



IN THE MATTER OF an application submitted by New York City Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, to modify Article IV, Chapter 2 (Use Regulations), and related Sections, to create a special permit for new hotels, motels, tourist cabins and boatels in M1 Districts, and to establish APPENDIX K (Excluded Areas in M1 Districts).

An application (N 180349 ZRY) to amend the text of the Zoning Resolution was filed by the Department of City Planning (DCP) on April 20, 2018 to create a City Planning Commission (CPC) special permit for, thereby restricting the as-of-right development of, new hotels in light manufacturing (M1) districts citywide.

BACKGROUND

Over the last several decades, New York City has become one of the most popular travel destinations in the country. In 2017, New York City welcomed an estimated 62.8 million visitors, topping other cities such as Los Angeles, Las Vegas, and Orlando. This increase in visitors has led to a substantial growth in the City's hotel supply. Since 2010, the hotel room inventory increased by 42 percent, with over 33,900 new hotel rooms delivered through 220 new hotel properties.¹ While hotel development has in the past been focused in commercial zones within the Manhattan central business district and areas close to airports, the increased demand has pushed hotel development into M1 zoning districts, where available sites have been easier to find and where hotels uses are currently permitted as-of-right.

While the tourism industry is essential and has been mostly positive for the city, generating new jobs and helping to support a large number of businesses and cultural institutions, it has also highlighted the potential for land use conflicts, particularly in M1 districts. For instance, in M1 districts with strong industrial characteristics, existing industrial or semi-industrial businesses might generate noise, truck traffic, loading, pollution and other nuisances that could result in unsafe conditions or complaints from hotel guests. In M1 districts with a mix of commercial

¹ <https://www1.nyc.gov/assets/planning/download/pdf/plans-studies/m1-hotel-text/nyc-hotel-market-analysis.pdf?r=b>

uses, an abundance of hotels could encourage commercial activity oriented more toward tourists' needs rather than those of the community. Furthermore, as New York City's population and employment numbers hit record highs, competition for scarce buildable land is growing, and M1 districts have emerged as areas of opportunity for other non-industrial uses.

The City's *10-Point Industrial Action Plan*, announced by Mayor de Blasio in November 2015, aimed to support industrial job growth in Industrial Business Zones (IBZs), the city's most active manufacturing areas. This Plan proposed adopting a restriction on as-of right hotel development and the creation of a new special permit for new hotels to preserve opportunities for industrial and manufacturing businesses in these areas. To determine whether other M zones outside of IBZs, particularly many M1 districts, might be better suited for expansion of commercial and institutional uses to meet the needs of a growing city, the proposed action would establish a case-by-case, site-specific review process. The goal would be to ensure that hotel development would occur only on appropriate sites, based on reasonable considerations including maintaining a mix of non-conflicting uses, protecting the character of the neighborhood and streetscape, and ensuring the safe and efficient movement of people and autos. The proposed CPC special permit would still allow hotels in M1 districts where appropriate.

The special permit would ensure that new hotels in M1 districts do not introduce conflicts with surrounding uses and do not detract from the existing or planned industrial, commercial, and institutional growth in the area. It would require the CPC to consider the appropriateness of a new hotel development in light of the unique neighborhood contexts of specific M1 districts. The special permit would also allow the CPC to review a hotel's site plan to ensure that conflicts with nearby businesses would be limited and that the building layout and site plan are appropriate for the neighborhood.

Since the proposed text amendment is intended to address land use concerns associated with new commercial hotels and it is a legal obligation of the City to provide shelter to homeless individuals and families in the five boroughs, this proposed text amendment maintains the current status with regard to siting shelters for the public purpose of providing temporary housing assistance. The proposed special permit, therefore, would not be required for new

transient hotels operated exclusively for the public purpose of providing temporary housing assistance by the City or State of New York, or operated by a non-governmental entity pursuant to an active contract or a written agreement with a City or State agency for such purpose.

The findings of the proposed special permit would require the CPC to evaluate whether a new hotel development would be appropriate:

- The proposed site plan includes elements that are necessary to address potential conflicts between the hotel and adjacent uses, such as access, orientation or landscaping.
- The proposed site plan shows that the location and design of the proposed street wall as well as landscaping of the area will result in a site design that does not impair the character of the existing streetscape.
- The new hotel development will not cause undue vehicular or pedestrian congestion on local streets or unduly inhibit vehicular or pedestrian movement.
- The proposed new hotel development will not impair the essential character of future use of the surrounding area.

M1 districts are widely mapped throughout the city and given their diverse neighborhood characteristics, the proposed findings are structured to allow an appropriate degree of discretion for the CPC, based on each proposed hotel development and site.

ENVIRONMENTAL REVIEW

This application (N 180349 ZRY) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York City Code of Rules and Regulations, Section 617.00 et seq. and the New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 18DCP042Y. The lead agency is the NYC Department of City Planning.

It was determined that the proposed action would not have significant adverse impacts. A Positive Declaration was issued on September 25, 2017, and distributed, published and filed. Together with the Positive Declaration, a draft Scope of Work for the Draft Environmental

Impact Statement (DEIS) was issued on September 25, 2017. A public scoping meeting was held on October 26, 2017. A final Scope of Work was issued on April 23, 2018.

A DEIS was prepared and a Notice of Completion for the DEIS was issued on April 23, 2018. Following the issuance of the DEIS, DCP filed an amended zoning text amendment (land use application number N 180349(A) ZRY) that addressed issues raised during the public review process. The amended zoning text amendment modifies the geographic applicability of the proposed action to include the M1 districts immediately surrounding John F. Kennedy (JFK) and LaGuardia airports. The amended zoning text amendment was analyzed as the Airport Areas Inclusion Alternative in Chapter 22, “Alternatives.”

On July 25, 2018, a public hearing was held on the DEIS pursuant to SEQRA and other relevant statutes. A Final Environmental Impact Statement (FEIS) reflecting the comments made during the public hearing on the DEIS was completed and a Notice of Completion for the FEIS was issued on October 5, 2018.

The principal effect of the proposed action is to affect the location, but not the amount or type, of future hotel development. Generally, it is projected that the proposed action would limit the development of some of the hotel rooms slated for M1 districts that are currently in the pre-construction process, and would result in a shift of hotel development to areas where hotel development could still occur as-of-right, in commercial and mixed-use districts within the same geographic submarket. As such, the potential impacts of hotel development were analyzed by means of a prototypical analysis based on existing trends and reasonable projections for the future. Since the proposed action would not change any rules regulating as-of-right development outside of M1 districts, such effects were not evaluated as or considered to be significant adverse impacts under CEQR.

As the proposed action would create a new City Planning Commission (CPC) special permit to allow new hotels within M1 districts, a conceptual analysis was conducted on a representative conceptual development site to determine the potential for significant adverse impacts that could result from a new hotel development pursuant to the special permit. This conceptual analysis

cannot attempt to analyze every possible scenario under which a CPC special permit could be granted, since too many variations and possibilities exist. However, the analysis does present a reasonable conservative development scenario by means of which the technical analyses may be conducted, and it identified significant potential adverse impacts with respect to historic resources, air quality, and hazardous materials.

As noted above, an amended zoning text amendment was filed that modifies the geographic applicability of the proposed action which was analyzed as the Airport Areas Inclusion Alternative in Chapter 22, “Alternatives” Of the FEIS. Compared to the proposed action, the Airport Areas Inclusion Alternative would not reduce the possible effects identified under the proposed action’s prototypical analysis.

A Technical Memorandum reflecting the CPC’s modifications discussed herein was issued on October 12, 2018. The Technical Memorandum concludes that these modifications would not alter the analyses and conclusions of the FIES.

PUBLIC REVIEW

On April 23, 2018, the original application (N 180349 ZRY) was duly referred to all 59 community boards, the five Borough Presidents, and the five Borough Boards for information and review in accordance with the procedures for referring non-ULURP matters.

Community Board Public Hearings

37 of the 59 community boards in the city submitted recommendations on the application (N 180349 ZRY) as noted in the below tables:

Summary Table of Votes:

Community Boards in favor	14
Community Boards in favor with Conditions	18
Community Boards opposed with Conditions	2
Community Boards opposed	3
Community Boards that did not vote	22

Summary Table of Community Board Recommendations

		Recommendations				Conditions
Borough	CB	# in Favor	# Opposed	# Abstaining	Date	
Bronx	2	34	0	1	6/27	<ul style="list-style-type: none"> • Incorporate proposed City, Private, and Commercial shelters to require a special permit in M1 districts
Bronx	3	Approve (no vote count)			6/18	
Bronx	5	16	3	0	5/24	
Bronx	7	Approve (unanimous vote)			5/22	
Bronx	8	28	1	2	6/18	
Bronx	9	Approve (unanimous vote)			6/21	
Bronx	10	Approve (unanimous vote)			6/18	
Manhattan	1	31	0	2	5/22	<ul style="list-style-type: none"> • Include more specific language in the findings required for granting the special permit • Include additional condition in findings for waterfront zones/flood resiliency • Assess potential to expand SP to areas A4, A5, A6, and A7 of the Special Tribeca MX District
Manhattan	2	40	1		6/22	<ul style="list-style-type: none"> • Add an additional finding to protect harmonious balance of uses consistent with the mixed-use character of CB2's M1-5 districts • Allow CPC to prescribe appropriate additional conditions (ex. Limitations on drinking establishments) based on R uses in the area • Retain existing restriction on certain uses below the level of 2nd floor in M1-5A/5B districts and that M1 Hotel SP not supersede the requirements for any other special permits
Manhattan	3	Approve (no vote count)			6/27	

Manhattan	4	36	0	0	6/6	<ul style="list-style-type: none"> • Specify findings: site plan to incorporate storage space for trash and linen, consideration on reduction in the availability of nearby parking and that the hotel use will be compatible with adjacent residential uses • Add an additional finding to include consideration for concentration of hotels within 500 foot radius of the proposed location • Do not exclude public purpose hotels from the Special Permit process
Manhattan	5	Approve with conditions (unanimous vote)			6/29	<ul style="list-style-type: none"> • Exclude Manhattan CB 5 from the zoning text amendment • “DCP determines fool-proof protocol for closing the hardship loophole (variance), which would prevent the development of residential buildings in M1s.”
Manhattan	10	31	1	2	6/6	
Manhattan	11	31	1	1	6/13	<ul style="list-style-type: none"> • Not exempt the city itself from the requirements of the proposed amendment
Manhattan	12	42	1	0	6/26	
Queens	1	19	11	0	6/19	
Queens	2	28	0	0	6/7	
Queens	3	Approve with conditions (unanimous vote)			7/2	
Queens	4	Approve (no vote count)			5/22	
Queens	5	33	0	0	6/13	
Queens	6	Approve with conditions (unanimous vote)			6/13	<ul style="list-style-type: none"> • Ensure that all new hotels in M1 districts must come before the corresponding community board for review
Queens	9	0	37	1	6/14	<ul style="list-style-type: none"> • Oppose waiving hotels for a public use

Queens	10	31	0	0	6/20	<ul style="list-style-type: none"> • To not exclude M1 districts that include airport properties and areas adjacent to airports • “As per Appendix K of the zoning text, one area of the community board named Ozone Park/JFK is exempt. This area is part of a residential area with a school. The CB recommends that the special permit is needed in this area and should not be included. It is a condition of the CB's approval that all proposed hotel uses within M1 districts to require a special permit”
Queens	11	22	6	5	6/11	<ul style="list-style-type: none"> • Remove exemption for homeless shelters • Extend Special Permit to to all zoning districts
Queens	12	42	1	2	6/20	
Queens	13	35	0	0	7/31	<ul style="list-style-type: none"> • Remove 'as-of-right' provision • Eliminate public purpose exemptions • “When a Special Permit is granted, minimum of 20 years must lapse from the hotel use before it is eligible to be converted into a full homeless shelter”
Queens	14	29	X	4	7/25	<ul style="list-style-type: none"> • Require a special permit for all hotels
Brooklyn	1	41	0	0	6/12	
Brooklyn	2	29	0	1	6/13	
Brooklyn	6	14	0	1	7/9	<ul style="list-style-type: none"> • Require all new hotels in M1 districts to come before the corresponding community board for review
Brooklyn	7	0	40	0	6/4	
Brooklyn	8	24	0	9	6/14	
Brooklyn	10	Approve with Conditions (no vote count)			6/18	<ul style="list-style-type: none"> • Broaden the scope of the SP to be citywide and covers all M and C districts where hotels are currently AOR.

Brooklyn	17	Approve with Conditions (no vote count)			6/20	<ul style="list-style-type: none"> • Provide incentive for M1 SP Process in order to protect saturation of hotels in C-8 Zones • Give CBs 'veto-power,' not just advisory role • Require the applicant to submit development plans within 14 days of SP • Add an additional finding to show that the proposal does not unduly impair the quality of life of surrounding residents
Staten Island	1	19	18		6/19	<ul style="list-style-type: none"> • Include a requirement for sufficient parking (one car per 2 guest rooms)
Staten Island	2	Approve with conditions (unanimous vote)			5/15	<ul style="list-style-type: none"> • Exempt Hampton Inn & Suites Hotel and future hotels, boatels on South Avenue's Corporate Park
Staten Island	3	23	4		6/26	<ul style="list-style-type: none"> • Require a SP for new hotel developments in C zones • Require applicants to seek alternative zoning districts to avoid the SP process in M1 zones

Borough President Recommendations

- The Bronx Borough President considered the original resolution (N 180349 ZRY) on July 20, 2018 and approved without conditions.
- The Manhattan Borough President considered the original resolution (N 180349 ZRY) on July 2, 2018 and approved with conditions as noted in the table below.
- The Brooklyn Borough President considered the original resolution (N 180349 ZRY) on July 11, 2018 and approved with conditions as noted in the table below.
- The Queens Borough President considered the original resolution (N 180349 ZRY) on July 18, 2018 and approved with conditions as noted in the table below.
- The Staten Island Borough President considered the original resolution (N 180349 ZRY) on August 16, 2018 and approved with conditions as noted in the table below.

Summary Table of Borough President Recommendations

Borough BP	Recommendations				Conditions
	Yes	Yes w. Cond.	No w. Cond.	No	
Manhattan		X			<ul style="list-style-type: none"> • “If the City is unwilling to require a Special Permit for hotels for a public purpose in M1 districts, it must adopt a criteria for ensuring a fair distribution of the facilities and require a meaningful review process for every development” • For DCP to study the effects of spill over from M1 areas to adjacent districts in Manhattan and for DCP to monitor other AOR areas to ensure they do not become oversaturated or displace other essential uses • To consider the benefits of broadening the scope of the hotel Special Permit to all of Manhattan below 59th Street • For the findings to be strengthened so that the CPC can consider whether a hotel use presents a conflict with existing uses regardless of potential mitigation (ex. whether there is already an oversaturation of hotels and to require that the proposed use is consistent with the character/context of the neighborhood)
Brooklyn		X			<ul style="list-style-type: none"> • To limit applicability to 400 feet from the boundary of a district that permits residential use as-of-right and/or a Commercial District where hotels are permitted as-of-right • To require transient hotels for a public purpose be located on zoning lots within 400 feet of a zoning district that permits residential use as-of-right and/or a Commercial District <p>That DSS seek to adhere to standards consistent with the M1 Hotel Special Permit when establishing transient hotels for public purpose</p> <ul style="list-style-type: none"> • To exclude specific areas in CB12 and 14 (maps not provided): <ol style="list-style-type: none"> (1) Borough Park South: New Utrecht Avenue, between 59th and 61st Street; East side of 11th Avenue through 16th Avenue; 60th Street between 11th and 16th Avenue (2) Borough Park East/Parkville: McDonald Avenue and Dahill Road between Avenue F and Bay Parkway (3) Midwood-Avenue M: M1 Districts

				between Avenues K and M; East 13th Street to the right-of-way line of the NYC Transit Authority Brighton Beach Line (4) Ocean Parkway: East side of McDonald Avenue within the Special Ocean Parkway District
Queens		X		<ul style="list-style-type: none"> • “DCP should conduct a study to determine if LIC Special Mixed Use District and other districts should have the hotel M1 Special Permit requirement” • For transient hotels for public purpose to be required to go through the special permit review process • To not exempt M1 areas adjacent to the airports from the hotel special permit requirement • To require special permits for hotels in all districts
Bronx	X			
Staten Island		X		<ul style="list-style-type: none"> • To exclude existing and future hotels/boatels at the South Avenue Corporate Park on SI Industrial Park Campus, as well as hotel enlargement/extensions

Borough Board Recommendations

- The Manhattan Borough Board considered the original application (N 180349 ZRY) on July 2, 2018 and adopted a resolution with conditions as noted in the table below.
- The Queens Borough Board considered the original application (N 180349 ZRY) on July 18, 2018 and adopted a resolution with conditions as noted in the table below.
- The Brooklyn Borough Board considered the original application (N 180349 ZRY) on July 11, 2018 and adopted a resolution with conditions as noted in the table below.
- The Bronx Borough Board considered the original application (N 180349 ZRY) on July 20, 2018 and adopted a resolution with conditions as noted in the table below.

Summary Table of Borough Board Recommendations

Borough	Recommendations				Conditions
	Yes	Yes w. Cond.	No w. Cond.	No	
Manhattan		X			<ul style="list-style-type: none"> • That the findings be strengthened to prevent oversaturation of hotels that conflict with existing uses regardless of the proposed finding on the neighborhood character • That the proposed hotel Special Permit does not supersede other special permits • That DCP monitor areas where hotels will continue to be as-of-right to ensure they do not become oversaturated with hotels • That DCP continue to work with CBs on their specific concerns such as resiliency issues regarding hotels in flood zones and impacts of the Special Permit requirements • That the City, DSS, DCP, elected officials, and CBs work together to develop a meaningful review process for transient facilities for public purpose
Brooklyn		X			<ul style="list-style-type: none"> • To limit applicability to 400 feet from the boundary of a district that permits residential use as-of-right and/or a Commercial District where hotels are permitted as-of-right • To require transient hotels for a public purpose be located on zoning lots within 400 feet of a zoning district that permits residential use as-of-right and/or a Commercial District That DSS seek to adhere to standards consistent with the M1 Hotel Special Permit when establishing transient hotels for public purpose • To exclude specific areas in CB12 and 14 (maps not provided): <ol style="list-style-type: none"> (1) Borough Park South: New Utrecht Avenue, between 59th and 61st Street; East side of 11th Avenue through 16th Avenue; 60th Street between 11th and 16th Avenue (2) Borough Park East/Parkville: McDonald Avenue and Dahill Road between Avenue F and Bay Parkway (3) Midwood-Avenue M: M1 Districts between Avenues K and M; East 13th Street to the right-of-way line of the NYC Transit Authority Brighton Beach Line (4) Ocean Parkway: East side of McDonald

					Avenue within the Special Ocean Parkway District
Queens		X			<ul style="list-style-type: none"> • “DCP should conduct a study to determine if LIC Special Mixed Use District and other districts should have the hotel M1 Special Permit requirement.” • For transient hotels for public purpose to be required to go through the special permit review process • To not exempt M1 areas adjacent to the airports from the hotel special permit requirement • To require special permits for hotels in all districts
Bronx	X				

City Planning Commission Public Hearing

On July 11, 2018 (Calendar No. 17), the City Planning Commission scheduled a public hearing on July 25, 2018 on this application (C 180349 ZRY), in conjunction with the hearing for a proposed modified application (C 180349(A) ZRY). The hearing was duly held on July 25, 2018 (Calendar No. 38). There were three speakers in favor and four speakers in opposition.

A representative of an industrial job coalition and business service providers spoke in favor, stating that the proposed text amendment would meaningfully restrict a competing use from industrial areas. The representative stated that industrial manufacturing jobs have significantly higher average wages than the retail sector and create a crucial avenue of opportunity and economic development for the city. While expressing concerns around the public purpose exemption and the language of the findings around the character of the surrounding area, the representative noted industrial advocates' support for both the original and the modified text amendment on grounds that restricting hotels in M1 districts would preserve space for manufacturing businesses.

A representative of the Council Member representing District 50 also stated support for the proposed zoning text amendment and requested that the Staten Island Industrial Corporate Park

Campus be exempt from the CPC special permit requirement, noting that the development that has taken place in the area has transformed Staten Island's Corporate Park into a preeminent business center. He further argued that long-existing hotels in the Corporate Park enhance other uses in the area and reflect the general character of the area.

A representative of a hotel workers union, speaking in favor, stated that hotels that have been built in manufacturing zones tend to be out of context, creating direct conflicts with various land-use plans and policies for M1 districts. He further stated that the proliferation of hotels in manufacturing districts is ultimately harmful for the city's tourism economy because it has already resulted in oversaturation that caused declines in the average daily room rate and in revenues per room of existing hotels. He suggested that the proposed special permit for hotels would be a proper tool to ensure that out-of-context hotel development does not continue to occur.

Those in opposition generally stated that "banning" hotel development in M1 districts would result in a lack of affordable hotels, as well as unnecessary constraints on the rights of property owners. They also stated that the tourism industry creates jobs in the city and generates revenue that will be significantly affected by the proposed application, noting that 60 million visitors sustain more than 375,000 jobs across the city. They stated their belief that preserving M1 districts for development of affordable hotels would benefit the emerging global middle class – visitors who want to visit New York City but can only afford to do so at lower-cost, budget hotels.

Developers also criticized the hotel market analysis, which was produced by a real estate and economics consultant team engaged by DCP, as insufficient. They stated that the decline of average daily room rates and revenues per room are issues for hotel developers to grapple with and that these market conditions need no planning correction. In addition, an architect asserted that the lack of services in the area for hotel guests in M1 districts has not been problematic because tourists do not typically remain in the vicinity of their hotels. He also asserted that M1 districts lack activity that might conflict with tourists' stay. While acknowledging that M1

districts may not be the perfect environment, he argued that these areas are adequate for hotel guests.

Representative of the Real Estate Board of New York presented a counterproposal that included exclusion of areas that have special zoning provisions, exclusion of Manhattan, an alternative based on the size of a hotel, and a time limit on the applicability of the hotel special permit. They stated that the counterproposal would be vital in preserving the hotel industry, which is a critical lynchpin of the city.

A representative of a property owner seeking to develop a hotel, spoke in opposition to the application, citing the difficulty that her client has had, and claiming that the proposal has led to these difficulties. She noted that the relevant project in Manhattan was delayed due to unforeseen circumstances and would not be encompassed by the proposed grandfathering provisions, and requested exclusion of mid-Manhattan from the requirements of the CPC special permit.

There was no other speakers, and the hearing was closed.

WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW

The original application (N 180349 ZRY) was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 30, 2013 and by the New York State Department of State on February 3, 2016, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981, (New York State Executive Law, Section 910 et seq.). The designated WRP number is 17-143. This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

CONSIDERATION

The Commission believes that the proposed amendments to the Zoning Resolution (N 180349 ZRY) are appropriate, as modified herein.

Upon careful consideration of the feedback received during public review, and supported by the policy and planning analysis provided by the DCP, the Commission believes that the M1 Hotel Text Amendment, as modified, would ensure that hotel development in light manufacturing districts does not conflict with adjacent uses, and that such districts would accommodate a mix of uses that serve both citywide needs and those of local communities.

The Commission notes the testimony both in favor of and in opposition to the original application (N 180349 ZRY) and the modified application (N 180349 (A) ZRY) at the Commission's public hearing. These testimonies included written comments received at and following the hearing from members of the public, industrial advocates, and representatives of the real estate industry, including those specializing in the development of hotels. The Commission heard the argument advanced by communities as well as some developers that excluding transient hotels used for temporary housing assistance could potentially result in proliferation of such facilities in M1 districts. Several community boards, as well as the Manhattan and Queens Borough Presidents, also expressed concerns that transient hotels for a public purpose must be required to go through the CPC special permit review process. They further noted that adopting criteria for a meaningful review process for hotel development for a public purpose would ensure a fair distribution of these facilities.

While the Commission acknowledges these concerns, it also recognizes that there is a chronic shortage of temporary housing for the homeless population and that it is the City's legal obligation to provide eligible individuals and families with access to shelter. Measures that further limit siting options for temporary housing assistance could impede the City's ability to address these emergency conditions. The Commission notes that the proposed M1 Hotel Text Amendment is based on land use concerns associated with commercial hotels and was never intended to affect current policies and practices for sheltering the homeless, including the construction of hotels that serve the public purpose of providing temporary housing assistance. Transient hotels that are developed for this purpose are currently built as-of-right in M1 districts and the proposed action would not change that.

The Commission acknowledges the concerns expressed by community boards and elected officials regarding the definition of a “public purpose,” and requests for more specific language in the zoning text. Accordingly, the Commission is modifying the language of the proposed zoning text amendment from referring to “a transient hotel operated for a public purpose” to “a transient hotel operated exclusively for the public purpose of temporary housing assistance.” This is consistent with how the NYC Department of Social Services (DSS) defines the use, and avoids ambiguity.

