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## Appendix D: Written Comments on the DEIS

**Comments re: N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

Public Hearing Comments (Do not reply) &lt;PublicComments\_DL@planning.nyc.gov&gt;

Sun 7/25/2021 11:45 PM

**To:** Alexander Plackis (DCP) <APlackis@planning.nyc.gov>; Rachel Antelmi (DCP) <RAntelmi@planning.nyc.gov>;  
**CitywideComments\_DL** <CitywideComments\_DL@planning.nyc.gov> 1 attachments (76 KB)

Hotel Special Permit Public Comment.docx;

Re. Project: **N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

- Application Number: **N 210406 ZRY**
- Project: **CITYWIDE HOTELS TEXT AMENDMENT**
- Public Hearing Date: **07/14/2021**
- Borough: **CITYWIDE**
- Community District: **CITYWIDE**

*Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.*

**Submitted by:**Name: **Adrienne Adams**Zip: **11434**

I represent:

- **An elected official**

Details for "I Represent": **Council Member for the 28th Council District in Queens.****My Comments:**Vote: I am **in favor**Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **No****Additional Comments:**

Please see attached letter titled "Hotel Special Permit Public Comment.docx."





# BOROUGH PRESIDENT RECOMMENDATION

|   |   |
|---|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment       |   |
| <b>Applicant:</b> DCP - Department of City Planning (NYC) | <b>Applicant's Administrator:</b> DCP - Department of City Planning (NYC) |
| <b>Application #</b> N210406ZRY                           | <b>Borough:</b> Citywide  |
| <b>CEQR Number:</b> 21DCP111Y                             | <b>Validated Community Districts:</b> CY00                                |

**Docket Description:**

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

**RECOMMENDATION:** Favorable

*Please attach any further explanation of the recommendation on additional sheets as necessary*

**CONSIDERATION:**

|                             |       |                        |
|-----------------------------|-------|------------------------|
| Recommendation submitted by | BK BP | Date: 7/9/2021 4:56 PM |
|-----------------------------|-------|------------------------|





## Brooklyn Borough President Recommendation

CITY PLANNING COMMISSION  
120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271  
[CalendarOffice@planning.nyc.gov](mailto:CalendarOffice@planning.nyc.gov)

### INSTRUCTIONS

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

### APPLICATION

CITYWIDE HOTEL TEXT AMENDMENT – 210406 ZRY

An application submitted by the New York City Department of City Planning (DCP), pursuant to Section 201 of the New York City Charter, for an amendment to modify Article III, Chapter 2 (Use Regulations), Article IV, Chapter 2 (Use Regulations), and related sections of the New York City Zoning Resolution (ZR) to create a special permit for new hotels, motels, tourist cabins, and boatels in Commercial Districts and M1 Districts paired with Residence Districts.

CITYWIDE

### **RECOMMENDATION**

APPROVE  
 APPROVE WITH  
MODIFICATIONS/CONDITIONS

DISAPPROVE  
 DISAPPROVE WITH  
MODIFICATIONS/CONDITIONS

SEE ATTACHED

*Eric L. Adams*

\_\_\_\_\_  
BROOKLYN BOROUGH PRESIDENT

July 9, 2021

\_\_\_\_\_  
DATE

**RECOMMENDATION FOR:** CITYWIDE HOTEL ZONING TEXT AMENDMENT – 210406 ZRY

The New York City Department of City Planning (DCP) submitted an application, pursuant to Section 201 of the New York City Charter (City Charter), for an amendment to modify Article III, Chapter 2 (Use Regulations), Article IV, Chapter 2 (Use Regulations), and related sections of the New York City Zoning Resolution (ZR), to create a special permit for new hotels, motels, tourist cabins, and boatels in Commercial Districts and M1 Districts paired with Residence Districts.

On July 7, 2021, Brooklyn Borough President Eric Adams held a remote public hearing on the proposed zoning text amendments. There were five speakers on the item, all in support, including the Executive Director of Churches United for Fair Housing (CUFFH).

Prior and subsequent to the hearing, Borough President Adams received testimony from several individuals in support of the text amendment, who expressed concern about inappropriate hotel development in their neighborhoods.

**Consideration**

A presentation was made by DCP to the Brooklyn Borough Board on May 4, 2021. The non-ULURP proposal was also reviewed by multiple community boards. Brooklyn Community Boards (CBs) 2 and 10 voted to approve with conditions, and CBs 13 and 15 voted to approve the text change outright. Finally, CBs 11 and 18 voted to disapprove the application.

The proposed action affects all five boroughs since all community districts contain commercial or mixed-use (MX) districts that permit as-of-right hotel development. The zoning text modification would require a City Planning Commission (CPC) special permit for new hotels and enlargements where hotels are currently allowed outright. By establishing a new CPC Special Permit, DCP proposes a case-by case, site-specific review process with the intent to better regulate where and how hotels are built and ensure that new hotels do not create conflicts with surrounding uses. As part of the Special Permit procedure, the CPC would have to find that a proposed hotel use does not impair the future use or development of the surrounding area. Transient hotels operated on or after the date of adoption by the City or State of New York or by a non-governmental entity pursuant to an active contract with an agency of the City or State would not be subject to the Special Permit.

According to DCP, New York City has added more than 54,000 hotel rooms since 2007, a 73 percent increase in supply. While hotels are like residential uses in that they primarily contain sleeping accommodations, the increased presence of transient accommodations and related accessory uses, such as entertainment venues, has at times produced adverse or unexpected conditions in host neighborhoods. Land use conflicts have been observed across the city both in commercially zoned neighborhoods and adjacent residential areas.

As proposed, the special permit provides a means to better regulate hotel construction, which would limit land use conflicts and slow the pace of development in some locations. Borough President Adams agrees that a uniform zoning framework for all new hotels citywide can support more predictable development and limit the extent to which a hotel use may impair the future of a surrounding area. Although hotels are appropriate and desirable uses in the city's commercial, mixed-use, and light manufacturing districts, reviewing the project's relationship to neighborhood context would help minimize conflicts with adjacent uses and protect the safety of hotel guests.

Borough President Adams supports the proposal as public input would advance consideration for quality-of-life and the built character, resulting in reduced, but more appropriate development. Additionally, it would prompt discussion about matters such as the incorporation of resilient and sustainable features, including New York City Department of Environmental Protection (DEP) rain gardens, New York City Department of Transportation (DOT) Open Streets, and Vision Zero

enhancements, as well as local and Minority and Women Business Enterprises (MWBE) hiring in the CPC Special Permit review process.

**Recommendation**

Be it resolved that the Brooklyn borough president, pursuant to Section 197-c of the New York City Charter, recommends that the City Planning Commission and City Council approve this application.

**Comments re: N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

Public Hearing Comments (Do not reply) &lt;PublicComments\_DL@planning.nyc.gov&gt;

Fri 7/23/2021 7:13 PM

**To:** Alexander Plackis (DCP) <APlackis@planning.nyc.gov>; Rachel Antelmi (DCP) <RAntelmi@planning.nyc.gov>;  
**CitywideComments\_DL** <CitywideComments\_DL@planning.nyc.gov> 1 attachments (72 KB)

Dromm re Citywide Hotel Special Permit.pdf;

Re. Project: **N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

- Application Number: **N 210406 ZRY**
- Project: **CITYWIDE HOTELS TEXT AMENDMENT**
- Public Hearing Date: **07/14/2021**
- Borough: **CITYWIDE**
- Community District: **CITYWIDE**

*Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.*

**Submitted by:**Name: **Daniel Dromm**Zip: **11372**

I represent:

- **An elected official**

Details for "I Represent":

**My Comments:**Vote: I am **in favor**Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **No****Additional Comments:**

See attached.



COMMUNITY OFFICE  
37-32 75<sup>TH</sup> STREET, 1<sup>ST</sup> FLOOR  
JACKSON HEIGHTS, NY 11372  
TEL: (718) 803-6373  
FAX: (718) 803-9832

CITY HALL OFFICE  
250 BROADWAY, ROOM 1826  
NEW YORK, NY 10007  
TEL: (212) 788-7066

EMAIL: [dromm@council.nyc.gov](mailto:dromm@council.nyc.gov)



THE COUNCIL  
OF  
THE CITY OF NEW YORK  
**DANIEL DROMM**  
COUNCIL MEMBER, 25<sup>TH</sup> DISTRICT, QUEENS

CHAIR  
FINANCE  
COMMITTEES  
CIVIL & HUMAN RIGHTS  
EDUCATION  
IMMIGRATION  
STATE & FEDERAL LEGISLATION

July 23, 2021

Marisa Lago, Chair  
NYC City Planning Commission

Re: Application #N 210406 ZRY  
Citywide Hotels Text Amendment

Dear Chair Lago and Commissioners:

I am writing to express my strong support for the Citywide Hotel Special Permit.

In a city as densely populated as New York, as-of-right development when it comes to hotels and other short-term lodging does not make sense. While hotels can bring overall benefits to the city, they can also create a host of problems if not sited and designed with the surrounding area in mind.

My district, the most densely populated in Queens, is centrally located, with easy access to LaGuardia and JFK airports as well as major subway and bus lines. My district is also primarily residential, with a healthy retail mix. Its diversity is world-renowned, with over 167 different languages spoken in Jackson Heights alone. Hotels that may be appropriate in Midtown Manhattan or Long Island City may not be suitable and in fact may be destructive to the character and quality of life of many areas of my district.

The Special Permit process will ensure the consideration of important factors unique to each application. This individualized approach brings much needed oversight and input into major projects impacting communities. As such, I urge the passage of this important tool that the city should be employing to bring common sense to hotel development.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Dromm", with a long horizontal line extending to the right.

Daniel Dromm  
NYC Council Member, 25<sup>th</sup> District

**Comments re: N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

Public Hearing Comments (Do not reply) &lt;PublicComments\_DL@planning.nyc.gov&gt;

Wed 7/14/2021 1:33 PM

**To:** Alexander Plackis (DCP) <APlackis@planning.nyc.gov>; Rachel Antelmi (DCP) <RAntelmi@planning.nyc.gov>;  
**CitywideComments\_DL** <CitywideComments\_DL@planning.nyc.gov> 1 attachments (254 KB)

Kallos\_Talestimony\_Hotel\_Zoning\_Amendment\_20210714\_WL.docx.pdf;

Re. Project: **N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

- Application Number: **N 210406 ZRY**
- Project: **CITYWIDE HOTELS TEXT AMENDMENT**
- Public Hearing Date: **07/14/2021**
- Borough: **CITYWIDE**
- Community District: **CITYWIDE**

*Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.*

**Submitted by:**Name: **Ben Kallos**Zip: **10028**

I represent:

- **An elected official**

Details for "I Represent": **Testimony on Behalf of Council Member Ben Kallos.****My Comments:**Vote: I am **in favor**Have you previously submitted comments on this project? **Yes**If yes, are you now submitting new information? **Yes**I have attended or will attend the City Planning Commission's Public hearing on this project: **Yes****Additional Comments:**

I am here today to renew my support of this Citywide Hotel Text Amendment. Per your Consultant Report for this Environmental Impact Study, when the COVID-19 pandemic struck in March 2020, we

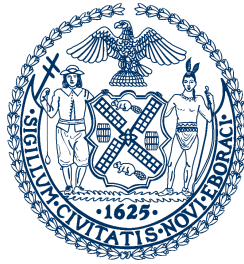
lost a net total of 131 out of 705 hotels and 38,100 out of 127,810 rooms in New York City. That represents a decline of 19 and 30 percent, respectively. Approximately 98 percent of these room closures occurring in my home Borough of Manhattan. As of March 2021, Manhattan's share of NYC hotel rooms had fallen to approximately 74 percent, which is down from 81 percent in January 2020. Occupancy is expected to return to pre-pandemic levels by 2025 along with an increased demand for new hotels. It is estimated in 2025 that hotel room supply will be approximately 95,860 rooms, about 5,390 more rooms than were open as of March 2021. Some of this demand will be satisfied by the current pipeline of 31,800 hotel rooms in active DOB projects, but that still leaves a deficit of almost 64,060 hotel rooms needed. In light of this looming need for hotel rooms, we must have a framework that offers a case-by-case, site-specific review process to ensure that hotel development occurs only in appropriate locations. These considerations must be reasonable regarding opportunities for the future siting of a permitted use on the site and must achieve a balanced mix of uses in the area. By establishing a more uniform zoning framework for all new hotels, our city will be able to foster more predictable growth and reduce the impact of hotels on surrounding areas. By reviewing the new hotel project's placement within the zoning context, we can ensure zoning lot use can be optimally configured to minimize conflict with adjacent uses. The proposed special permit zoning text amendment would require a CPC special permit for new and enlarged Use Group 5 transient hotels and Use Group 7 motels, tourist cabins, and boatels. Because a special permit is a discretionary action by the CPC, subject to ULURP review, this will empower community residents and leaders to weigh in against hotel over-development. Residents will be able to share how new hotels might impact their communities, either positively or negatively. Under the proposed amendment, residents could advocate for hotels that are consistent with the character of their neighborhoods and discourage the placement of new hotels on problematic sites. Affected communities could also ensure new hotels are developed in a way that minimizes congestion or traffic issues and other quality of life issues that arise from regular business activities. The proposed zoning text amendment affects every community district within the City, since all community districts contain zoning districts that currently permit as-of-right hotel development, either in the form of commercial districts or mixed-use districts. This enables city leaders to consider the overall impact on quality of life for residents before a proposed hotel is approved and encourages city leaders to support hotel proposals that are more likely to be successful rather than becoming an eyesore in city neighborhoods. Ultimately, this proposed amendment will promote the overall success, profitability, and recovery of the city's hospitality industry.



**BENJAMIN J. KALLOS**  
COUNCIL MEMBER, 5<sup>TH</sup> DISTRICT

244 East 93<sup>rd</sup> Street  
New York, NY 10128  
(212) 860-1950 Voice  
(212) 980-1828 Fax  
www.BenKallos.com

BKallos@BenKallos.com



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**CO-CHAIR**  
Progressive Caucus

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Governmental Operations  
Oversight & Investigations  
Women & Gender Equity  
Consumer Affairs

July 14, 2021

**Testimony in Support of the City Planning Commission's Proposed Citywide Hotel Text Amendment (CEQR No. 21DCP111Y; ULURP No. N210406ZRY)**

Thank you to City Planning Chair Lago and the members of the City Planning Commission for hearing the proposed citywide text amendment requiring special permits for new hotels. I am here today to renew my support of this Citywide Hotel Text Amendment which has the stated goals of ensuring that new hotel development does not conflict with the neighborhood surroundings and creating a consistent framework for hotel development.

Per your Consultant Report for this Environmental Impact Study, when the COVID-19 pandemic struck in March 2020, we lost a net total of 131 out of 705 hotels and 38,100 out of 127,810 rooms in New York City. That represents a decline of 19 and 30 percent, respectively. Approximately 98 percent of these room closures occurring in my home Borough of Manhattan. As of March 2021, Manhattan's share of NYC hotel rooms had fallen to approximately 74 percent, which is down from 81 percent in January 2020.

Occupancy is expected to return to pre-pandemic levels by 2025 along with an increased demand for new hotels. It is estimated in 2025 that hotel room supply will be approximately 95,860 rooms, about 5,390 more rooms than were open as of March 2021. Some of this demand will be satisfied by the current pipeline of 31,800 hotel rooms in active DOB projects, but that still leaves a deficit of almost 64,060 hotel rooms needed. In light of this looming need for hotel rooms, we must have a framework that offers a case-by-case, site-specific review process to ensure that hotel development occurs only in appropriate locations.

These considerations must be reasonable regarding opportunities for the future siting of a permitted use on the site and must achieve a balanced mix of uses in the area. By establishing a more uniform zoning framework for all new hotels, our city will be able to foster more predictable growth and reduce the impact of hotels on surrounding areas. By reviewing the new hotel project's placement within the zoning context, we can ensure zoning lot use can be optimally configured to minimize conflict with adjacent uses.



**BENJAMIN J. KALLOS**  
NEW YORK CITY COUNCIL MEMBER  
DISTRICT 5, MANHATTAN

The proposed special permit zoning text amendment would require a CPC special permit for new and enlarged Use Group 5 transient hotels and Use Group 7 motels, tourist cabins, and boatels. Because a special permit is a discretionary action by the CPC, subject to ULURP review, this will empower community residents and leaders to weigh in against hotel over-development. Residents will be able to share how new hotels might impact their communities, either positively or negatively.

Under the proposed amendment, residents could advocate for hotels that are consistent with the character of their neighborhoods and discourage the placement of new hotels on problematic sites. Affected communities could also ensure new hotels are developed in a way that minimizes congestion or traffic issues and other quality of life issues that arise from regular business activities.

The proposed zoning text amendment affects every community district within the City, since all community districts contain zoning districts that currently permit as-of-right hotel development, either in the form of commercial districts or mixed-use districts. This enables city leaders to consider the overall impact on quality of life for residents before a proposed hotel is approved and encourages city leaders to support hotel proposals that are more likely to be successful rather than becoming an eyesore in city neighborhoods. Ultimately, this proposed amendment will promote the overall success, profitability, and recovery of the city's hospitality industry.

