Senator
Hon. Brian Kavanagh, NY State Senator
Hon. Deborah Glick, Assembly Member
Hon. Yuh-Line Niou, Assembly Member
Hon. Gale A. Brewer, Manhattan Borough President
Hon. Corey Johnson, City Council Speaker
Hon. Carlina Rivera, City Council Member
Hon. Margaret Chin, City Council Member
Sylvia Li, Department on City Planning
Andy Cantu, Department of City Planning

**4. Andrew Cantu, Dept. of City Planning**