In addition, Manhattan Community Board (CB) 2 expressed concerns that the proposed text amendment may supersede existing restrictions on the use of the ground floor for Use Group 5 hotels in M1-5A and M1-5B districts. Currently, M1-5A and M1-5B districts within Manhattan CB 2 include ground floor use restrictions applicable to transient hotels, among other uses, and require a special permit pursuant to Zoning Resolution (ZR) Section 74-781 to allow hotels to locate on the ground floor. This Community Board noted that it was not clear whether the proposed action would affect these provisions, and asked that the existing zoning restriction be retained and the proposed application not supersede the requirements for other special permits. The purpose of the proposed action is not to change the ground-floor use regulations in M1-5A and M1-5B districts. The Commission agrees that the proposed hotel special permit should not supersede the existing zoning regulations and is modifying the zoning text to clarify the applicability of requirements for multiple special permits in M1-5A and M1-5B districts.

Similarly, developments in historic districts in M1-5A and M1-5B districts may apply for modifications of ground floor use restrictions pursuant to ZR Section 74-712, but such developments would also be subject to the CPC special permit required under the M1 Hotel Text Amendment. On the other hand, the Landmark district special permit pursuant to ZR Section 74-711 includes specific findings that the proposed modifications are consistent with the goals of the surrounding area. Therefore, projects located within historic districts designated by the NYC Landmarks Preservation Commission that are subject to ZR Section 74-711, would only be required to seek one special permit: either the special permit under ZR Section 74-711 or the proposed hotel special permit under ZR 74-803.

Regarding areas excluded from the proposed application, the Commission further modifies the zoning text to clarify that the existing prohibition on new hotels within M1 districts in the Special Hunts Point District pursuant to ZR Section 108-11 would not be affected, and the proposed special permit would not be applicable within this special district.

The Commission also received testimony from industry representatives and property owners that introducing a CPC special permit for all new hotels in M1 districts could curtail hotel development and do harm to the tourism industry. While the Commission understands these concerns, it notes that the proposed text amendment is not tantamount to a complete ban on hotels, but rather requires that new hotel development in M1 districts be permitted on a case-by-case basis, based on site-specific considerations. There are many other districts in the city, including most commercial districts and mixed-use districts, where hotels are appropriate and would continue to be able to locate as-of-right.

The Commission received testimony from property owners and hotel developers that the vesting provisions, which allow a hotel that has received a permit or partial permit from Department of Buildings (DOB) by the referred date of the proposed text amendment (April 23, 2018), should be modified to move the deadline to the date of adoption of the text amendment. The Commission observes that the original vesting provision is reasonable and already addresses the concerns of a large number of hotel projects that are in the current pipeline (under construction and pre-construction). The Commission believes that extending the vesting date would capture a number of additional hotel projects that obtained DOB permits only post-referral and potentially create a rush of hotel developments seeking to file for a building permit at DOB. Such a modification would also run counter the purpose of the proposed text amendment, which is that additional considerations must be given to hotel developments in M1 districts. Following feedback received from various industry representatives and property owners about possible ambiguity in the referred text amendment, the Commission is modifying the zoning text to clarify that enlargements and conversions of transient hotels that received a building permit from the DOB prior to the referred date are eligible to be vested under these provisions.

The Commission notes the testimony received from industrial advocates and the community boards regarding the proposed findings of the CPC special permit. Many community boards commented that the findings were vague and needed to be more specific. The most common concern regarded the third proposed finding, which requires the Commission to determine whether the new hotel development would impair the essential character or future use of the surrounding area. The Commission notes that this language, which is found in other City Planning Commission discretionary actions in the Zoning Resolution, enables it to evaluate each application within its specific neighborhood context, including any number of site-specific factors. For instance, findings for permits for public parking garages and public parking lots under ZR Section 74-51 and for permits for non-profit hospital staff dwellings under ZR Section 74-70 use the same language. The Commission believes that this finding is appropriately framed, given these precedents in the Zoning Resolution as well as the diverse character of M1 districts mapped in locations throughout the city.

Many community boards also suggested that there is a need for additional considerations as part of the special permit's findings. For example, several community boards in Manhattan recommended that there be additional findings for waterfront zones and flood resiliency. The Commission observes that flood-resistant construction standards are specified in the NYC construction codes, and the purpose of the proposed hotel special permit is to evaluate the appropriateness of the hotel in its surrounding context, and not to subject this use to a unique review of its flood resiliency characteristics. The Commission further notes that an application for a special permit would likely be subject to review for consistency with the policies of the Waterfront Revitalization Program (WRP).

The Commission also received comments requesting ample parking, particularly from community boards in Queens and Staten Island. Studies have not shown that parking requirements for hotels in these districts are inadequate. Nonetheless, the Commission notes that the text amendment requires a site plan. It also requires the Commission to find, prior to issuing a special permit, that the hotel project will not create traffic and vehicular congestion on local streets. Together, these provisions allow the Commission to address site planning concerns, including parking requirements.

The Commission received comments from community boards, particularly in Manhattan, that existing hotels are often set back from the street in a manner that creates an unpleasant pedestrian experience and unsightly relationship with the street walls of adjacent buildings. M1 districts in other boroughs generally have a varied street wall character that accommodates diverse industrial activities. However, in higher density neighborhoods of Manhattan where street lines are typically already established, the tendency of new hotel developments to set back from the street may disrupt the existing streetscape. The Commission therefore modifies the proposed text amendment to incorporate a finding enabling it to evaluate the suitability of the site plan within the surrounding context, including factors such as the location of the building's street wall and any landscaping in front of the building.

A number of comments were received regarding the geographic applicability of the hotel special permit. One set of concerns that surfaced during public review was whether a requirement for a CPC special permit for hotels in M1 districts would result in oversaturation of hotels in other areas where hotels can develop as-of-right, such as commercial or mixed-use (MX) districts. Specifically, the Manhattan Borough President recommended that the hotel special permit be required in all such districts of Manhattan below 59th Street. The Queens Borough Board and Borough President requested that the hotel special permit apply to all districts borough-wide, if not citywide, citing significant hotel development in the borough in recent years, and a desire to have every new hotel undergo community review.

The Commission takes note of these concerns. However, the Commission recognizes the serious issues raised by such geographically broad use restrictions. The proposed special permit requirement is based on the fact that hotel developments may create land use conflicts in M1 districts, and should be permitted only after such potential for conflicts has been reviewed. Commercial and mixed-use districts, which in most cases also allow residences, are generally more appropriate for hotels and do not categorically present the potential for land use conflicts. The imposition of widespread restrictions on uses should not be taken lightly; there must be an evaluation of the potential for adverse economic effects or unintended consequences. The travel and tourism industries are very important to New York City and support the livelihoods of

hundreds of thousands of city residents; sufficient siting opportunities must be available to accommodate this important industry. The Commission believes that the proposed special permit strikes a reasonable balance between imposing limitations on hotels where they may generate land use conflicts while continuing to allow them in appropriate locations.

Based on feedback from community boards and elected officials, the Department of City Planning developed an Airport Areas Inclusion Alternative as part of the DEIS and filed a modified zoning text amendment (N 180349 (A) ZRY) in June, 2018. This alternative and modified application consider modifications to the geographic applicability of the original proposed action that subject new hotel development in M1 districts adjacent to John F. Kennedy (JFK) and LaGuardia airports to the special permit.

The Queens Borough President, Borough Board, and Community Board 10 suggested that the M1 districts near airports contain residential areas with schools, which could conflict with hotels. They argued that special permit requirements should be extended to these areas. The Commission acknowledges these concerns, but notes that these airports are critical facilities to the City's economy. Based on the importance of the aviation industry to the city, and the role that hotels play in supporting it, the Commission believes that the modified application could unduly limit the development of new hotels serving these airports, potentially affecting the modernization and growth of these airports and surrounding facilities. It is expected that the areas adjacent to these airports will continue to have high demand for hotel rooms to accommodate the increasing number of airport users. Thus, the Commission believes that it is appropriate to approve, with modifications discussed in this report, the original zoning text amendment application, rather than the modified application.

RESOLUTION

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on October 5, 2018, with respect to this application (CEQR No. 18DCP042Y), and Technical Memorandum, dated October 12, 2018, the City

Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met and that:

1. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, thereto, the proposed action, as modified with the modifications adopted herein and as analyzed in the Technical Memorandum is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and

The report of the City Planning Commission, together with the FEIS and Technical Memorandum, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; and be it further

RESOLVED, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies; and be it further

RESOLVED, by the City Planning Commission, pursuant to Section 200 of the New York City Charter that based on the environmental determination and consideration described in this report the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended is further amended as follows:

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution.

ARTICLE IV

MANUFACTURING DISTRICT REGULATIONS

Chapter 2

Use Regulations

* * *

42-10

USES PERMITTED AS-OF-RIGHT

42-11

Use Groups 4A, 4B, 4C, 5, 6C, 6E, 7A, 9A and 12B

M1

Use Groups 4B, 4C, 5, 6C, 6E, 7A, 9A and 12B as set forth in Sections 32-13, 32-14, 32-15, 32-16, 32-18 and 32-21.

Use Group 4A shall be limited to all health facilities requiring approval under Article 28 of the Public Health Law of the State of New York that, prior to July 10, 1974, have received approval of Part I of the required application from the Commissioner of Health, ambulatory diagnostic or treatment health care facilities, as listed in Section 22-14 (Use Group 4), and houses of worship. Such #uses# are not subject to the special permit provisions of Sections 42-32 and 74-921.

#Transient hotels#, as listed in Section 32-14 (Use Group 5), and #motels#, #tourist cabins# or #boatels#, as listed in Section 32-16 (Use Group 7A), shall be subject to the special provisions of Section 42-111 (Special provisions for hotels in M1 Districts). For the purposes of this Section, inclusive, #transient hotels# shall include #motels#, #tourist cabins# and #boatels#.

42-111

Special provisions for hotels in M1 Districts

In M1 Districts, #transient hotels# shall be permitted only as set forth in this Section. The City Planning Commission may permit #transient hotels# in an M1 district pursuant to a special permit set forth in another Section of this Resolution, or pursuant to Section 74-803 (Transient hotels within M1 Districts), as applicable.

(a) Such special permit for #transient hotels# pursuant to Section 74-803 shall be applicable to:

- (1) #development# of a #transient hotel#;
- (2) a change of #use# or #conversion# to a #transient hotel#, or an #enlargement# containing a #transient hotel# of a #building# that, as of [date of adoption], did not contain such #use#; or
- (3) #enlargement# or #extension# of a #transient hotel# that existed prior to [date of adoption] that increases the #floor area# of such #use# by 20 percent or more.

(b) Exclusions

A special permit shall not be required for a #transient hotel# operated exclusively for the public purpose of temporary housing assistance by the City or State of New York, or operated by a non-governmental entity pursuant to an active contract or other written agreement with an agency of the City or State specifying such public purpose.

In addition, a special permit pursuant to the provisions of Section 74-803 shall not be required for #developments#, #enlargements#, #extensions# or changes of #use# of #transient hotels# in:

- (1) the areas designated on the maps in APPENDIX K (Excluded Areas in M1 Districts) of this Resolution;
- (2) a #Special Mixed Use District# or where any M1 District is paired with a #Residence District#;
- (3) an M1 District where another special permit in this Resolution permitting such #use# is applicable, subject to approval by the City Planning Commission, including, but not limited to, a special permit for a #transient hotel# applicable within a Special Purpose District or in a Historic District designated by the Landmarks Preservation Commission;

(c) Within M1-5A and M1-5B Districts

Within an M1-5A or M1-5B District, a special permit pursuant to Section 74-803 shall be required in conjunction with a special permit pursuant to Section 74-781 (Modifications by special permit of the City Planning Commission of uses in M1-5A and M1-5B Districts) except that a permit pursuant to Section 74-781 shall not be required for a #transient hotel# located above the ground floor level, where the #floor area# used for such #use# on the ground floor does not exceed an amount minimally necessary to access and service such #transient hotel#.

Any #transient hotel# existing prior to [date of adoption] within an M1 District shall be considered a conforming #use# and may be continued, structurally altered, #extended# or #enlarged# subject to the limitations set forth in this Section and subject to the applicable #bulk# regulations. However, if for a continuous period of two years such #transient hotel# is discontinued, or the active operation of substantially all the #uses# in the #building or other structure# is discontinued, the space allocated to such #transient hotel# shall thereafter be used only for a conforming #use#, or may be #used# for a #transient hotel# only if the Commission grants a special permit for such #use# in accordance with the provisions of Section 74-803 or other applicable section of this Resolution. In addition, in the event a casualty damages or destroys a #transient hotel# within an M1 District that was in such #use# as of [date of adoption], such #building# may be reconstructed and used as a #transient hotel# without obtaining a special permit. A #non-complying building# may be reconstructed pursuant to Section 54-40 (DAMAGE OR DESTRUCTION IN NON-COMPLYING BUILDINGS).

In addition to the provisions of Section 11-30 (BUILDING PERMITS ISSUED BEFORE EFFECTIVE DATE OF AMENDMENT) regarding the right to continue construction, if on or before April 23, 2018, a building permit for a #development, enlargement# or #conversion# to a #transient hotel#, or a partial permit for a #development# of a #transient hotel# was lawfully issued by the Department of Buildings, such construction may be started or continued. In the event that construction has not been completed and a certificate of occupancy including a temporary certificate of occupancy, has not been issued by [date - three years after the effective date], the building permit shall automatically lapse and the right to continue construction shall terminate. An application to renew the building permit may be made to the Board of Standards and Appeals not more than 30 days after the lapse of such building permit pursuant to the applicable provisions of Section 11-332 (Extension of period to complete construction). Any special permit approved by the City Council for a #transient hotel# prior to [date of adoption] shall be permitted and this Section shall not apply to such #transient hotel#, subject to the provisions of Section 11-42 (Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution).

* * *

42-30

USES PERMITTED BY SPECIAL PERMIT

* * *

42-32

By the City Planning Commission

In the districts indicated, the following #uses# are permitted by special permit of the City Planning Commission, in accordance with standards set forth in Article VII, Chapter 4.

* * *

M1 M2 M3

Trade expositions, with rated capacity of more than 2,500 persons [PRC-D]

M1

#Transient hotels#, as listed in Section 32-14 (Use Group 5), and #motels#, #tourist cabins# or #boatels#, as listed in Section 32-16 (Use Group 7A), pursuant to the provisions of Section 42-111 (Special provisions for hotels in M1 Districts).

M1 M2 M3

#Uses# listed in a permitted Use Group for which #railroad or transit air space# is #developed#

* * *

ARTICLE VII ADMINISTRATION

Chapter 4 Special Permits by the City Planning Commission

* * *

74-80 TRANSIENT HOTELS

74-801 In R10H Districts

In R10H Districts, the City Planning Commission may permit #transient hotels#. Where a #building# in existence on December 15, 1961, is located on a #zoning lot#, a substantial portion of which is located in an R10H District and the remainder in a #Commercial District#, the Commission may also permit the #conversion# of specified #floor area# within such #building# from #residential use# to #transient hotel use# without regard to the #floor area#, supplementary #use# or density regulations otherwise applicable in the #Commercial District#. The Commission may also allow any subsequent #conversion# of such specified #floor area# to and from #residential# or #transient hotel use# to occur without further Commission approval, subject to the conditions of the special permit.

As a condition precedent to the granting of such #use# or #bulk# modifications, the Commission shall find that such modifications will not impair the essential character of the #Residence District#. The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

74-802 In M1-6D Districts

In M1-6D Districts, in areas that have not met the residential development goal set forth in paragraph (a) of Section 42-483 (Commercial uses), the City Planning Commission may permit

#developments# or #enlargements# of #transient hotels# with greater than 100 sleeping units on #zoning lots# where #residential use# is permitted as-of-right, in accordance with Section 42-481 (Residential use), provided the Commission finds that:

- (a) a sufficient development site ~~are~~ is available in the area to meet the residential development goal; or
- (b) a harmonious mix of #residential# and non-#residential uses# has been established in the area, and such #transient hotel# resulting from a #development# or #enlargement# is consistent with such character of the surrounding area.

The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

74-803

Transient hotels within M1 Districts

In M1 Districts, pursuant to Section 42-111 (Special provisions for hotels in M1 Districts), #transient hotels#, as listed in Section 32-14 (Use Group 5), and #motels#, #tourist cabins# or #boatels#, as listed in Section 32-16 (Use Group 7A), shall be permitted only by special permit of the City Planning Commission. In order to grant such special permit, the Commission shall find that:

- (a) the site plan incorporates elements that address any potential conflicts between the proposed #use# and adjacent #uses#, such as the location of the proposed access to the #building#, the #building's# orientation and landscaping;
- (b) the site plan demonstrates that the proposed #street wall# location and the design and landscaping of any area of the #zoning lot# between the #street line# and all #street walls# of the #building# and their prolongations will result in a site design that does not impair the character of the existing streetscape;
- (c) such #use# will not cause undue vehicular or pedestrian congestion on local #streets# or unduly inhibit vehicular or pedestrian movement; and
- (d) such #use# will not impair the essential character or future use or development of the surrounding area.

The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

* * *

ARTICLE X
SPECIAL PURPOSE DISTRICTS

Chapter 8
Special Southern Hunts Point District

* * *

108-11
Use Modifications in the Special Hunts Point District

In the #Special Hunts Point District#, hotels or motels shall not be permitted within the areas designated on the #Special Hunts Point District# Map in Appendix A. Within such areas, Section 74-803 (Transient hotels within M1 Districts) shall not be applicable.

* * *

APPENDIX K – Excluded Areas in M1 Districts

The boundaries of the excluded areas in M1 Districts are shown on the maps in this APPENDIX.

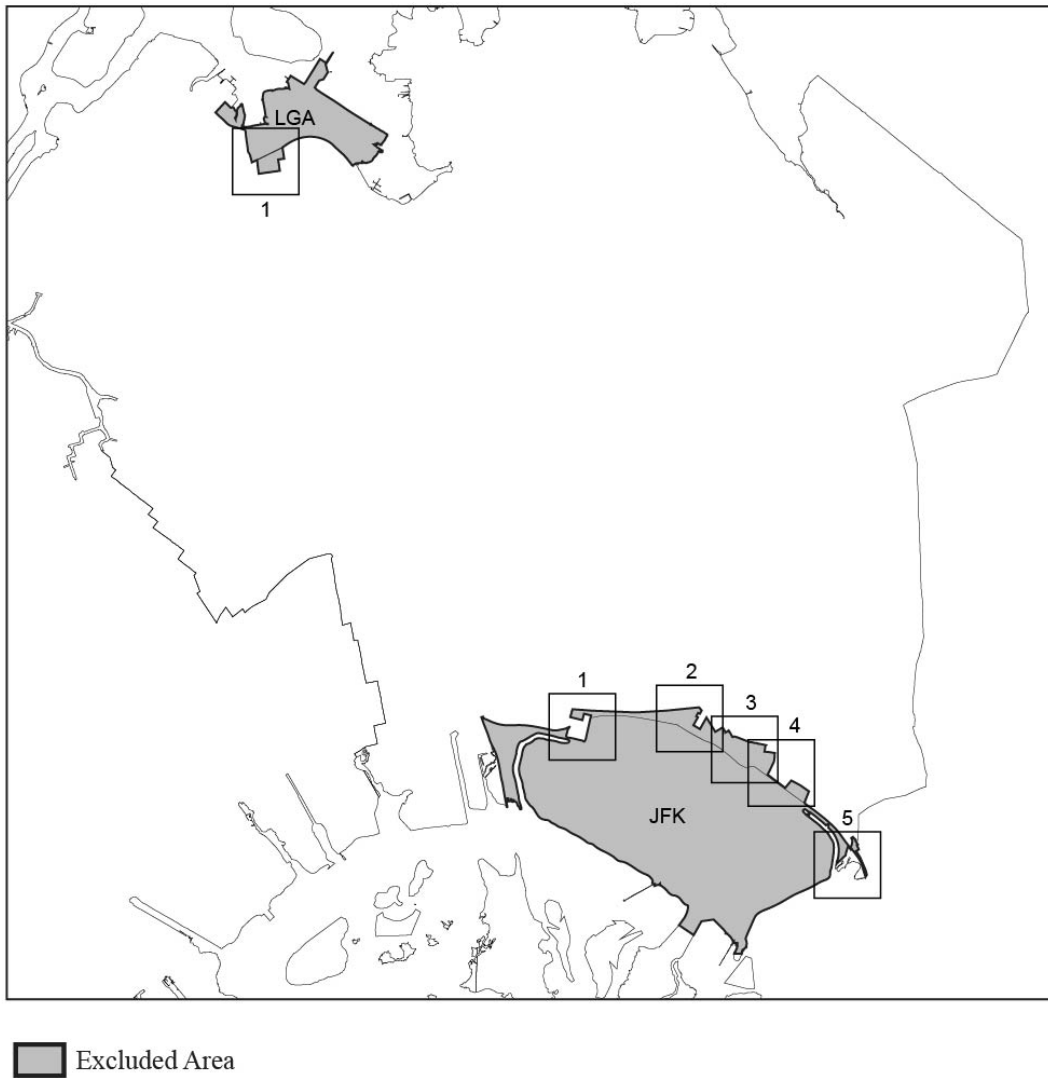
<u>Borough</u>	<u>Community District</u>	<u>Name of Excluded Area in M1 District</u>	<u>Map No.</u>
<u>Queens</u>	<u>3</u>	<u>East Elmhurst/LGA</u>	<u>1</u>
	<u>10</u>	<u>Ozone Park/JFK</u>	<u>1</u>
	<u>13</u>	<u>Springfield Gardens/JFK</u>	<u>2-5</u>

INDEX MAP OF EXCLUDED AREAS

The numbers on this Index Map correspond with the map numbers for this borough.