Let's be a city poised for a sustainable future with new hotels and lodgings that are safe and have a positive impact on the neighborhoods in which they are built. This proposed amendment offers a more holistic approach that allows for the preservation of the essential character of neighborhoods while allowing for contextually appropriate commercial development.

Thank you to Chair Lago and the Commission for your thoughtful engagement and consideration of this proposed text amendment.

Sincerely,

Ben Kallos  
Council Member, 5<sup>th</sup> District, Manhattan

**Comments re: N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

Public Hearing Comments (Do not reply) &lt;PublicComments\_DL@planning.nyc.gov&gt;

Mon 7/26/2021 9:09 PM

**To:** Alexander Plackis (DCP) <APlackis@planning.nyc.gov>; Rachel Antelmi (DCP) <RAntelmi@planning.nyc.gov>;  
**CitywideComments\_DL** <CitywideComments\_DL@planning.nyc.gov> 1 attachments (103 KB)

Special Permits Testimony - Zoning Chair\_JPD ACH (1).pdf;

Re. Project: **N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

- Application Number: **N 210406 ZRY**
- Project: **CITYWIDE HOTELS TEXT AMENDMENT**
- Public Hearing Date: **07/14/2021**
- Borough: **CITYWIDE**
- Community District: **CITYWIDE**

*Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.*

**Submitted by:**Name: **Francisco Moya**Zip: **11368**

I represent:

- **An elected official**

Details for "I Represent": **NYC Council member district 21****My Comments:**Vote: I am **in favor**Have you previously submitted comments on this project? **No**If yes, are you now submitting new information? **Yes**I have attended or will attend the City Planning Commission's Public hearing on this project: **No****Additional Comments:**

Testimony attached



## Testimony from Council Member Francisco P. Moya (21), Chair of the Subcommittee on Zoning and Franchises

As Chair of the Council Subcommittee on Zoning and Franchises, I want to outline my support for the proposed Citywide Hotel Special Permit Text Amendment.

- **Thoughtful Public Input** - ULURP allows the public valuable opportunities to offer input into proposed development projects. As part of the proposed hotel special permit process, local elected officials, including myself and my colleagues on the Council's Land Use Committee, can help shape projects in order to improve them for the benefit of the community. For example, my district has an over-abundance of hotels, including several that are currently used as shelters, creating concern among constituents. Through the proposed special permit review process, communities across the city will gain an important voice to address issues of potential conflicting uses and other concerns, before it is too late.
- **Continued Hotel Development** - A special permit requirement is not a ban on hotel development – instead it encourages hotel projects to be developed in a thoughtful, community-oriented manner, and ensures they are suitably located. It's also important to note that the city's hotel and tourism industry during the recovery will face a lack of demand, not supply. Building more hotel rooms will not result in more hotel guests, hotel jobs, or associated tourism industry jobs. There are 25,000 additional hotel rooms being developed citywide, and hotel projects have regularly gone through the city's public review process, even during the pandemic, and have been approved. Developers shouldn't be expected to entirely abandon hotel projects simply because of an additional layer of review in the process.
- **Relevant Example** – As an example, we can look to San Francisco, the nation's sixth largest tourism market, where, despite numerous conditions on hotel development, its tourism industry has not suffered as a result.

For these reasons, I am in support of the proposed Citywide Hotel Special Permit Text Amendment. Thank you for your consideration.



# BOROUGH PRESIDENT RECOMMENDATION

|   |   |
|---|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment       |   |
| <b>Applicant:</b> DCP - Department of City Planning (NYC) | <b>Applicant's Administrator:</b> DCP - Department of City Planning (NYC) |
| <b>Application #</b> N210406ZRY                           | <b>Borough:</b> Citywide  |
| <b>CEQR Number:</b> 21DCP111Y                             | <b>Validated Community Districts:</b> CY00                                |

**Docket Description:**

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

**RECOMMENDATION:** Unfavorable

*Please attach any further explanation of the recommendation on additional sheets as necessary*

**CONSIDERATION:**

|                             |       |                         |
|-----------------------------|-------|-------------------------|
| Recommendation submitted by | SI BP | Date: 7/12/2021 4:19 PM |
|-----------------------------|-------|-------------------------|

Application #: **N 210406 ZRY**

Project Name: **CITYWIDE HOTELS  
TEXT AMENDMENT**

CEQR Number: 21DCP111Y

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 proposed by the NYC DCP for a Zoning Text Amendment to analyze and understand the potential impact of a citywide City Planning Commission (CPC) Hotel Special Permit in NYC.

**RECOMMENDATION:**

Approve

Approve with Modifications / Conditions

Disapprove

Disapprove with Modifications / Conditions

**Explanation of Recommendation, Conditions or Modification:**


**Related Application(s):**

Address all 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, Borough of Staten Island

07/12/2021  
Date

**Comments re: N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

Public Hearing Comments (Do not reply) &lt;PublicComments\_DL@planning.nyc.gov&gt;

Thu 7/15/2021 10:02 AM

**To:** Alexander Plackis (DCP) <APlackis@planning.nyc.gov>; Rachel Antelmi (DCP) <RAntelmi@planning.nyc.gov>;  
**CitywideComments\_DL** <CitywideComments\_DL@planning.nyc.gov> 1 attachments (196 KB)

CM Keith Powers - Citywide Hotel Special Permits DCP Comments Letter.pdf;

Re. Project: **N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

- Application Number: **N 210406 ZRY**
- Project: **CITYWIDE HOTELS TEXT AMENDMENT**
- Public Hearing Date: **07/14/2021**
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- Community District: **CITYWIDE**

*Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.*

**Submitted by:**Name: **Keith Powers**Zip: **10017**

I represent:

- **An elected official**

Details for "I Represent":

**My Comments:**Vote: I am **in favor**Have you previously submitted comments on this project? **No**If yes, are you now submitting new information? **No**I have attended or will attend the City Planning Commission's Public hearing on this project: **Yes****Additional Comments:**

See attached.



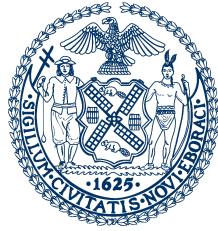


## **KEITH POWERS**

COUNCIL MEMBER, 4<sup>TH</sup> DISTRICT

211 East 43<sup>rd</sup> Street, Suite 1205  
New York, NY 10017  
Tel: (212)818-0580

250 Broadway, Room 1815  
New York, NY 10007  
Tel: (212)788-7393



## **THE COUNCIL OF THE CITY OF NEW YORK**

### **CHAIR**

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### **COMMITTEES**

Economic Development

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Government Operations

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Oversight & Investigations

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Rules, Privileges and Elections

## **Testimony to the Department of City Planning**

**January 22, 2021**

Good afternoon. I am City Council Member Keith Powers, representing Midtown and the East Side of Manhattan. I appreciate the opportunity to testify today.

Today, the Department of City Planning is considering a citywide special permit requirement for new hotel development. As the City Council Member representing East Midtown, I can speak to the use of an existing special permit requirement in my district. In 2017, the New York City Council passed the historic East Midtown rezoning to encourage new development and investment in the East Midtown area. During this process, the city installed a special permit requirement to allow the city to balance the different use groups and needs in this area. This special permit requirement was an agreed upon strategy by the Department of City Planning and New York City Council for this area as a way to balance the competing uses inside the area, while also ensuring that the intended goals were met.

In the three years since the adoption of the East Midtown rezoning, we have seen a boom in new projects that have met the intended goal for this area -- to incentivize development in the commercial hub of Midtown. We also have, in fact, seen new proposals that incorporate hotels alongside commercial space.

At a time when the City faces large questions about the future of the city, we will need to think about how to balance the different needs of the city -- from a need to build more housing, invest in our economic hubs and encourage development, and to Our land use process is a key to that. Based on the experiences in my district, I have confidence that a special permit process can work to allow the Department of City Planning and City Council to make smart and strategic decisions about land use moving forward.

Thank you.



**Comments re: N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

Public Hearing Comments (Do not reply) &lt;PublicComments\_DL@planning.nyc.gov&gt;

Fri 7/16/2021 5:52 PM

**To:** Alexander Plackis (DCP) <APlackis@planning.nyc.gov>; Rachel Antelmi (DCP) <RAntelmi@planning.nyc.gov>;  
**CitywideComments\_DL** <CitywideComments\_DL@planning.nyc.gov> 1 attachments (207 KB)

Hotel Special Permit Testimony CM Carlina Rivera.pdf;

Re. Project: **N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

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- Community District: **CITYWIDE**

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**Submitted by:**Name: **Carlina Rivera**Zip: **10009**

I represent:

- **An elected official**

Details for "I Represent": **Submitting on behalf of New York City Councilwoman Carlina Rivera.****My Comments:**Vote: I am **in favor**Have you previously submitted comments on this project? **No**If yes, are you now submitting new information? **No**I have attended or will attend the City Planning Commission's Public hearing on this project: **No****Additional Comments:**

Comments can be found in attached PDF.



DISTRICT OFFICE  
254 East 4<sup>th</sup> Street  
NEW YORK, NY 10009  
(212) 677-1077  
FAX: (212) 677-1990  
District2@council.nyc.gov



CITY HALL OFFICE  
250 BROADWAY, ROOM 1808  
NEW YORK, NY 10007  
(212) 788-7366  
FAX: (212) 442-2738

**CARLINA RIVERA**  
COUNCIL MEMBER, 2<sup>nd</sup> DISTRICT  
CITY OF NEW YORK

July 16, 2021

**Comments on the Citywide Hotel Special Permit Text Amendment**

Dear Members of the Commission,

I want to thank you for considering my comments in support of the Citywide Hotel Special Permit Text Amendment. I am sure you will hear about how this special permit process will allow for us to effectively address workplace conditions and provide for the ability to have greater care in hotel construction planning in the coming years as currently operating hotels and those already in the pipeline recover from the devastation to tourism and business travel that we have experienced.

This additional permit review process is clearly needed in the context of lax financial lending trends that over the last decade or so incentivized the proliferation and construction of new hotels that in many cases failed to consider long-term feasibility and appropriate geography of this development type, leading many of these projects to cease operation or change their stated purpose. This leads communities to wonder: “What regulations could allow for more logical planning and meaningful consideration of such projects? What regulations foster greater partnership with, and benefit to, local stakeholders?” The 2018 special permit certainly helped in the districts with the greatest shortfalls in proper development and performance at the time – we should now expand that predictability and oversight citywide.

Finally, I would point to new hotel construction as a competing interest to our greater need: housing. In District 2, in the face of strong opposition from community stakeholders and housing advocates, we recently had a hotel development replace existing stabilized units. I believe a proper public review process might have resulted in a more community-centered result for this site, as well as alleviated concerns about operations of the hotel and how it would affect the surrounding area. The proposed special permit process would provide an opportunity for the hotel developers and local stakeholders to address both outstanding, and complimentary, community needs on the proposed hotel site, such as noise, sanitation, and additional traffic congestion.

We know this kind of proposed planning and public review would certainly be more democratic and responsive to the local community, and I hope that you will see the benefits of such a process as you consider this application.

Thank you.

**Comments re: N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

Public Hearing Comments (Do not reply) &lt;PublicComments\_DL@planning.nyc.gov&gt;

Tue 7/13/2021 6:09 PM

To: Alexander Plackis (DCP) &lt;APlackis@planning.nyc.gov&gt;; Rachel Antelmi (DCP) &lt;RAntelmi@planning.nyc.gov&gt;; CitywideComments\_DL &lt;CitywideComments\_DL@planning.nyc.gov&gt;

Re. Project: **N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

- Application Number: **N 210406 ZRY**
- Project: **CITYWIDE HOTELS TEXT AMENDMENT**
- Public Hearing Date: **07/14/2021**
- Borough: **CITYWIDE**
- Community District: **CITYWIDE**

*Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.*

**Submitted by:**Name: **Helen Rosenthal**Zip: **10024**

I represent:

- **Other**

Details for "I Represent": **I am City Council Member, District 6****My Comments:**Vote: I am **in favor**Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **Yes****Additional Comments:**

Good afternoon, I'm Council Member Helen Rosenthal and I represent the Upper West Side of Manhattan. I thank the City Planning Commission for the opportunity to testify today, and am pleased to offer my support for the proposed requirement that development of new hotels with 150 units or more requires a special permit and must go through the ULURP process. By creating an opportunity for public review of large hotel projects, we are taking a proactive approach and ensuring that new

hotels have a positive impact on our communities. This is part of a broader effort to build an economic recovery which truly benefits local residents. I know that there have been a number of concerns raised about this proposal, including from my local community board. I would like to address two central questions that have been raised. First, this is not a ban on hotel construction. The special permit requirement will only apply to hotels with 150 units or more. Smaller hotels can still be constructed "as-of-right" -- when permitted by local zoning. Second, we will have surplus hotel room capacity for the foreseeable future. The data simply does not support the concern that a special permit requirement would somehow prevent us from meeting the demand for hotel rooms. In the wake of the pandemic, there is an enormous surplus of hotel rooms across New York City, and as I noted before, construction of smaller hotels can continue as-of-right. Finally, it's important to remember that if conditions on the ground change, we can always revise this policy. I want to stress that the City Council is supportive of hotel development overall. The hospitality industry is a critical part of our local economy. But we do not see evidence that requiring additional public review of large projects will harm our economy in the long-run. Additionally, we have seen conflicts between large hotels and other community land uses in the past. A special permit process will allow the community an opportunity to weigh in on quality of life issues like additional traffic from taxis, laundry, and catering deliveries -- and determine how to resolve them. The public, through its elected representatives, will have a voice as to when development makes sense, and when it doesn't. I urge the Commission to approve this special permit. Thank you very much.



**Comments re: N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

Public Hearing Comments (Do not reply) &lt;PublicComments\_DL@planning.nyc.gov&gt;

Mon 7/26/2021 4:50 PM

To: Alexander Plackis (DCP) <APlackis@planning.nyc.gov>; Rachel Antelmi (DCP) <RAntelmi@planning.nyc.gov>;  
CitywideComments\_DL <CitywideComments\_DL@planning.nyc.gov>Re. Project: **N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

- Application Number: **N 210406 ZRY**
- Project: **CITYWIDE HOTELS TEXT AMENDMENT**
- Public Hearing Date: **07/14/2021**
- Borough: **CITYWIDE**
- Community District: **CITYWIDE**

*Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.*

**Submitted by:**Name: **Mark Treyger**Zip: **11224**

I represent:

- **An elected official**

Details for "I Represent":

**My Comments:**Vote: I am **in favor**Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **No****Additional Comments:**

I strongly encourage the members of the City Planning Commission to approve N210406 ZRY Citywide Hotels Text Amendment. Hotels are a very specific use, which bring unique impacts to a community, unlike other as-of-right uses. When operating at peak capacity, a small hotel brings tens of thousands of new visitors into communities, increased pedestrian and vehicular traffic, and parking concerns. Evaluating and mitigating these impacts requires a higher degree of review than is currently afforded

to communities. My district has a number of C8 zones, which have seen increased hotel development at the same time as the growth of hotels in M1 districts was being identified as a pressing planning issue. Given that the City has already approved a special permit requirement for hotels in M1 zones, it makes very little sense to me that hotels would be an as-of-right use in C8 zones, which house heavy commercial, manufacturing-adjacent uses, and which do not allow residential occupancy of any kind, unlike specified M1 zones. Particularly given how the automobile-heavy nature of C8 allowable uses might interact with increased vehicular and pedestrian traffic, "the targeted, case-by-case, site-specific approach" to determining appropriateness of a hotel use offered by a special permit requirement highlighted by Chair Lago would seem equally beneficial to the rational development of C8 zones and their surrounding neighborhoods. In my district, a hotel is being built in the Gravesend neighborhood, on a single block zoned C8-2, surrounded by R5 and a small amount of R6A with commercial overlays. It is a residential community, with no proximity to major tourist attractions or healthcare facilities. Because this is an as-of-right use in C8-2 districts, my office only became aware of the project through Department of Buildings permit reporting. It took months to obtain a meeting with the development team--a rarity on projects subject to Council review. In the meantime, my office was inundated with concerns from community members about the impacts a hotel would have on their adjacent residential neighborhood, with no forum to adequately address these issues. Had there been a special permit review process for this project, my constituents and I would have had a public and transparent opportunity to engage with the development team on concerns about adverse impacts on the community, and to attempt to resolve them through open dialogue. There would have been ample opportunity to discuss whether a hotel was a compatible use with both the existing C8-2 uses and the adjacent residential uses, and how community concerns could be mitigated. Hotels represent a unique use, and should be evaluated as such--in context, site-by-site. I urge the Commissioners to approve N210406 ZRY Citywide Hotels Text Amendment.

