



CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD FOUR

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LOWELL D. KERN
Chair

JESSE R. BODINE
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February 1, 2021

Marisa Lago, Chair
New York City Planning Commission
120 Broadway
31st Floor
New York, NY 10271

Olga Abinader, Director
Environmental Assessment and Review Division, NYC Department of City Planning
120 Broadway
31st Floor

Re: CEQR 21DCP111Y Comments on the Draft Scope for the Citywide Hotel Text Amendment in Commercial Districts DEIS

Dear Chair Lago and Director Abinader,

On the recommendations of its Chelsea Land Use and Clinton/Hell's Kitchen Land Use Committees, Manhattan Community Board 4 (MCB4), at its regularly scheduled Executive Committee meeting on January 25, 2021 voted to recommend approval of comments on the Draft Scope for the Draft Environmental Impact Statement (DEIS) for an amendment to the Zoning Resolution establishing a City Planning Commission Special Permit requirement for new and enlarged transient hotels (Use Group 5), and motels, tourist cabins and boatels (Use Group 7). MCB4 supports the proposed Citywide Hotel Text Amendment with one exception: that public purpose hotels should also be required by a special permit and this action should be included in the Draft Scope. We also urge that the Department of City Planning (DCP) along with MCB4 should develop a careful and considered plan for the conversions of hotels to affordable housing or shelter use.¹

¹ MCB4's Executive Committee approved the letter so to submit comments before the City's February 1st, 2021 deadline. The letter is subject to ratification at MCB4's Full Board meeting on Wednesday, February 3rd 2021.

Background

DCP is proposing a citywide zoning text amendment to establish a City Planning Commission special permit (“CPC special permit”) for new and enlarged transient hotels (Use Group 5), and motels, tourist cabins and boatels (Use Group 7). The new CPC special permit will replace existing special permits in Special Purpose Districts and require a CPC special permit citywide for new hotels and enlargements in commercial (C1, C2, C4, C5, C6, C8), Mixed Use districts (MX), and paired M1/R districts.

The proposed text amendment would apply the current findings and regulations for commercial hotels in M1 districts where a special permit was adopted in December 2018. The Proposed Action would also retain provisions adopted in the 2018 text amendment to exempt hotels in M1 district operated for a public purpose. The proposed zoning text amendment would affect every community district.

The proposed zoning text amendment aims to create a more consistent framework for hotel development citywide and to ensure that new hotels are established only on appropriate sites based on reasonable considerations regarding the hotel development’s impact on the future use and development of the surrounding area.

Analysis and Recommendations

MCB4 supports the efforts of DCP and believes that the proposed special permit is far better than the current situation where hotels in M1 districts are permitted as-of-right unless there are special restrictions in place. The Board supported the action from 2018 ULURP No. N 180349(A) ZRY to put in a special permit for M1 districts.²

The concentration of transient hotels in a small area is an additional, significant concern. The approximately five blocks comprising Subarea A-2 of the Special Garment Center District and Subareas D5 and E of the adjacent Special Hudson Yards District provide a cautionary example. In 2009 there were no hotel rooms in these areas. There now are 4,296 hotel rooms with an additional 2,306 rooms under construction or permitted by the Department of Buildings.

Under the proposed amendment, hotels can be built on areas zoned as commercial and manufacturing zones – including West 23rd, West 34th, West 42nd, West 57th Streets, portions of the Special West Chelsea District, zoned C6-2 and C6-4, portions of the Special Clinton Zoning District, zoned C6-2, and the Special Garment Center District between 8th and 9th Avenues, from 35th to 40th Streets, zoned C6-4M. In the past ten years, in areas of MCD4 with commercial zoning, there has been a high density of hotels built, without regard for the character or uses of the surrounding blocks (Appendix A). The proposed text amendment and the special permit requirement would extend the efforts of the 2018 rezoning for special permits for hotels in M1 districts, but we believe public purpose hotels should be included in the proposed text amendment.