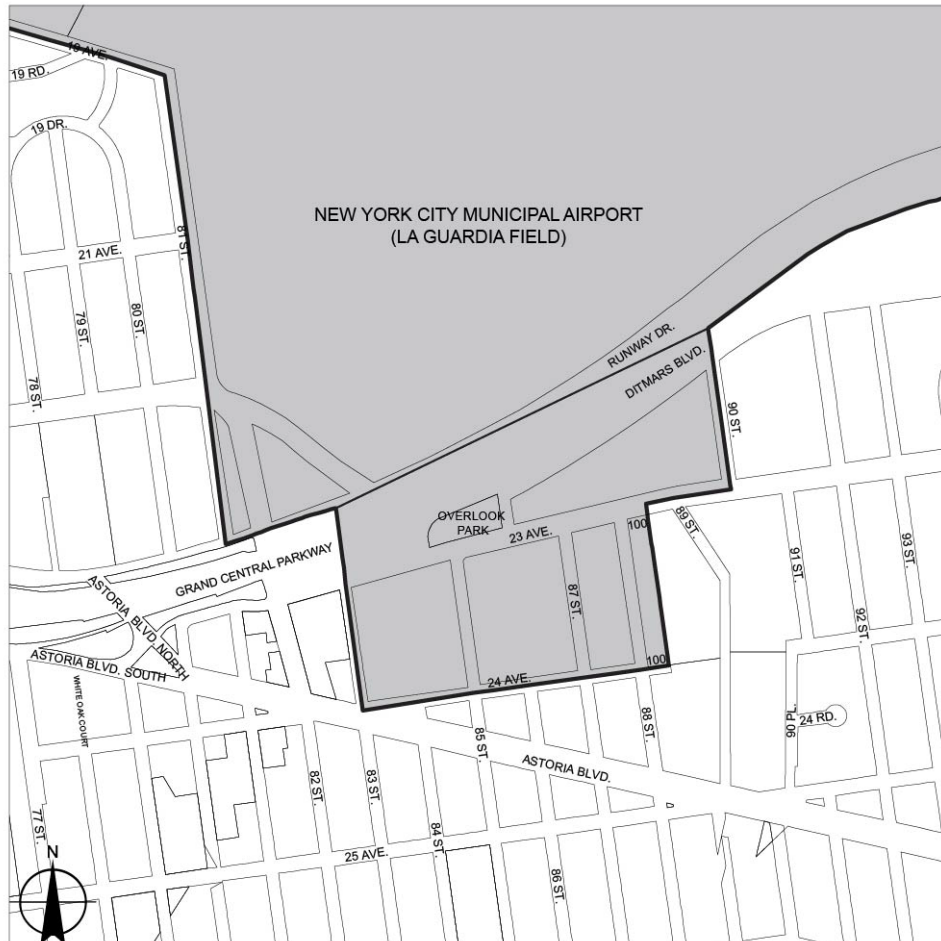
[PROPOSED MAP]

Queens



[PROPOSED MAP]

Map 1 East Elmhurst/LGA

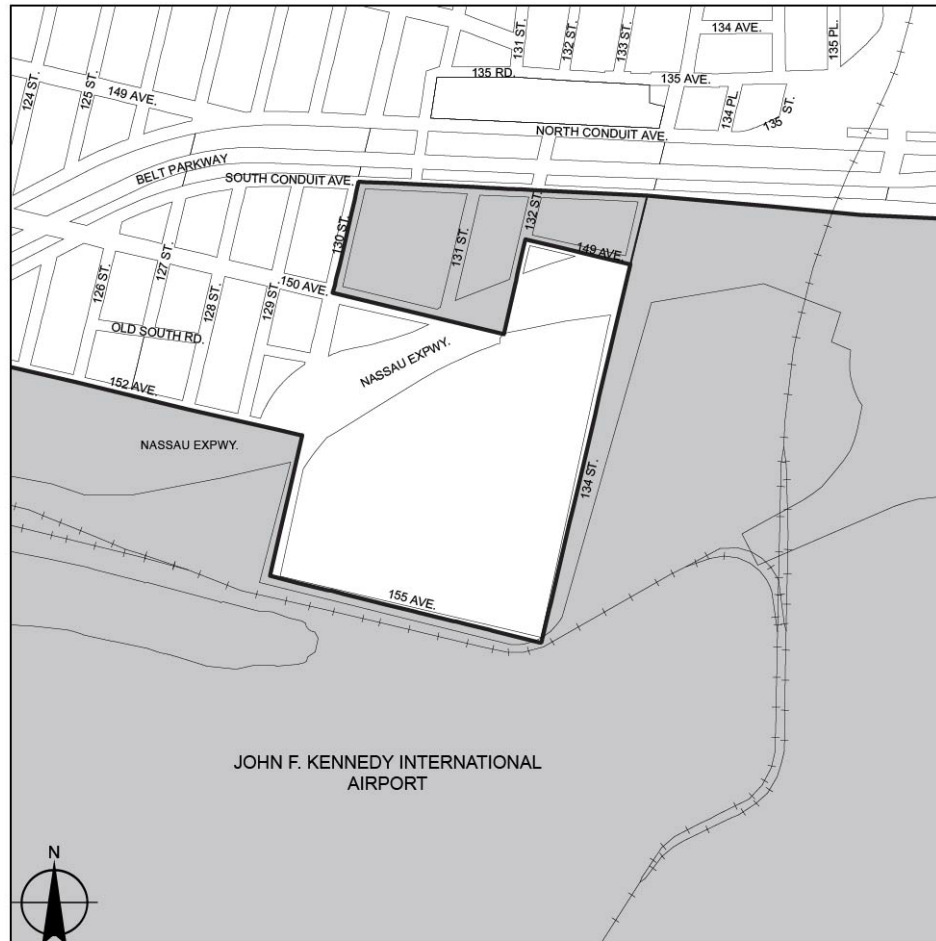


■ Excluded Area

Portion of Community District 3, Borough of Queens

[PROPOSED MAP]

Map 1 Ozone Park/JFK

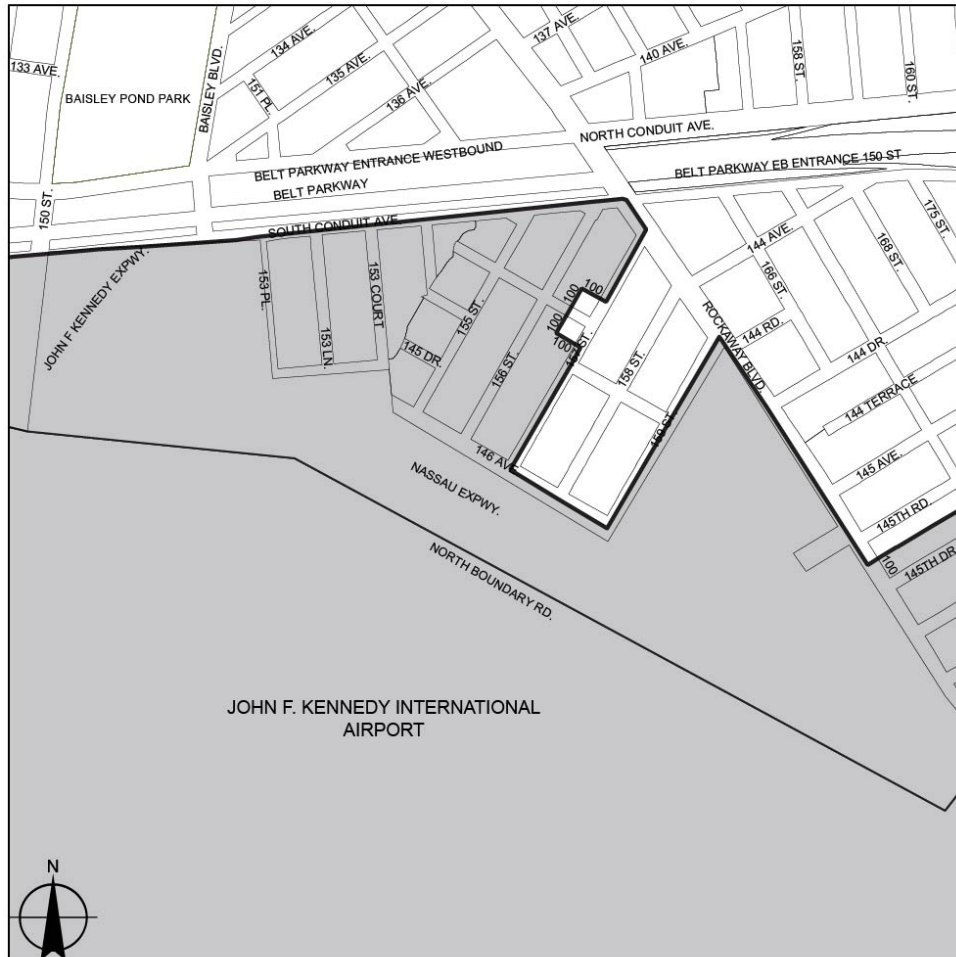


 Excluded Area

Portion of Community District 10, Borough of Queens

[PROPOSED MAP]

Map 2 Springfield Gardens/JFK

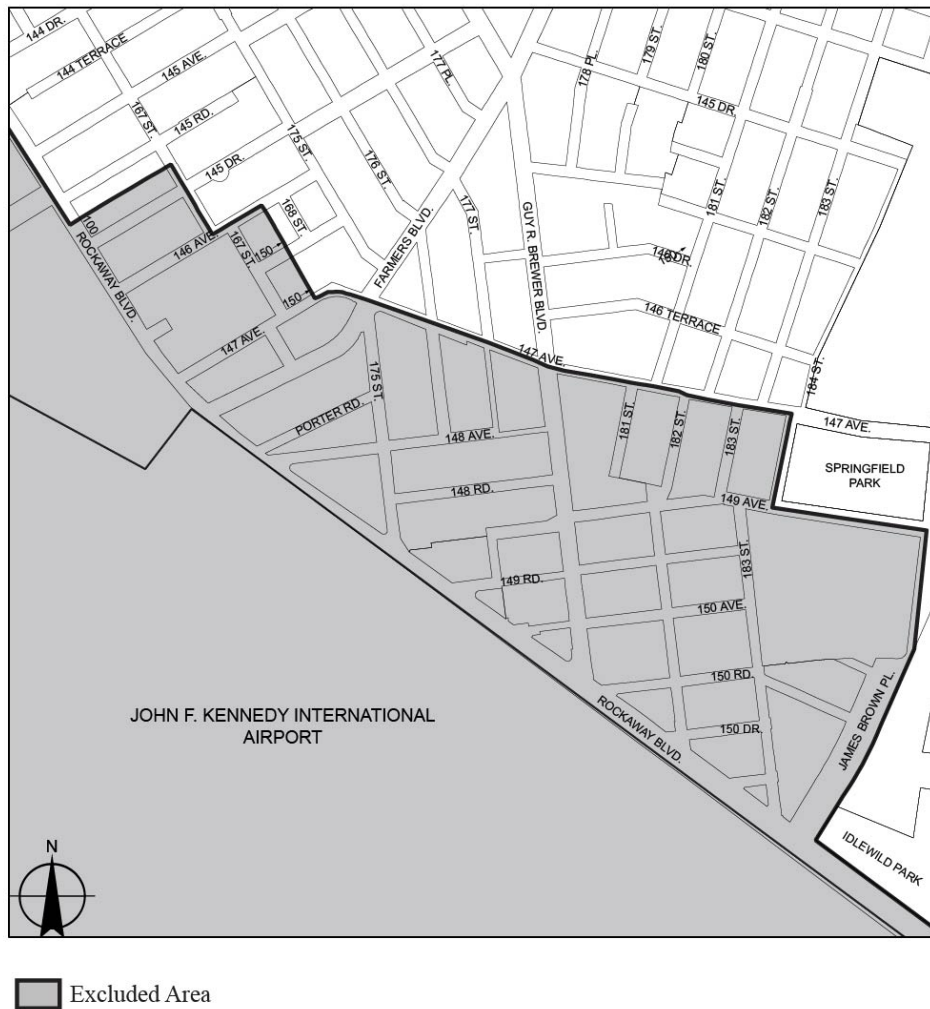


Excluded Area

Portion of Community District 13, Borough of Queens

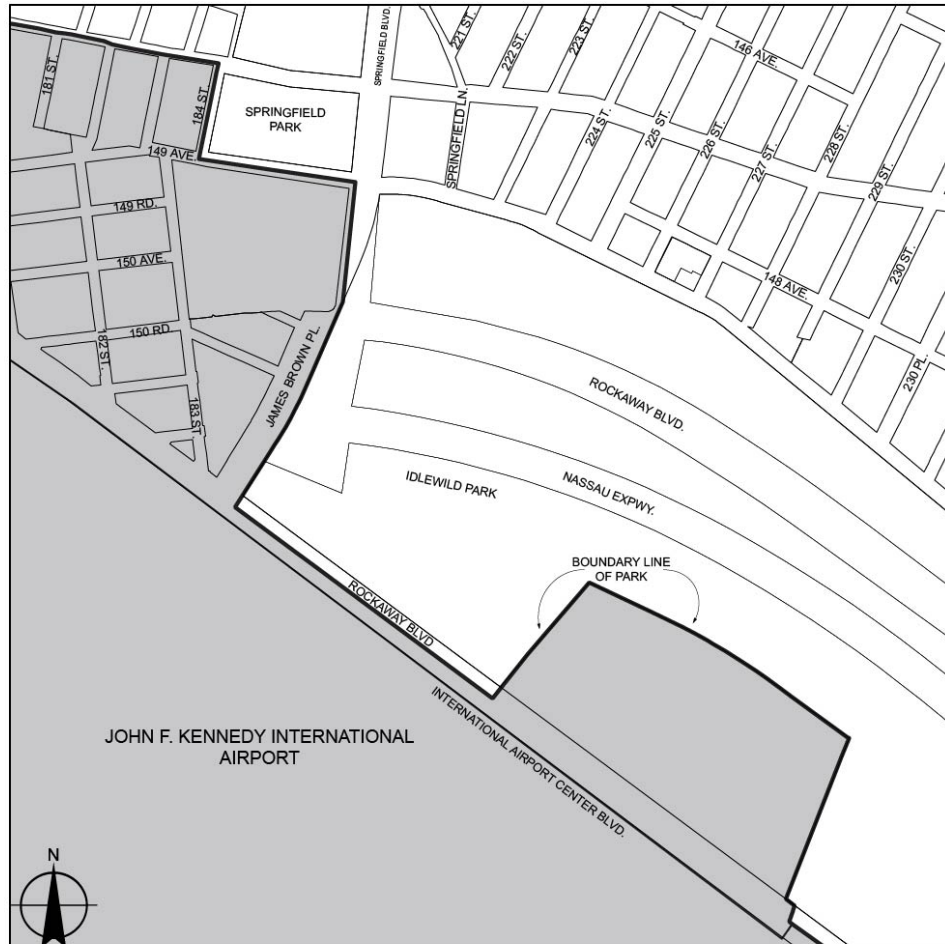
[PROPOSED MAP]

Map 3 Springfield Gardens/JFK



[PROPOSED MAP]

Map 4 Springfield Gardens/JFK

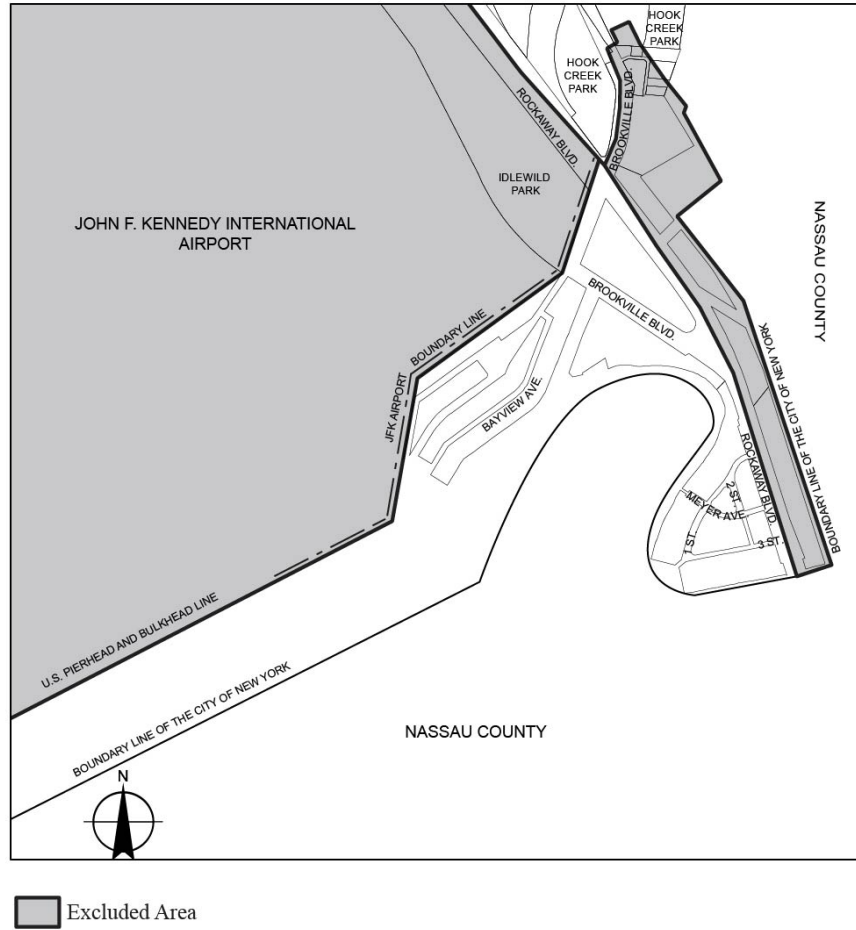


Excluded Area

Portion of Community District 13, Borough of Queens

[PROPOSED MAP]

Map 5 Meadowmere/JFK



Portion of Community District 13, Borough of Queens

* * *

The above resolution (N 180349 ZRY), duly adopted by the City Planning Commission on October 17, 2018 (Calendar No. 11), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

MARISA LAGO, *Chairman*

KENNETH J. KNUCKLES, *Esq.*, *Vice Chairman*

ALLEN P. CAPPELLI, ESQ., ALFRED C. CERULLO, III,

MICHELLE de la UZ, JOSEPH DOUEK, RICHARD W. EADDY,

CHERYL COHEN EFFRON, HOPE KNIGHT,

ANNA HAYES LEVIN, ORLANDO MARIN, LARISA ORTIZ, *Commissioners*



OFFICE OF THE BROOKLYN BOROUGH PRESIDENT

ERIC L. ADAMS
President

July 11, 2018

Ms. Marisa Lago
Director
New York City Department of City Planning
120 Broadway, 31st Floor
New York, New York 10271

Re: Letter from Borough President Adams regarding the resolution supporting the M1 Hotel
Zoning Text Amendment

Dear Ms. Lago:

At its stated meeting on July 10, 2018, the Brooklyn Borough Board (“Borough Board”) adopted the enclosed resolution supporting the M1 Hotel Zoning Text Amendment, by a vote of 22 yes, 1 no, and 3 abstentions with proposed modifications.

I applaud the New York City Department of City Planning (DCP) for its extensive and thorough undertaking to develop this proposal.

I thank the Brooklyn Borough Board for its thoughtful deliberation on the zoning amendments to improve the DCP’s proposal, coupled with recommendations for refining the restrictions on blocks that would remain eligible to site transient hotels, including those operating as a public purpose, with intent to ensure that sufficient opportunities remain to support industrial growth and preservation in consideration of retaining areas with strong industrial characteristics.

The Borough Board believes that the proposed M1 Hotel text amendment should be modified to limit applicability to 400 feet from the boundary of a district that permits residential use as-of-right and/or a Commercial District where such hotels are permitted as-of-right. Though there are some areas proposed to be added to the proposed exclusion areas where hotels would not require a special use permit to be developed as a means to support unique community needs through the

Marisa Lago

July 11, 2018

Re: Letter from Borough President Adams regarding the resolution supporting the M1 Hotel
Zoning Text Amendment

Page 2

opportunity to supply additional hotel rooms, and the resulting number of new jobs supported directly and indirectly by transient hotels where case by case consideration is not warranted.

The Borough Board also shares its concerns with regards to furthering the development of public purpose transient hotel accommodations. Such occupants deserve to receive the same health, safety, and welfare considerations as transient hotel occupants when it comes to consideration given to the proximity to active industrial businesses and truck traffic. There is a need to ensure that such public purpose location would not result in unsafe pedestrian crossings and vehicular conflicts, and that proximity to unaligned buildings and/or non-transparent ground floors of industrial area building street walls would not negatively impacts the pedestrian street experience for public purpose transient hotel occupants in route to necessary services/consumer goods, jobs, schools, etc.

If you have any questions, your office may contact Mr. Richard Bearak, my director of land use, at (718) 802-4057. Thank you for this opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Adams", with a stylized flourish at the end.

Eric L. Adams
Brooklyn Borough President

ELA/rb
encs.

cc: Members of the Brooklyn Borough Board
Winston Von Engel, Brooklyn Office Director, New York City Department of City
Planning
Ms. Beth Lebowitz, Director, Zoning Division, New York City Department of City
Planning

**Brooklyn Borough Board Resolution to Approve
According to Modifications to the
Proposed M1 Hotel Text Amendment**

To further ensure that sufficient opportunities to support industrial growth and preservation by establishing additional restrictions on new hotel development within M1 (light manufacturing) districts that continue to retain strong industrial characteristics, the Brooklyn Borough Board calls for the following:

That ZR 42-111 (Special provisions for hotels in M1 Districts) be further modified to acknowledge that the above reference zoning lots in M1 districts remain for as of right use and to only permit by special permit of the City Planning Commission for zoning lots in M1 districts located not more than 400 feet from the boundary of a district that permits residential use as-of-right and/or a Commercial District where such hotels are permitted as-of-right

That ZR 42-111 (b) (Exclusions) be further modified to note that such transient hotel operated for a public purpose by the City or State of New York, or operated by a non-governmental entity pursuant to an active contract or other written agreement with an agency of the City or State specifying a public purpose shall be located on a zoning lot within 400 feet of a zoning district that permits residential use as-of-right and/or a Commercial District

To further support unique community needs through the opportunity to supply additional hotel rooms, and the resulting number of new jobs supported directly and indirectly by transient hotels where case by case consideration is not warranted, the Brooklyn Borough Board calls for the following:

That APPENDIX K- (Excluded Areas in M1 Districts) be modified to include additional (*maps not included*) areas in M1 Districts as follows:

Borough	Community Districts	Name of Excluded Area in M1 District	Map No
<u>Brooklyn</u>	12	Borough Park South*	TBD
	12, 14	Borough Park East/Parkville**	TBD
	14	Midwood- Avenue M***	TBD

	12	Ocean Parkway****	TBD

That Section 42-111, as follows:

*Zoning lots in M1 Districts with frontages along in Brooklyn:

1. New Utrecht Avenue, between 59th and 61st Street
2. East side of 11th Avenue through 16th Avenue when north of 61st Street in Brooklyn Community District 12 (CD 12)
3. 60th Street between 11th and 16th Avenues

**McDonald Avenue and Dahill Road between Avenue F and Bay Parkway

***M1 Districts between Avenues K and M, East 13th Street to the right-of-way line of the New York City Transit Authority (NYC-Transit) Brighton Beach Line service.

**** The east side of McDonald Avenue within the Special Ocean Parkway District

Be it further resolved:

For public purpose transient hotel occupants to receive the same health, safety, and welfare consideration as transient hotel occupants, the Brooklyn Borough Board calls for the following:

That for the consideration of establishing transient hotels in a M1 district operated for a public purpose by the City or State of New York, or operated by a non-governmental entity pursuant to an active or other written agreement with an agency of the City or State specifying a public purpose, that the New York City Department of Homeless Services (DHS) seek to adhere to standards consistent with any non-public purpose transient hotel that would need to demonstrate pursuant to ZR 74-803 (special permit for transient hotels within M1 Districts), that such public purpose transient hotel's proximity to active industrial businesses and truck traffic would not result in unsafe pedestrian crossings and vehicular conflicts, and proximity to unaligned buildings and/or non-transparent ground floors of industrial area building street walls would not negatively impact the pedestrian street experience for public purpose transient hotel occupants en route to necessary services/consumer goods, jobs, schools, etc.



OFFICE OF THE BROOKLYN BOROUGH PRESIDENT

ERIC L. ADAMS
President

OFFICE OF THE
CHAIRPERSON

JUL 20 2018

31274

July 11, 2018

Ms. Marisa Lago
Director
New York City Department of City Planning
120 Broadway, 31st Floor
New York, New York 10271

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I thank the Brooklyn Borough Board for its thoughtful deliberation on the zoning amendments to improve the DCP's proposal, coupled with recommendations for refining the restrictions on blocks that would remain eligible to site transient hotels, including those operating as a public purpose, with intent to ensure that sufficient opportunities remain to support industrial growth and preservation in consideration of retaining areas with strong industrial characteristics.

The Borough Board believes that the proposed M1 Hotel text amendment should be modified to limit applicability to 400 feet from the boundary of a district that permits residential use as-of-right and/or a Commercial District where such hotels are permitted as-of-right. Though there are some areas proposed to be added to the proposed exclusion areas where hotels would not require a special use permit to be developed as a means to support unique community needs through the

Marisa Lago

July 11, 2018

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Page 2

opportunity to supply additional hotel rooms, and the resulting number of new jobs supported directly and indirectly by transient hotels where case by case consideration is not warranted.

The Borough Board also shares its concerns with regards to furthering the development of public purpose transient hotel accommodations. Such occupants deserve to receive the same health, safety, and welfare considerations as transient hotel occupants when it comes to consideration given to the proximity to active industrial businesses and truck traffic. There is a need to ensure that such public purpose location would not result in unsafe pedestrian crossings and vehicular conflicts, and that proximity to unaligned buildings and/or non-transparent ground floors of industrial area building street walls would not negatively impacts the pedestrian street experience for public purpose transient hotel occupants in route to necessary services/consumer goods, jobs, schools, etc.

If you have any questions, your office may contact Mr. Richard Bearak, my director of land use, at (718) 802-4057. Thank you for this opportunity to comment.

Sincerely,



Eric L. Adams
Brooklyn Borough President

ELA/rb
encs.

cc: Members of the Brooklyn Borough Board
Winston Von Engel, Brooklyn Office Director, New York City Department of City
Planning
Ms. Beth Lebowitz, Director, Zoning Division, New York City Department of City
Planning

**Brooklyn Borough Board Resolution to Approve
According to Modifications to the
Proposed M1 Hotel Text Amendment**

To further ensure that sufficient opportunities to support industrial growth and preservation by establishing additional restrictions on new hotel development within M1 (light manufacturing) districts that continue to retain strong industrial characteristics, the Brooklyn Borough Board calls for the following:

That ZR 42-111 (Special provisions for hotels in M1 Districts) be further modified to acknowledge that the above reference zoning lots in M1 districts remain for as of right use and to only permit by special permit of the City Planning Commission for zoning lots in M1 districts located not more than 400 feet from the boundary of a district that permits residential use as-of-right and/or a Commercial District where such hotels are permitted as-of-right

That ZR 42-111 (b) (Exclusions) be further modified to note that such transient hotel operated for a public purpose by the City or State of New York, or operated by a non-governmental entity pursuant to an active contract or other written agreement with an agency of the City or State specifying a public purpose shall be located on a zoning lot within 400 feet of a zoning district that permits residential use as-of-right and/or a Commercial District

To further support unique community needs through the opportunity to supply additional hotel rooms, and the resulting number of new jobs supported directly and indirectly by transient hotels where case by case consideration is not warranted, the Brooklyn Borough Board calls for the following:

That APPENDIX K- (Excluded Areas in M1 Districts) be modified to include additional (*maps not included*) areas in M1 Districts as follows:

Borough	Community Districts	Name of Excluded Area in M1 District	Map No
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	14	Midwood- Avenue M***	TBD

	12	Ocean Parkway****	TBD

That Section 42-111, as follows:

*Zoning lots in M1 Districts with frontages along in Brooklyn:

1. New Utrecht Avenue, between 59th and 61st Street
2. East side of 11th Avenue through 16th Avenue when north of 61st Street in Brooklyn Community District 12 (CD 12)
3. 60th Street between 11th and 16th Avenues

**McDonald Avenue and Dahill Road between Avenue F and Bay Parkway

***M1 Districts between Avenues K and M, East 13th Street to the right-of-way line of the New York City Transit Authority (NYC-Transit) Brighton Beach Line service.