**Comments re: N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

Public Hearing Comments (Do not reply) &lt;PublicComments\_DL@planning.nyc.gov&gt;

Mon 7/26/2021 3:23 PM

To: Alexander Plackis (DCP) <APlackis@planning.nyc.gov>; Rachel Antelmi (DCP) <RAntelmi@planning.nyc.gov>;  
CitywideComments\_DL <CitywideComments\_DL@planning.nyc.gov>Re. Project: **N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

- Application Number: **N 210406 ZRY**
- Project: **CITYWIDE HOTELS TEXT AMENDMENT**
- Public Hearing Date: **07/14/2021**
- Borough: **CITYWIDE**
- Community District: **CITYWIDE**

*Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.*

**Submitted by:**Name: **Jimmy Van Bramer**Zip: **11104**

I represent:

- **An elected official**

Details for "I Represent": **I represent the 26th Council District in the City Council - Long Island City, Sunnyside, Woodside and Astoria.**

**My Comments:**Vote: I am **in favor**Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **No****Additional Comments:**

I strongly support the proposed change which will allow communities to have real input in whether a hotel is going to be built in the neighborhood. My district has had many, many hotels built in the last several years. A voice to the community on these hotels would have been a real welcome for the community.





# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|   |                     |                             |   |
|---|---------------------|-----------------------------|---|
| <b>RECOMMENDATION: Favorable</b>        |                     |                             |   |
| <b># In Favor:</b> 19                   | <b># Against:</b> 0 | <b># Abstaining:</b> 0      | <b>Total members appointed to the board:</b> 40 |
| <b>Date of Vote:</b> 5/27/2021 12:00 AM |                     | <b>Vote Location:</b> Webex |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|  |  |
|--|--|
| <b>Date of Public Hearing:</b> 5/12/2021 5:30 PM |  |
| <b>Was a quorum present?</b> Yes                 | <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> |
| <b>Public Hearing Location:</b>                  | webex  |

**CONSIDERATION:** Motion was to approve the Hotels Text Amendment with the condition that there be a restriction of no conversions of the hotel for any type of alternative use. If the hotel is sold, the new owner must adhere to the same conditions as the previous owner.

|                             |        |                          |
|-----------------------------|--------|--------------------------|
| Recommendation submitted by | BX CB1 | Date: 7/26/2021 11:57 AM |
|-----------------------------|--------|--------------------------|



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

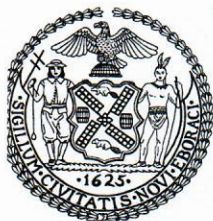
|   |                     |  |  |
|---|---------------------|--|--|
| <b>RECOMMENDATION: Unfavorable</b>      |                     |  |  |
| <b># In Favor:</b> 0                    | <b># Against:</b> 0 | <b># Abstaining:</b> 0                                   | <b>Total members appointed to the board:</b> 0 |
| <b>Date of Vote:</b> 5/17/2021 12:00 AM |                     | <b>Vote Location:</b> Cisco Webex Virtual teleconference |  |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|                                 |  |
|---------------------------------|--|
| <b>Date of Public Hearing:</b>  |  |
| <b>Was a quorum present?</b> No | <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> |
| <b>Public Hearing Location:</b> |  |

**CONSIDERATION:** See attached letter

|                             |        |                         |
|-----------------------------|--------|-------------------------|
| Recommendation submitted by | BX CB3 | Date: 5/24/2021 2:33 PM |
|-----------------------------|--------|-------------------------|



**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

|             |                       |
|-------------|-----------------------|
| <b>DIAL</b> | Government Services   |
| <b>311</b>  | & Information for NYC |

Comm. Bd. Info go to: [nyc.gov/bronxcb3](http://nyc.gov/bronxcb3)

**RUBEN DIAZ, JR.**  
**BRONX BOROUGH PRESIDENT**

**REV. DR. BRUCE RIVERA**  
**CHAIR**

**JOHN W. DUDLEY**  
**DISTRICT MANAGER**

May 21, 2021

Ms. Carol Samol  
 Director  
 NYC DCP – Bronx Office  
 1775 Grand Concourse, Suite 503  
 Bronx, NY 10453

**RE: CITYWIDE HOTELS TEXT AMENDMENT – N210406ZRY**  
**CEQR NO. 21DCP111Y**

Dear Ms. Samol:

At a meeting of the Housing, Land Use and Economic Development committee of Bronx Community Board Three held Monday, May 17, 2021, members present expressed a consensus of “**disapproval**” for the above proposed text amendment. The basis of such disapproval on the part of committee members present, was the concern that should the CPC grant a special permit for the expansion or development of a hotel, motel, tourist cabin or boatel, the expansion or development of the site in question, would not necessarily preclude its future use as a temporary shelter under contract with the NYC Department of Homeless Services.

Please contact me in the event you require additional information or clarification. Thank you.

Sincerely,

John Dudley  
 District Manager

Cc: Rev. Dr. Bruce C. Rivera  
 Kolaco Acqui, Chairperson, Housing, Land Use and Economic Development committee  
 Aazam Otero, Co-Chairperson, Housing, Land Use and Economic Development committee

**EXECUTIVE OFFICERS**

Rev. Dr. Frederick Crawford  
 1<sup>st</sup> Vice-Chairperson

Joetta Brown  
 2<sup>nd</sup> Vice-Chairperson

Keziah Sullivan  
 Secretary

Kathy Johnson Morris  
 Treasurer

Rita Jones  
 Sgt.-at-Arms/Parliamentarian





# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|   |                     |   |  |
|---|---------------------|---|--|
| <b>RECOMMENDATION: Unfavorable</b>      |                     |   |  |
| <b># In Favor:</b> 0                    | <b># Against:</b> 0 | <b># Abstaining:</b> 0                                | <b>Total members appointed to the board:</b> 0 |
| <b>Date of Vote:</b> 5/20/2021 12:00 AM |                     | <b>Vote Location:</b> Zoom Audio and Video Conference |  |

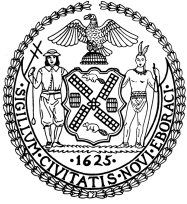
*Please attach any further explanation of the recommendation on additional sheets as necessary*

|                                 |  |
|---------------------------------|--|
| <b>Date of Public Hearing:</b>  |  |
| <b>Was a quorum present?</b> No | <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> |
| <b>Public Hearing Location:</b> |  |

**CONSIDERATION:**

|                             |        |                         |
|-----------------------------|--------|-------------------------|
| Recommendation submitted by | BX CB6 | Date: 6/23/2021 3:46 PM |
|-----------------------------|--------|-------------------------|





**THE CITY OF NEW YORK  
BRONX COMMUNITY BOARD 6**

**1932 Arthur Avenue, Room 403-A, Bronx, NY 10457**

Telephone: (718) 579-6990 Fax: (718) 579-6875 Email: [bronxcb6@bronxcb6.org](mailto:bronxcb6@bronxcb6.org)

*Honorable Ruben Diaz Jr., Bronx Borough President*

MS. EVONNE CAPERS  
Board Chairperson

MR. JOHN SANCHEZ  
District Manager

June 23, 2021

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

Re: Hotels Citywide Text Amendment  
ULURP Number: N210406ZRY

Dear Chair Lago:

This is to inform you that at a meeting of the Housing and Land-Use Committee of Bronx Community Board #6 held on Thursday, May 20, 2021, a representative from the New York City Department of City Planning provided a briefing on the proposed Hotels Citywide Text Amendment.

After hearing such presentation, it was consensus of the Housing and Land-Use Committee not to support the proposed Hotels Citywide Text Amendment.

Sincerely,

A handwritten signature in black ink that reads 'John Sanchez'.

John Sanchez  
District Manager



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|  |                     |                            |   |
|--|---------------------|----------------------------|---|
| <b>RECOMMENDATION: Unfavorable</b>     |                     |                            |   |
| <b># In Favor:</b> 36                  | <b># Against:</b> 0 | <b># Abstaining:</b> 2     | <b>Total members appointed to the board:</b> 38 |
| <b>Date of Vote:</b> 6/8/2021 12:00 AM |                     | <b>Vote Location:</b> Zoom |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|   |  |
|---|--|
| <b>Date of Public Hearing:</b> 6/7/2021 7:00 PM |  |
| <b>Was a quorum present?</b> Yes                | <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> |
| <b>Public Hearing Location:</b>                 | Zoom Conference  |

|  |        |                          |
|--|--------|--------------------------|
| <b>CONSIDERATION:</b> Citywide Hotels Text Amendment (REJECTED)  |        |                          |
| WHEREAS, The Department of City Planning referred a Citywide Hotels Text Amendment and the Department presented at the June 7, 2021 Land Use Committee Meeting;  |        |                          |
| WHEREAS, The proposed text amendment would create a new special permit for hotel development citywide. It is intended to create a consistent framework for hotel development and ensure that hotels do not negatively affect the surrounding area;   |        |                          |
| WHEREAS, The proposed zoning change would require City Planning Commission approval for new and enlarged hotels and motels, tourist cabins and boatels in commercial, mixed-use and paired M1/R districts;   |        |                          |
| WHEREAS, The review process would allow the Commission to ensure that new hotels do not create significant conflicts with surrounding development;   |        |                          |
| WHEREAS, The new Special Permit requirement would override existing hotel special permit requirements. However, the existing special permit provisions that apply in M1 districts, which require the Commission to make findings specific to industrially zoned areas, will remain in place; |        |                          |
| WHEREAS, The Land use Committee voted against this zoning text amendment at the June 7, 2021 committee meeting;  |        |                          |
| THEREFORE BE IT RESOLVED, Bronx Community Board No. 8 rejects this zoning text amendment.  |        |                          |
| Vote:<br>In Favor- 36<br>Abstain- 2 ( 1 Member Present but ineligible to vote)<br>Opposed-0  |        |                          |
| Recommendation submitted by  | BX CB8 | Date: 6/18/2021 11:53 AM |



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|  |                     |  |  |
|--|---------------------|--|--|
| <b>RECOMMENDATION: Favorable</b>       |                     |  |  |
| <b># In Favor:</b> 4                   | <b># Against:</b> 0 | <b># Abstaining:</b> 0   | <b>Total members appointed to the board:</b> 6 |
| <b>Date of Vote:</b> 6/7/2021 12:00 AM |                     | <b>Vote Location:</b> Bronx CB9 Land & Zoning Committee Meeting (Remote via WebEx) |  |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|                                 |  |
|---------------------------------|--|
| <b>Date of Public Hearing:</b>  |  |
| <b>Was a quorum present?</b> No | <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> |
| <b>Public Hearing Location:</b> |  |

|                             |        |                          |
|-----------------------------|--------|--------------------------|
| <b>CONSIDERATION:</b>       |        |                          |
|                             |        |                          |
| Recommendation submitted by | BX CB9 | Date: 6/24/2021 10:43 AM |



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|   |                     |                                   |   |
|---|---------------------|-----------------------------------|---|
| <b>RECOMMENDATION: Favorable</b>        |                     |                                   |   |
| <b># In Favor:</b> 24                   | <b># Against:</b> 0 | <b># Abstaining:</b> 0            | <b>Total members appointed to the board:</b> 45 |
| <b>Date of Vote:</b> 6/18/2021 12:00 AM |                     | <b>Vote Location:</b> CISCO WEBEX |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|  |  |
|--|--|
| <b>Date of Public Hearing:</b> 6/17/2021 7:00 PM |  |
| <b>Was a quorum present?</b> No                  | <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> |
| <b>Public Hearing Location:</b>                  | Virtual: Login Information Meeting Dial In: (646) 992-2010, Meeting Access Key: 1736307272   |

**CONSIDERATION:**

|                             |         |                          |
|-----------------------------|---------|--------------------------|
| Recommendation submitted by | BX CB10 | Date: 6/21/2021 10:04 AM |
|-----------------------------|---------|--------------------------|



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       |   |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|   |                     |                                 |   |
|---|---------------------|---------------------------------|---|
| <b>RECOMMENDATION: Favorable</b>        |                     |                                 |   |
| <b># In Favor:</b> 29                   | <b># Against:</b> 0 | <b># Abstaining:</b> 0          | <b>Total members appointed to the board:</b> 36 |
| <b>Date of Vote:</b> 6/24/2021 12:00 AM |                     | <b>Vote Location:</b> Via Webex |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|  |  |
|--|--|
| <b>Date of Public Hearing:</b> 6/24/2021 7:00 PM |  |
| <b>Was a quorum present?</b> Yes                 | <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> |
| <b>Public Hearing Location:</b>                  | Webex  |

**CONSIDERATION:**

|                             |         |                         |
|-----------------------------|---------|-------------------------|
| Recommendation submitted by | BX CB12 | Date: 7/28/2021 3:04 PM |
|-----------------------------|---------|-------------------------|



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       |   |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|   |                     |                             |   |
|---|---------------------|-----------------------------|---|
| <b>RECOMMENDATION: Favorable</b>        |                     |                             |   |
| <b># In Favor:</b> 29                   | <b># Against:</b> 0 | <b># Abstaining:</b> 0      | <b>Total members appointed to the board:</b> 29 |
| <b>Date of Vote:</b> 7/12/2021 12:00 AM |                     | <b>Vote Location:</b> WEBEX |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|   |  |
|---|--|
| <b>Date of Public Hearing:</b> 6/8/2021 6:00 PM |  |
| <b>Was a quorum present?</b> Yes                | <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> |
| <b>Public Hearing Location:</b>                 | WHERE: WEBEX ,   |

**CONSIDERATION:**

|                             |        |                         |
|-----------------------------|--------|-------------------------|
| Recommendation submitted by | BK CB1 | Date: 7/12/2021 9:38 PM |
|-----------------------------|--------|-------------------------|



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

**RECOMMENDATION: Favorable**

|   |                     |  |   |
|---|---------------------|--|---|
| <b># In Favor:</b> 40                   | <b># Against:</b> 0 | <b># Abstaining:</b> 0                 | <b>Total members appointed to the board:</b> 40 |
| <b>Date of Vote:</b> 6/16/2021 12:00 AM |                     | <b>Vote Location:</b> Virtual via Zoom |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

**Date of Public Hearing:**

**Was a quorum present?** No

*A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members*

**Public Hearing Location:**

**CONSIDERATION:** No Comment

|                             |        |                         |
|-----------------------------|--------|-------------------------|
| Recommendation submitted by | BK CB2 | Date: 6/21/2021 8:44 PM |
|-----------------------------|--------|-------------------------|



The City of New York  
Community Board No. 3  
Bedford Stuyvesant Restoration Plaza  
1360 Fulton Street, 2<sup>nd</sup> Floor ■ Brooklyn, New York 11216

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718-622-6601 Phone ■ 718-857-5774 Fax ■ nyc.gov/bkcb3

ERIC ADAMS  
BOROUGH PRESIDENT

RICHARD FLATEAU  
CHAIRPERSON

HENRY L. BUTLER  
DISTRICT MANAGER

NYC Dept. of City Planning  
120 Broadway  
New York, NY 10271

July 26, 2021

**RE: Zoning Text Amendment: New Hotels**

Dear Chair Marisa Lago and Members of the NYC Planning Commission,

Thank you for the opportunity to submit Brooklyn Community Board 3 recommendation on the proposed Text Amendment regarding New Hotels.

This proposal was certified on May 19, 2021, and heard at the May 12, 2021 meeting of our Housing and Land Use Committee.

It was discussed at our full Board meeting June 7, 2021.

Since hotels can be used for emergency congregant housing, the board has expressed strong support for a ULURP requirement on new hotel development. Detailed study of the appropriateness of hotel uses in a given location is welcomed, especially as it relates to vacancy, conversion and potential alternate uses.

The proposed six-year period to continue approved permits is in excess of the usual two-year term as was described by DCP

Given the pandemic, CB3 strongly advocates for a three-year term from the date of adoption for developers to implement their current projects.

Although there are limited sites in CD3 for as-of-right new hotel development, hotel use and the related activities such as restaurants, bars, parking and rubbish removal are of great concern to residential blocks within CD3. Alternate uses for hotels must be carefully evaluated. Our commercial corridors already accommodate several hotels, and there are at least two new hotels in progress at this time.

A three-year limit for hotels to be developed without a requirement for community input is sufficient. A six-year term could result in a rush to file additional hotel development plans that have not already been initiated.