² [DCP M1 Hotel Text Amendment](#) and [MCB4 2018 Letter Re: N180349 ZRY – Proposed M1 Hotel Text Amendment](#)

Comments on the Draft Scope for DEIS

Public Purpose Hotels

MCB4 requests that special permits for the conversion of hotels and commercial buildings to public purpose hotels and/or social service facilities such as temporary homeless shelters, be subject to public review, given the public safety issues that have resulted from such uses. Prior to the COVID-19 crisis, there were 1,010 homeless shelter beds and 1,302 homeless supportive housing apartment beds in Manhattan Community Board 4. Since May, the Department of Homeless Services has added another 1,830 shelter beds in the district. MCB4 requests the Draft Scope include an analysis of the impact of a special permit requirement for public purpose hotels, and if appropriate, to propose an Alternative. MCB4 has supported more than its fair share of social services. We ask that community review be required in such decisions and that they align with MCB4's Affordable Housing Plan.³

DCP stated that it will evaluate whether Use Group 5 transient uses that are operated for a public purpose, such as those that do not operate as commercial hotels like emergency shelters and certain types of for-profit supportive housing, should be excluded from the proposal. MCB4 disagrees and requests the siting of such hotels be analyzed in the DEIS and included in the proposed special permit regulations.

Conversions of hotels to affordable housing or shelter use should not be opportunistic simply because the buildings exist. Instead, given the degree of concentration of such budget hotels in MCD4, DCP along with MCB4, should develop a careful and considered plan for the repurposing of such properties. The Draft Scope should include a study and analysis of such a plan.

Hotel Closures Due to COVID-19

Because of the closure of many of the city's existing hotels due to the COVID-19 pandemic, DCP has stated in the Draft Scope that it will evaluate zoning mechanisms to limit the effect of reductions in supply when visitation and hotel demand recovers. The Draft Scope should include an analysis of the current real estate information regarding both hotel closure, foreclosure, and withdrawal of certain chains from the market as a result of COVID-19 and the severely reduced occupancy rates.

State Proposal to Permit Conversion of Commercial Properties and Hotels to Residential Use in Commercial Districts

In Governor Cuomo's January 11, 2021 State of the State Address⁴, the Governor proposed to repurpose underutilized commercial space for additional housing. The State will propose legislation to create a five-year period during which property owners may convert office buildings and hotels in New York City to residential use. This proposal is

³ [MCB4 Affordable Housing Plan, originally adopted in 2015 and revised annually through 2019](#)

⁴ [Governor Cuomo Outlines 2021 Agenda: Reimagine | Rebuild | Renew, January 11, 2021](#)

not yet detailed by the State. However, DCP must contact the State to secure information and analyze the intent and scope of such a proposal as part of the DEIS.

MCB4 supports the above comments regarding the Draft Scope for the Citywide Hotel Text Amendment DEIS. We are grateful to DCP for their work on this issue.

Sincerely,



Lowell D. Kern
Chair
Manhattan Community Board 4



Jean-Daniel Noland
Chair
Clinton/Hell's Kitchen Land Use Committee



Betty Mackintosh
Co-Chair
Chelsea Land Use Committee



Paul Devline
Co-Chair
Chelsea Land Use Committee

- cc: Deputy Mayor Vicki Been, Deputy Mayor
Hon. Corey Johnson, Speaker, City Council
Hon. Scott Stringer, New York City Comptroller
Hon. Jumaane Williams, New York City Public Advocate
Hon. Gale A. Brewer, Manhattan Borough President
Hon. Brad Hoylman, New York State Senate
Hon. Robert Jackson, New York State Senate
Hon. Richard Gottfried, New York State Assembly
Hon. Linda B. Rosenthal, New York State Assembly

Appendix

Appendix A. Map of Hotels on 34th to 43rd Streets Between 7th and 10th Avenues

Hotels on 35th-40th Streets Between 8th and 9th Aves



Data Source: Department of Finance (Jan 2020) & Google Maps
Map created by Savannah Wu for CHDC and CB4 (Jan 2021)