**** The east side of McDonald Avenue within the Special Ocean Parkway District

Be it further resolved:

For public purpose transient hotel occupants to receive the same health, safety, and welfare consideration as transient hotel occupants, the Brooklyn Borough Board calls for the following:

That for the consideration of establishing transient hotels in a M1 district operated for a public purpose by the City or State of New York, or operated by a non-governmental entity pursuant to an active or other written agreement with an agency of the City or State specifying a public purpose, that the New York City Department of Homeless Services (DHS) seek to adhere to standards consistent with any non-public purpose transient hotel that would need to demonstrate pursuant to ZR 74-803 (special permit for transient hotels within M1 Districts), that such public purpose transient hotel's proximity to active industrial businesses and truck traffic would not result in unsafe pedestrian crossings and vehicular conflicts, and proximity to unaligned buildings and/or non-transparent ground floors of industrial area building street walls would not negatively impact the pedestrian street experience for public purpose transient hotel occupants en route to necessary services/consumer goods, jobs, schools, etc.

Application #: N180349ZRY
CEQR Number: 18DCP042Y

Project Name: M1 Hotel Zoning Text Amendment
Borough(s): Brooklyn
Community District Number(s): 1

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
 - MAIL:** Calendar Information Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007
 - FAX:** (212) 720-3356 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

The New York City Department of City Planning (DCP) is proposing a zoning text amendment to establish a new Special Permit under the jurisdiction of the City Planning Commission for new hotels, motels, tourist cabins, and boats in light manufacturing (M1) districts citywide. A Special Permit is a discretionary action by the City Planning Commission, subject to the public review process (ULURP), which may modify use regulations if certain conditions specified in the Zoning Resolution are met. The public review process includes Community Board, Borough President, and City Planning Commission review. The City Council may elect to review a Special Permit application and Mayoral review is also optional.

Applicant(s): NYC Department of City Planning 120 Broadway 31st Floor New York, NY 10271		Applicant's Representative: Olga Abinader Deputy Director	
Recommendation submitted by: Brooklyn Community Board No. 1			
Date of public hearing: 06/12/18	Location: 211 Ainslie Street Brooklyn, NY 11211		
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> <small>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</small>			
Date of Vote: 06/12/18 (Board Meeting)	Location: 211 Ainslie Street Brooklyn, NY 11211		
RECOMMENDATION			
<input checked="" type="checkbox"/> Approve <input type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove <input type="checkbox"/> Disapprove With Modifications/Conditions			
Please attach any further explanation of the recommendation on additional sheets, as necessary. SEE ATTACHED REPORT			
Voting			
# In Favor: 41	# Against: 0	# Abstaining: 0	Total members appointed to the board: 49
Name of CB/BB officer completing this form Dealice Fuller		Title Chairperson	Date 6/22/18



CITY OF NEW YORK
Community Board No. 2

350 JAY STREET - 8TH FL.

BROOKLYN, N.Y. 11201

(718) 596-5410 FAX (718) 852-1461
cb2k@nyc.rr.com

ERIC ADAMS
Borough President

SHIRLEY A. M^CRAE
Chairperson

ROBERT PERRIS
District Manager

July 12, 2018

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

Dear Chairperson Lago:

I am writing to inform you that Community Board 2 has reviewed and made a determination on the application "M1 Hotel Text Amendment," N 180349 ZRY submitted by New York City Department of City Planning (DCP), pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, to modify Article IV, Chapter 2 (Use Regulations), and related Sections, to create a special permit for new hotels, motels, tourist cabins and boatels in M1 Districts, and to establish APPENDIX K (Excluded Areas in M1 Districts).

The community board held a public hearing on May 16, 2018 in Room LC 400 of the Dibner Building at the NYU Tandon School of Engineering, 5 Metrotech Center Brooklyn. Nine members or 64 percent of the committee attended the meeting.

Representative for the applicant, Anand Amin, Planner, at DCP presented the application on behalf of the agency. Mr. Amin stated that although hotels are as of right in M1 districts, DCP is concerned about the proliferation of hotels in manufacturing zones. As of 2017, Brooklyn has 6,000 rooms, of which almost 2,400 are in M-1 districts. Within Community District 2 this special permit requirement would mostly affect the Wallabout area. Hotel developments with a permit before referral (April 2017) would be vested and will have three years to either complete

Marisa Lago, Chairperson
City Planning Commission
July 12, 2018
Page 2

construction or receive a Certificate of Occupancy. Rules for transient hotels developed for a public purpose will not change and will require a special permit through ULURP. Hotels will remain an unrestricted use in MX districts where there are a variety of uses.

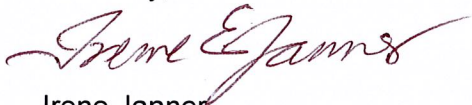
Mr. Amin asserted that developers will not be able to convert a public purpose hotel to a regular hotel without a special permit. There was some concern that manufacturing zones were converting to residential uses and creating a use conflict. The committee noted that the city is in need of more jobs within the manufacturing industry as industrial jobs usually pay better than hotel jobs.

The committee voted 8-1-1 to recommend the community board support the text amendment.

At the meeting of Community Board 2 on June 13, at Brown Memorial Baptist Church, Fellowship Hall, the Land Use Committee's recommendation was ratified 29 in favor, zero against and one abstention (29-0-1).

Thank you for the opportunity to comment.

Sincerely,



Irene Janner
Acting Chairperson

cc: Hon. Eric L. Adams
Brooklyn Borough President
Hon. Laurie Cumbo, Majority Leader
Hon. Stephin Levin
New York City Council
Mr. Winston Von Engel, Director
Anand Amin, Planner
New York City Department of City Planning



THE CITY OF NEW YORK **COMMUNITY BOARD SIX**

Eric Adams
Borough President

Sayar Lonial
Chairperson

Michael Racioppo
District Manager

July 10, 2018

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

Dear Chairperson Lago:

I am writing to advise you that at its July 9, 2018 Executive Committee Meeting, Brooklyn Community Board Six took action on the proposed M1 Hotel Text amendment, that was been presented to our Economic, Waterfront, Community Development and Housing Committee, by NYC Planning , on June 18th.

M1 Hotel Text Amendment

Approval of the proposed text amendment with the condition that that all new Hotels in M1 districts are required to come before the corresponding community board for review.

Our executive committee –acting on behalf of the Full Board during the Summer Hiatus- approved the proposal by a vote of fourteen Yeas, zero Nays, and one Abstentions.

As always, thank you for the opportunity to comment.

Sincerely,

Sayar Lonial
Chairperson

RESOLUTION OPPOSING M1 HOTEL SPECIAL PERMIT – APPROVED 40-0-0:

CB7 Land Use/Landmarks Committee
Public Hearing/Committee Meeting
June 4, 2018, CB7 Meeting Room
John Fontillas, Committee Chair reporting

Proposed Zoning Change concerning Hotel Uses in M1 Manufacturing Districts
Department of City Planning Presentation
Planner: Catie Ferrara Iannitto, DCP Brooklyn Office

40-0 (0 abstentions)

The committee is recommending disapproval of the Zoning Amendment with the following conditions:

1. We recognize DCP's efforts to find a way to regulate the growth of hotels in manufacturing districts and appreciate the work done to formulate a procedure to channel this growth. We especially would like to call out DCP's Catie Ferrara for her patience and openness regarding the committee's questions on the amendment.
2. CB7 has strongly supported manufacturing industries in our district for the past 30 years and believes that hotel uses in manufacturing zones displaces these desirable jobs for our population.
3. While supporting the amendment's intent, we find that the proposed text amendment does not address the issue of hotel conversions into homeless shelters that our community has spoken out against for the past five years.
4. The committee believes the amendment as written may give advantage to Public Purpose Exemptions, allowing existing hotel rooms in the district to be converted as well as sites assembled for purpose-built homeless shelters, allowing for an increase in homeless population beyond our community's fair share. As stated, there is no community review for these actions.
5. Our community is already overwhelmed by the number of rooms and facilities taken over by the city, with multiple incidents of harassment, fighting, human trafficking and even murder documented in local hotels.
6. These ad hoc shelters do not meet minimum needs to move the homeless back into society, with a lack of social services, support and physical facilities such as kitchens and social spaces.
7. The committee strongly disapproves of the zoning text amendment because it ignores our urgent and overriding concern regarding hotels used as homeless housing. The communities of Sunset Park and Windsor Terrace are a dumping ground for unwanted land uses and various City departments have ignored our pleas and calls for change. It is unfortunate that we have to use this statement as our only means to register our frustration. We strongly object to an approach that does not coordinate actions between city departments, does not recognize the nexus between the location of hotels in our community and the public purpose exemption, and does not provide an effective or sustainable solution towards the homeless crisis.

The committee voted unanimously on the above disapproval.

Public Hearing presentation notes and questions follow on next page:

The Committee was given a presentation by the Department of City Planning (DCP) on its proposed Special Permit Requirement for Hotels in M1 Zoning Districts. Per ULURP, CB7 has until June 23 to review the application. Previously, DCP gave CB7 a preview of the proposed amendment in March 2018, and CB7 provided comments on the Scoping Document in November 2017.

1. Proposal: Revise zoning text to require a City Planning Commission Special Permit for hotels in M1 districts. Any new application for a hotel use in an M1 district will require a case by case review by the Commission.
2. The amendment will require "transient hotels" to satisfy several "findings":
 - a. Have a site plan that minimizes potential conflicts with adjacent land uses – noise, safety, address what's going on next door.
 - b. Plan for vehicular and pedestrian circulation – how many people will go in and out of the hotel, impact of congestion, what is the hotel's proximity to nearby transit.
 - c. Will the hotel impair the "essential character" of the district? This will allow DCP to look "critically" at the hotel application and allow for Community Board review and input.
3. There has been significant growth in hotel industry in Brooklyn in the past decade, 6000 new rooms built in 2017. Citywide, 8000 new rooms are being constructed in M1 districts, because hotels can take advantage of high potential floor areas available on small lots which are prevalent in these districts.
4. Existing hotels in M1 districts will remain as conforming uses. However, if they expand by 20%, or if they convert their use, they will be required to meet the requirements of the zoning amendment.
5. There will still be an exemption allowing for "public purpose facilities" – hotels that could be taken over by the City to house the homeless. The city has seen the number of homeless rise significantly in the past few years and is required by law to house homeless families and individuals every night. Due to this crisis, the city has been renting rooms in hotels as well as taking over several facilities in CB7 to house homeless individuals. Although the city has maintained that it will cease this emergency procedure by 2023, the conversion of existing hotels and construction of new shelter facilities in M1 districts will not be subject to the special permit process.

Questions:

1. Has there been an increase in permits for new hotels since the zoning amendment was introduced? It is hard to gauge the number of new applications in CB7 for hotels.
2. Are there developers interested in building new homeless facilities because the city is a willing participant providing guaranteed clients for rooms? The developer would need a signed agreement from the city in order for this to justify the pre-development and construction costs. In practice, it would be easier for the developer to construct a hotel for conventional tourist/business use rather than depend on the city to convert rooms to homeless housing

- during this crisis. The city cannot sustain paying room rates at hotels and would rather construct purpose-built shelters instead.
3. The problem with hotels housing the homeless is that they do not provide the services to adequately support someone trying to get back on their feet. Will the public purpose exemption require kitchens? This is not specifically applicable to the M1 zoning text amendment because it only addresses the decision to allow hotel uses in the district, not how it is converted into a facility for the homeless.
 4. Is there any data on how hotel business is affected when tourists find out they are staying in hotels being used as homeless shelters? The city is justifying hotel use for the homeless as an emergency condition and maintains it will cease using hotels for the homeless by 2023.
 5. Hotels pose a danger to industrial businesses due to increased foot traffic and conflicts with pedestrians. Williamsburg has lost significant industrial and manufacturing space because of the increase of hotels in their M1 districts and it is not likely these businesses will return.
 6. The number of hotels will be affected by city policy changes, for example, new regulations that limit apartment renting through AirBnB. Does the special permit address growth of this industry? Not specifically, only through review of the "character" finding.
 7. Sunset Park has an overabundance of homeless beds. The Mayor has stated his program is intending to provide shelter facilities for homeless in their own neighborhoods. However, Sunset Park has over 10 shelter facilities and there are none in Bay Ridge, Park Slope, Borough Park. Although the city's homeless plan intends to construct new shelters across the city, that is not part of this application and is the domain of a different city department.



Eric Adams
Borough President

COMMUNITY BOARD NO. 8

1291 ST. MARKS AVENUE • BROOKLYN, NEW YORK 11213

TEL.: (718) 467-5620 • FAX: (718) 778-2979

Nizjoni Granville
Chairperson

Robert Matthews
Chairperson Emeritus

Michelle T. George
District Manager

June 29, 2018

Ms. Marisa Lago, Director
NYC Dept. of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Dear Director Lago,

At the June 14, 2018 Community Board 8 general meeting, members voted 24 in favor, 0 opposed, with 9 abstentions to support the Dept. of City Planning's M1 Hotel Special Permit Zoning Text Amendment, which would require new hotels to get Special Permits before construction begins in selected M1 districts. While we have a few concerns over certain exemptions for constructing new hotels, such as those for housing the homeless, we believe the overall zoning text will provide a protective measure that our manufacturing districts need.

If you have any questions, comments, or concerns, please do not hesitate to contact us.

Sincerely,

Nizjoni Granville
Chairperson



Community Board Ten

8119 5th Avenue • Brooklyn, NY 11209
(718) 745-6827 • Fax (718) 836-2447
BK10@cb.nyc.gov
www.bkcb10.org

DORIS N. CRUZ
Chair
JOSEPHINE BECKMANN
District Manager

LORI WILLIS
Vice Chairperson
JAYNEMARIE CAPETANAKIS
Secretary
SANDY VALLAS
Treasurer

June 26, 2018

Ms. Beth Lebowitz
NYC Department of City Planning
Zoning Division
120 Broadway, 31st Floor
New York, NY 10271

Re: N180349 ZRY, Proposed M1 Hotel Text Amendment

Dear Ms. Lebowitz:

At a duly publicized meeting of Community Board 10, Brooklyn, held on June 18, 2018, Members voted overwhelmingly to support the recommendation of the Zoning and Land Use Committee as follows:
To approve the application to create a special permit for Hotel/Motel applications in an M1 District and to broaden the scope of the special permit so it is not limited to M1 areas, but is truly citywide and covers all manufacturing and commercial districts where hotels/motels presently can be built as-of-right.

The Zoning and Land Use Committee believes this measure is important because the addition of a hotel/motel anywhere in the city can trigger negative impacts to the area, especially when some of these hotels/motels are built in districts within close proximity to residential areas and other community resources. The Committee believes all hotels/motels should be examined on a case by case basis.

Thank you for the opportunity to comment on this application. If you have any questions regarding the response of Community Board 10, Brooklyn to the proposed M1 Hotel Text Amendment, please do not hesitate to contact me.

Sincerely,


Josephine Beckmann
District Manager

JB:dg

cc: CM J. Brannan
R. Bearak – Brooklyn Borough Hall

ERIC L. ADAMS, BOROUGH PRESIDENT



The City of New York

COMMUNITY BOARD 17

4112 Farragut Road, Brooklyn, NY 11210

Tel: (718) 434-3072 Fax: (718) 434-3801

Executive Officers

Barrington Barrett
Chairperson

Rodrick F. Daley
First Vice Chair

Aaron Ampaw
Second Vice Chair

Xamayla Rose
Treasurer

Judith Destin
Secretary

Sherif Fraser
District Manager

**OFFICE OF THE
CHAIRPERSON**

AUG 28 2018

31386

July 27, 2018

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

Re: Brooklyn Community Board 17 Conditions to M1 Hotel Text Amendment

At a public meeting held on May 16th, 2018 Brooklyn Community Board 17 voted to disapprove the M1 Hotel Text Amendment. Subsequently, at a public meeting held on June 20th, 2018, Brooklyn Community Board 17 held a re-vote and decided to approve the M1 Hotel Text Amendment. Community Board 17 recommends the following modifications/conditions to the M1 Hotel Text Amendment as it currently stands:

1. Community Board 17 proposes that either a tax incentive or some other type of incentive be attached to the M-1 Special Permit election. Without some incentive, developers would be more likely to avail themselves of locations within the C-8 zones which are not hampered by the additional hurdles of the special permit process. If the City is not willing to consider creating the tax incentive for a "buy-in" in the M-1 zones, then there must either be (1) a permitting process tied to those areas currently zoned as C-8; or (2) C-8 zones must be incorporated into the ULURP process and not allow development "as of right" without community discussion, let alone without community approval. Otherwise, the special permit as currently constituted by the M1 Hotel Text Amendment has the potential to cause a mass concentration of hotel over-development in the C-8 areas in our community. The C-8 areas within our community are where vital job creating industrial businesses are located as well as where many residential units are intertwined.

2. Community Board 17 recommends that the M1 Hotel Text Amendment be approved with the condition that the respective Community Board where the development is intended be given veto power or at the very least a voting interest;

E-Mail: bk17@cb.nyc.gov
Website: cb17brooklyn.org

and not solely an advisory role for any and all hotel building permits planned for development in the C-8 and M-1 zoning districts.

3. Brooklyn Community Board 17 is concerned that the M-1 Hotel Text Amendment is not transparent regarding the process by which a developer actually seeks a special permit. The Community Board therefore recommends the approval of the M1 Hotel Text Amendment with the condition that developers applying for the special permit be required to present their development plan to the respective local Community Board within fourteen (14) days of applying for the special permit to demonstrate that the development meets the requirements of the special permit as listed below:

- Proposed hotel includes elements to address conflicts between the hotel and adjacent uses
- Proposed hotel does not cause undue vehicular or pedestrian congestion
- Proposed hotel does not impair character or future use of the surrounding area
- Proposed hotel as contemplated does not unduly impair the quality of life of surrounding residents

The Community Board will vote to either approve the developer's presented findings as proposed or to deem the presented findings inaccurate or insufficient. If the Community Board deems the findings inaccurate or insufficient, the developer will not be permitted to proceed with the ULURP process until receiving a positive vote from the Community Board. The goal is to encourage communication and agreement between existing communities wishing to maintain continuity and respect for existing residents and those entities aiming to develop new properties. Ultimately, the goal is to balance at times, competing interests to foster the best result for all stakeholders.

Thank you in advance for your consideration of these proposed conditions to approval.

Sincerely,

Barrington Barrett
Barrington Barrett
Chairperson
Community Board 17

Valarie Hollingsworth
Valarie Hollingsworth
Land Use Chairperson

Allyson Martinez
Allyson Martinez
Land Use Co-Chairperson

Cc: Brooklyn Borough President Eric Adams, Richard Bearak, Land Use Director, Lew Fidler, Office of Brooklyn Borough President, Councilmember Jumaane Williams, Councilmember Alicka Ampry-Samuel, Councilmember Mathieu Eugene, Councilmember Inez Barron, Winston Von Engel, Director, Department of City Planning, Hayley Todd, Liaison, Department of City Planning



BRONX BOROUGH PRESIDENT RUBEN DIAZ JR.

July 20, 2018

**OFFICE OF THE
CHAIRPERSON**

AUG 15 2018

31360

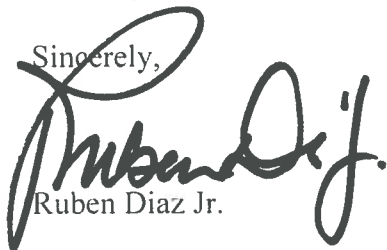
Ms. Marisa Lagos
Chair, City Planning Commission
120 Broadway, 30th Floor
New York, New York 10271

Dear Chairperson Lagos:

This is to inform you that the Department of City Planning made a presentation to the Borough Board regarding the proposed M1 Special Permit Hotel Text Amendment. At the joint meeting of the Borough Service Cabinet and Borough Board held on July 11, 2018, the Bronx Borough Board voted and approved the M1 Special Permit Hotel Text Amendment.

Please do not hesitate to contact Marisol Halpern, Director of Borough Operations, at (718) 590-3882 if you have any questions or require any assistance.

Sincerely,



Ruben Diaz Jr.



BRONX BOROUGH PRESIDENT RUBEN DIAZ JR.

July 20, 2018

**OFFICE OF THE
CHAIRPERSON**

AUG 15 2018

31360

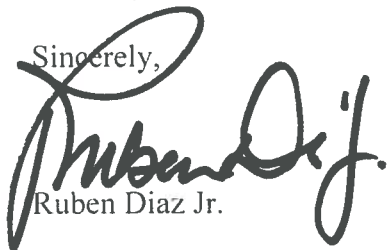
Ms. Marisa Lagos
Chair, City Planning Commission
120 Broadway, 30th Floor
New York, New York 10271

Dear Chairperson Lagos:

This is to inform you that the Department of City Planning made a presentation to the Borough Board regarding the proposed M1 Special Permit Hotel Text Amendment. At the joint meeting of the Borough Service Cabinet and Borough Board held on July 11, 2018, the Bronx Borough Board voted and approved the M1 Special Permit Hotel Text Amendment.

Please do not hesitate to contact Marisol Halpern, Director of Borough Operations, at (718) 590-3882 if you have any questions or require any assistance.

Sincerely,



Ruben Diaz Jr.

Bronx Community Board #2

Borough President Ruben Diaz, Jr.

1029 East 163rd St.

Bronx, NY 10459

718-328-9125 • 718-991-4974 Fax

E-mail: brxcb2@optonline.net



Roberto Crespo
Chairperson



Ralph Acevedo
District Manager

June 28th 2018

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

RE: N180349ZRY – Proposed M1 Zoning Text Amendment

Dear Chair Lago:

On May 2nd 2018, Bronx Community Board 2 (CB2) reviewed the N180349ZRY proposed M1 Text Amendment. On June 6th 2018, CB2 held a public hearing on the application. The proposed zoning text amendment would introduce a Special Permit under the jurisdiction of the New York City Planning Commission for new hotels, motels, tourist cabins, and boatels in Light Manufacturing (M1) districts citywide, in order to ensure balanced mix of uses in neighborhoods as well as sufficient opportunities for the future siting of permitted uses on the site.

At its regularly scheduled Full Board Meeting on June 27th 2018, CB2, on the recommendation of its Board Members, and following a duly noticed public hearing, voted **34** for, **0** against, **1** abstention, **3** not present to approve with Modifications/Conditions. CB2 recommends the following stipulation and condition enumerated below:

- The proposed Text Amendment incorporates proposed City, Private and Commercial Shelters to require a special permit in M1 zoning districts.

NOW, THEREFORE, BE IT RESOLVED that:

Bronx Community Board 2 recommends approval of Application N180349ZRY if the proposed amendment adheres to the conditions set forth above.

Sincerely,

Roberto Crespo
Chairman

Rafael Acevedo
District Manager



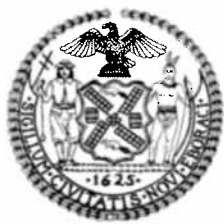
Application #:	Project Name:
CEQR Number:	Borough(s): Community District Number(s):
Please use the above application number on all correspondence concerning this application	

SUBMISSION INSTRUCTIONS

1. Complete this form and return to the Department of City Planning by one of the following options:
 - **EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ" ~~XXXXXXXXXX~~
 - **MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - **FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
2. Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

Applicant(s):		Applicant's Representative:
Recommendation submitted by:		
Date of public hearing:	Location:	
Was a quorum present? YES <input type="checkbox"/> NO <input type="checkbox"/> <i>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</i>		
Date of Vote:	Location:	
RECOMMENDATION <input type="checkbox"/> Approve <input type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove <input type="checkbox"/> Disapprove With Modifications/Conditions		
<u>Please attach any further explanation of the recommendation on additional sheets, as necessary.</u>		
Voting # In Favor: # Against: # Abstaining: Total members appointed to the board:		
Name of CB/BB officer completing this form	Title	Date



The City of New York
Bronx Community Board Three

1426 Boston Road, Bronx, NY 10456
Telephone No.:(718)378-8054 – Fax No.:(718)378-8188
E-mail Address: jdudley@cb.nyc.gov

DIAL	Government Services
311	& Information for NYC

Comm. Bd. Info go to: bronxmail.com

RUBEN DIAZ, JR.
BRONX BOROUGH PRESIDENT

GLORIA ALSTON
CHAIRWOMAN

JOHN W. DUDLEY
DISTRICT MANAGER

June 19, 2018

Mr. Michael Kavalar
Senior Planner
NYC Department of City Planning
1775 Grand Concourse, 5th Floor
Bronx, NY 10453

RE: M1 PROPOSED HOTEL ZONING TEXT AMENDMENT (N180349ZRY)

Dear Mr. Kavalar:

At a meeting of the executive committee of Bronx Community Board Three held Monday, June 18, 2018, in which there was a quorum of members present and entitled to vote, approval was given in support of the above application of the NYC Department of City Planning. This action of approval has been taken by the executive committee of Bronx Community Board Three, which has been empowered to act on behalf of the full board via board resolution dated Tuesday, June 12, 2018.