**Thank you for your consideration.**

**Cynthia Doris Pinn**

**CB3 Housing & Land Use Chair**





# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       |   |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|  |                     |   |   |
|--|---------------------|---|---|
| <b>RECOMMENDATION: Conditional Favorable</b> |                     |   |   |
| <b># In Favor:</b> 10                        | <b># Against:</b> 0 | <b># Abstaining:</b> 0                          | <b>Total members appointed to the board:</b> 10 |
| <b>Date of Vote:</b> 5/12/2021 12:00 AM      |                     | <b>Vote Location:</b> Via Web-Ex Video Platform |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|                                 |  |
|---------------------------------|--|
| <b>Date of Public Hearing:</b>  |  |
| <b>Was a quorum present?</b> No | <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> |
| <b>Public Hearing Location:</b> |  |

|                             |        |                         |
|-----------------------------|--------|-------------------------|
| <b>CONSIDERATION:</b>       |        |                         |
|                             |        |                         |
| Recommendation submitted by | BK CB3 | Date: 7/26/2021 5:43 PM |



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|  |                     |  |   |
|--|---------------------|--|---|
| <b>RECOMMENDATION: Conditional Favorable</b> |                     |  |   |
| <b># In Favor:</b> 14                        | <b># Against:</b> 1 | <b># Abstaining:</b> 2                                     | <b>Total members appointed to the board:</b> 17 |
| <b>Date of Vote:</b> 7/6/2021 12:00 AM       |                     | <b>Vote Location:</b> Executive Committee Meeting via Zoom |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|  |  |
|--|--|
| <b>Date of Public Hearing:</b> 6/24/2021 6:30 PM |  |
| <b>Was a quorum present?</b> Yes                 | <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> |
| <b>Public Hearing Location:</b>                  | Landmarks & Land Use Committee Meeting via Zoom  |

|   |  |
|---|--|
| <b>CONSIDERATION: GOWANUS CSO TANK ULURP RESOLUTION – 7/6/21</b>  |  |
| <p>Brooklyn Community Board 6 (the “Board”) hereby recommends that the proposed actions, which relate to the construction and operation of two combined sewer overflow (CSO) tank facilities, be APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:</p> <p>Community Review. The City must commit to return to the Community Board for consultation and review of any plans to redesign the sites subject to these ULURP actions, and to incorporate community feedback into its designs.</p> <p>Compliance with EPA orders. The City has sought to delay compliance with its legal obligation to construct retention tanks to control CSOs and ensure that EPA efforts to clean up the Canal are not undermined by continued, uncontrolled sewer discharges. The Board demands that the City fully comply with the EPA’s order to complete the retention tanks on the EPA-mandated timeline, and the Board’s conditional support for the proposed actions reflects its expectation that the EPA will vigorously enforce its orders and ensure that the City meets its obligations.</p> <p>Displacement. Six current businesses will be displaced by the construction of the retention tank facility at the Salt Lot site. The City must put forward a detailed plan to assist displaced businesses on the Salt Lot site with relocation and other needs, including compensation for fixed improvements these businesses have made to existing spaces.</p> <p>Engage existing tenants. The City must work closely with existing occupants on the Salt Lot site to mitigate the impact of development on existing uses. And the City should involve existing stakeholders in the design process for redevelopment.</p> <p>Investments in Open Space. The City must commit now to create new public open space on the Salt Lot site, and to improve and expand existing uses (including the compost facility, nursery, and the education and stewardship center currently on the site). New open space must be mapped as dedicated park land, to ensure it will</p> |  |
| Recommendation submitted by   | BK CB6 <span style="float: right;">Date: 8/6/2021 2:27 PM</span> |



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|  |                     |                                |   |
|--|---------------------|--------------------------------|---|
| <b>RECOMMENDATION: Conditional Favorable</b> |                     |                                |   |
| <b># In Favor:</b> 31                        | <b># Against:</b> 0 | <b># Abstaining:</b> 0         | <b>Total members appointed to the board:</b> 31 |
| <b>Date of Vote:</b> 6/21/2021 12:00 AM      |                     | <b>Vote Location:</b> Via Zoom |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|  |  |
|--|--|
| <b>Date of Public Hearing:</b> 6/21/2021 7:00 PM |  |
| <b>Was a quorum present?</b> Yes                 | <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> |
| <b>Public Hearing Location:</b>                  | Via Zoom. Register to participate at the following link:   |

**CONSIDERATION:** Community Board 10's recommendation is to support the text amendment only if the section related to transient hotels is removed from the text.

|                             |         |                         |
|-----------------------------|---------|-------------------------|
| Recommendation submitted by | BK CB10 | Date: 6/25/2021 4:32 PM |
|-----------------------------|---------|-------------------------|



# Community Board Ten

8119 5<sup>th</sup> Avenue • Brooklyn, NY 11209  
(718) 745-6827 • Fax (718) 836-2447  
bk10@cb.nyc.gov  
<https://cbbrooklyn.cityofnewyork.us/cb10/>

JAYNEMARIE CAPETANAKIS  
*Vice Chairperson*  
SANDY VALLAS  
*Secretary*  
SHIRLEY CHIN  
*Treasurer*

LORI WILLIS  
*Chair*  
JOSEPHINE BECKMANN  
*District Manager*

June 25, 2021

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

Re: 21DCP111Y, N210406ZRY, Hotel Text Amendment

Dear Commissioner Lago:

At a duly publicized hearing of Brooklyn Community Board 10 held on June 21, 2021, Members voted unanimously to support the Hotel Text Amendment, 21DCP111Y, N210406ZRY, **provided that** the section 32-02 Special Provisions for Hotels #Transient hotels#, as listed in Section 32-14 (Use Group 5) **is removed from the text.**

Board Members feel that Community Boards should continue to have a role in the siting of homeless shelters in their own communities, with the opportunity to hold public hearings to gather community input. It is, therefore, Community Board 10's recommendation to support the text amendment **only if the section related to transient hotels is removed from the text.**

I have attached the Zoning and Land Use Committee Report for your information.

If you have any questions, please do not hesitate to contact my office. Thank you for your consideration.

Sincerely,

Josephine Beckmann  
District Manager

JB:dg  
Att.

cc: Council Member Justin Brannan  
S. Naik  
R. Bearak

## **Zoning and Land Use Committee Report of May 26, 2021 and on June 16, 2021**

There were also meetings of a smaller working group to discuss the various text amendments. For simplicity, I will combine the discussions of the two full committee meetings. That will simplify the report and I will not be jumping from subject to subject.

The first item on the agenda was a presentation by the 74<sup>th</sup> Street 400 Block Association asking for the Community Board's support for their request to the Landmarks Preservation Commission to have a large portion of the block designated as a historic district.

Members of the block attended CB10's community meeting on how to apply for landmark status. They were inspired by the recent landmarking of the 75<sup>th</sup> Street/Bay Ridge Parkway 400 block. They also noted that there is interest in 'limestone Brooklyn' for other parts of our borough. The applicants enlisted Board Member Henry Stewart for assistance in preparing a statement of significance.

The houses on the north side (odd number houses) were built in 1909 by developer Irving Halpern. Some of the houses on the south side (even number houses) were built in 1909 by Boyd H. Wood. Five more houses on the south side were built the following year. The historic district would include houses on the north side of the street and some on the south side. The houses have similar cornices and detailing and have not been modified in a way to change their historic significance.

A motion was made to support the request. The motion was seconded. The recommendation was unanimously supported by the committee. At this point the committee did not have a quorum, so we have a recommendation to the full board and need a motion to support the recommendation. Comments, discussion.

The second item on the agenda was a review of the Hotel Text Amendment. This was discussed at the last meeting and there were several questions that needed to be addressed. I had concerns about the C8 triangle, C4-2 zones and any zones within 1000 feet on an entrance or exit to an arterial highway. These areas would require a special permit. Also, if a permit had been filed but expired, any new/refiled permit would need to comply with the new regulations.

A motion was made and seconded. The committee met in quorum

### **Following the meeting, our neighboring board, CB 11 brought a section of the amendment to our attention.**

*"The amendments shall not apply to the following  
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 written agreement with an agency of the City or State specifying such public purpose. There is more, but this paragraph covers it.*

I believe we should consider this carefully. We can approve the text amendment and disapprove the section on housing assistance. This section appears to remove community review from the siting of homeless shelters.

The section of concern is 32-02 Special Provisions for Hotels #Transient hotels#, as listed in Section 32-14 (Use Group 5.



The full committee discussed this section at the June 16, 2021 ZALUC meeting. Just as Community Boards have a role in the siting of schools, so should they have a role in the siting of homeless shelters in their communities.

A motion was made to support the Hotel Text Amendment only if this clause is removed. (AF)  
The motion was seconded (AM).

Discussion/comments

The third item on the agenda was a review of the Health and Fitness Text Amendment. You will be hearing several acronyms in the discussion.

DCP Department of City Planning

HFT Health and Fitness Text Amendment

PCE Physical Culture Establishment

Health and Fitness establishments (PCE) are gyms, day spas, massage parlors and yoga studios. Under current zoning, these establishments require a special permit in order to open. A special permit allows communities to have input into hours of operation, visibility and much more. This text amendment would remove any community input in the siting of gyms, spas, etc., of less than 10,000 square feet. It specifically says **“The Proposed Action would categorize facilities dedicated to physical fitness and health, limited to 10,000 square feet in floor area per establishment, as Use Group 6 and Use Group 14. This would allow smaller gyms, martial arts and yoga studios, and spas to open as-of-right in all commercial and manufacturing districts. Physical fitness and health facilities that are unlimited in size would be categorized as Use Group 9.”**

The text amendment describes establishments of 10,000 feet or less as smaller. For a bit of perspective, a standard storefront in CB10 is 20 feet by 100 feet, 2,000 square feet. An establishment of 10,000 square feet would be the equivalent of 5 storefronts. In a community such as ours, that is not small. This text amendment would make spas and massage parlors community facilities, like medical offices. Day spas and licensed massage parlors could open as of right in commercial districts and in residential district of R 3 and up. Yes, on your block! They would not be restricted to commercial districts. The siting of gyms, yoga studios, martial arts facilities and the like would be allowed as of right in commercial districts and as of right in residential districts under certain circumstances.

Some background for newer members - and I want to note that I may be repetitive but that is because I want to help everyone understand the background and the concerns.

Massage parlors have been a problem in the past because they can be human trafficking locations. CB 10 has worked with several agencies to close massage parlors and day spas that are human trafficking sites. Massage therapists are licensed by New York State, not New York City. Without community review at the beginning of the process, there is very little oversight. There are a very small number of inspectors statewide to monitor these establishments. These establishments often have street crimes and sometimes violence associated with them. The Special Permit is the only regulatory tool available in the City of New York to determine if an establishment is licensed by New York State. Because human trafficking takes place behind closed doors, one condition that our Community Board has often requested is that there be transparency, that the inside of the establishment be visible from the street. Without the special permit, there would be no way to have that requirement. The Department of City Planning said during their presentation that a massage parlor could open **“under the supervision of a licensed massage therapist”**. The text amendment does not define what this means or how it would be enforced. Does a licensed therapist need to be on premises or merely have trained the workers? We need clarification on this. The committee has these concerns because of the illegal uses of some day spas and massage therapy sites. It has no concerns about legally operated day spas and massage therapy sites.



Gyms often have long hours, 5 AM to midnight is not unusual. They sometimes have loud music accompanying exercise routines. This is problematic in a multiuse building. Removing any community input at the beginning of the process may create problems. Also, the special permit process allows the Community Board to work with the establishment and community residents so they can together discuss a range of issues including, hours of operation, noise from music and/or HVAC (air conditioning equipment), etc.. I recall a lengthy discussion with residents concerning a gym location on a commercial street whose rear faced the rear yards of residents on the next block. These neighbors cited numerous complaints about the air conditioning unit and the impact on their quality of life. The Special Permit gave the Community Board the ability to negotiate with the PCE to help their neighbors. I will note that CB10 has not denied a Special Permit to any PCE establishment.

That is some history, now to committee concerns. The committee had many, many concerns.

The committee understands the need to help small businesses. We know that they are an essential part of our community. We have concerns about empty store fronts. Because this text amendment could have serious impact on our community and because the City of New York is giving Community Boards a very limited time to review the amendment, I asked for a small working group to meet and discuss the details and make further recommendations. Several members agreed to meet, and their concerns and comments have been incorporated into this report.

Among the issues that the working group discussed were How PCE's evolve. What is now a karate studio or a yoga studio could decide to add exercise equipment like Soul Cycle and how this would impact neighbors. The community has memories of Cross Fit on 3<sup>rd</sup> Avenue in the 80's and the negative impact on the area.

There was general support for easing barriers to small establishments in general, however, this text amendment is too broad, too sweeping. The committee voted not to support the Health and Fitness Text Amendment.

The committee recommended that we submit a thorough response. DM Beckmann drafted a very detailed analytic response. We now have a simple summary of our objections.

*Dear Chair Lago,*

*At a duly publicized meeting held on Monday, June 21, 2021, members of Community Board 10 voted in support of a motion to Vote No on the Health and Fitness Text Amendment at this time due to many concerns raised during our review.*

*We understand that the driving force behind this effort is to remove regulatory burdens associated with the BSA special permit requirement in place for gyms, spas, and licensed massage therapy studios. We disagree that the Special Permit is no longer needed. Over the years, the Special Permit has been helpful to bring businesses and community together to address some specific concerns related to crime, noise, and other quality of life concerns.*

*Additionally, while we do not support onerous regulations that hurt small businesses, we do believe that many of the requirements currently included are necessary to ensure consumer and worker protection, as well as to maintain the quality of life for all community members. It is positive that DCP is looking for ways to help small businesses however, this proposed action is too broad.*

Most retail shops in Community District 10 are within residential districts with a C1/ C2 overlay and in a small downtown area within the C4 and C8 Districts. They are very different areas as the C1/C2 fall within the heart of the residential district comprised of small storefronts with approximately 1700 to 2000 square feet on the ground floor. It is for this reason that we believe further study is required.

Therefore,, we ask that you review the following concerns:

1. **Stand Alone Massage Therapy businesses and other Health and Fitness related establishments should not be allowed to operate As-Of- Right in Residential District/Community Facility –**

The proposed action adds a provision that will allow stand-alone massage businesses and some health and fitness establishments to operate in the residential districts. (ZR22-14). The stand-alone massage therapy business model within Community Board 10 has been plagued with unlicensed massage therapists, concerns about human trafficking and serious crimes. Therefore, shifting this business model use to the community facility use is of great concern. Many operate into the late night/early morning hours and should not be allowed as-of-right in the community facility.

Additionally, we assert that accessory use makes sense for a free-standing Community Facility within the residential district, but that area must be strictly limited.

2. **The new definition of #Unlicensed Physical Treatment Establishment# and the removal of the Special Permit requirement may not be a sufficient enforcement tool**

It is unclear if the new definition (ZR12-10) for Unlicensed Physical Treatment Establishment is adequate to address unlicensed stand-alone massage therapy businesses along the expanded retail corridors or within newly allowed residential properties/community facility use. The PCE Special Permit requirement removed in the proposed action was the only regulatory mechanism to confirm if an applicant held a New York State license. Further, the New York State license website is difficult to navigate, cannot be searched by premise location, and there is a very limited number of investigators statewide.

3. **A 10,000 square foot business should not be included as a small business and there must be a way to hold smaller facilities to the same noise regulation as those specified for larger facilities**

We suggest only **facilities of** 1500 to 2500 square feet **or less** be exempt from the Special Permit for gyms and related uses provided the instructional space is of so many square feet; that the visibility into the store is  $\frac{3}{4}$  of the way in the floor plan; if less than 25 percent of the space is dedicated to offices. This would create a space for the yoga studios and legitimate small businesses. They should still be subject to same noise requirements

Respectfully submitted,



Doris N. Cruz  
Chair, Zoning and Land Use Committee





# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|   |                      |                                       |   |
|---|----------------------|---------------------------------------|---|
| <b>RECOMMENDATION: Unfavorable</b>      |                      |                                       |   |
| <b># In Favor:</b> 0                    | <b># Against:</b> 33 | <b># Abstaining:</b> 0                | <b>Total members appointed to the board:</b> 47 |
| <b>Date of Vote:</b> 6/10/2021 12:00 AM |                      | <b>Vote Location:</b> Virtual Meeting |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|  |   |
|--|---|
| <b>Date of Public Hearing:</b> 6/10/2021 7:00 PM |   |
| <b>Was a quorum present?</b> Yes                 | <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>  |
| <b>Public Hearing Location:</b>                  | Virtual Meeting - Register Here:<br><a href="https://us02web.zoom.us/j/88660030316?pwd=cTVOQXVEcUxsdTIsUWJTQ2t1cDVCdz09">https://us02web.zoom.us/j/88660030316?pwd=cTVOQXVEcUxsdTIsUWJTQ2t1cDVCdz09</a> |

**CONSIDERATION:** Community Board 11 does not support this text amendment with the inclusion of the provision 32-02 (b) (1) which excludes 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 nongovernmental entity pursuant to an active contract or other written agreement with an agency of the City or State specifying such public purpose.