Please communicate with me should further action be needed in this matter.

Sincerely,

John Dudley
District Manager

Cc: Gloria Alston, Chairwoman
Rev. Bruce Rivera, Chairperson, Housing, Land Use and Economic Development committee

EXECUTIVE OFFICERS

Rev. Bruce Rivera
1st Vice-Chairperson

Linda Kemp
2nd Vice-Chairperson

Rev. Idus A. Nunn, Jr.
Secretary

Kathy Johnson-Morris
Treasurer

Rita Jones
Sgt.-at-Arms/Parliamentarian



THE CITY OF NEW YORK

BOROUGH OF THE BRONX

COMMUNITY BOARD #5

Honorable Ruben Diaz, Jr., Bronx Borough President

Chairperson
Dr. Bola Omotosho
June 1, 2018

**OFFICE OF THE
CHAIRPERSON**

District Manager
Kenneth Brown

JUN 12 2018
31195

Ms. Marisa Lago, Chairwoman
City Planning Commission
22 Reade Street
New York, NY. 10007

Dear Chairwoman Lago,

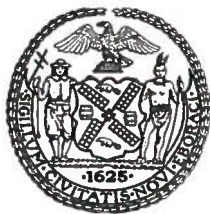
We are writing this letter so as to provide a Letter of Support to the New York City Planning Commission supporting the Proposed Zoning Text Amendment: M1 Hotel Special Permit. Subsequent to presentation on this matter by the Department of City Planning at the General Board meeting of Bronx Community Board 5 on May 23, 2018 a vote was taken by the Board in relation to giving support to this proposed amendment. A quorum was present and a vote was taken. The Board voted sixteen to affirm, three against and one was absent for the vote. It is therefore the plurality of opinion by the board members present that the proposed amendment receives this board's support and affirmation.

Should you have any questions or concerns, feel free to contact the District manager as per the contact information below.

Sincerely,

Dr. Bola Omotosho
Chairperson
Bronx Community Board 5

Ken Brown
District Manager
Bronx Community Board 5



THE CITY OF NEW YORK
BOROUGH OF THE BRONX
COMMUNITY BOARD 7



RUBEN DIAZ, JR., BOROUGH PRESIDENT

BARBARA STRONCZER, CHAIRPERSON

ISCHIA BRAVO, DISTRICT MANAGER

June 8, 2018

Ms. Carol J. Samol, AICP
Bronx Borough Director
NYC Department of City Planning
1775 Grand Concourse -Suite 503
Bronx, NY 10453

RECEIVED

JUN 15 2018

**Department of City Planning
Bronx Office**

RE: Special Permit-M1 District


Dear Ms. Samol:


At Community Board 7's general meeting on Tuesday, May 22, the Board unanimously voted in favor of the proposed Hotel Zoning Text Amendment to establish a City Planning Commission Special Permit for new hotels within M1 districts. We would like to ensure that hotels are built in appropriate locations and do not introduce conflicts with the surrounding mix of businesses and or residences in the area.

Please accept this letter as an indicator of support of the proposed Special Permit as stated above.

Thank you for your continued support of Community Board 7 and the communities we jointly serve. If you have any questions or concerns about this request, or require any additional information, please feel free to contact our office at (718) 933-5650.

Sincerely,


Barbara Stronczer, Chair
Bronx Community Board 7


Ischia Bravo, District Manager
Bronx Community Board 7

cc: Chair-NYC Planning Commission-Marissa Lago, Bronx Borough President Rubén Díaz, Jr., NYC Council Member Andrew Cohen, NYC Council Member Fernando Cabrera, NYC Council Member Ritchie Torres, NYS Senator Gustavo Rivera, NYS Senator Jeff Klein, NYS Senator Jamaal Bailey, NYS Assembly member Nathalia Fernandez, NYS Assembly Member Jeffrey Dinowitz, NYS Assembly Member Jose Rivera



BRONX COMMUNITY BOARD NO. 8

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Bronx Borough President

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Youth

Lamont Parker

June 21, 2018

Re: M1 Zoning Text Amendment
Proposed by NYC Department of City
Planning

Marisa Lago

Chair

New York City Planning Commission

120 Broadway, 31st floor

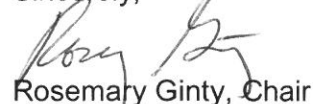
New York, NY 10271

Dear Chair Lago:

At its regular Board meeting held on June 18, 2018, Bronx Community Board No. 8 passed the following resolution by a vote of 28 in favor, 1 opposed and 2 abstentions.

RESOLVED, Bronx Community Board No. 8 approves within Community District 8, Borough of The Bronx approves the zoning text amendment proposed by New York City Department of City Planning to establish a new Special Permit under the jurisdiction of the City Planning Commission for new hotels, motels, tourist cabins, and boatels in light manufacturing (M1) districts citywide. A Special Permit is a discretionary action by the City Planning Commission, subject to the public review process (ULURP), which may modify use regulations if certain conditions specified in the Zoning Resolution are met. The public review process includes Community Board, Borough President, and City Planning Commission review. The City Council may elect to review a Special Permit application and Mayoral review is also optional.

Sincerely,



Rosemary Ginty, Chair

Bronx Community Board No. 8

CC: Carol Samol
Juton Horstman

*Serving the neighborhoods of Fieldston, Kingsbridge, Kingsbridge Heights,
Marble Hill, Riverdale, Spuyten Duyvil, and Van Cortlandt Village*



COMMUNITY BOARD NUMBER 9

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RUBEN DIAZ JR.
BRONX BOROUGH PRESIDENT

NICHOLAS HIMIDIAN JR.
CHAIRPERSON

WILLIAM RIVERA
DISTRICT MANAGER



July 20, 2018

James J. Rather, AICP
Bronx Borough Office
NYC Dept of City Planning
1775 Grand Concourse, suite 503
Bronx, NY 10453

REF: M1 Hotel Text Amendment

Dear Mr. Rather,

I am writing to notify your office that on June 21, 2018, Bronx Community Board 9 unanimously voted in favor of the proposed Hotel Zoning Text Amendment, to establish a City Planning Commission Special Permit for new hotels within M1 Districts.

If you have any questions or concerns regarding this matter, please feel free to contact our office at 718-823-3034.

Thank you,


William Rivera
District Manager

CC:
Senator Luis Sepulveda, 32nd District
Senator Jeffrey Klein, 34th District
Assemblyman Marcos Crespo, 85th District
Council Member Ruben Diaz Sr, 18th District
Council Member Rafael Salamanca, 17th District
Chairman Nicholas Himidian Jr, Bronx Community Board 9
Land, Zoning, Planning & Economic Development Committee, Bronx Community Board 9
Senior Planner Manny Lagares, NYC Department of City Planning

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Ruben Diaz, Jr.
Borough President

BRONX COMMUNITY BOARD No. 10

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Peter J. Sullivan
Chairperson

Matthew Cruz
District Manager

July 12, 2018

Ms. Carol Samol
Bronx Borough Director
NYC Department of City Planning
1775 Grand Concourse, Suite 503
Bronx, New York 10453

RE: N180349 ZRY - Proposed M1 Hotel Text Amendment Special Permit District

Dear Ms. Samol:

At the Public Hearing on June 18, 2018, Bronx Community Board voted unanimously on the Resolution below. There were (27) Board member in attendance.

“Resolved... at the recommendation of Bronx Community Board #10 that N180349 ZRY - Proposed M1 Hotel Text Amendment which would introduce a Special Permit under the Jurisdiction of the City Planning Commission for new hotels, motels, tourist cabins, and boatels in Light Manufacturing (M1) districts citywide be voted on with notification sent to the NYC Department of City Planning and the Office of the Bronx Borough President.”

If you require any further information, please call 718-892-1161.

Sincerely,

Chairperson
Bronx Community Board #10

C: S. Goodman, Office of Bronx Borough President

Manhattan Borough Board Recommendation

City Planning Commission
120 Broadway, 31st Floor, New York, NY 10271
Fax # (212) 720-3488

INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, at the above address.
2. Send one copy with any attachments to the applicant's representative as indicated on the Notice of Certification.

Application: : N 180349 ZRY – M1 Hotels Text Amendment

Docket Description:

IN THE MATTER OF an application submitted by NYC Department of City Planning (DCP) pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York establishing a new Special Permit under the jurisdiction of the City Planning Commission for new hotels in light manufacturing (M1) districts citywide.

COMMUNITY BOARD NO: City-wide

BOROUGH: Manhattan

RECOMMENDATION

- ☐ APPROVE
- ☒ APPROVE WITH MODIFICATIONS/CONDITIONS
- ☐ DISAPPROVE
- ☐ DISAPPROVE WITH MODIFICATIONS/CONDITONS

John A. Brewer

CHAIR / BOROUGH PRESIDENT

July 2, 2018

DATE



OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN
THE CITY OF NEW YORK

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Gale A. Brewer, Borough President

MANHATTAN BOROUGH BOARD RESOLUTION

RECOMMENDING APPROVAL WITH CONDITIONS OF AN APPLICATION BY THE DEPARTMENT OF CITY PLANNING PURSUANT TO SECTION 201 OF THE NEW YORK CITY CHARTER FOR AN AMENDMENT TO THE ZONING RESOLUTION: APPLICATION NUMBER (180349 ZRY0) – HOTEL TEXT AMENDMENT

WHEREAS, The Department of City Planning (DCP) seeks a citywide text amendment to the Zoning Resolution (180349 ZRY0) to establish a new special permit for hotels in M1 light manufacturing districts; and

WHEREAS, According to the Department of City Planning (DCP), these light manufacturing districts contain some of the last areas in the City with significant amounts of developable land and are becoming increasingly prone to as of right hotel development; and

WHEREAS, DCP also found that while 13 percent of hotels are currently located in these M1 districts, 30 percent of currently proposed hotel development is slated for these districts, demonstrating this growing trend of hotel development in these districts; and

WHEREAS, DCP is concerned that this trend, if allowed to continue unchecked, could crowd other uses out of these districts and has also noted that hotel development in these districts also has resulted in taller, slender more out-of-scale and out-of-context buildings and can bring increases in pedestrian and vehicular traffic that impede industrial activity; and

WHEREAS, the proposed text amendment would create a new special permit for transient hotels with the following findings: (1) that the” site plan incorporate elements that are necessary to address any potential conflicts between the proposed #use# and adjacent #uses#, such as the location of the proposed access to the #building#, the #building’s# orientation and landscaping;” (2) that “such #use# will not cause undue vehicular or pedestrian congestion on local #streets;” and (3) that “such #use# will not impair the essential character or future use or development of the surrounding area;” and

WHEREAS, According to DCP, the proposed text amendment would exempt transient hotels operated by the City or those under contract with the City for a public purpose from the special permit requirement; and

WHEREAS, Every Community District in Manhattan has at least one M1 district to which the text amendment would apply, but areas in Manhattan with significant amounts of M1 districts include Community Districts 2, 3, 4, 5, and 12; and

WHEREAS, Of Manhattan's 12 Community Boards (CB), seven have adopted resolutions on the proposed text amendment with six in support of the text amendment and one Community Board, CB10, opposing the proposed text amendment and expressing concerns that the special permit requirement could increase the number of City-owned or operated transient hotels in M1 districts that are exempt from the requirement; and

WHEREAS, Community Boards have raised concerns over matters including: (1) the strength of the findings which appear to focus on mitigation of conflicts between hotels and existing uses rather than the existence and degree of conflict; (2) the impact of the special permit requirements on hotel development in as of right areas; and (3) specific concerns related to the impact of the special permit requirement on certain specific districts; in addition to the issue of the potential for an increase in the number of City-owned or operated transient hotels in M1 districts; and

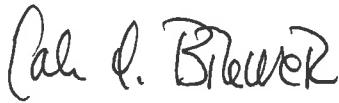
WHEREAS, The Manhattan Borough President's office testified at the scoping session for the Environmental Review of the text amendment that the impact of the permit requirement on other areas that will remain as-of-right for hotel development should be studied; however, the Draft Environmental Impact Review Statement (DEIS) did not study this stating that the rules on hotel development in these areas would not be affected; now,

THEREFORE, The Manhattan Borough Board recommends approval of application (180349 ZRY0), M1 Hotel Text Amendment, subject to the following conditions:

1. That the findings be strengthened so that situations in which hotel use or oversaturation of hotels presents a conflict with existing uses is considered regardless of potential mitigation and the findings include a finding that uses be consistent with the character and context of the neighborhood; and
2. That the requirements affirm that the special permit not supersede the requirements for other special permits that might otherwise be applicable;
3. That DCP monitor those areas where hotels will continue to be allowed as of right – especially those areas in the vicinity of districts in which a special permit will be required – to ensure that they do not become oversaturated with hotels and if this risk becomes evident to community boards that extension of the special permit requirement or other zoning regulations related to hotel development be promptly considered;
4. That DCP continue to work with the Community Boards on their board-specific concerns such as resiliency issues relating to hotels in flood zones and the impacts of the special permit requirement on certain specific districts and uses.

AND, BE IT FURTHER RESOLVED, that in the case of public-purpose, transient facilities exempt from the special permit requirements, the City, including the Department of Homeless Services, DCP and local elected officials and community boards work together to develop a process for meaningful review for development of these facilities in M1 districts.

Adopted by the Manhattan Borough Board on the 28th day of June 2018.¹

A handwritten signature in black ink, reading "Gale A. Brewer". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Gale A. Brewer
Manhattan Borough President
Chair of the Manhattan Borough Board

¹ Date corrected to reflect the date the Resolution was actually adopted by the Manhattan Borough Board.



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BOROUGH OF MANHATTAN
THE CITY OF NEW YORK

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431 West 125th Street, New York, NY 10027
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Gale A. Brewer, Borough President

July 2, 2018

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

Re: N 180349 ZRY – M1 Hotel Text Amendment by the New York City Department of City Planning

Dear Chair Lago:

I write in support of the Department of City Planning's (DCP) application for an amendment of the Zoning Resolution ("ZR") of the City of New York to establish a new Special Permit under the jurisdiction of the City Planning Commission for new hotels in light manufacturing (M1) districts citywide. The proposed text amendment was put forth in order to reduce hotel development in M1 districts and accommodate other commercial uses, protect industrial uses from market forces that encourage hotel development, and facilitate the discussion of more desirable uses in mixed-use M1 districts.

I support these goals and I applaud the time and consideration the City took to study and address the issue of hotel proliferation. I have a few concerns that are outlined below, but I believe communities will benefit from the proposed text amendment. It provides them with a clear framework to determine the appropriate use of their light manufacturing districts.

I have taken into account the Manhattan Borough Board resolution recommending approval with conditions, issued on June 28, 2018; all of the Manhattan Community Board resolutions; and all relevant materials provided by the Department of City Planning pursuant to Section 201 of the New York City Charter as related to the text amendment N 180349 ZRY.

BOROUGH PRESIDENT RECOMMENDATION

Industrial areas have become prime targets for hotel development city-wide. In their current form, hotels have found these areas rich with benefits especially in mixed-use M1 districts. As a result, New York City has seen a proliferation of hotel development in M1 zoning districts. As noted in the Draft Environmental Impact Statement (DEIS), a saturation of hotel development in M1 districts hinders the City's ability to ensure that there are sufficient opportunities to support industrial, commercial, and residential growth. As a result, it is more difficult to support

good paying jobs, new housing development, and business operations in the city's remaining industrial areas. This proposal is intended to reduce the number of hotels developed in M1 districts so that the city can better support the demand for commercial space, and protect industrial uses from market forces that encourage hotel development, which is occurring at the expense of more desirable uses in M1 use districts.

These are, for example, better suited for local services, much needed offices, and in some instances, homes. The proposed action would give the city and the community the opportunity to determine whether a hotel makes sense at a specific site, and provide an opportunity for careful consideration of other uses that meet a community's needs.

The DEIS accurately identifies West 28th Street between Sixth and Seventh Avenues as an example of hotel oversaturation in a mixed-use district. Characterized by mixed commercial uses, it has seen three hotel developments in recent years. This proposal will curb further development, enabling similar neighborhoods to plan and prioritize for local needs.

The City's proposal is also supported by the fact that hotels in active industrial areas have potential to create conflict between industrial uses and hotel guests and employees, and to harm industrial productivity. Additionally, hotels that stand ten-stories tall disrupt and disfigure the contextual zoning of industrial areas characterized by one and two story buildings.

While acknowledging the benefits of this text amendment, Community Boards have also expressed their dismay toward the City's own exemption from the special permit. The amendment allows the City to continue as-of-right development of transient hotels for a public purpose in these districts. The City has responded by saying it has a legal obligation to provide shelter to all eligible persons, and the flexibility in zoning that permits temporary housing in all M1 districts can be used to increase capacity to meet the demand. However, this exemption has the potential to create issues of equity if low-income communities are asked to shoulder a disproportionate number of shelters and related facilities than higher-income neighborhoods unlikely to be subject to changes in M1 districts. If the City is unwilling to require a special permit for transient hotels for a public purpose in M1 districts, it must also adopt criteria for ensuring a fair distribution of these facilities, and require a meaningful review process for every such development.

At the Scoping Hearing related to this text amendment on October 26, 2017, I asked that the City study the effects of spill over from M1 districts to adjacent districts in the Borough of Manhattan. I also requested that the City consider the benefits of broadening the scope of the hotel special permit to all of Manhattan below 59th Street. According to the DEIS, DCP conducted an analysis to determine where shifts in hotel development from M1 to commercial mixed-use districts are most likely. They concluded that hotels will shift to the mixed-use areas

once they no longer operate as-of-right. However, hotel development in some of these areas is not expected to significantly alter patterns of development in any one community. I am concerned that these conclusions are based on assumptions that may prove to be false over time. And unfortunately, affected communities will have no mechanism in place to respond. If it is true that the city is looking into expanding hotel special permits in other districts, I urge DCP to move quickly before the problem arises. For the time being, DCP must monitor those areas where hotels will continue to be permitted as-of-right to ensure that they do not become oversaturated or displace other essential uses. This is especially important for areas adjacent to districts where a special permit will be required.

I want the healthy grit of the city's industrial areas to be preserved, and I commend DCP for working to ensure this. The DEIS contains compelling evidence that hotels will continue to locate in manufacturing districts and threaten such uses. Our manufacturers face many challenges, and competing with hotel chains shouldn't be one of them.

While I approve of the proposed text amendment, I feel it does not go far enough. I believe the findings required to qualify for this proposed special permit should be strengthened so that the City Planning Commission (CPC) can consider whether a hotel use presents a conflict with existing uses regardless of potential mitigation; whether there is already oversaturation of hotels in a given area; and require that proposed uses be consistent with the character and context of the neighborhood.

My staff and I are grateful for the thoughtful work done by DCP and its understanding of the need for this text amendment. We hope our recommendations will contribute to our shared goal of preserving the industrial character of the city, protecting good paying jobs, and encouraging balanced, community-based growth.

Sincerely,

A handwritten signature in black ink that reads "Gale A. Brewer". The signature is written in a cursive, flowing style with a large, stylized "G" and "B".

Gale A. Brewer
Manhattan Borough President

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MAY 22, 2018

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	10 In Favor	0 Opposed	1 Abstained	1 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	0 Opposed	2 Abstained	1 Recused

RE: M1 Hotel Zoning Text Amendment
N180349 ZRY

WHEREAS: Light manufacturing zoning districts (M1 zones) have become areas of opportunity, presenting some of the city's last reservoirs of buildable land, and rules regulating land use and development in these districts have changed little since the city was comprehensively rezoned in 1961; and

WHEREAS: Hotels are currently permitted as-of-right in M1 districts, and hotel development in M1 districts has accelerated significantly since 2010. Citywide, 13 percent of existing hotel rooms are in M1 districts, whereas 30 percent of hotel rooms in the pipeline are slated to be developed in M1 districts; and

WHEREAS: The number of tourists visiting New York City is at an all-time high. While growth in tourism has been mostly positive for the City, with new jobs and support for industries such as restaurants, theaters and cultural institutions, it has also resulted in a number of land use conflicts, particularly in M1 districts; and

WHEREAS: In M1 districts that continue to retain string industrial characteristics, hotels are in conflict with existing businesses that generate noise, truck traffic, loading, pollution and other nuisance. This not only results in unsafe conditions, but may harm the effectiveness of these surrounding businesses due to complaints from hotel guests; and

WHEREAS: Hotels do not present the same direct land use conflicts in M1 districts that are more mixed-use in character, but they can potentially detract from other uses that could better serve the neighborhood and orient more towards tourists' needs than the ones of the community; and

WEHREAS: The City's 10-Point Industrial Action Plan, announced by Mayor de Blasio in 2015, aims to support industrial job growth in Industrial Business Zones (IBZs), the city's most active manufacturing zones. The Plan's proposal included the creation of a new special permit for hotels, among other recommendations; and

WHEREAS: The Department of City Planning (DCP) is proposing a zoning text amendment to require a City Planning Commission (CPC) special permit for new hotels in M1 districts citywide. The CPC special permit would be required for transient accommodations- including hotels, motels, and boatels, except for areas that are airport property or non-residential areas adjacent to airports; and

WHEREAS: By introducing a CPC special permit, DCP proposes a case-by-case, site-specific review process according the following findings:

- The proposed site plan includes elements that are necessary to address potential conflicts between the hotel and adjacent uses (ex. access, orientation or landscaping)
- The new hotel development will not cause undue vehicular or pedestrian congestion on local streets
- The proposed new hotel development will not impair the essential character or future use of the surrounding area

WHEREAS: Within Community District 1, this zoning change would only apply to the few small areas zoned as M1. These areas are on Canal Street between Vestry Street and Hudson Street; Canal Street between Broadway, Walker Street and Baxter Street, and an area at the southern edge of Lower Manhattan between Whitehall Street and Battery Park. This zoning amendment does not imply or propose that hotels will be developed in these areas, only that if a hotel were to be proposed in these areas it would now be subject to a special permit review by CPC where it would have otherwise remained as-of-right; and

WHEREAS: The majority of CD1 is zoned such that hotel development is currently as-of-right and will remain so, except for the northern portion of the Special Tribeca Mixed Use District where hotels over 100 rooms are required to obtain a special permit; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 (CB1) does not oppose application N180349 ZRY for the M1 Hotel Zoning Text Amendment, with the following comments and requests:

- As hotel development will become more onerous in M1 districts that will now require a special permit, CB1 is concerned about the inadvertent impact of increased hotel development the amendment may have on the portions of our district where hotel development will remain as-of-right
- CB1 requests more detailed and specific language in the findings required for the grant of the special permit (i.e. define terms such as “undue vehicular or pedestrian congestion” and “impair the essential character or future use of the surrounding area”)
- Because many manufacturing districts are along the waterfront and in flood zones, CB1 requests that an additional condition be added to the findings required for the grant of the special permit requiring payment into a fund for resiliency infrastructure and protection from extreme weather events; and

BE IT
FURTHER
RESOLVED

THAT: Because north-west Tribeca is increasingly mixed use with many residents, where as-of-right hotel development under 100 rooms continues to cause conflict and negatively impact neighborhood character, CB1 requests that DCP study the potential for expanding these proposed special permit requirements to areas A4, A5, A6 and A7 of the Special Tribeca Mixed Use District.

Terri Cude, *Chair*
Dan Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Erik Coler, *Assistant Secretary*

COMMUNITY BOARD No. 2, MANHATTAN

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June 22, 2018

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

Dear Ms. Lago:

At its Full Board meeting on June 21, 2018, CB#2, Manhattan (CB2, Man.), adopted the following resolution:

***M1 Hotel Text Amendment** (N 180349 ZRY) Department of City Planning (DCP) is proposing a citywide 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 are currently as of right in M1 districts and, if passed, would require a special permit (except in MX and M1/R).

Whereas:

1. The NYC Department of City Planning proposes a zoning text amendment to require a City Planning Commission Special Permit for new hotels within all M1 districts. This proposal would limit the potential for conflicts between uses as well as achieve a balanced mix of uses and jobs in neighborhoods by ensuring that sufficient opportunities for industrial, commercial, and institutional growth remain.
2. Light Manufacturing zoning districts (M1 zones) have emerged as areas of opportunity, presenting some of the city's last reservoirs of buildable land, but rules regulating land use and development in these districts have changed little since the city was comprehensively rezoned in 1961.
3. Given the disparate characteristics of the city's M1 districts and M districts' position as potential areas to support economic opportunity and services for a growing residential population, the Department of City Planning needs to ensure that sufficient opportunities for industrial, commercial, and institutional growth remain, and believes it would be beneficial to revisit the zoning framework for M1 districts.
4. The New York City Department of City Planning (DCP) is proposing this zoning text amendment to establish a new Special Permit under the jurisdiction of the City Planning

Commission (CPC) for new hotels, motels, tourist cabins, and boatels in light manufacturing (M1) districts citywide.

5. By establishing a new CPC special permit, DCP proposes a case-by-case, site-specific review process to ensure that hotel development occurs only on appropriate sites, based on reasonable considerations regarding whether a hotel presents the potential for conflicts with the surrounding uses and how well a hotel reflects the general character of the surrounding area.
6. The proposed CPC Special Permit would apply to all M1 districts, excluding M1 districts with existing hotel Special Permit provisions, since appropriate controls for hotel development have already been implemented for these areas.
7. Any hotel existing within M1 districts on the date of adoption of the proposed zoning text amendment would be considered a conforming use, meaning that any enlargement or extension would be permitted so long as it does not exceed 20% of the existing floor area and the zoning lot is not enlarged. Any enlargement or extension that does exceed 20% would require the proposed Special Permit.
8. The requirement for a special permit for hotels in M1-5 districts in CB2 will help to assure that such development is not harmful to the mixed-use character of these areas.
9. The M1 districts in CB2 have been transitioning away from traditional manufacturing uses, so the goal in these areas should be to promote and protect a harmonious balance including residential and commercial uses. This requires considerations different from those in districts where traditional manufacturing still dominates.
10. The Hudson Square Special District was created to promote residential and commercial growth in an M16 district and therefore provides very suitable language for manufacturing districts where manufacturing is no longer the predominant use in requiring a finding that *“a harmonious mix of ‘residential’ and non-‘residential uses’ has been established in the surrounding area, and such ‘transient hotel’ resulting from a ‘development’ or ‘enlargement’ is consistent with the character of such surrounding area.”*
11. Including a similar finding in the proposed citywide zoning text amendment would help promote a vibrant mix of uses and provide consistency with existing special permit requirements.
12. In order to be able to protect nearby residences from hotel developments, the planning commission needs to be able to require enforceable conditions in the manner provided under ZR 74-21 Conditions and Safeguards.
13. M1-5A and M1-5B zones exist only in SoHo and NoHo. The proposed text change lacks clarity with regard to how the proposed hotel special permit will affect certain other zoning provisions in these zones.
14. While these areas will benefit from the proposed special permits, changes to the unusual and complex regulations in these areas should only be made after careful study of their impacts on the special character of these historic districts, with input from affected parties.
15. For example, the provisions of 74-711 that encourage landmark preservation should not be bypassed.
16. Currently, retail uses in M1-5A and M1-5B districts, including some hotel uses, are restricted below the level of the second floor, and special permits (74-711, 74-712 and 74-781) are currently available to hotel developers to modify these restrictions. Leaving these permit requirements in place will not be onerous to applicants because they will be able to apply simultaneously for existing permits under a single ULURP.

Therefore, Community Board 2 Manhattan supports a text amendment to require special permits for all hotel development in M1 areas within CB2, but only if:

1. An additional finding is 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.
2. The text change specifically allows the City 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 existing restrictions on certain uses below the level of the second floor in M1-5A and M1-5B districts are retained and the text amendment requiring a hotel special permit will not supersede the requirement for any other special permit that may otherwise be applicable.

Vote: Passed, with 40 Board members in favor and 1 opposed (R. Sanz).

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

Sincerely,



Terri Cude, Chair
Community Board #2, Manhattan



Anita Brandt, Co-Chair
Land Use & Business Development Committee
Community Board #2, Manhattan



Frederica Sigel, Co-Chair
Land Use & Business Development Committee
Community Board #2, Manhattan

TC/jt

c: Hon. Jerrold Nadler, Congressman
Hon. Carolyn Maloney, Congresswoman
Hon. Nydia Velasquez, Congresswoman
Hon. Brad Hoylman, State Senator
Hon. Brian Kavanaugh, State Senator
Hon. Deborah Glick, Assemblymember
Hon. Yuh-Line Niou, Assemblymember
Hon. Gale A. Brewer, Manhattan Borough President
Hon. Corey Johnson, City Council Speaker

Hon. Margaret Chin, Councilmember
Hon. Carlina Rivera, Councilmember
Sylvia Li, Dept. of City Planning



THE CITY OF NEW YORK
MANHATTAN COMMUNITY
BOARD 3

59 East 4th Street - New York, NY 10003

Phone (212) 533-5300

www.cb3manhattan.org - info@cb3manhattan.org

Alysha Lewis-Coleman, Board Chair

Susan Stetzer, District Manager

June 27, 2018

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

Dear Director Lago,

At its June 2018 monthly meeting, Community Board 3 passed the following resolution:

VOTE: To support the M1 Hotel Text Amendment

WHEREAS, our district has been inundated with over-development of hotels; and

WHEREAS, the proposal is generally in line with previous positions CB 3 has taken regarding an appropriate mix of uses for development and preservation of affordable housing and light manufacturing; so

THEREFORE BE IT RESOLVED, CB 3 supports the proposed M1 Hotel text amendment, which requires special permits for hotels in M1 districts.

Please contact the community board office with any questions.

Sincerely,

Alysha Lewis-Coleman, Chair
Community Board 3

MyPhuong Chung, Chair
Land Use Zoning, Public & Private Housing
Committee

Cc:

Xinyu Liang, New York City Department of City Planning

Bob Tuttle, New York City Department of City Planning

Marian Guerra, Office of New York City Councilmember Margaret Chin

Sheila Rodriguez, Office of New York City Councilmember Rosie Mendez

Afraz Khan, Manhattan Borough President's Office



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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BURT LAZARIN

Chair

JESSE R. BODINE

District Manager

July 2, 2018

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

Re: N 180349 ZRY - Proposed M1 Hotel Text Amendment

Dear Chair Lago:

On the recommendations of its Chelsea and Clinton/Hell's Kitchen Land Use Committees, Manhattan Community Board 4 (CB4), at its regularly scheduled meeting on June 6, 2018, voted, by a vote of 36 in favor, 0 opposed, 0 abstaining and 0 present but not eligible to vote, to recommend approval, with suggested modifications, of an application for an amendment to the Zoning Resolution establishing a Special Permit requirement for hotel development in M1 districts.

Background

New York City's tourism industry is thriving, with the number of visitors increasing by 50% to 63 million annually over the last dozen years. The hotel industry has responded by building new hotels. Currently, there are 600 hotels in the City with 116,000 rooms, with another 24,000 rooms under construction. This wave of hotel construction is putting pressure on the City's M1 districts: whereas 13% of existing hotel rooms are in M1 districts, 30% of the hotel rooms under construction are in M1 Districts.

The proposed text amendment would establish a Special Permit requirement, allowing communities in which the hotels are proposed, along with the City, to have a role in determining whether a proposed hotel development is appropriate to the area. The proposed Special Permit would apply to the development of a new transient hotel, the change of use or conversion to a transient hotel, and the enlargement or extension of an existing transient hotel by 20 percent or more of its existing floor area. The Special Permit would not be required for transient hotels operated by or for the City or State for a public purpose. Additionally, the Special Permit requirement will not apply in certain geographical areas, certain mixed-use districts, or in certain special purpose districts.

The proposed findings for siting a transient hotel in an M1 district focus on incorporating elements in the site plan to address potential conflicts with adjacent uses; vehicular and pedestrian congestion; and preserving the essential character and future use or development of the surrounding area. The City Planning Commission (CPC) may prescribe additional conditions and safeguards.

Analysis and Recommendations

CB4 applauds the efforts of the Department of City Planning (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 is acutely aware that M1 districts permit use is not allowed elsewhere. The Board actively sought to protect its West Chelsea M1 districts during the 2005 West Chelsea rezoning in order to give existing businesses the chance to remain in place and to give future businesses a place to locate.

The concentration of transient hotels in a small area is an additional, significant concern. The approximately five blocks comprising Subarea P2 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. The rapid development of hotels in this area has led to the loss of historic neighborhood character.

The proposed text amendment and the Special Permit requirement would complement and extend these efforts, but we believe they can be further clarified to ensure complete review. The Board is particularly concerned about the following issues:

- Hotel function with trash and linen service
- Adequate adjacent parking
- Adjacency to residential districts

The following requested amendments to the proposed Special Permit findings are intended to determine whether a project incorporates elements addressing potential conflicts with adjacent or nearby uses¹:

a) Impact on Surrounding Uses

DCP Proposed Finding: the site plan incorporates elements that are necessary to address any potential conflicts between the proposed #use# and adjacent #uses#, such as the location of the proposed access to the #building#, the #building's# orientation and landscaping;

CB4 Requested Amendment: the site plan incorporates elements that are necessary to address any potential conflicts between the proposed #use# and adjacent #uses#, such as the location of the proposed access to the #building#, the #building's# orientation and landscaping, and storage space for trash and for linens;

¹ See Appendix A: M1 Hotel Land Use Application, dated April 25, 2018.

b) Impact on Vehicular and Pedestrian Congestion

DCP Proposed Finding: such #use# will not cause undue vehicular or pedestrian congestion on local #streets; and

CB4 Requested Amendment: such #use# will not cause undue vehicular or pedestrian congestion on local #streets; and or reduction in the availability of nearby parking; and

c) Impact on Neighborhood Character

DCP Proposed Finding: such #use# will not impair the essential character or future use or development of the surrounding area.

CB4 Requested Amendment: such #use# will not impair the essential character or future use or development of the surrounding area and in areas where M1 districts are adjacent to #residential# districts, such #use# shall be compatible with adjacent #residential# districts.

In addition to determining whether a proposed project successfully mitigates potential conflicts, the Board believes that it is important to address whether a proposed transient hotel is fundamentally compatible with existing neighboring uses and areas. The Board requests that the question of undesirable concentration of hotels be incorporated as an additional required finding:

d) Concentration of Hotels

such #use# shall not cause undue concentration of such #uses# within a 500 foot radius of the proposed location.

Public Purpose Hotels

CB4 strongly supports public purpose hotels. However, after continued internal discussion we do not believe they should be excluded from the Special Permit requirement because we are concerned that the proposed exclusion may be used as a vehicle for for-profit transient hotels to site in M1 zones. Although the conversion of a public service hotel to a transient hotel will require a Special Permit, the Board believes it is likely that the default conclusion will be that a building that operates as a public service hotel is fundamentally unsuited for any use but a hotel, thus minimizing the compatibility hurdle.

Conclusion

CB4 supports the proposed text amendment with further text amendments to the findings. We are grateful to DCP for their work on this issue.

Sincerely,



Burt Lazarin
Chair
Manhattan Community Board 4



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



John Lee Compton
Co-Chair
Chelsea Land Use Committee



Betty Mackintosh
Co-Chair
Chelsea Land Use Committee

Enclosure

cc: Hon. Gale A. Brewer
Hon. Corey Johnson, City Council

MANHATTAN COMMUNITY BOARD FIVE

Vikki Barbero, Chair

450 Seventh Avenue, Suite 2109
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212.465.0907 f-212.465.1628

Wally Rubin, District Manager

June 29, 2018

Hon. Marisa Lago
Chair of the City Planning Commission
22 Reade Street
New York, NY 10007

Re: Application by DCP to amend the city's zoning text to establish a special permit for new hotel development in Light Manufacturing (M1) districts.

Dear Chair Lago:

The Community Board Five Executive Committee passed the following resolution with a unanimous vote:

WHEREAS, The Department of City Planning (DCP) proposes a citywide zoning text amendment to introduce a special permit under the jurisdiction of the City Planning Commission (CPC) for new hotels in light manufacturing (M1) districts (the Proposed Action); and

WHEREAS, The stated purpose and goal of the proposal is to support the Mayor's Housing New York Plan, released in 2014, that emphasizes the demand for additional housing to meet the needs of a growing population; and

WHEREAS, According to the City Environmental Quality Review (CEQR) ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) 18DCP042Y, Manufacturing (M) districts present an area of opportunity to accommodate increasing growth; and

WHEREAS, Hotel use is currently permitted as-of-right; and

WHEREAS, Under the Proposed Action, such uses in M1 districts would require a special permit; and

WHEREAS, CB5 has a large number of blocks that are zoned M1 and therefore will be significantly impacted by the proposed zoning text amendment; and

WHEREAS, M1 districts were designed to support light manufacturing and have recently seen a proliferation of as-of-right hotels that present as one of the most competitive uses allowed in M1 districts and;

WHEREAS, Other M districts (M2 & M3) were, in 1974, amended to require certain non-manufacturing uses such as hotels to apply for special permit; and

WHEREAS, Hotels planned for M1 districts remained as-of-right; and

WHEREAS, DCP states that the largest increase in hotel construction has been in areas other than Manhattan in the past ten years, the bulk of the increase in hotel development within the borough of Manhattan has been in Midtown; and

WHEREAS, M1 districts, particularly those within the boundaries of Manhattan Community Board Five, are especially attractive to hotel developers; and

WHEREAS, CB5 is not in favor of the proliferation of hotels, which brings higher FAR and less parking to our M1 districts, but is concerned with the anticipated and highly likely outcome of the ease in the ability for developers to make hardship cases, which in all probability will bring more residential buildings; and

WHEREAS, Currently the hotel as-of-right use has been an important factor when CB5 recommends denial of BSA variances to allow residential development; and

WHEREAS, CB5 believes if a hotel use is no longer as-of-right, hardship cases may be easier to get approved, dangerously depriving the community of an opportunity to mitigate impact of residential development; and

WHEREAS, Community Board Five is concerned with the unintended consequence of the BSA issuing hardship variances for residential development, which would place an undue burden on our district, including our school system as well as our transit system; and

WHEREAS, CB5 is concerned with the impact to the Garment District, that is in large part in an M1 District, particularly the loss of manufacturing (as is evident in CB5's position regarding the City's current proposal to rezone the Garment District); and

WHEREAS, If the proposed zoning text amendment is adopted, an applicant filing for hardship with the BSA may have a stronger chance to succeed because a zoning-compliant use such as hotel would no longer have to be studied to make the case for hardship, leading to a potential increase of approvals for residential buildings by way of BSA variance, which would equate to hugely detrimental spot zoning; and

WHEREAS, Community Board Five believes that this unintended consequence of requiring special permits for hotels in the Midtown corridor could generate a new set of concerns and problems for businesses and residents of this neighborhood; therefore be it

RESOLVED, Community Board Five recommends **denial** of the application proposing a zoning text amendment to require a City Planning Commission special permit for new hotels in M1 districts **unless**:

- 1. Manhattan CB5 is excluded from the proposed zoning text amendment and/or**
- 2. DCP determines a fool-proof protocol for closing the hardship loophole, which would prevent the development of residential buildings in M1 districts.**

Thank you for the opportunity to comment on this matter.

Sincerely,



Vikki Barbero
Chair

Charles Jordan
Chair, Land Use, Housing & Zoning Committee



CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD 10
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CICELY HARRIS
Chairperson

ANDREW LASSALLE
District Manager

June 6, 2018

RE: Resolution of Non-Support for Proposed M1 Hotel Zoning Text Amendment

Whereas, The New York City Department of City Planning (DCP) is proposing a zoning text amendment to establish a new Special Permit under the jurisdiction of the City Planning Commission for new hotels, motels, tourist cabins, and boatels in light manufacturing (M1) districts citywide. A Special Permit is a discretionary action by the City Planning Commission (CPC), subject to the public review process (ULURP), which may modify use regulations if certain conditions specified in the Zoning Resolution are met. The public review process includes Community Board, Borough President, and CPC review. The City Council may elect to review a Special Permit application and Mayoral review is also optional. Because there are very few motels, tourist cabins, or boatels in NYC, the term “hotel” is used here to refer to all of these transient accommodations,

Whereas, DCP needs to ensure that sufficient opportunities for industrial, commercial, and institutional growth remain, and believes it would be beneficial to revisit the zoning framework for M1 districts. However, since 2010, there has been a rapid increase in hotels in M1 districts, particularly in areas near transit. A market analysis of the City’s hotel conditions, produced by a real estate and economics consultant team engaged by DCP, assessed current and anticipated future conditions in the City’s hotel industry,

Whereas, The increase in hotels is due to a combination of rapid growth in tourism in New York City over the last decade and the current zoning framework. DCP has recognized that the following aspects of the zoning of M1 districts make it especially well-suited for hotel development:

- I. Hotels are commonly developed to the maximum permitted FAR, often at odds with surrounding lower scale industrial uses in many M1 districts.
- II. The height and setback regulations allow for tower development, and these tall, slender buildings often provide for efficient hotel layouts
- III. Hotels can be developed on small, narrow lots, which are more widely available than large lots. Lot assemblages are not usually needed.
- IV. The zoning has low parking and loading requirements for hotels.

Whereas, By establishing a new CPC special permit, DCP proposes a case-by-case, site-specific review process to ensure that hotel development occurs only on appropriate sites, based on reasonable considerations regarding whether a hotel presents the potential for conflicts with the surrounding uses and how well a hotel reflects the general character of the surrounding area. A CPC special permit would allow for the consideration of appropriateness of hotel development in

both the actively light industrial areas, where hotels and existing uses are potentially incompatible, and the more mixed-use areas within M1 districts, where the City may want to direct growth towards various other employment sectors. A CPC special permit would also still allow for hotels to serve the needs of the tourism industry when appropriate,

Whereas, Transient hotels operated for a public purpose by the City of New York or organizations under contract with City will be exempt from the Special Permit requirement. Hotels operated for a public purpose are primarily used to provide temporary housing assistance, or shelter, to homeless individuals and families. It is a legal obligation of the City to provide shelter to all eligible persons within the five boroughs, and the City must maintain the existing flexibility in zoning that permits temporary housing for the homeless in all M1 districts to ensure it has sufficient capacity to meet census demand for temporary accommodations,

Whereas, The proposed CPC Special Permit would apply to all M1 districts, excluding MX or paired M1/R districts, except for:

- M1 districts that include airport property and non-residential M1 districts adjacent to airports. These M1 districts have a unique economic function in NYC and provide essential airport services, and options for accommodations are among those necessary services.
- M1 districts with existing hotel Special Permit provisions, since appropriate controls for hotel development have already been implemented for these areas.

Whereas, Any hotel existing within M1 districts on the date of adoption of the proposed zoning text amendment would be considered a conforming use, meaning that any enlargement or extension would be permitted so long as it does not exceed 20% of the existing floor area and the zoning lot is not enlarged. Any enlargement or extension that does exceed 20% would require the proposed Special Permit. Additionally, hotel developments with a building permit or partial permit issued by the Department of Buildings before the referral date of the proposed action would be permitted to start or continue construction as long as they complete their construction and obtain a certificate of occupancy within three years of the date of adoption of the proposed zoning text amendment,

Whereas, DCP presented the proposed M1 Hotel Zoning Text Amendment at Community Board 10 Land Use Meeting on Thursday May 17, 2018

Whereas, The CB10 Land Use committee voted against the text amendment. Partially due to the CB10 moratorium on special interest housing, the committee was not in favor of the “grandfathering” of the construction of transient hotels.

Whereas, M1 zoning districts are widely located far away from commercial business districts, where hotels are typically located.

Whereas, Instead of building transient housing such as motels, we urge the Mayor and DCP to collaborate with HPD to build permanent housing for low-income and formerly homeless households. NYC is facing an affordable housing crisis which acutely affects the ever-growing

homeless population of approximately 75,000 individuals and children. These formerly homeless families should be provided permanent affordable housing rather than transient housing in ill-suited enclaves used primarily for manufacturing purposes. Furthermore, the zoning text amendment facilitates the development of transient housing which costs about \$170 per day per person for tens of thousands of New Yorkers in the shelter system. This policy is an ineffective, costly mechanism which fails to provide long-term solutions to housing families and individuals in the shelter system.

Whereas, Manufacturing districts are not appropriate for developing transient hotels to house the homeless. We need more permanent housing for the homeless and low-income communities, which will not be accomplished by this zoning text amendment. We recommend that any zoning action for residential use in manufacturing districts include permanent housing and long-term comprehensive planning to make these areas more suitable for permanent residential uses.

Therefore, be it resolved that, At its regularly scheduled General Board meeting held on Wednesday, June 6, 2018, Community Board 10 approved the following resolution **RE:** Non-Support for Proposed M1 Hotel Zoning Text Amendment by a vote of 31 in favor, 1 opposed, and 2 abstention.



COMMUNITY BOARD ELEVEN

BOROUGH OF MANHATTAN
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Nilsa Orama
Chair

Angel D. Mescaín
District Manager

June 26, 2018

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

Re: Recommendation on Land Use Application No. N 180349 ZRY

Dear Director Lago,

On June 14, 2018, Community Board 11 (CB11) voted on land use application, N 180349 ZRY, submitted by the New York City Department of City Planning (“the applicant”) with respect to a proposed zoning text amendment which would introduce a Special Permits under the jurisdiction of the City Planning Commission for new hotels, motels, tourist cabins, and boatels in Light Manufacturing (M1) districts citywide. CB11’s held a public hearing on this matter during the meeting of our Land Use, Landmarks & Planning Committee on June 13, 2018; representatives from the Department of City Planning initially presented the proposal to the committee on May 9, 2018.

Project Description

According to the Environmental Impact Statement for this application:

“The Department of City Planning “believes it would be beneficial to revisit the zoning framework for M1 districts. In this context, the proliferation of hotels in M1 districts is seen as problematic. Hotels are currently permitted as-of-right in M1 districts, and hotel development in M1 districts has accelerated significantly since 2010. A combination of rapid growth in tourism in New York City (“NYC” or the “city”) and the current zoning framework, which in M1 districts work well for hotels, have contributed to a significant increase in new hotel development in M1 districts, particularly in areas near transit. M1 districts require relatively little off-street parking for hotels, and the height and setback regulations work well for the tall, slender hotels that have become more common in the city. Hotels also benefit from a business model that can maximize the value of permitted height and floor area ratios in M1 districts.

Consequently, hotels have proven flexible enough to develop on more readily-available smaller or constrained sites, potentially precluding other types of development that may rely on assemblages to create development sites that comply with zoning requirements and provide a viable, marketable building.

Hotels may directly or indirectly detract from opportunities for other kinds of development—including industrial, residential, institutional and other commercial uses—by occupying vacant or underdeveloped sites that may be inappropriate because they create land use conflicts, or by driving the expansion of other tourism-oriented uses. Given the disparate characteristics of the city’s M1 districts, the increasingly diminishing stock of buildable land in NYC and M districts’ position as NYC’s last land reservoirs, careful thought about the trajectory of hotel development is appropriate.

The CPC special permit would be required for transient accommodations including hotels, motels and boatels. This would allow for more balanced neighborhood growth, prevent conflicts with viable industrial businesses in core industrial areas, while supporting the growth of other kinds of commercial uses and, in limited instances, residential uses in other light manufacturing districts.”

Community Board Recommendation

Community Board 11 (CB11) recommends approval of Land Use Application N 180349 ZRY for proposed M1 Hotel Text Amendment as presented by the Department of City Planning on the condition that the City should not exempt itself from the requirements of the proposed amendment.

Full Board Vote: 31 in favor; 1 opposed, 1 abstained

If you have any questions regarding our recommendation, please contact Angel Mescain, District Manager, at 212-831-8929 or amescain @cb11m.org.

Sincerely,



Nilsa Orama
Chair
Community Board 11

cc: Hon. Gale A. Brewer, Manhattan Borough President (via email)
Hon. Diana Ayala, New York City Council (via email)
Hon. Bill Perkins, New York City Council (via email)
Hon. Ben Kallos, New York City Council (via email)
Hon. Keith Powers, New York City Council (via email)
Hon. Jose M. Serrano, New York State Senate (via email)
Hon. Brian Benjamin, New York State Senate (via email)
Hon. Robert Rodriguez, New York State Assembly (via email)
Hon. Inez Dickens, New York State Assembly (via email)
Matthew Pietrus, NYC Department of Parks and Recreation (via email)
Steven Villanueva, Community Board 11 (via email)
Alex Kohen, Community Board 11 (via email)



Application #:	Project Name:
CEQR Number:	Borough(s): Community District Number(s):
Please use the above application number on all correspondence concerning this application	

SUBMISSION INSTRUCTIONS

1. Complete this form and return to the Department of City Planning by one of the following options:
 - **EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line:
(CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ" ~~XXXXXXXXXX~~
 - **MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - **FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
2. Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

Applicant(s):		Applicant's Representative:	
Recommendation submitted by:			
Date of public hearing:		Location:	
Was a quorum present? YES <input type="checkbox"/> NO <input type="checkbox"/>		A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.	
Date of Vote:		Location:	
RECOMMENDATION <input type="checkbox"/> Approve <input type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove <input type="checkbox"/> Disapprove With Modifications/Conditions			
<u>Please attach any further explanation of the recommendation on additional sheets, as necessary.</u>			
Voting # In Favor: # Against: # Abstaining: Total members appointed to the board:			
Name of CB/BB officer completing this form		Title	Date



Community Board 12 - Manhattan Washington Heights & Inwood

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Website: www.nyc.gov/mcb12

Shahabuddeen A. Ally, Esq., Chairperson
Ebenezer Smith, District Manager

June 29, 2018

Hon. Marisa Lago, Chairperson
NYC Planning Commission
120 Broadway, 31st Floor
New York, NY 10271

Resolution Supporting the M-1 Zone Hotel Text Amendment Proposed by the Department of City Planning.