Whether for a Marine Transfer Station, sewer treatment facility, or a homeless shelter the public should have an opportunity to voice their concerns and provide input regarding the siting of municipal facilities. To site transient hotels (UG5) in residential districts and in the C1-1 to C1-4 districts where they are not permitted as-of-right is a disservice to the public review process and the regulations governing land use.

|                             |         |                          |
|-----------------------------|---------|--------------------------|
| Recommendation submitted by | BK CB11 | Date: 6/21/2021 11:05 AM |
|-----------------------------|---------|--------------------------|



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

**RECOMMENDATION: Favorable**

|   |                     |  |   |
|---|---------------------|--|---|
| <b># In Favor:</b> 35                   | <b># Against:</b> 1 | <b># Abstaining:</b> 1   | <b>Total members appointed to the board:</b> 37 |
| <b>Date of Vote:</b> 5/26/2021 12:00 AM |                     | <b>Vote Location:</b> Community Board General Board Meeting via Zoom |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

**Date of Public Hearing:** 5/20/2021 7:00 PM

**Was a quorum present?** Yes

*A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members*

**Public Hearing Location:**

Community Board #13 via Zoom

**CONSIDERATION:**

Recommendation submitted by

BK CB13

Date: 6/7/2021 2:35 PM



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|   |                      |                             |   |
|---|----------------------|-----------------------------|---|
| <b>RECOMMENDATION: Unfavorable</b>      |                      |                             |   |
| <b># In Favor:</b> 0                    | <b># Against:</b> 40 | <b># Abstaining:</b> 0      | <b>Total members appointed to the board:</b> 40 |
| <b>Date of Vote:</b> 6/14/2021 12:00 AM |                      | <b>Vote Location:</b> Webex |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|  |  |
|--|--|
| <b>Date of Public Hearing:</b> 6/10/2021 6:30 PM |  |
| <b>Was a quorum present?</b> No                  | <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> |
| <b>Public Hearing Location:</b>                  | Webex  |

**CONSIDERATION:** CB14 submitted a letter to DCP on all pending text amendments. The letter is excerpted here as pertinent to the Hotels Text Amendment only.

|                             |         |                         |
|-----------------------------|---------|-------------------------|
| Recommendation submitted by | BK CB14 | Date: 7/12/2021 4:19 PM |
|-----------------------------|---------|-------------------------|



**BROOKLYN COMMUNITY BOARD 14**  
**FLATBUSH–MIDWOOD COMMUNITY DISTRICT**  
810 East 16<sup>th</sup> Street  
Brooklyn, New York 11230

**BILL DE BLASIO**  
*Mayor*

June 19, 2021

**ERIC L. ADAMS**  
*Borough President*

Marisa Lago

**ED POWELL**  
*Chairman*

Chair

**SHAWN CAMPBELL**  
*District Manager*

New York City Planning Commissioner

120 Broadway - 31st Floor

New York, NY 10271

**EXECUTIVE COMMITTEE**

**GAIL L. SMITH**  
*First Vice-Chair*

Dear Chair Lago and Members of the NYC Planning Commission:

**CARMEN CERIO BELLE**  
*Second Vice-Chair*

Thank you for this opportunity to relay Brooklyn Community Board 14's comments on proposed zoning text amendments. First and foremost, Community Board 14 wishes to emphasize our concern regarding the timing of these proposed text amendments and the difficulty we face in scheduling public meetings to meaningfully discuss, absorb and vet these very detailed yet seemingly unfinished proposed text amendments. We stand with other Brooklyn Community Boards and strongly urge DCP to delay the final draft of the Fresh, Hotels, and Health and Fitness zoning text amendments until late October 2021. This would enable the Boards that have not had the benefit of presentations to hear from DCP at a public meeting and to consider the questions and concerns of their respective community members. It would give our own Board the opportunity to get answers and clarifications to the proposals as detailed below.

**JOSEPH DWECK**  
*Third Vice-Chair*

**HINDY BENDEL**  
*Secretary*

**SHAHID KHAN**  
*Member-at-Large*

**STEVEN D. COHEN**  
*Member-at-Large*

**ALVIN M. BERK**  
*Chairman Emeritus*

To rush complicated and impactful zoning text amendments through the process is akin to circumventing community input. Community members have nuanced feedback that will serve to improve good proposals and ensure they serve and enhance our various communities.

Please delay the final draft of the text amendments in order to consider Community Board 14's input as follows.

#### Hotels

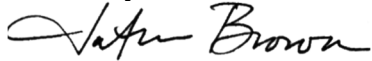
The data upon which this proposal is based was gathered prior to the pandemic and should be put on pause until there is a clearer picture of tourism's return. The current common practice of using hotels for emergency congregant housing has resulted in mistrust from community members. The speed with which community boards are being asked to weigh in on this proposal does not allow for an assessment of other potential land uses in the zones where hotels would become as of right or the economic impacts on the community or neighborhood impacts associated with ancillary hotel businesses such as restaurants or hotel bars. Our board remains unclear as to how extended continuance, i.e. vacancy or conversion will be defined and what "uses" are permissible for up to six (6) years from date of adoption.

This proposal prompted a long and lively discussion among our board and community members. The timing of the proposal simply does not allow for meaningful community engagement.

CB14 recommends that this proposal be delayed into the late October 2021 to ensure that these questions and concerns expressed by other boards are considered.

Thank you for your consideration.

Sincerely,



Jo Ann Brown  
Chairperson

cc: Hon. Mathieu Eugene, NYC Council, 40<sup>th</sup> CD  
Hon. Farah Louis, NYC Council 45<sup>th</sup> CD  
Hon. Kalman Yeger, NYC Council, 44<sup>th</sup> CD



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

**RECOMMENDATION: Favorable**

|   |                      |                             |   |
|---|----------------------|-----------------------------|---|
| <b># In Favor:</b> 25                   | <b># Against:</b> 11 | <b># Abstaining:</b> 0      | <b>Total members appointed to the board:</b> 36 |
| <b>Date of Vote:</b> 5/25/2021 12:00 AM |                      | <b>Vote Location:</b> Webex |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

**Date of Public Hearing:** 5/25/2021 6:00 PM

**Was a quorum present?** Yes

*A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members*

**Public Hearing Location:**

Webex

**CONSIDERATION:**

|                             |         |                          |
|-----------------------------|---------|--------------------------|
| Recommendation submitted by | BK CB15 | Date: 5/26/2021 12:53 PM |
|-----------------------------|---------|--------------------------|



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|   |                     |   |   |
|---|---------------------|---|---|
| <b>RECOMMENDATION: Unfavorable</b>      |                     |   |   |
| <b># In Favor:</b> 35                   | <b># Against:</b> 0 | <b># Abstaining:</b> 0  | <b>Total members appointed to the board:</b> 35 |
| <b>Date of Vote:</b> 5/19/2021 12:00 AM |                     | <b>Vote Location:</b> WebEx:<br><a href="https://nyccb.webex.com/nyccb/onstage/g.php?MTID=ea8de76e58f081b331969c5ba1fd7ff8e">https://nyccb.webex.com/nyccb/onstage/g.php?MTID=ea8de76e58f081b331969c5ba1fd7ff8e</a> |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|  |   |
|--|---|
| <b>Date of Public Hearing:</b> 5/19/2021 7:00 PM |   |
| <b>Was a quorum present?</b> Yes                 | <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>  |
| <b>Public Hearing Location:</b>                  | WebEx:<br><a href="https://nyccb.webex.com/nyccb/onstage/g.php?MTID=ea8de76e58f081b331969c5ba1fd7ff8e">https://nyccb.webex.com/nyccb/onstage/g.php?MTID=ea8de76e58f081b331969c5ba1fd7ff8e</a> |

**CONSIDERATION:**

|                             |         |                         |
|-----------------------------|---------|-------------------------|
| Recommendation submitted by | BK CB18 | Date: 6/9/2021 10:51 AM |
|-----------------------------|---------|-------------------------|



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|   |                     |  |   |
|---|---------------------|--|---|
| <b>RECOMMENDATION: Favorable</b>        |                     |  |   |
| <b># In Favor:</b> 23                   | <b># Against:</b> 6 | <b># Abstaining:</b> 3                 | <b>Total members appointed to the board:</b> 32 |
| <b>Date of Vote:</b> 5/25/2021 12:00 AM |                     | <b>Vote Location:</b> Remote via WebEx |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|  |  |
|--|--|
| <b>Date of Public Hearing:</b> 5/10/2021 6:00 PM |  |
| <b>Was a quorum present?</b> Yes                 | <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> |
| <b>Public Hearing Location:</b>                  | <a href="https://live.mcb1.nyc">https://live.mcb1.nyc</a>  |

**CONSIDERATION:** Please see attached for full resolution

|                             |        |                         |
|-----------------------------|--------|-------------------------|
| Recommendation submitted by | MN CB1 | Date: 6/4/2021 11:58 AM |
|-----------------------------|--------|-------------------------|



COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: MAY 25, 2021

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

|                 |             |           |             |           |
|-----------------|-------------|-----------|-------------|-----------|
| COMMITTEE VOTE: | 7 In Favor  | 2 Opposed | 3 Abstained | 0 Recused |
| PUBLIC VOTE:    | 1 In Favor  | 0 Opposed | 0 Abstained | 0 Recused |
| BOARD VOTE:     | 23 In Favor | 6 Opposed | 3 Abstained | 0 Recused |

RE: Hotels Special Permit, Citywide Zoning Text Amendment

WHEREAS: The Citywide Hotel Text Amendment is a citywide action, affecting all boroughs and community districts, to require a special permit for new hotels; and

WHEREAS: The rapid growth of new hotels across the city has led to calls from communities and elected officials to better regulate the development hotels to limit land use conflicts and slow the pace of development in some locations. Over time, the City Planning Commission (CPC) has adopted a variety of special permits to address various planning concerns relating to residential development goals, neighborhood character, and conflicts with adjacent uses. Consequently, the City has an inconsistent and patchwork framework for new hotel development; and

WHEREAS: There have been several recent efforts to require special permits for hotels in areas of the City. The Special Purpose Districts in Inwood, Jerome Avenue, East Harlem, East Midtown, Midtown South, Garment Center, Hudson Square, Battery Park City, Clinton and Tribeca all contain provisions that require a special permit for new hotels. On December 20, 2018, the City Council approved a Citywide text amendment requiring special permits for hotels in M1 manufacturing districts throughout the City; and

WHEREAS: Although the COVID-19 pandemic caused an abrupt and precipitous drop in hotel occupancy and construction, visitation is expected to return by 2025 along with a demand for new hotels. When this occurs, a more uniform zoning framework for new hotels citywide would support more predictable development and limit the extent to which a hotel use may impair the future use or development of the surrounding area. Review of a new or enlarged hotel's relationship to neighborhood context would result in better configuration of the use on the zoning lot to minimize conflicts with adjacent uses; and

WHEREAS: The proposed text amendment would modify provisions throughout the zoning resolution, notably the use provisions in Article III Chapter 2, Article XII Chapter 3 and several special purpose districts to require a special permit for hotels. Special permits would be replaced in: East Midtown, Special Hudson Square, Special Clinton, Special 125th Street, Special Tribeca Mixed- Use, Special Garment Center, Special East Harlem Corridors, Special Jerome Corridor, and Special Inwood districts. A new special permit would be created in: Theater Subdistrict, Limited Commercial, Special Battery Park, Special Sheepshead Bay,

Special Madison Avenue Preservation, Special Coney Island, and Special Governors Island districts. The new special permit will be pursuant to Zoning Resolution Section 74-802; and

WHEREAS: As a result of this proposed text amendment, any new hotel within Community District 1 would require a Special Permit; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 recommends approval of the Hotels Special Permit Citywide Zoning Text Amendment.



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|   |                     |  |   |
|---|---------------------|--|---|
| <b>RECOMMENDATION: Unfavorable</b>      |                     |  |   |
| <b># In Favor:</b> 42                   | <b># Against:</b> 0 | <b># Abstaining:</b> 0                                 | <b>Total members appointed to the board:</b> 48 |
| <b>Date of Vote:</b> 5/20/2021 12:00 AM |                     | <b>Vote Location:</b> Meeting held via videoconference |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|                                 |  |
|---------------------------------|--|
| <b>Date of Public Hearing:</b>  |  |
| <b>Was a quorum present?</b> No | <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> |
| <b>Public Hearing Location:</b> |  |

**CONSIDERATION:** See attached resolution.

|                             |        |                         |
|-----------------------------|--------|-------------------------|
| Recommendation submitted by | MN CB2 | Date: 5/21/2021 1:21 PM |
|-----------------------------|--------|-------------------------|

Jeannine Kiely, *Chair*  
Susan Kent, *First Vice Chair*  
Valerie De La Rosa, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Eugene Yoo, *Secretary*  
Ritu Chattree, *Assistant Secretary*

## COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

[www.cb2manhattan.org](http://www.cb2manhattan.org)

P: 212-979-2272 F: 212-254-5102 E: [info@cb2manhattan.org](mailto:info@cb2manhattan.org)

Greenwich Village \* Little Italy \* SoHo \* NoHo \* Hudson Square \* Chinatown \* Gansevoort Market

May 21, 2021

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

Dear Ms. Lago:

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

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

### Whereas:

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

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

- c. The existing restrictions on certain uses below the level of the second floor in M1-5A and M1-5B districts be retained and the text amendment require a hotel Special Permit to not supersede the requirement for any other Special Permit that may otherwise be applicable.
3. This 2021 Citywide Hotel text amendment would require a CPC Special Permit for new hotels and enlargements where hotels are permitted as-of-right today: C1 (except for C1-1, C1-2, C1-3 or C1-4 Districts), C2-4, C4, C5, C6, C8, Mixed Use (MX), and paired M1/R districts.
4. The proposed CPC Special Permit would replace existing CPC Special Permits for new hotels in special purpose districts such as Special Hudson Square District in CB2.
5. The new Special Permit requirement would override existing hotel Special Permit requirements. However, it would retain the existing findings and regulations for hotels in M1 districts as found in the 2018 text amendment for industrially-zoned areas.
6. CB2 is opposed to making any changes before the effects of the pandemic on the tourism industry specifically, and the City in general, are better understood.
7. We are concerned that introduction of regulation(s) in this particular area of the economy might decrease demand (due to higher costs), stymie job growth, stifle competition, and hinder economic recovery.
8. This amendment would make hotels more expensive, encouraging tourists to use cheaper hotels outside the City, and worse, encouraging AirBnB usage which has proved so harmful to affordable housing in the city.
9. The Hotel Trades Council, which supports this Special Permit text amendment, was the only union to endorse the Mayor's presidential bid.

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

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

1. An additional finding that protects a harmonious balance of uses consistent with the character of CB2's historic districts.
2. The text change specifically allow the Planning Commission to prescribe appropriate additional conditions: for example, limitations on eating and drinking establishments, based on their impact on residential uses in the area—similar to the Conditions and Safeguards provision from ZR 74-21.
3. The text amendment require a hotel Special Permit to not supersede the requirement for any other Special Permit that may otherwise be applicable.

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

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

Sincerely,



Jeannine Kiely, Chair  
Community Board #2, Manhattan



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

JK/jt

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

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

**VOTE: TITLE: N210406ZRY – "Citywide Hotels Text Amendment" Recommendation to support with a condition**

**WHEREAS**, the City of New York is proposing a new Citywide text amendment which would require a City Planning Commission special permit for all new hotels and hotel enlargements in zoning districts where hotels are currently permitted as-of-right (C1, C2-4, C4, C5, C6, C8, MX, and paired m1/R districts); and

**WHEREAS**, this would establish a site-specific ULURP review for any new hotel or hotel enlargement in Community District 3 which would come before the Community Board for a public hearing and recommendation; and

**WHEREAS**, the new Special Permit findings would require the City Planning Commission to evaluate new hotels for approval based on criteria and findings that the hotel would "not impair the future use or development of the surrounding area"; and

**WHEREAS**, the land use rationale provided by the City to justify this action is to "minimize conflicts with adjacent uses and protect the safety of hotel guests"; and

**WHEREAS**, the Draft Environmental Impact Statement for this action includes analysis that projects the proposed text amendment would slow hotel development Citywide, resulting in a hotel room demand of 174,730 rooms with a supply of 127,660 by 2035, resulting in unmet demand of 47,070 hotel rooms, per the economic analysis in this proposal's Environmental Impact Statement<sup>2</sup>; and

**WHEREAS**, tourism is the 5th largest industry in New York City, accounting for \$41.4 billion in direct spending in New York City in 2019, and the proposed action is expected to result in a 12% loss of visitor spending compared to the no-action scenario and approximately 20,000 less jobs by 2035, per the economic analysis in this proposal's Environmental Impact Statement<sup>3</sup>;

**THEREFORE, BE IT RESOLVED**

Community Board 3 approves this text amendment with the following condition:

The significant unmet demand for hotel rooms may incentivize more illegal short-term rentals (such as Airbnb), which would remove housing units from the City's rental market and put upward pressure on housing costs. The city should step up efforts to enforce the regulations on illegal short-term rentals.