Dear Chairperson Lago:

At the General Meeting of Community Board 12 Manhattan held on Tuesday, June 26, 2018 the following resolution passed with a vote of 42 in favor, 1 opposed, 0 abstentions.

Whereas: The Department of City Planning ("DCP") is proposing a Citywide Text Amendment ("Land Use Application N180349 ZRY" or the "Text Amendment") to introduce a Special Permit under the jurisdiction of the City Planning Commission ("CPC") to establish restrictions on the development of new hotels, motels, tourist cabins and boatels in Light Manufacturing (M1) districts in order 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 proposed Text Amendment would apply to all M-1 districts excluding MX or paired M-1/R districts, M-1 districts that include or are adjacent to airport property, and M-1 districts with existing hotel Special Permit provisions; and

Whereas: Over the last several decades New York City (the "City") has become one of the most popular tourist destinations. In 2017 the City was visited by nearly 63 million tourists. This increase in tourism is driving an increased demand for hotels and hotel development citywide. Since 2010 hotel room inventory increased 42%, with more than 33,000 new hotel rooms created in 220 new hotel properties; and

Whereas: Hotels are currently permitted as-of-right in M-1 districts. Since 2010 there has been a rapid increase in the development of hotels in M-1 districts, particularly on sites near transit. Thirteen percent (13%) of all existing hotel rooms in the City are in M-1 zoned districts. Currently, there are 24,000 hotel rooms in the development pipeline, 30% of which are located in M-1 zoning districts; and

Whereas: While the growth of tourism has had positive economic development impacts for the City, land use conflicts have also resulted. Hotels developed in M-1 districts that retain strong industrial characteristics can conflict with existing businesses that generate noise, truck traffic, loading activity and other perceived nuisances, often resulting in complaints from hotel guests; and

Whereas: The rapid growth of tourism and hotel demand has given hotel development a competitive advantage over other uses permitted as-of-right in M-1 zoned districts. This competitive advantage may directly or

indirectly detract from the development of other permitted uses required to fulfill neighborhood development needs and objectives, and may also accelerate neighborhood change; and

Whereas: The proposed Special Permit would require a full ULURP, including community board review, that would examine developments on a site-specific, case-by-case basis and would allow for the consideration of the appropriateness of new hotel developments in both M-1 districts with active light industrial business activity and well as M-1 districts where the City may want to direct growth of other development types, employment sectors or housing. The Special Permit would allow CPC to consider the balanced mix of uses, jobs and other opportunities for future growth and development of light industrial and other uses permitted in M-1 zones; and

Whereas: There are limited M-1 zoned sites in Washington Heights and Inwood, primarily at the tip of Manhattan and in Sherman Creek. The proposed Inwood Rezoning already includes provisions to balance and control hotel development; and

Whereas: On June 6, 2018 Sarah Elmore, Planner for DCP's Manhattan office presented the proposal for the Text Amendment to the Land Use Committee of Community Board 12-Manhattan; now, therefore, be it

Resolved: Community Board 12-Manhattan supports the M-1 Hotel Text Amendment.

Sincerely,



Shahabuddeen A. Ally, Esq.
Chairperson

cc: Hon. Bill de Blasio, Mayor
Hon. Gale Brewer, Manhattan Borough President
Hon. Scott M. Stringer, Comptroller
Hon. Letitia James, Public Advocate
Hon. Adriano Espaillat, Congressman
Hon. Brian Benjamin, State Senator

Hon. Alfred Taylor, Assembly Member
Hon. Carmen De La Rosa, Assembly Member
Hon. Ydanis Rodriguez, Council Member
Hon. Mark Levine, Council Member
Hon. Edith Hsueh, Director NYC Planning
Hon. Marisol Aicantara, State Senator

Queens Borough Board Recommendation

ULURP #180349 ZRY

COMMUNITY BOARD: CITYWIDE

DOCKET DESCRIPTION

IN THE MATTER OF an application filed by the Department of City Planning, pursuant to Sections 200 and 201 of the NYC Charter, proposing a zoning text amendment to Article VII, Chapter 4 of the New York City Zoning Resolution to create a new City Planning Commission Special Permit for new hotels, motels, tourist cabins and boatels in light manufacturing (M1) districts.

PUBLIC MEETING

A Public Meeting was held in the Borough President's Conference Room at 120-55 Queens Boulevard on Monday, July 9, 2018, at 5:30 P.M. pursuant to Section 82(5) of the New York City Charter and was duly advertised in the manner specified in Section 197-c (i) of the New York City Charter.

CONSIDERATION

Subsequent to a presentation of the proposal and consideration of the discussion at the public meeting, the following issues and impacts have been identified:

- The Department of City Planning is proposing a zoning text amendment to require a City Planning Commission Special Permit for new hotels within M1 districts;
- The new City Planning Commission Special Permit for new hotels in M1 districts would allow a case-by-case site-specific review process to ensure that hotel development occurs on appropriate sites subject to the findings of the special permit. The purpose of this zoning amendment is to ensure that there are sufficient opportunities to support industrial, commercial, and institutional growth;
- The proposed special permit is a discretionary action by the City Planning Commission subject to the full ULURP public review process. The public review process includes Community Board, Borough President and City Planning Commission review. The City Council may elect to review a Special Permit application and mayoral review is optional;
- As originally proposed, the CPC Special Permit would apply to all new hotel development within M1 districts excluding M1 districts in airport properties and areas adjacent to airports. Hotels for a public purpose as specified by the City of New York or organizations under contract with the City would be exempted from the Special Permit requirement;
- The Department of City Planning has made several presentations on the proposed special permit for hotels in M1 districts at the Queens Community Board meetings and the Queens Borough Board;
- Concerns had been raised by various Borough Board and Community Board members at those meetings regarding several aspects of the proposal including: the exemption of hotels for public purpose primarily used to provide temporary housing assistance or shelter for homeless individuals and families; the proposed special permit may lead to hotel uses locating as-of-right into other areas such as local commercial districts near highway exits or other commercial districts; and areas near airports should not be exempted since some of those areas are residential in nature;
- The Department of City Planning has issued notification of an amended application (ULURP #180349 (A)) identified as the *Airport Areas Inclusion Alternative* that would no longer exempt the M1 Districts adjacent to LaGuardia and John F Kennedy Airports from the requirement for new hotels in those areas to apply for the proposed Special Permit;
- Community Board 1 (CB 1) approved this application by a vote of nineteen (19) in favor with eleven (11) against and none (0) abstaining at a public hearing held on June 19, 2018. CB 1's recommendation noted a number of concerns which included: the proposed special permit is exempted in the Long Island City Special Mixed Use District; new hotels which are identified as for public purpose are exempted; the proposed special permit has immediately triggered new permit filings for hotels to qualify for grandfathered status; proposed three year window to complete new hotel construction is too generous; and if approved the special permit would spur as-of-right hotel development in commercial district in areas meant for delivery of local services. CB 1 expressed concerns about hotel development in the Ravenswood and Dutch Kills neighborhoods;
- Community Board 2 (CB 2) approved this application by a vote of twenty-eight (28) in favor with none (0) against or abstaining at a public hearing held on June 7, 2018. CB 2's conditions of approval were that DCP should initiate a study to include the LIC Special Mixed Use District and other special districts as areas where hotel development would require the proposed special permit;
- Community Board 3 conditionally approved this application at the monthly public meeting held on May 17, 2018. The condition is that DCP keep Community Board 3 informed of the progress and development of this Zoning Text Amendment;

- Community Board 4 Zoning Committee approved this application;
- Community Board 5 (CB 5) disapproved this application by a vote of thirty-three (33) against with none (0) in favor or abstaining at a public meeting on June 13, 2018. CB 5 cited the significant amount of M1 Districts in their area and the concern that the exemption of hotels for public purpose would undermine the intent of the proposed amendment;
- Community Board 6 conditionally approved this application at their June 13, 2018 meeting. CB 6's condition of approval is that any transient facility even for public purpose should be subject to the special permit and its requirements;
- Community Board 7 did not take a position. The Land Use Committee Chair commented that: the proposed special permit requirement places an unfair burden on developers and that instead it should be 45-day CPC referral process; the exemption of the special permit requirement when a hotel is proposed for a public use should be eliminated;
- Community Board 8 Executive members disapproved the application;
- Community Board 9 disapproved with modifications: the exemption of the special permit requirement when a hotel is proposed for a public use should be eliminated; a second special permit should be required when a hotel initially receives a special permit and subsequently the City determines the hotel be used for a public purpose;
- Community Board 10 (CB 10) conditionally approved the application by a vote of thirty-one (31) in favor with none (0) opposed or abstaining at a public meeting held on June 7, 2018. CB 10's modifications/conditions were as follows: the exemptions for M1 District on airport and areas adjacent to airports should be eliminated; and all proposed hotel uses within M1 districts be required to obtain a special permit;
- Community Board 11 (CB 11) conditionally approved with the application by a vote of twenty-two (22) in favor with six (6) opposed and five (5) abstaining at a public meeting held on June 11, 2018. CB 11's conditions are that the exemption for hotels for public purpose should be eliminated and the hotel special permit requirement should be extended to all zoning districts;
- Community Board 12 approved this application;
- Community Board 13 approved with conditions;
- Community Board 14 approved with a condition that the special permit requirement should be extended to all hotels;

RECOMMENDATION

Based on the above consideration, the Queens Borough Board by a vote of eleven (11) in favor and five (5) against with two (2) abstentions recommends approval of the proposed Special Permit for hotels in M1 District with the following conditions:

- The Department of City Planning should conduct a study to determine if the Long Island City Special Mixed Use District and other special districts should have the hotel M1 Special Permit requirement;
- Hotels for public purposes in the M1 Districts should also be required to go through the special permit review process;
- M1 areas adjacent to the airports should not be exempted from the hotel special permit requirement;
- Special permits for hotels in all districts should be required;



 PRESIDENT, BOROUGH OF QUEENS

7/18/18

 DATE

Queens Borough President Recommendation

ULURP #180349 ZRY

COMMUNITY BOARD: CITYWIDE

DOCKET DESCRIPTION

IN THE MATTER OF an application filed by the Department of City Planning, pursuant to Sections 200 and 201 of the NYC Charter, proposing a zoning text amendment to Article VII, Chapter 4 of the New York City Zoning Resolution to create a new City Planning Commission Special Permit for new hotels, motels, tourist cabins and boatels in light manufacturing (M1) districts.

PUBLIC MEETING

A Public Hearing was held in the Borough President's Conference Room at 120-55 Queens Boulevard on Thursday, July 12, 2018, at 5:30 P.M. pursuant to Section 82(5) of the New York City Charter and was duly advertised in the manner specified in Section 197-c (i) of the New York City Charter. There was one (1) speaker in favor. The hearing was closed.

CONSIDERATION

Subsequent to a presentation of the proposal and consideration of the discussion at the public meeting, the following issues and impacts have been identified:

- The Department of City Planning is proposing a zoning text amendment to require a City Planning Commission Special Permit for new hotels within M1 districts;
- The new City Planning Commission Special Permit for new hotels in M1 districts would allow a case-by-case site-specific review process to ensure that hotel development occurs on appropriate sites subject to the findings of the special permit. The purpose of this zoning amendment is to ensure that there are sufficient opportunities to support industrial, commercial, and institutional growth;
- The proposed special permit is a discretionary action by the City Planning Commission subject to the full ULURP public review process. The public review process includes Community Board, Borough President and City Planning Commission review. The City Council may elect to review a Special Permit application and mayoral review is optional;
- As originally proposed, the CPC Special Permit would apply to all new hotel development within M1 districts excluding M1 districts in airport properties and areas adjacent to airports. Hotels for a public purpose as specified by the City of New York or organizations under contract with the City would be exempted from the Special Permit requirement;
- The Department of City Planning has made several presentations on the proposed special permit for hotels in M1 districts at the Queens Community Board meetings and the Queens Borough Board;
- Concerns had been raised by various Borough Board and Community Board members at those meetings regarding several aspects of the proposal including: the exemption of hotels for public purpose primarily used to provide temporary housing assistance or shelter for homeless individuals and families; the proposed special permit may lead to hotel uses locating as-of-right into other areas such as local commercial districts near highway exits or other commercial districts; and areas near airports should not be exempted since some of those areas are residential in nature;
- The Department of City Planning has issued notification of an amended application (ULURP #180349 (A)) identified as the *Airport Areas Inclusion Alternative* that would no longer exempt the M1 Districts adjacent to LaGuardia and John F Kennedy Airports from the requirement for new hotels in those areas to apply for the proposed Special Permit;
- Community Board 1 (CB 1) approved this application by a vote of nineteen (19) in favor with eleven (11) against and none (0) abstaining at a public hearing held on June 19, 2018. CB 1's recommendation noted a number of concerns which included: the proposed special permit is exempted in the Long Island City Special Mixed Use District; new hotels which are identified as for public purpose are exempted; the proposed special permit has immediately triggered new permit filings for hotels to qualify for grandfathered status; proposed three year window to complete new hotel construction is too generous; and if approved the special permit would spur as-of-right hotel development in commercial district in areas meant for delivery of local services. CB 1 expressed concerns about hotel development in the Ravenswood and Dutch Kills neighborhoods;
- Community Board 2 (CB 2) approved this application by a vote of twenty-eight (28) in favor with none (0) against or abstaining at a public hearing held on June 7, 2018. CB 2's conditions of approval were that DCP should initiate a study to include the LIC Special Mixed Use District and other special districts as areas where hotel development would require the proposed special permit;
- Community Board 3 conditionally approved this application at the monthly public meeting held on May 17, 2018. The condition is that DCP keep Community Board 3 informed of the progress and development of this Zoning Text Amendment;

- Community Board 4 Zoning Committee approved this application;
- Community Board 5 (CB 5) disapproved this application by a vote of thirty-three (33) against with none (0) in favor or abstaining at a public meeting on June 13, 2018. CB 5 cited the significant amount of M1 Districts in their area and the concern that the exemption of hotels for public purpose would undermine the intent of the proposed amendment;
- Community Board 6 conditionally approved this application at their June 13, 2018 meeting. CB 6's condition of approval is that any transient facility even for public purpose should be subject to the special permit and its requirements;
- Community Board 7 did not take a position. The Land Use Committee Chair commented that: the proposed special permit requirement places an unfair burden on developers and that instead it should be 45-day CPC referral process; the exemption of the special permit requirement when a hotel is proposed for a public use should be eliminated;
- Community Board 8 Executive members disapproved the application;
- Community Board 9 disapproved with modifications: the exemption of the special permit requirement when a hotel is proposed for a public use should be eliminated; a second special permit should be required when a hotel initially receives a special permit and subsequently the City determines the hotel be used for a public purpose;
- Community Board 10 (CB 10) conditionally approved the application by a vote of thirty-one (31) in favor with none (0) opposed or abstaining at a public meeting held on June 7, 2018. CB 10's modifications/conditions were as follows: the exemptions for M1 District on airport and areas adjacent to airports should be eliminated; and all proposed hotel uses within M1 districts be required to obtain a special permit;
- Community Board 11 (CB 11) conditionally approved with the application by a vote of twenty-two (22) in favor with six (6) opposed and five (5) abstaining at a public meeting held on June 11, 2018. CB 11's conditions are that the exemption for hotels for public purpose should be eliminated and the hotel special permit requirement should be extended to all zoning districts;
- Community Board 12 approved this application;
- Community Board 13 approved with conditions;
- Community Board 14 approved with a condition that the special permit requirement should be extended to all hotels;
- The Queens Borough Board conditionally approved this application by a vote of eleven (11) in favor with five (5) against and two (2) abstentions at a public meeting held on July 9, 2018. The conditions of approval reflect concerns that were raised by the individual community boards in their review of the proposed Special Permit for hotels in M1 Districts.

RECOMMENDATION

Based on the above consideration, I hereby recommend approval of this application with the following conditions:

- The Department of City Planning should conduct a study to determine if the Long Island City Special Mixed Use District and other special districts should have the hotel M1 Special Permit requirement;
- Hotels for public purposes in the M1 Districts should also be required to go through the special permit review process;
- M1 areas adjacent to the airports should not be exempted from the hotel special permit requirement;
- Special permits for hotels in all districts should be required;


 PRESIDENT, BOROUGH OF QUEENS

7/18/18
 DATE



City of New York Community Board #1, Queens

The Pistilli Grand Manor
45-02 Ditmars Boulevard, LL Suite 1025
Astoria, N.Y. 11105

Tel: 718-626-1021, Fax: 718-626-1000
E-mail: qn01@cb.nyc.gov

OFFICE OF THE
CHAIRPERSON

JUL 16 2018
31258

EXECUTIVE BOARD

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Norma Nieves-Blas
First Vice Chairperson
Jean Marie D'Alleva
Second Vice Chairperson
Richard Khuzami
Third Vice Chairperson
Edward Babor
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Cultural
Nancy Silverman
Public Safety
Ann Bruno
Antonio Meloni
Transportation
Robert Piazza
Jose Batista

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

RE: **N 180349 ZRY: M1 Hotel Zoning Text Amendment**

Dear Chair Lago:

On June 19, 2018 Community Board 1 Queens (CB1Q), after a duly advertised public hearing and on recommendation of the Land Use Committee, voted to support the proposed M1 District Hotel Zoning Text Amendment (N 180349 ZRY) with 19 in favor, 11 opposed and 0 abstentions.

While the purpose of the proposed special permit is to appropriately site new hotels and ensure a mix of uses that support industrial, commercial and institutional growth in M1 districts and IBZs, the new requirement also raises more land use issues for this Community District.

- The Text Amendment does not address the hotel-related issues in CD1 that arose since the adoption of the Long Island City Special Purpose District. That zoning amendment envisioned new mixed commercial and residential development but, instead, the Special District significantly tipped the residential/industrial balance from a traditionally mixed-use neighborhood to an area that is now predominantly commercial and transient.
- The proposed zoning text exempts any new hotel proposed in the LIC Special Purpose District from special permit review; allowing the current hotel development trend in the area to continue;
- The proposed zoning text exempts any new hotel from special permit review that is used for or converted to a public purpose, potentially causing oversaturation of shelters in the Dutch Kills and Ravenswood areas;
- The text amendment will increase filings with DOB to secure permits for hotels so they may be grandfathered and avoid special permit review. In recent months permit applications were filed with DOB to construct 700+ new rooms at four sites in CD1.
- Three years is too generous a timeline to complete construction under existing zoning regulations without community review. There has already been a stalled and incomplete construction site in Dutch Kills that requested from BSA an extension of time to complete under the previous zoning regulations.
- Adopting a special permit requirement would transfer hotel development pressures to local areas where they are permitted as-of-right, i.e. local commercial streets that are zoned C4-2A and C4-3; but developed with local service uses for the surrounding residential areas.

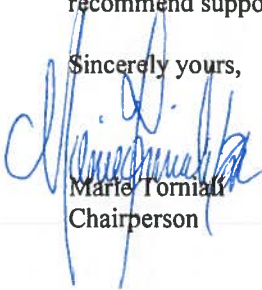
Melinda Katz
Borough President, Queens
Vicky Morales
Director, Community Boards
Marie Torniali
Chairperson
Florence Koulouris
District Manager

BOARD MEMBERS (cont.)

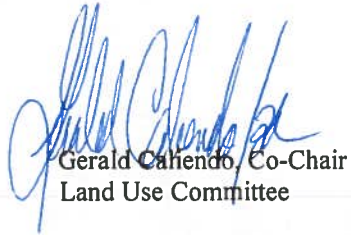
Rose Anne Alafogiannis
George Alexiou
Loren Amor
Giselle Aida Burgess
Edwin Cadiz
Katerina Duarte
Katie Ellman
Mackenzi Farquer
Dean O. Feratovic
Amy Hau
Helen Ho
Pauline Jannelli
Vanessa Jones-Hall
George Kalergios
Nancy Konipol
Jerry Kril
Frances Luhmann-McDonald
Hannah Lupien
Prabir Mitra
Eric Mouchette
Stella Nicolaou
Mary O'Hara
Yawne Robinson
Manuel Salce
Rodolfo Sarchese
Dominic Stiller
Andre Stith
Kathleen Warnock

The Community Board's vote followed a presentation by a Department of City Planning representative and discussion about the land use trends in Ravenswood and Dutch Kills where the number of new hotels soared over the last decade and where there is a new trend to convert hotels or use rooms in existing hotels for homeless shelters. The Land Use Committee had the same concerns as those raised by the Board and after discussing the text amendment at the May and June committee meetings there was consensus to recommend support of the text amendment since it gives the community the benefit of some oversight.

Sincerely yours,



Marie Tornia
Chairperson



Gerald Cahendo, Co-Chair
Land Use Committee



Elizabeth Erion, Co-Chair
Land Use Committee



Melinda Katz
Queens Borough President

Community Board No. 2

43-22 50th Street, 2nd Floor
Woodside, New York 11377

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Fax (718) 533-8777
Email qn02@cb.nyc.gov
www.nyc.gov/queenscb2

Denise Keehan-Smith
Chairwoman
Debra Markell Kleinert
District Manager

June 21, 2018

OFFICE OF THE
CHAIRPERSON

~~JUL 01 2018~~

OFFICE OF THE
CHAIRPERSON

JUL 10 2018

31238

Ms. Marisa Lago
Director
Department of City Planning
City Planning Commission
Calendar Information Office
120 Broadway, 31st Floor
New York, NY 10271

RE: **M1 Hotel Text Amendment- Application Number N180349 ZRY**

Dear Ms. Lago:

On June 7, 2018, Community Board 2 held a public hearing to review the M1 Hotel Text Amendment Application Number N180349 ZRY. At that meeting with a quorum present, a motion was made and seconded to approve the application.

The motion carried with 28 in favor of the motion; none opposed and no abstentions.

CB 2 recommends that the Department of City Planning immediately initiate a study to apply a similar hotel special permit provision to the LIC special mixed use district and to other special districts.

Please contact CB2 if you have any questions.

Sincerely,


Debra Markell Kleinert
District Manager

DMK/mag

cc: Honorable Joseph Crowley, US Congress
Honorable Carolyn B. Maloney, US Congress
Honorable Grace Meng, US Congress
Honorable Nydia M. Velazquez, US Congress
Honorable Michael Gianaris, NY State Senate



COMMUNITY BOARD No. 3, Q.
82-11 37th Avenue, Suite 606
Jackson Heights, New York 11372
Telephone: (718) 458-2707 Fax: (718) 458-3316
Website: www.CB3QN.NYC.GOV
Email: Communityboard3@nyc.rr.com

City Planning Commission
Calendar Information Office
120 Broadway, 31st Floor
New York 10271

July 2, 2018

Re: **M1 Hotel Text Amendment Special Permit (CPC)**

Dear Commissioner Lago,
Queens Community Board3 reviewed City Planning Commission's M1 Hotel Text Amendment Special Permit proposal at its full board meeting on May 17, 2018.

The proposal calls for the issuance of a Special Permit for all new hotels that desire to build within M1 districts. The objective of the proposal would be to limit the potential for conflicts between uses as well as achieve a balance mix of uses and jobs in neighborhoods by ensuring that sufficient opportunities for industrial, commercial and institutional growth remain.

In Community Board 3 (Project Site/Development Area) is located in the western portion of the district, facing North: at Astoria Boulevard South, South: 25th Avenue, East: 77th Street, and West: Brooklyn/Queens Expressway. This is the property where the Bulova Corporate Center, Home Depot and Bed Bath and Beyond resides.

Recommendation:

Community Board 3 after review of this matter recommends the proposed M1 Hotel Zoning Text Amendment be approved and encouraged to fulfill its use and purpose with the following Proviso:

The Department of City Planning (DCP) will with all its ability, keep Community Board 3 informed of the progress and development of this Zoning Text Amendment.

Vote

The motion to approve the proposal was passed unanimously.

We thank the City Planning Commission for providing us the opportunity to comment on the application.

Sincerely,

Philip R. Papas
Chairman
Community Board 3



COMMUNITY BOARD # 4Q

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46-11 104th Street

Corona, New York

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e-mail: qn04@cb.nyc.gov

Melinda Katz
Borough President

Damian Vargas
Chairperson

Melva Miller
Deputy Borough President

Christian Cassagnol
District Manager

June 14, 2018

John Young, Director
NYC DEPT. OF CITY PLANNING
Queens Borough Office
120-55 Queens Blvd.
Kew Gardens, NY 11415

RE: M1 Hotel Special Permit

Dear Mr. Young:

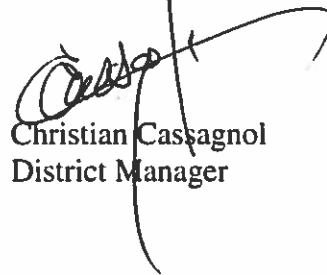
The Zoning and Land Use Committee of CB4Q reviewed and approved the proposed M1 Hotel text amendment as presented by Kathi Ko, NYC Dept. of City Planning.