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|  |                     |                                       |   |
|--|---------------------|---------------------------------------|---|
| <b>RECOMMENDATION: Conditional Favorable</b> |                     |                                       |   |
| <b># In Favor:</b> 44                        | <b># Against:</b> 0 | <b># Abstaining:</b> 2                | <b>Total members appointed to the board:</b> 50 |
| <b>Date of Vote:</b> 6/3/2021 12:00 AM       |                     | <b>Vote Location:</b> Virtual Meeting |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|   |  |
|---|--|
| <b>Date of Public Hearing:</b> 6/2/2021 6:30 PM |  |
| <b>Was a quorum present?</b> Yes                | <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> |
| <b>Public Hearing Location:</b>                 | Visit MCB4.nyc   |

**CONSIDERATION:** See attached.

|                             |        |                         |
|-----------------------------|--------|-------------------------|
| Recommendation submitted by | MN CB4 | Date: 6/22/2021 2:36 PM |
|-----------------------------|--------|-------------------------|





**LOWELL D. KERN**  
Chair

**JESSE R. BODINE**  
District Manager

CITY OF NEW YORK  
**MANHATTAN COMMUNITY BOARD FOUR**

424 West West 33 Street, Suite #580  
New York, NY 10001  
Mailing Address  
P.O. Box 2622  
New York, NY 10108  
tel: 212-736-4536  
[www.nyc.gov/mcb4](http://www.nyc.gov/mcb4)

June 22, 2021

Marisa Lago  
Chair  
NYC City Planning Commission  
120 Broadway, 31<sup>st</sup> Floor  
New York, NY 10271

**Re: N 210406 ZRY Proposed Citywide Hotel Text Amendment**

Dear Chair Lago,

On the recommendations of its Chelsea Land Use and Clinton/Hell's Kitchen Land Use Committees, Manhattan Community Board 4 (MCB4), at its regularly scheduled full board meeting on June 2, 2021, voted 44 in favor, 0 opposed, 2 abstaining, and 0 present but not eligible, to recommend approval with conditions of the Department of City Planning's (DCP) proposed text amendment to require a special permit for new and enlarged transient hotels (Use Group 5), and motels, tourist cabins and boatels (Use Group 7).

MCB4 requests additional terms to be included in the zoning text amendment:

- include more specific findings for the proposed special permit; and,
- require a special permit for non-emergency public purpose hotels.

**Description of Proposal**

DCP seeks to create a more consistent zoning framework for new hotels; to address conflicts with nearby commercial, industrial, and residential uses; and to avoid the potential for new hotels to impair the future development of nearby areas. The proposed text amendment would establish a new special permit for new hotels, motels, tourist cabins, and botels in C1, C2, C4, C5, C6, C8 and Mixed-Use (MX) and paired M1/R districts, and Special Districts. The proposal also includes recovery measures to restore the hotel inventory to pre-COVID levels. These include modified vesting, exclusions of recent or active land use applications, and extended discontinuance measures.

Over the past 15 years a variety of special permits for new hotels have been adopted for different areas, including certain special districts where a site-specific review is

required. The findings for these special permits vary; they have different standards and lack a unified objective.

The proposed citywide special permit will replace existing special permits except for the M1 hotel special permit, adopted in 2018, which will retain its findings and regulations that are specific to light industrial areas.

Use Group 5 transient uses that are operated for a public purpose such as emergency shelters would be excluded from the proposal. A special permit would not be required for them. The City emphasizes that they must meet their legal obligation to provide emergency shelter quickly and a special permit requirement would be inappropriate.

The findings for the proposed special permit are general:

- New hotels must be allowed only on appropriate sites.
- New hotels must not have the potential to introduce conflicts with or create nuisances on, surrounding uses or negatively affect the future use and development of the area.

### **Analysis and Recommendations**

MCB4 supports the goal of the proposed text amendment to require a citywide special permit for new hotels and enlargements in zoning districts that currently allow as-of-right hotels, in commercial districts or mixed-use (MX) districts. The new special permit could prevent the building of hotels in inappropriate locations and prevent them from hindering new development.

MCB4 requests that the proposed special permit findings be strengthened and clarified to ensure complete review.

- Impact on Surrounding Uses  
The special permit finding should require 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, and internal storage space for trash, and linen deliveries.
- Impact on Vehicular and Pedestrian Congestion  
The special permit finding should include that such use will not cause undue vehicular or pedestrian congestion on local streets.
- Concentration of Hotels  
The special permit finding should require that a new hotel not cause an undue concentration of hotels within a 500-foot radius of the proposed location. In the past ten years, in areas of MCD4 with commercial zoning,

there has been such a rapid concentration of new hotels that these areas risk losing their historic neighborhood character.

### **Public Purpose Hotels**

MCB4 supports public purpose hotels with uses such as supportive housing or shelters only if their siting meets the City Charter's mandate for Fair Share and they are well run. We strongly recommend that there should be a special permit requirement for them to address siting, operational and community issues raised by the local community board.

DCP is adamant that a special permit should not be required for the conversion of failing or closed hotels to temporary shelters for homeless people. MCB4 respects and understands the need for speedy emergency conversions. For example, when Covid-19 hit, people living in congregate facilities needed to be quickly relocated to safer, less-crowded spaces and many were moved into hotels within MCD4.

We recommend that non-emergency conversions be subject to a special permit to avoid a harmful concentration in a neighborhood. A special permit would be appropriate for routine non-emergency uses such as shelters and supportive housing.

MCB4 has developed a planning approach for the siting of hotel conversions to homeless shelters, supportive housing and affordable housing. (See attached CB4 May 2021 letter "COVID Residential Conversion – Policy Considerations and Recommendations.") According to our recommended policy, new shelters and supportive housing should not be located in proximity to existing shelters, social service facilities, and other supportive housing within a 500-foot radius for a cumulative total of 150 beds or social service users within that radius. Only one shelter or supportive housing development should be sited on any street between two avenues or on any avenue between two streets. They should range between 50 to 100 beds, with those below 75 beds preferred.

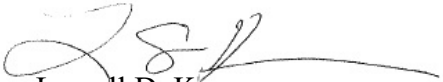
Even though the conversion of a public purpose hotel to a transient hotel would require a special permit, the Board is concerned that the converted building will easily qualify as a hotel, without a hard look at the special permit findings.

We urge DCP to work with us to develop a comprehensive plan for the siting of social service uses, shelters, supportive housing and affordable housing. Based on our recent experiences in MCD4, we now have a deep understanding of not only siting issues but the elements needed for successful conversion uses.


**Conclusion**


MCB4 recommends approval of the proposed citywide text amendment for a hotel special permit with two conditions: that the special permit findings be strengthened, and a special permit be required for non-emergency public purpose hotels. We greatly appreciate DCP's work on this important land use issue.

Sincerely,

  
Lowell D. Kern  
Chair  
Manhattan Community Board 4

  
Betty Mackintosh  
Co-Chair  
Chelsea Land Use Committee

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

  
Paul Devlin  
Co-Chair  
Chelsea Land Use Committe3

**Enclosure**

cc: Hon. Corey Johnson, Speaker, City Council  
Hon. Gale Brewer, Manhattan Borough President



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|  |                     |                               |   |
|--|---------------------|-------------------------------|---|
| <b>RECOMMENDATION: Conditional Unfavorable</b> |                     |                               |   |
| <b># In Favor:</b> 35                          | <b># Against:</b> 0 | <b># Abstaining:</b> 1        | <b>Total members appointed to the board:</b> 43 |
| <b>Date of Vote:</b> 6/10/2021 12:00 AM        |                     | <b>Vote Location:</b> Virtual |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|  |  |
|--|--|
| <b>Date of Public Hearing:</b> 6/10/2021 6:00 PM |  |
| <b>Was a quorum present?</b> Yes                 | <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> |
| <b>Public Hearing Location:</b>                  | Virtual  |

**CONSIDERATION:** Recommendation Resolution attached.

|                             |        |                          |
|-----------------------------|--------|--------------------------|
| Recommendation submitted by | MN CB5 | Date: 6/17/2021 11:42 AM |
|-----------------------------|--------|--------------------------|

# MANHATTAN COMMUNITY BOARD FIVE

---

Vikki Barbero, Chair

450 Seventh Avenue, Suite 2109  
New York, NY 10123-2199  
212.465.0907 f-212.465.1628

Marisa Maack, District Manager

June 14, 2021

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

**Re: Application by the Department of City Planning (DCP) for a Citywide Zoning Text Amendment - Hotels Special Permit.**

Dear Chair Lago:

At the regularly scheduled monthly Community Board Five meeting on Thursday, June 10, 2021, the following resolution passed with a vote of 35 in favor; 0 opposed; 1 abstaining:

WHEREAS, The Department of City Planning (DCP) proposes a citywide zoning text amendment, (ZTA), to establish a new special permit under the jurisdiction of the City Planning Commission (CPC) for new hotels, motels, tourist cabins and boatels in C1, C2, C4, C5, C6, C8 and Mixed-Use (MX) districts (the Proposed Action), to create a more consistent zoning framework for new hotels; and

WHEREAS, The stated purpose and goal of the proposal is to create a more consistent zoning framework for new hotels, to address conflicts with nearby commercial, industrial and residential uses that new transient uses may introduce, and to avoid potential for hotel development to impair future use and development of areas around a new hotel; and

WHEREAS, the Proposed Zoning Text Amendment would create a new special permit for hotel development citywide; and

WHEREAS, It is intended to create a consistent framework for hotel development and ensure that hotels do not negatively affect the surrounding area; and

WHEREAS, DCP Division of Housing and Economic Development is spearheading this proposed action; and

WHEREAS, By 2019, before the COVID-19 pandemic hit, NYC experienced record growth in the tourism industry and its hotel room construction pipeline; and

WHEREAS, Visitor trends peaked in 2019 with 67M visitors/year, up from 46M in 2009 and visitor count was forecasted to increase even more in 2020 to 69M and absent the pandemic, there was a consistent and substantial growth in the number of tourists visiting NYC; and

WHEREAS, With regard to the supply of hotel rooms, the total number of rooms grew from 80K in 2009 to 128K in 2019 and in the past five years, the city saw a 40% increase in the hotel room inventory; and

WHEREAS, Pre-COVID-19, NYC hotel occupancy rates were among the highest for urban markets in the country, with the growth in the NYC hotel market driven by international and domestic travelers coming to visit NYC cultural offerings, shopping, site-seeing, and overall tourism for 86% of people who visited the city, and demand continued to rise keeping NYC annual occupancy rate for hotel rooms at about 87%; and

WHEREAS, rapid growth of new hotels across different districts of the city has led to concerns about land use and zoning conflicts with surrounding areas; and

WHEREAS, In commercial and industrial mixed-use districts, hotels have introduced conflicts with surrounding uses as overnight accommodations differ from their neighboring conforming uses; and

WHEREAS, Examples of these land use and zoning conflicts include such characteristics as a hotel in a manufacturing area that may cause added pedestrian traffic where heavy machinery and trucks are being operated, or a hotel setback from the street which creates a disruptive streetscape and possibly an unsafe pedestrian environment; and

WHEREAS, To address concerns associated with rapid hotel growth and proliferation throughout the city, the CPC adopted a variety of special purpose districts with special permits related to hotel development which were very context and location specific; and

WHEREAS, An example is the East Midtown Sub-district, where in 2017, a special hotel use permit was adopted with findings and criteria specific to the needs of the local business community and to this sub-district; and

WHEREAS, The City believes that a robust tourism economy is vital to New York's economic health and tourism is expected to recover from the pandemic, and once it does, hotel development is expected to resume at the pace it was prior to the pandemic; and

WHEREAS, DCP is bringing forward this ZTA which will create a consistent zoning framework for new hotels and allow the CPC to evaluate each hotel development's impact on the current and future use and development of its surrounding fabric because hotels have the potential to create land use conflicts in a variety of ways and in a variety of neighborhood contexts; and

WHEREAS, The proposed citywide Hotels Special Permit will replace all existing special district special permits, with the exception of the existing M1 Districts Hotels Special Permit; and

WHEREAS, The proposed citywide Hotels Special Permit will replace all the other existing Hotels Special Permits, including the Midtown East Sub-District Hotel Special permit; and

WHEREAS, Hotels would still be not permitted in residential districts; and

WHEREAS, Current rules for Use Group 5 developed solely for a public purpose, such as temporary housing for the un-housed communities and the homeless, will not change, allowing these facilities to meet the City's legal obligation to provide emergency shelter and social services for the needs of these populations; and

WHEREAS, The proposed ZTA is intended to address the land use concerns related to commercial hotels and is neutral with regard to current policies related to siting social services and shelter facilities that also have sleeping accommodations; and

WHEREAS, The COVID-19 pandemic has had a significant effect on the NYC hotel industry and its workers wherein a net total of 146 hotels (out of 705) and 42,030 rooms closed with 96.3% of room closures occurring in Manhattan and an estimated 197,000 jobs lost in 2020, in the leisure and hospitality industry; and

WHEREAS, 105 of the mostly luxury and upscale Hotels that closed due to the pandemic were located in Midtown Manhattan; and

WHEREAS, Experts predict a full recovery in the Hotel industry by 2025; and

WHEREAS, CPC proposes recovery provisions intended to restore the hotel industry to pre-COVID levels which include modified vesting, exclusions of recent or active land use applications and extended discontinuance; and

WHEREAS, Modified vesting will allow projects in the DOB pipeline to advance, even if foundations are not complete by adoption of the proposed ZTA; and

WHEREAS, Exclusions of recent or active land use applications include Hotel Special Permit applications approved by CPC or BSA or those that begin the CPC public review or file with the BSA after January 1, 2018 and prior to the adoption of the proposed ZTA will not require a special permit; and

WHEREAS, Extended Discontinuance will allow hotels that exist on the date of the proposed ZTA adoption, should they become vacant, to retain their hotel use six years (rather than two years for other non-conforming uses) from the date of adoption without a special permit and allow existing hotels to convert to another use and convert back to hotel use until six years from the date of adoption; and

WHEREAS, A draft Environmental Impact Statement (DEIS) was issued on May 3, 2021 which identified significant adverse impacts with respect to the Hotel and Tourism Industry; and

WHEREAS, The proposed ZTA for the citywide Hotel Special Permit states that the findings required to grant such Hotel Special Permit, are that the hotel use will not impair the future use or development of the surrounding area and the Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area; and

WHEREAS, Community Board Five believes that hotel use should be regulated with a Hotel Special Permit framework; and

WHEREAS, The findings and criteria to justify the issuance of a special permit under the current proposal are very vague, could be subject to interpretation and lack objective metrics; 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 CB5's District unless:

**1. The approval format, requirements and definitions of findings of all existing Hotel Special Permits in the CB5 district remain in place because the current Hotel Special Permit requirements are stronger and more context specific than the vague requirements of the proposed ZTA; this means that on attached applicability map of CB5, all areas shown in gray will retain their Hotel Special Permit zoning text intact.**

**2. For those areas shown in red on the applicability map, the proposed ZTA definitions of findings and approval criteria are strengthened and clarified with objective and specific metrics including but not limited to:**

- 1) First and foremost, the neighborhood character similar to the requirements and findings of other such Special Permits;**
- 2) Impact on pedestrian traffic;**
- 3) Impact on vehicular traffic, congestion and air pollution;**
- 4) Streetscape, and street wall continuity;**
- 5) Overall urban design, bulk and massing;**
- 6) Economic displacement,**
- 7) All other environmental effects**



Thank you for the opportunity to comment on this matter.

Sincerely,



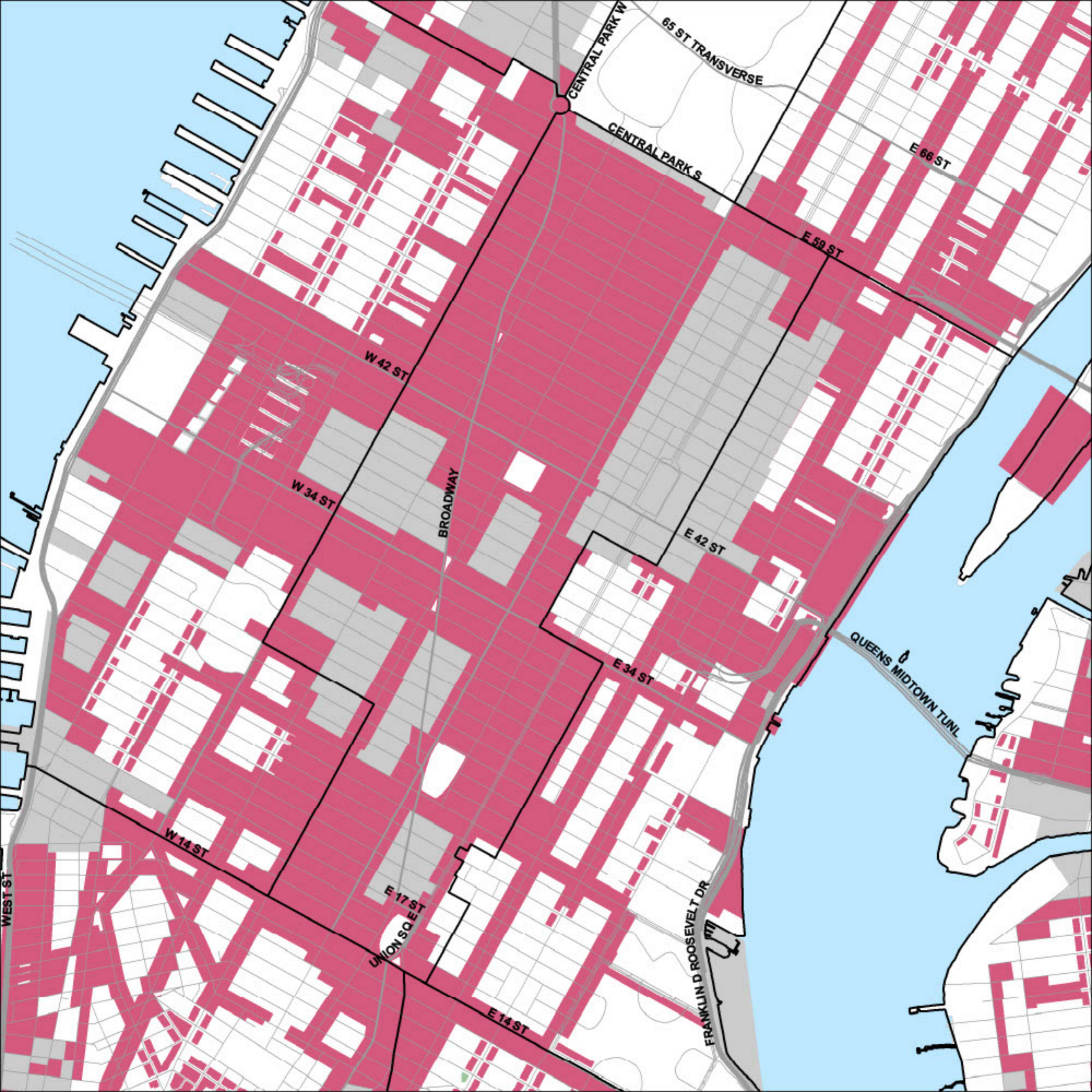
Vikki Barbero  
Chair



Layla Law-Gisiko  
Chair, Land Use, Housing and Zoning Committee

Cc: Hon. Brad Hoylman, New York State Senator, 27th District  
Hon. Robert Jackson, New York State Senator, 31st District  
Hon. Richard Gottfried, New York Assembly Member, 75th District  
Hon. Liz Krueger, New York Senator, 28<sup>th</sup> District  
Hon. Linda Rosenthal, New York Assembly Member, 67th District  
Hon. Dan Quart, New York Assembly Member, 73rd District  
Hon. Carlina Rivera, New York Councilmember, District 2  
Hon. Keith Powers, New York Councilmember, District 4  
Gale Brewer, Manhattan Borough President





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# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|  |                     |                               |   |
|--|---------------------|-------------------------------|---|
| <b>RECOMMENDATION: Unfavorable</b>     |                     |                               |   |
| <b># In Favor:</b> 45                  | <b># Against:</b> 0 | <b># Abstaining:</b> 1        | <b>Total members appointed to the board:</b> 46 |
| <b>Date of Vote:</b> 6/9/2021 12:00 AM |                     | <b>Vote Location:</b> On Zoom |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|   |  |
|---|--|
| <b>Date of Public Hearing:</b> 6/3/2021 7:00 PM |  |
| <b>Was a quorum present?</b> Yes                | <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> |
| <b>Public Hearing Location:</b>                 | On Zoom, see <a href="https://cbsix.org/meetings-calendar/">https://cbsix.org/meetings-calendar/</a> for link                        |

**CONSIDERATION:** Please see the attached resolution for more details, but the gist of the comment is: Manhattan Community Board Six does not support the proposed citywide hotel special text amendment, due to its arbitrary focus on one specific use group, inopportune timing, and adverse potential impact for future revenue and job growth.

|                             |        |                         |
|-----------------------------|--------|-------------------------|
| Recommendation submitted by | MN CB6 | Date: 6/14/2021 2:10 PM |
|-----------------------------|--------|-------------------------|

KYLE ATHAYDE  
CHAIR

SANDRO SHERROD, FIRST VICE CHAIR  
MARK THOMPSON, SECOND VICE CHAIR



JESÚS PÉREZ  
DISTRICT MANAGER

BRIAN VAN NIEUWENHOVEN, TREASURER  
BEATRICE DISMAN, ASST. TREASURER  
SEEMA SHAH, SECRETARY  
MATT BONDY, ASST. SECRETARY

THE CITY OF NEW YORK  
MANHATTAN COMMUNITY BOARD SIX  
211 EAST 43RD STREET, SUITE 1404  
NEW YORK, NY 10017

**VIA E-MAIL**

June 10, 2021

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

**Objecting to a Citywide Text Amendment (N 210406 ZRY) that would require new hotels to obtain a City Planning Commission Special Permit**

At the June 9, 2021 Full Board meeting of Manhattan Community Board Six, the Board adopted the following resolution:

**WHEREAS**, on June 3, 2021, Manhattan Community Board Six heard a presentation from the Department of City Planning regarding their proposed zoning text amendment that would create a new special permit with the aim of creating a consistent approach to hotel development citywide;

**WHEREAS**, from 2007 to 2020, New York City has added over 54,000 hotel rooms, a 73 percent increase from the years prior, with the largest increase in the years 2014 to 2019;

**WHEREAS**, until the COVID-19 pandemic halted most new construction in March 2020, new hotels outpaced other types of non-residential development in some parts of the city;

**WHEREAS**, hotels are an important land use that supports substantial economic activity, and annually lodge an estimated 28 million visitors and account for \$13 billion for the city's economy;

**WHEREAS**, the proposal would require the City Planning Commission to consider a new hotel's potential for adverse effects on use and development in the surrounding area before it can be established;

**WHEREAS**, over the last 15 years, the City Planning Commission has required Special Permits for hotels in several neighborhoods and zoning districts. The proposed Special

Permit would apply to many areas across the city, which will simplify the zoning resolution and provide a more consistent standard throughout the city;

**WHEREAS**, City Planning Commission Special Permits are ULURP actions, requiring the standard ULURP process, involving the Community Board, Borough President, City Planning Commission and City Council;

**WHEREAS**, the proposed zoning change would require a City Planning Commission Special Permit for new and enlarged hotels and motels, tourist cabins and boatels in commercial, mixed-use and paired M1/R districts;

**WHEREAS**, the Special Permit requires that the City Planning Commission find that new hotels "will not impair the future use or development of the surrounding area";

**WHEREAS**, the Special Permit allows the City Planning Commission to also consider "conditions and safeguards to minimize adverse effects on the character of the surrounding area";

**WHEREAS**, the new Special Permit requirement would replace most existing hotel Special Permits requirements. However, the existing Special Permit provisions that apply in M1 districts, which require the Commission to make findings specific to industrially zoned areas, will remain in place;

**WHEREAS**, since Special Permit requirements for hotels have gone into place in M1 districts and certain neighborhoods, exactly one application for a new hotel has been received (the Commodore Hotel in East Midtown);

**WHEREAS**, the additional review would provide important information for adverse impacts to the community, the examples of negative impacts presented by the Department of City Planning do not warrant the response proposed;

**WHEREAS**, it is arbitrary for the proposed additional review to apply to hotels and not to other as-of-right development that have the potential to have similar negative impacts;

**WHEREAS**, the DEIS identified significant adverse impacts to the hotel and tourism industry which could result from this change including a future shortfall of hotel rooms, loss of revenue and reduced job opportunities;

**WHEREAS**, by making all new hotels go through ULURP, new hotel development and growth in the city will diminish to the advantage of existing hotels that could charge a premium to meet the expected demand;

**WHEREAS**, the hotel industry has already been negatively impacted due to the COVID-19 pandemic, and this would create another hurdle to their recovery;

**WHEREAS**, recovery will be particularly difficult for those hotels that have been used for temporary shelter or quarantine purposes, even with the text amendment's extended discontinuance;

**THEREFORE, BE IT RESOLVED** that Manhattan Community Board Six does not support the proposed citywide hotel special text amendment, due to its arbitrary focus on one specific use group, inopportune timing, and adverse potential impact for future revenue and job growth.

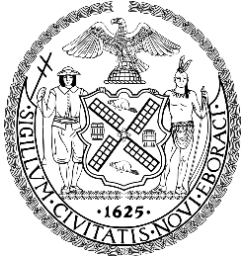
**VOTE: 45 In Favor 0 Opposed 1 Abstention 0 Not Entitled**

Best regards,



Jesús Pérez  
District Manager

Cc: Hon. Gale Brewer, Manhattan Borough President  
Hon. Carlina Rivera, Council Member  
Hon. Keith Powers, Council Member  
Hon. Ben Kallos, Council Member  
Kavitha Mathew, Chair, CB6 Strategic Community Planning Committee  
Azka Mohyuddin, City Planner, NYC Department of City Planning  
Scott Williamson, City Planner, NYC Department of City Planning



# THE CITY OF NEW YORK

## MANHATTAN COMMUNITY BOARD 7

250 West 87<sup>th</sup> Street, New York, NY 10024 • Phone (212) 362-4008

Website: <https://nyc.gov/mcb7> • E-mail: [mn07@cb.nyc.gov](mailto:mn07@cb.nyc.gov)

*Steven Brown, Board Chair*

*Michelle P. Booker, District Manager*

### RESOLUTION

**Date: September 9, 2021**

**Committee of Origin: Land Use**

**Re: Citywide Hotel Text Amendment,**

<https://www1.nyc.gov/site/planning/plans/citywide-hotel/citywide-hotel-overview.page>

**Full Board Vote: 37 In Favor 1 Against 3 Abstentions 0 Present**

**Committee: 8-0-1-0. Non-Committee Board Members: 4-0-0-0.**

The City Planning Commission has proposed to establish a new CPC Special Permit for all new hotels and hotel-enlargements where hotels are currently permitted as-of-right: C1 (except for C1-1, C1-2, C1-3 or C1-4 Districts), C2-4, C4, C5, C6, C8, Mixed Use (MX), and paired M1/R districts. This proposed CPC special permit would replace existing CPC special permits for new hotels in a number of existing special purpose districts (all outside of CB7). The special permit for hotels in M1 manufacturing districts would retain its findings that are specific to light industrial areas. Under the proposed amendment, a special permit would be granted in the absence of a finding that the proposed hotel would “impair the future use or development of the surrounding area.”

DCP has indicated that the proposed special permit requirement will enable the City to “better regulate where and how hotels get built and ensure that new hotels do not create conflicts with surrounding uses.” Additionally, DCP is looking to rectify an “inconsistent and patchwork framework for new hotel development” that currently exists.

DCP asserts that some communities and elected officials have called on the City to better regulate the development of hotels to limit land use conflicts and slow the pace of development in some locations. DCP also indicated “the rapid pace of new hotel development has introduced new activity that may affect neighborhood conditions in unexpected ways by creating conflicts with existing businesses or altering the economic character of commercial districts, and by changing the primarily residential character of some commercially zoned neighborhoods.” CPC’s written rationale for the proposed amendment, however, provides no concrete examples of existing or proposed hotels that would fail to meet the required finding.

Community Board 7/ Manhattan finds that:

- a) CPC has not made a convincing case for the need for a special permit for all future New York City hotels;
- b) The proposed amendment fails to include any specific findings and/or criteria related to how CPC would determine if a hotel use was appropriate or not, including no mention of potential impacts from logistical operations, even though the proposed special permit states CPC’s evaluation would be “based on a set of criteria”;
- c) DCP has not explained why a special permit requirement (as opposed targeted text changes) is the best tool available to address any potential impacts from a hotel development;
- d) The proposed special permit will add project costs (which could exceed \$50,000) and unnecessary delays to new developments at a time when the City is seeking to restart its tourism industry following the 2020-2021 pandemic;
- e) The additional costs will likely be passed on to the consumer and increase the already high cost of visiting NYC; and
- f) This may have a negative impact on the profusion of illegal Airbnb rentals as consumers look for lower cost options for overnight stays.

Based on the City’s proposal, we do not believe requiring a blanket special permit for all hotels is appropriate at this time.

WHEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **disapproves** the proposed Zoning Text Amendment to establish a special permit for all new hotels and hotel enlargements.

Russell Squire  
Chair

Will Brightbill  
District Manager



505 Park Avenue, Suite 620  
New York, N.Y. 10022-1106  
(212) 758-4340  
(212) 758-4616 (Fax)  
www.cb8m.com – Website  
info@cb8m.com – E-Mail

**The City of New York  
Community Board 8 Manhattan**

June 14, 2021

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

**Re: Citywide Hotels Text Amendment, ULURP Number: N210406ZRY. Deadline July 12, 2021**

At the Land Use Committee meeting of Community Board 8 Manhattan held on June 9, 2020, the board approved the following resolution by a vote of 38 in favor, 3 opposed, 0 abstentions, and 0 not voting for cause.

**WHEREAS**, the special permit would newly require a CPC special permit for new hotels and enlargements where hotels are permitted as-of right today: C1, C2, C4, C5, C6, C8, Mixed Use (MX), and paired M1/R districts, and

**WHEREAS**, the proposed CPC special permit would replace existing CPC special permits for new hotels in the special purpose districts, and

**WHEREAS**, the special permit for hotels in M1 manufacturing districts would retain its findings that are specific to light industrial areas. Special Permit in NYC,

**THEREFORE, BE IT RESOLVED** that Community Board 8 Manhattan **DISAPPROVES** the application for a text amendment as presented.

Please advise our office of any action taken on this matter.

Sincerely,

*Russell Squire*

Russell Squire  
Chair

cc: Honorable Bill de Blasio, Mayor of the City of New York  
Honorable Carolyn Maloney, 12th Congressional District Representative  
Honorable Gale Brewer, Manhattan Borough President  
Honorable Liz Krueger, NYS Senator, 28th Senatorial District  
Honorable José M. Serrano, NYS Senator, 29th Senatorial District  
Honorable Dan Quart, NYS Assembly Member, 73rd Assembly District  
Honorable Rebecca Seawright, NYS Assembly Member 76th Assembly District  
Honorable Robert J. Rodriguez, NYS Assembly Member 68th Assembly District  
Honorable Ben Kallos, NYC Council Member, 5th Council District  
Honorable Keith Powers, NYC Council Member, 4th Council District





# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       |   |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|   |                     |                                    |   |
|---|---------------------|------------------------------------|---|
| <b>RECOMMENDATION: Favorable</b>        |                     |                                    |   |
| <b># In Favor:</b> 40                   | <b># Against:</b> 0 | <b># Abstaining:</b> 0             | <b>Total members appointed to the board:</b> 49 |
| <b>Date of Vote:</b> 6/17/2021 12:00 AM |                     | <b>Vote Location:</b> ZOOM Meeting |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|  |  |
|--|--|
| <b>Date of Public Hearing:</b> 5/20/2021 6:30 PM |  |
| <b>Was a quorum present?</b> Yes                 | <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> |
| <b>Public Hearing Location:</b>                  | Zoom   |

|   |        |                         |
|---|--------|-------------------------|
| <b>CONSIDERATION:</b> Please see attached reso re: Proposed Citywide Zoning Text Amendment for Special Hotel Permits. |        |                         |
| Recommendation submitted by   | MN CB9 | Date: 6/24/2021 1:17 PM |



THE CITY OF NEW YORK  
**COMMUNITY BOARD 9**  
MANHATTAN

Morningside Heights  
Manhattanville  
Hamilton Heights

June 21, 2021

Hon. Marisa Lago  
Commissioner/Chair  
New York City Department of City Planning  
Equitable Life Building, 120 Broadway, 31st Floor  
New York, NY 10271

**Reso re: Proposed Citywide Zoning Text Amendment for Physical Culture Est.**

Dear Commissioner Chair Lago,

At its regularly scheduled General Board Meeting held remotely on Thursday, June 17, 2021, Manhattan Community Board No. 9 unanimously passed the following **Reso re: Proposed Citywide Zoning Text Amendment for Special Hotel Permits.**

WHEREAS, Manhattan Community Board No. 9 (MCB9) contains a minimal number of hotel establishments; and

WHEREAS, MCB9 believes that new hotel establishments must enhance the community and the immediately surrounding blocks; and

WHEREAS, MCB9 believes new hotels must not negatively impede the surrounding area or put temporary residents in harm's way; and

WHEREAS, the Department of City Planning (DCP) has proposed a Citywide Text Amendment, Hotel Text Amendment that proposes to create a consistent framework for hotel development and ensure that hotels do not negatively affect the surrounding area and support more predictable development; and

WHEREAS, the Citywide Hotel Special Permit is applicable only to:

(a) zoning districts where hotels are currently allowed will require a special permit for any new hotel and conversions:

1. Higher density commercial
2. Mixed use
3. M1/residential

**Hon. Marisa Lago**  
**June 21, 2021**  
**Page - 2**

(b) the proposed citywide special permit will replace existing special district special permits  
(c) the existing M1 Hotel special permit will retain its findings that are specific to light industrial areas; and

WHEREAS, MCB9 concurs with all the stated purposes above; and

WHEREAS, MCB9 is minimally impacted by this amendment as a limited number of blocks fall within these zones including on the 125<sup>th</sup> Street corridor, the Columbia Manhattanville expansion and the immediate area near Broadway and 145<sup>th</sup> Street; and

WHEREAS, MCB9 supports the mechanism of requiring special permits for hotel developments to avoid negative impacts on the local community; now

THEREFORE BE IT RESOLVED, that Manhattan Community Board 9 supports the proposed Hotel Text Amendment.

If you have any questions and/or further information is needed, please do not hesitate contacting me or District Manager, Eutha Prince, at the board office (212) 864-6200.