At a ULURP & Zoning Committee meeting held on Tuesday, May 22, 2018, with a quorum present, the details of the proposed text amendment to require a CPC Special Permit for new hotels within the M1 Districts was presented to the Committee. The Committee was in agreement with the proposal.

Please contact the CB4Q office if you need additional information.

Sincerely,

COMMUNITY BOARD 4



Christian Cassagnol
District Manager

Cc: Kathi Ko
City Planner, Queens



Community Board No. 5

Borough of Queens
Ridgewood, Maspeth, Middle Village and Glendale
61-23 Myrtle Avenue • Glendale, NY 11385
(718) 366-1834
Fax (718) 417-5799
E-mail: qnscb5@nyc.rr.com



Vincent Arcuri, Jr.
Chairperson

Gary Giordano
District Manager

June 30, 2018

Hon. Marisa Lago, Chairperson
and Commissioners
N.Y. City Planning Commission
120 Broadway (31st Floor)
New York, New York 10271
Att: Calendar Office

Email and Mail

Re: CB5Q Recommendation In The Matter Of a
Proposed M1 Zone Hotel Zoning Text Amendment
ULURP No. : N 180349 ZRY
CEQR No.: 18DCP042Y

Dear Chairperson Lago and Commissioners:

Community Board 5, Queens conducted a Public Hearing on Wednesday, May 16, 2018, at 7:30pm, IN THE MATTER OF an Application by the New York City Department of City Planning to introduce a Special Permit, under the jurisdiction of the N.Y. City Planning Commission, for new hotels, motels, tourist cabins and boatels in M1 Zoning Districts throughout the City of New York. At this public hearing, Joy Chen, Planner in the Queens Office of the Dept. of City Planning, gave a power point presentation regarding this application.

Ms. Chen stated that this proposal for an M1 Hotel Zoning Text Amendment would require developers to obtain a Special Permit from the N.Y. City Planning Commission, for the establishment of new hotels, motels, tourist cabins, and boatels in M1 Zoning Districts. She informed those present that the purpose of this proposal is to limit the potential for conflicts between uses, and to achieve a balanced mix of uses and jobs in neighborhoods, by ensuring that opportunities for industrial and commercial growth remain. The power point presentation states that a case-by-case, site specific review process would be established to ensure that hotels are built only on appropriate sites, minimizing conflicts in industrial areas and achieving a balanced mix of uses in mixed use areas.

Ms. Chen cited statistics from a recent market analysis indicating that since 2010 there has been an increase in the number of hotels located in M1 Districts, particularly in areas located near public transit. According to these statistics, 13% of existing hotel rooms are located in M1 Districts, and 30% of hotel rooms currently in construction are being built in M1 Districts.

June 30, 2018

Page 2

COMMUNITY BOARD 5, QUEENS

Hon. Marisa Lago, Chairperson and Commissioners
New York City Planning Commission

Re: CB5Q Recommendation In The Matter Of a
Proposed M1 Zone Hotel Zoning Text Amendment
ULURP No. : N 180349 ZRY

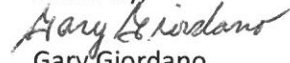
At this hearing, members of Community Board 5, Queens expressed concern that this proposed zoning text amendment would allow an exemption for transient hotels operated for a public purpose. According to our reading of the proposed text amendment, transient hotels operated for a public purpose by the City of New York, or organizations under contract with the City of New York, will be exempt from the special permit requirement. Board Members questioned how many of the existing hotel rooms in Queens are already used by the Dept. of Homeless Services to house homeless people, and with a hotel industry that is supposedly booming, how is it that so many hotels in Queens have closed, and have been converted into homeless shelters?

The Zoning and Land Use Review Committee of Community Board 5, Queens met on Monday, June 4, 2018 to consider this proposed zoning text amendment. Some committee members stated that they liked the concept of requiring a special permit for the location of a hotel or motel in an M1 District, but that the exemption provision for transient hotels operated for a public purpose would pose serious concerns for the M1 zoned areas of District 5, Queens, since District 5, Queens has a significant amount of M1 zoning. After discussion, committee members unanimously agreed to recommend in opposition to this proposed zoning text amendment because this proposed text amendment, if adopted, will allow transient hotels that are the equivalent of homeless shelters to be located in M1 Districts, and because the proposed exemption for hotels operated for a public purpose would undermine the intent of the proposed amendment.

At the regular monthly meeting of Community Board 5, Queens, conducted on June 13, 2018, the members of the Board unanimously voted in opposition to this proposed M1 Zone Hotel Text Amendment for the reasons given in the foregoing paragraph. The vote in opposition to this proposed zoning text amendment was: 33 in favor of opposition, -0- against, -0- abstaining, and -0- not voting.

Please seriously consider the opposition of Community Board 5, Queens to this proposed text amendment, when coming to a decision regarding this important matter.

Sincerely,


Gary Giordano
District Manager

CC: Hon. Bill de Blasio, Mayor of the City of New York
John Young, Director and Joy Chen, Planner-Queens Office, NYC Dept. of City Planning
Hon. Melinda Katz, Borough President of Queens
Hon. Robert Holden, Hon. Antonio Reynoso, Hon. Karen Koslowitz and Hon. James Van Bramer



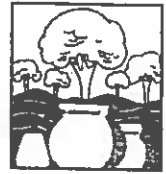
COMMUNITY BOARD 6, QUEENS

104-01 METROPOLITAN AVENUE • FOREST HILLS, NY 11375-4136

TEL: (718) 263-9250 • FAX: (718) 263-2211

QN06@CB.NYC.GOV

WWW.NYC.GOV/CB6Q



Whitepot Settled 1653

JOSEPH C. HENNESSY
CHAIR

FRANK P. GULLUSCIO
DISTRICT MANAGER

GAIL M. GORDON
1ST VICE-CHAIR

STEVEN GOLDBERG
2ND VICE-CHAIR

NAOMI ALTMAN
VICE-CHAIR • SECRETARY

GREGORY CARLSON
VICE-CHAIR • FINANCE

NORMAN LEIBOWITZ
VICE-CHAIR • LAND USE

PETER BEADLE
VICE-CHAIR • SCOPING

MELINDA KATZ
BOROUGH PRESIDENT

June 22, 2018

City Planning Commission
Calendar Information Office
120 Broadway – 31st Floor
New York, NY 10271

To Whom It May Concern:

I am writing to you in reference to the zoning text amendment – N 180349 ZRY.

At the June 13, 2018 meeting of Community Board 6, the board voted unanimously to approve the amendment with the following condition: *Any transient facility, regardless of either having contractual status with a State, City or non-profit organization, or not having such status, and regardless of the eventual end use, be subject to the Special Permit requirements.*

Thank you for your consideration to this matter. Should you require additional information, please do not hesitate to contact me.

Sincerely,

Joseph C. Hennessy
Chair

Frank P. Gulluscio
District Manager

Cc: Mr. John Young, Queens Director – Department of City Planning

Application #: **N180349ZRY**
CEQR Number: **18DCP042Y**

Project Name: **M1 HOTEL TEXT AMENDMENT**
Borough(s): **4**
Community District Number(s):

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
 - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

IN THE MATTER OF an application submitted by **NYC DEPARTMENT OF CITY PLANNING**

Applicant(s): NYC DCP		Applicant's Representative: HALLAH SALEH, CITY PLANNER	
Recommendation submitted by: QUEENS COMMUNITY BOARD 9			
Date of public hearing: 05/08/2018		Location: 127-15 KEW GARDENS RD. KEW GARDENS, NY 11415	
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.	
Date of Vote: 06/12/2018		Location: 88-03 101 AVE OZONE PARK, NY 11416	
RECOMMENDATION <input type="checkbox"/> Approve <input type="checkbox"/> Approve With Modifications/Conditions <input checked="" type="checkbox"/> Disapprove <input checked="" type="checkbox"/> Disapprove With Modifications/Conditions			
Please attach any further explanation of the recommendation on additional sheets, as necessary.			
Voting		5 ABSENT and 1 NOT PRESENT	
# In Favor: 0		# Against: 37 # Abstaining: 1	
		Total members appointed to the board: 44	
Name of CB/BB officer completing this form J. RICHARD SMITH		Title CHAIRPERSON	Date 06/14/2018



COMMUNITY BOARD NO.9

Queens Borough Hall
120-55 Queens Boulevard, Room 310-A
Kew Gardens, NY 11424

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Fax: (718) 286-2685
Email: communitybd9@nyc.rr.com
Website: www.nyc.gov/queenscb9

J. Richard Smith, Chairperson * Lisa Gomes, District Manager * Melinda Katz, Borough President

May 22, 2018

Resolution on M1 Hotel Text Amendment Queens Community Board 9

Whereas the Bill de Blasio administration is proposing a plan to encourage hotel development in M1 (manufacturing) zones throughout the city to address an increase in tourism

Whereas this plan specifically requires a Special Permit that requires a full ULURP process for each proposed hotel.

Whereas the Special Permit requirement is waived whenever the City determines that the proposed site will be used for a "public purpose", such as to house homeless individuals, a jail, etc.

Whereas there is ample precedent for using hotels to house homeless individuals, throughout Queens and the other New York City boroughs.

Whereas there is no provision for the case of a hotel established under this text amendment and it is subsequently determined that it is more advantageous to accept public use.

Therefore be it resolved that Queens Community Board 9

- Strongly **OPPOSES** the waiving of the Special Permit when a hotel is proposed for a public use.
- Strongly **SUPPORTS** a **second** Special Permit when a hotel initially receives a Special Permit and the City subsequently determines that the hotel will be used for a public purpose, for whatever reason.

Application #: N180349 ZRY

Project Name: M1 Hotel Text Amendment

CEQR Number:

Borough(s): Queens
Community District Number(s): 10

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
 - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

IN THE MATTER OF an application submitted by the **N.Y.** City Department of City Planning proposes a zoning text amendment to establish restrictions on new hotel developments within M1 (light manufacturing) districts citywide to ensure that sufficient opportunities to support industrial, commercial and institutional growth remain and that hotels are built on appropriate sites. The proposed text amendment would apply to all M1 districts, excluding MX or paired M1/R districts, as well as M1 districts that include or are adjacent to airport property. In addition, M1 districts with existing hotel Special Permit provisions would be excluded.

Applicant(s): New York City Department of City Planning 120 Broadway, 31st Floor New York, NY 10271		Applicant's Representative: Beth Lebowitz NYC Dept. of City Planning Zoning Division New York, NY 10271
Recommendation submitted by: Community Board 10 Queens		
Date of public hearing: June 7, 2018	Location: South Ozone Park	
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> <small>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</small>		
Date of Vote: June 7, 2018	Location: Knights of Columbus Hall South Ozone Park, NY	
RECOMMENDATION <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove <input checked="" type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove With Modifications/Conditions		
Please attach any further explanation of the recommendation on additional sheets, as necessary.		
Voting # In Favor: 31 # Against: 0 # Abstaining: 0 Total members appointed to the board: 41		
Name of CB/BB officer completing this form Elizabeth Braton	Title Chairperson	Date June 20, 2018

June 20, 2018

Attachment 1 of 1

Re: Application # N.180349

On June 7th, 2018 Community Board 10 Queens voted 31 in favor with 0 opposed and 0 abstaining to recommend approval of this application for the M1 Hotel Text Amendment.

CB #10 Recommendation is to approve the Modifications/Conditions as follows:

1. It is requested that the proposed Text Amendment be modified to not exclude M1 districts that include airport properties and areas adjacent to airports.
2. As per Appendix K-Excluded Areas in M1 District in the Text Amendment and the index map, one area in our community board is named the Ozone Park/JFK and is shown as an exempted area. This area is part of, and adjacent to, a residential area with a school within our Community Board. Community Board 10's position is that the new established restrictions for a Special Permit for new hotel development will be needed in this area and therefore should not be excluded. It is a condition of CB10's approval that all proposed hotel uses within M-1 districts be required to obtain a special permit.



The City of New York

Queens Community Board 11

Serving the Communities of Auburndale, Bayside, Douglaston, Hollis Hills
Little Neck and Oakland Gardens

Christine L. Haider Chairperson **Joseph Marziliano** District Manager

OFFICE OF THE
CHAIRPERSON

June 13, 2018

JUN 19 2018

31208

Marisa Lago, Director
NYC Dept. of City Planning
120 Broadway – 31 Floor
New York, NY 10271-3100

RE: N180349
Proposed M1 Hotel Text Amendment

Dear Ms. Lago:

We are writing to you regarding the proposed zoning text amendment which would introduce a Special Permit in M1 zoning districts.

Queens Community Board 11 met on Monday, June 11, 2018. A public hearing was held. A motion was made to approve the above-referenced amendment with the following provisions: 1) that the exemption for the homeless shelters be removed and 2) that it be extended to all zoning districts. The motion passed by a vote of 22 in favor, 6 opposed, and 5 abstentions.

We trust you will find this information helpful. Thank you.

Sincerely,

Christine L. Haider
Christine L. Haider
Chair

jb



Community Board 12

The City of New York

Borough of Queens

Jamaica, Hollis, St. Albans, South Ozone Park, and Springfield Gardens

90-28 161st Street
Jamaica, New York 11432
qn12@cb.nyc.gov
www.nyc.gov/qcb12

(718) 658-3308
Fax (718) 739-6997

Melinda Katz
BOROUGH PRESIDENT

Vicky Morales Casella
DIRECTOR OF COMMUNITY BOARDS

Rene Hill
CHAIRPERSON

Yvonne Reddick
DISTRICT MANAGER

July 16, 2018

1. Proposed M1 Hotel Zoning Text Amendment submitted by the Department of City Planning. It is required that DOB and CB give permission to build hotels in M1 areas. Currently they have as-of-right to build, so if this vote is passed it will make the process of building in M1 areas much harder

Vote taken at Board Meeting on June 20, 2018

Place of Meeting: Robert Ross Johnson Family Life Center
172-17 Linden Blvd
St. Albans, NY

45 Members Present

42 Members Approved

1 Members Opposed

2 Members abstained

45 Voted

Signature of CB officer completing this form

Title

Date

Yvonne Reddick

District Manager

7/16/2018



Queens Community Board 13

219-41 Jamaica Avenue
Queens Village, NY 11428
718.464.9700
Fax: 718.254.2739
qcb13.org



Melinda Katz
Borough President

Vicky Morales-Casella
Director of
Community Boards

Clive Williams
Chair

Mark McMillan
District Manager

July 31, 2018

Marisa Lago, Director
NYC Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Re: M1 Hotel Text Amendment – Application No. N180349ZRY

Dear Director Lago:

On May 21, 2018, Queens Community Board 13 held a public hearing to review Application No. N180349ZRY. There was avid discussion of the issue of new hotels being built as the community board's southern border abuts JFK Airport. In addition, many of the existing hotels, and one recently opened have become shelters for the homeless.

While our communities believe everyone deserves to have shelter, it appears that many hotels are being built specifically for that purpose. This Text Amendment would go a long way in addressing this issue. It would also slow down hotels being built in odd shapes in unusual places.

The board voted 35 yes, 0 no, 0 abstentions, to support this Tet Amendment. It also set forth the following recommendations:

- Giving the community some control (through community board recommendation vote) and removal of the "as-of-right provision.
- Approvals given with the elimination of "exemptions".
- If a special permit is granted, twenty years must lapse from the hotel opening before it is eligible to be converted, either partially or in full, into a homeless shelter.

We look forward to continue working with the Department of City Planning to make our growing city better, neighborhood by neighborhood.

Sincerely,

Mark McMillan
District Manager

Application #: **N 180349 ZYR**

Project Name: **M1 Hotel Text Amendment**

CEQR Number:

Borough(s): **Queens**

Community District Number(s): **14**

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
 - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

IN THE MATTER OF an application submitted by The NYC Department of City Planning proposes a zoning text amendment to require a City Planning Commission Special Permit for new hotels within MI districts. This proposal would limit the potential for conflicts between uses as well as achieve a balanced mix of uses and jobs in neighborhoods by ensuring that sufficient opportunities for industrial, commercial, and institutional growth remain.

Applicant(s): NYC Department of City Planning		Applicant's Representative: NYC Department of City Planning
Recommendation submitted by: Queens Community Board 14		
Date of public hearing: June 12, 2018		Location: Knights of Columbus Hall- 333 Beach 90 street
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> <small>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</small>		
Date of Vote:		Location:
RECOMMENDATION <input type="checkbox"/> Approve <input checked="" type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove <input type="checkbox"/> Disapprove With Modifications/Conditions Please attach any further explanation of the recommendation on additional sheets, as necessary.		
Voting # In Favor: 29 # Against: # Abstaining: 4 Total members appointed to the board:		
Name of CB/BB officer completing this form jonathan Gaska	Title DM	Date 7/25/2018

* SEE Attached letter



COMMUNITY
BOARD #14

July 25, 2018

COMMUNITY BOARD #14
City of New York
Borough of Queens

To Whom It May Concern,

DOLORES ORR
Chairperson

On June 12, 2018 with a quorum present and a public hearing

JONATHAN GASKA
District Manager

held, Community Board #14 approved N180349-ZYR with the condition
that ALL hotels require a special permit.

*This is an attachment to Planning vote sheet

Sincerely,


Jonathan Gaska,
District Manager

1931 Mott Avenue, Room 311
Far Rockaway, NY 11691
Tel.: (718) 471-7300
Fax: (718) 868-2657
cbrock14@nyc.rr.com



BOROUGH PRESIDENT RECOMMENDATION
Pursuant to the Uniform Land Use Review Procedure

Application #: **N 180349 ZRY**

CEQR #: **18DCP042Y**

Project Name: **M1 HOTEL TEXT AMENDMENT**

Borough(s): **STATEN ISLAND**

Community District Number(s): **1, 2, 3**

Please use the above application number on all correspondence concerning this application

Docket Description:

IN THE MATTER OF an application submitted by New York City Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, to modify Article IV, Chapter 2 (Use Regulations), and related Sections, to create a special permit for new hotels, motels, tourist cabins and boatels in M1 Districts, and to establish APPENDIX K (Excluded Areas in M1 Districts).

Recommendation:

☐

Approve

☒

Approve With Modifications/Conditions

☐

Disapprove

☐

Disapprove With Modifications/Conditions

Explanation of Recommendation, Conditions or Modification:

Staten Island Borough President James S. Oddo recommends approval of the referenced application with the following modifications and conditions:

Existing legal hotels located within M1 Districts on the date of adoption of the proposed zoning text amendment should be considered a conforming use. With the exception of the existing and future hotels and boatels proposed at the South Avenue Corporate Park, situated on the Staten Island Industrial Park Campus, any other proposed hotel enlargements or extensions within Borough M1 Districts would be permitted so long as they do not exceed 20% of the existing floor area and zoning lot is not enlarged. Any enlargement or extension that does exceed 20% would require the proposed Special Permit. Additionally, hotel developments with a permit issued by the Department of Buildings (DOB) before the referral date of the proposed action, would be permitted to commence and/or continue approved construction as long as construction complies with approved plans, is completed and issued a permanent Certificate of Occupancy by the DOB within three years of the date of adoption of the proposed zoning text amendment.

Related Applications:

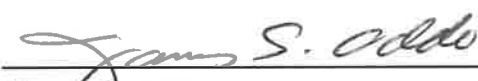
Contact:

Address questions about this recommendation to:

**OFFICE OF THE STATEN ISLAND BOROUGH PRESIDENT
ATTN: LAND USE DIRECTOR**

Address: 10 Richmond Terrace, Room G-12
Staten Island, NY 10301

Phone: 718-816-2112



James S. Oddo
President of the Borough of Staten Island



DATE

Community/Borough Board Recommendation

Pursuant to the Uniform Land Use Review Procedure

Application #: **N 180349**

Project Name: **M1 Hotels Text Amendment**

CEQR Number:

Borough(s): **Staten Island**

Community District Number(s): **1**

Please use the above application number on all correspondence concerning this application

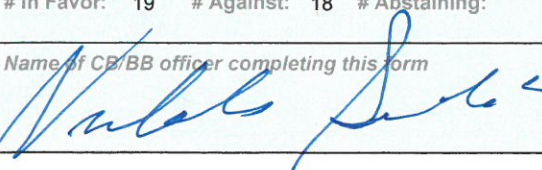
SUBMISSION INSTRUCTIONS

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 - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

IN THE MATTER OF an application submitted by The NYC Department of City Planning proposes a zoning text amendment to require a City Planning Commission Special Permit for new hotels within M1 districts. This proposal would limit the potential for conflicts between uses as well as achieve a balanced mix of uses and jobs in neighborhoods by ensuring that sufficient opportunities for industrial, commercial, and institutional growth remain.

Community Board #1 approved the application with the conditions that: sufficient parking be included one car per 2 guest rooms.

Applicant(s): NYC Department of City Planning 22 Reade Street New York, New York 10007		Applicant's Representative: NYC Department of City Planning 22 Reade Street New York, New York 10007	
Recommendation submitted by: Staten Island Community Board 1			
Date of public hearing:		Location: Board Office	
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> <small>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</small>			
Date of Vote: June 12, 2018		Location: All Saints Church, 2329 Victory Blvd.	
RECOMMENDATION <input type="checkbox"/> Approve <input checked="" type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove <input type="checkbox"/> Disapprove With Modifications/Conditions			
Please attach any further explanation of the recommendation on additional sheets, as necessary.			
Voting # In Favor: 19 # Against: 18 # Abstaining: Total members appointed to the board: 49			
Name of CB/BB officer completing this form 		Title Chairwoman	Date 6/19/2018



DANA T. MAGEE
CHAIR

DEBRA A. DERRICO
DISTRICT MANAGER

THE CITY OF NEW YORK
Community Board 2
BOROUGH OF STATEN ISLAND

460 BRIELLE AVENUE
STATEN ISLAND, NEW YORK 10314
718-317-3235
FAX: 718-317-3251

May 16, 2018

Ms. Yvette Gruel
City Planning Commission
Calendar Information Office
120 Broadway, 31st floor
New York, New York 10271

Re: N 180349 ZRY
M1 Hotel Text Amendment

Dear Ms. Gruel:

We are writing to inform you that on Tuesday, May 15, 2018, at the regular monthly meeting of the Full Board, Community Board 2 reviewed the M1 Hotel zoning text amendment, (N 180349 ZRY), to establish a new Special Permit under the jurisdiction of the City Planning Commission for new hotels, motels, tourist cabins, and boatels in light manufacturing (M1) districts citywide.

Correspondence in support of the M1 Hotel zoning text amendment from the Nicotra Group was read into the public record. After discussion, the Board voted unanimously to approve the above-referenced text amendment and include the condition that the Hampton Inn & Suites Hotel, and future hotels, and boatels located on South Avenue's Corporate Park be exempt from this law and considered "grandfathered" in.

Thank you in advance for taking the Board's comments into consideration.

Sincerely,

Dana T. Magee
Chair

Robert J. Collegio
Chair, Land Use



Community/Borough Board Recommendation

Pursuant to the Uniform Land Use Review Procedure

Application #:	Project Name:
CEQR Number:	Borough(s):
	Community District Number(s):

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

1. Complete this form and return to the Department of City Planning by one of the following options:
- **EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ" ~~XXXXXXXXXX~~

• **MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271

• **FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
2. Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

Applicant(s):	Applicant’s Representative:
Recommendation submitted by:	
Date of public hearing:	Location:
Was a quorum present? YES <input type="checkbox"/> NO <input type="checkbox"/>	A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.
Date of Vote:	Location:
RECOMMENDATION	
<input type="checkbox"/> Approve	<input type="checkbox"/> Approve With Modifications/Conditions
<input type="checkbox"/> Disapprove	<input type="checkbox"/> Disapprove With Modifications/Conditions
<u>Please attach any further explanation of the recommendation on additional sheets, as necessary.</u>	
Voting	
# In Favor:	# Against:
# Abstaining:	Total members appointed to the board:
Name of CB/BB officer completing this form	Title
	Date



**BOROUGH OF STATEN ISLAND
COMMUNITY BOARD #3**

1243 Woodrow Road - 2nd Floor

Staten Island, NY 10309

Telephone: (718) 356-7900 Fax: (718) 966-9013

Website: www.nyc.gov/sicb3

June 28, 2018

M1 HOTEL TEXT AMENDMENT

N 180349 ZRY

CEQR # 18DCP042Y

EXPLANATION OF RECOMMENDATION

Community Board 3 is in agreement with the application to require a special permit for hotel development in M1 zones.

The Board additionally requests that a special permit be required for hotel development in C zones as well. Applicants will seek alternative zoning districts to avoid the special permit process in the M1 zones.