Sincerely,



Barry Weinberg  
Chair

cc: Hon. Bill De Blasio, Mayor  
Hon. Scott Stringer, NYC Comptroller  
Hon. Gale A. Brewer, Manhattan Borough President  
Hon. Brian Benjamin, State Senator  
Hon. Robert Jackson, State Senator  
Hon. Daniel J. O'Donnell, Assembly Member  
Hon. Inez Dickens, Assembly Member  
Hon. Al Taylor, Assembly Member  
Hon. Mark Levine, City Council Member  
Hon. Bill Perkins, City Council Member  
Mr. Zead Ramadan, Interim Executive Director, West Harlem Development Corporation  
Mr. Timothy Anderson, Urban Planner, Manhattan Borough Presidents Office  
Mr. Ryan Cote, Community Development & Public Policy, NYC Department of City Planning



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       |   |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|   |                     |   |   |
|---|---------------------|---|---|
| <b>RECOMMENDATION: Favorable</b>        |                     |   |   |
| <b># In Favor:</b> 29                   | <b># Against:</b> 0 | <b># Abstaining:</b> 0                      | <b>Total members appointed to the board:</b> 29 |
| <b>Date of Vote:</b> 6/17/2021 12:00 AM |                     | <b>Vote Location:</b> Zoom- Virtual Meeting |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|                                 |  |
|---------------------------------|--|
| <b>Date of Public Hearing:</b>  |  |
| <b>Was a quorum present?</b> No | <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> |
| <b>Public Hearing Location:</b> |  |

**CONSIDERATION:**

|                             |         |                         |
|-----------------------------|---------|-------------------------|
| Recommendation submitted by | MN CB10 | Date: 7/2/2021 10:06 AM |
|-----------------------------|---------|-------------------------|



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|   |                     |  |   |
|---|---------------------|--|---|
| <b>RECOMMENDATION: Favorable</b>        |                     |  |   |
| <b># In Favor:</b> 29                   | <b># Against:</b> 0 | <b># Abstaining:</b> 0                                       | <b>Total members appointed to the board:</b> 50 |
| <b>Date of Vote:</b> 7/13/2021 12:00 AM |                     | <b>Vote Location:</b> 1991 Second Avenue, New York, NY 10029 |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|  |  |
|--|--|
| <b>Date of Public Hearing:</b> 6/22/2021 6:30 PM |  |
| <b>Was a quorum present?</b> No                  | <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> |
| <b>Public Hearing Location:</b>                  | zoom.us/webinar/register/WN_lv4SMResQD2RCBE9Rzi0tA   |

**CONSIDERATION:** Approve

|                             |         |                         |
|-----------------------------|---------|-------------------------|
| Recommendation submitted by | MN CB11 | Date: 7/15/2021 4:01 PM |
|-----------------------------|---------|-------------------------|



# COMMUNITY BOARD ELEVEN

BOROUGH OF MANHATTAN  
1664 PARK AVENUE  
NEW YORK, NY 10035  
TEL: 212-831-8929  
FAX: 212-369-3571  
www.cb11m.org

Nilsa Orama  
Chair

Angel D. Mescain  
District Manager

July 13, 2021

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

**Re: Recommendation on Land Use Application # N 210406 ZRY - Citywide Hotel Text Amendment**

Dear Director Lago,

Community Board 11 (CB11) appreciates the opportunity to review and comment on the Department of City Planning's proposed Citywide Hotel Text Amendment.

The proposed zoning text amendment would affect every community district within the City, since all community districts contain zoning districts that currently permit as-of-right hotel development, either in the form of commercial (C) districts or mixed-use (MX) districts.

### Description of the Proposed Action

Currently, transient hotels are classified in Zoning as Use Group 5, and motels and tourist cabins are listed in Use Group 7A, and they are permitted as-of-right in all C1 (except for C1-1, C1-2, C1-3 or C1-4 Districts), C2-4, C4, C5, C6, C8, Mixed Use (MX), and paired M1/R districts. For the purposes of this zoning text amendment, transient hotels shall include motels and tourist cabins. With the adoption of this proposal, transient hotels will remain in Use Group 5 and Use Group 7A, but a CPC Special Permit would be required for the defined use in all districts that permit new hotels. The text amendment would also apply to existing special permits for new hotels. However, the proposed text amendment would retain existing findings and regulations for hotels in M1 districts where a special permit was adopted in December 2018.

By establishing a new CPC Special Permit, the Department of City Planning proposes a case-by-case, site-specific review process to better regulate where and how hotels get built and ensure that new hotels do not create conflicts with surrounding uses.

The findings of the proposed Special Permit would require the City Planning Commission to evaluate whether a new hotel development would be appropriate based on a set of criteria. In making this

determination, the Commission shall find that a proposed hotel use shall not impair the future use or development of the surrounding area.

Because of the closure of many of the city's existing hotels due to the COVID-19 pandemic, the proposed text amendment includes the following provisions intended to support recovery of hotel inventory:

- Existing hotels would be considered conforming uses to allow limited enlargements, alterations, and extensions, and to allow the reconstruction of hotels in the event of damage or destruction.
- Current zoning that discontinues nonconforming uses that are vacant for two or more years would be suspended for existing hotels in all zoning districts until six years from the date of adoption, thereby allowing hotels existing on the date of enactment to reopen as a hotel without a special permit.
- Existing hotels located in any zoning district that are converted to other uses would also be permitted to convert back to a hotel until six years from the date of adoption without obtaining a special permit.
- Hotel projects in the development process with a filed DOB application by the date of referral and DOB zoning plan approval by the date of adoption will be vested under current zoning until six years from the date of adoption. However, applications for hotels filed at DOB prior to 2018 must also obtain a foundation permit by the date of adoption.
- Projects and land use actions supporting hotel development approved by DCP or BSA after January 1, 2018 or that have filed with BSA or been certified by the CPC before the date of adoption would be excluded from the requirement until six years from the date of adoption.

Any existing hotels on the date of adoption of the proposed zoning text amendment would be considered a conforming use and may be continued, structurally altered, changed, extended, or enlarged within the limitations set forth in the zoning text amendment, which states that a transient hotel existing on the proposal's date of adoption is permitted to increase its floor area up to 20 percent, without a Special Permit.

Furthermore, a transient hotel operated on or after the date of adoption for a public purpose by the City or State of New York or operated by a non-governmental entity pursuant to an active contract with an agency of the City or State for such a public purpose, will not be subject to the Special Permit provisions.

#### Actions Necessary to Facilitate the Project

The proposed text amendment would modify provisions throughout the zoning resolution, notably the use provisions in Article III Chapter 2, Article XII Chapter 3 and several special purpose districts to require a special permit for hotels. Special permits would be replaced in: East Midtown, Special Hudson Square, Special Clinton, Special 125th Street, Special Tribeca Mixed-Use, Special Garment Center, Special East Harlem Corridors, Special Jerome Corridor, and Special Inwood districts. A new special permit would be created in: Theater Subdistrict, Limited Commercial, Special Battery Park, Special Sheepshead Bay, Special Madison Avenue Preservation, Special Coney Island, and Special Governors Island districts. The new special permit will be pursuant to Zoning Resolution Section 74-802.

#### Community Board Recommendation

Community Board 11 met on July 13, 2021 and voted to recommend that this application be approved.

Full Board Vote: In Favor: 29; Opposed: 0; Abstentions: 0; Present not Voting: 0

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

Sincerely,

A handwritten signature in black ink that reads "Nilsa Orama". The signature is fluid and cursive, with the first name "Nilsa" being larger and more prominent than the last name "Orama".

Nilsa Orama  
Chair

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. Brian Benjamin, New York State Senate (via email)  
Hon. Jose M. Serrano, New York State Senate (via email)  
Hon. Robert J. Rodriguez, New York State Assembly (via email)  
Hon. Inez Dickens, New York State Assembly (via email)  
Elsie Encarnacion, Community Board 11 (via email)  
Judith Febbraro, Community Board 11 (via email)





# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|   |                     |                            |   |
|---|---------------------|----------------------------|---|
| <b>RECOMMENDATION: Favorable</b>        |                     |                            |   |
| <b># In Favor:</b> 32                   | <b># Against:</b> 0 | <b># Abstaining:</b> 0     | <b>Total members appointed to the board:</b> 32 |
| <b>Date of Vote:</b> 5/25/2021 12:00 AM |                     | <b>Vote Location:</b> Zoom |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|                                 |  |
|---------------------------------|--|
| <b>Date of Public Hearing:</b>  |  |
| <b>Was a quorum present?</b> No | <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> |
| <b>Public Hearing Location:</b> |  |

|   |         |                         |
|---|---------|-------------------------|
| <b>CONSIDERATION:</b> At the General Meeting on Tuesday, May 25, 2021, Community Board 12, Manhattan passed a resolution with a vote of 32 in favor, 0 opposed, 0 abstentions, and 1, not voting, supporting the intent of the Department of City Planning's proposed Citywide Hotel Text Amendment to establish a new Special Permit under the jurisdiction of the City Planning Commission for new hotel developments citywide; and urging the Department of City Planning and the City Planning Commission to implement measures to mitigate the adverse economic impacts identified in the Draft Environmental Impact Statement resulting from the Citywide Hotel Text Amendment.; and urging City Hall and the City Council to authorize the appropriate City agency or agencies to establish and implement policies and procedures to consider the financial feasibility of hotel projects in connection with the Special Permit process. See Attachment. |         |                         |
| Recommendation submitted by   | MN CB12 | Date: 6/4/2021 11:22 AM |



## Community Board 12 - Manhattan Washington Heights & Inwood

530 West 166<sup>th</sup> St. 6<sup>th</sup> Floor, New York, NY 10032

Phone: (212) 568-8500, Fax: (212) 740-8197

Eleazar Bueno, Chairperson  
Ebenezer Smith, District Manager

---

May 28, 2021

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

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

Dear Chair Lago:

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

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

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

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

Hon. Marisa Lago, Chair

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

May 28, 2021

Page 2

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

Hon. Marisa Lago, Chair

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

May 28, 2021

Page 3

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

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

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

Sincerely,



Eleazar Bueno  
Chairperson

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

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



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|   |                      |                            |   |
|---|----------------------|----------------------------|---|
| <b>RECOMMENDATION: Unfavorable</b>      |                      |                            |   |
| <b># In Favor:</b> 23                   | <b># Against:</b> 10 | <b># Abstaining:</b> 1     | <b>Total members appointed to the board:</b> 34 |
| <b>Date of Vote:</b> 5/18/2021 12:00 AM |                      | <b>Vote Location:</b> zoom |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|  |  |
|--|--|
| <b>Date of Public Hearing:</b> 5/18/2021 6:30 PM |  |
| <b>Was a quorum present?</b> No                  | <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> |
| <b>Public Hearing Location:</b>                  | Zoom Meeting Visit CB1Q website for live link  |

**CONSIDERATION:** Disapproval was voted with quorum. Please see attached document from Community Board 1, Queens dated June 14, 2021.

|                             |        |                         |
|-----------------------------|--------|-------------------------|
| Recommendation submitted by | QN CB1 | Date: 6/18/2021 6:13 PM |
|-----------------------------|--------|-------------------------|



**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: 718-626-1072  
E-mail: qn01@cb.nyc.gov

Donovan Richards  
*Borough President, Queens*  
Maricela Cano  
*Director, Community Boards*  
Marie Tomiali  
*Chairperson*  
Florence Koulouris  
*District Manager*

EXECUTIVE BOARD

Marie Tomiali  
*Chairperson*  
Edward Babor  
*First Vice Chairperson*  
Amy Hsu  
*Second Vice Chairperson*  
Richard Khuzami  
*Third Vice Chairperson*  
Avinder Aujla  
*Executive Secretary*  
Thomas Ryan  
*Sergeant-at-Arms*

COMMITTEES & CHAIRPERSONS

*Airport*  
RoseMarie Poveromo  
*Community & Economic Development*  
Mackenzi Farquer  
*Consumer Affairs*  
Eric Mouchette  
*Education/Library/Youth Services*  
Stella Nicolaou  
*Environmental/Sanitation*  
Antonella Di Saverio  
Dominic Stiller  
*Health & Human Services*  
Judy Trilivas  
Daniel Aliberti  
*Housing*  
Evie Hantzopoulos  
*Land Use & Zoning*  
Gerald Caliendo  
Elizabeth Erion  
*Legal, Legislative, Parliamentary*  
Avinder Aujla  
*Office-Staff/Budget/PR*  
Marie Tomiali  
*Parks/Recreation/Cultural*  
Katie Ellman  
Kathleen Warnock  
*Public Safety*  
Ann Bruno  
Antonio Meloni  
*Transportation*  
Mitchell Waxman

BOARD MEMBERS (cont.)

Helene Abiola  
Rose Anne Alafogiannis  
George Alexiou  
Louise Bordley  
Shoma Brahmanandam  
Irak Dahir Cehonski  
Jean Marie D'Alleva  
Dean O. Feratovic  
Shahenaz Hamde  
Helen Ho  
Vanessa Jones-Hall  
Nancy Konipol  
Amr Kotb  
Jerry Kril  
Cristina Lastres  
Diana Limongi  
Chelsea Lopez  
Hannah Lupien  
Jeffrey Martin  
Amin Mehedi  
Doreen Mohammed  
Mary O'Hara  
Dino Panagoulis  
Juliet Payabyab  
Yawne Robinson  
Brian Romero  
Andre Stith  
Rod Townsend  
Rosemary Yelton

June 14, 2021

Honorable Marisa Lago  
Chair  
City Planning Commission  
120 Broadway, 31<sup>st</sup> Floor  
New York, New York 10271

Dear Chair Lago,

RE: N 210406 ZRY Citywide Hotel Special Permit Text Amendment

On May 18, 2021 Community Board 1 Queens (CB1Q) held a duly advertised virtual public hearing on the referenced application. With a quorum present, the Board voted by roll call 23 in favor, 10 against and 1 not voting for cause, to recommend **disapproval** of application N 210406 ZRY as written.

Background

DCP is the applicant for this text amendment which was filed April 16, 2021 and referred out to all community boards on May 5<sup>th</sup> for comment. If approved, the text amendment would require a CPC Special Permit for new and enlarged hotels and motels. The special permit is intended to support industry recovery after the pandemic and assess and review hotel development within the context of surrounding land uses.

The City Administration determined that post-pandemic recovery of the hotel industry needed a simpler and consistent evaluation standard for hotel uses to help ease reopening hotels without negatively impacts to surrounding neighborhoods. Different criteria now apply to hotel development as a result of rezoning actions and text amendments over the last eight years.

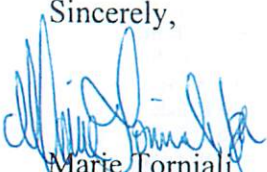
The proposed special permit would apply to new hotels, floor area enlargements of more than 20% as well as to buildings that have their use changed to hotel. These developments would have to meet one finding: that the proposed hotel use will not impair the future use or development of the surrounding area.

Committee and CB Review

DCP representatives presented the text amendment to CB1's Land Use Committee on May 5, 2021. Concerns and questions related to process to convert hotels to homeless shelters, the application submissions and review process, the community's role in review and the reaction to the text from the hotel industry.

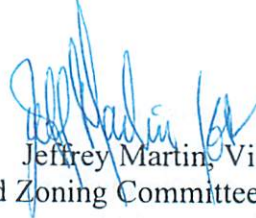
At the Board's public hearing, board members stated that the one finding to grant the special permit in the text was too vague. Assessment of critical impacts related to context, pedestrian and vehicular circulation and hotel operations should be defined. Members also recommended that DCP should consider different regulations for hotels with and without kitchen amenities that would make it easier to convert to shelters and include specific text language that aim at over-concentration of hotel uses in mixed-use areas like Dutch Kills.

Sincerely,

  
Marie Torniali  
Chairperson



Gerald Caliendo, Co-Chair



Jeffrey Martin, Vice Chair  
Land Use and Zoning Committee

cc: Honorable Donovan Richards, Queens Borough President  
Honorable Michael Gianaris  
Honorable Jessica Ramos  
Honorable Zohran Mamdani  
Honorable Catherine Nolan  
Honorable Brian Barnwell  
Honorable Jimmy Van Bramer  
Mr. Frank B. Perez, New York City Council, District 22  
Mr. Irving Poy, Director, Land Use, BPQ  
Ms. Alexis Wheeler, Deputy Director, Queens Office DCP  
Ms. Sarit Platkin, DCP



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|  |                      |                            |   |
|--|----------------------|----------------------------|---|
| <b>RECOMMENDATION: Conditional Unfavorable</b> |                      |                            |   |
| <b># In Favor:</b> 15                          | <b># Against:</b> 11 | <b># Abstaining:</b> 3     | <b>Total members appointed to the board:</b> 49 |
| <b>Date of Vote:</b> 6/23/2021 12:00 AM        |                      | <b>Vote Location:</b> Zoom |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|                                 |  |
|---------------------------------|--|
| <b>Date of Public Hearing:</b>  |  |
| <b>Was a quorum present?</b> No | <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> |
| <b>Public Hearing Location:</b> |  |

**CONSIDERATION:**

|                             |        |                         |
|-----------------------------|--------|-------------------------|
| Recommendation submitted by | QN CB2 | Date: 7/15/2021 4:16 PM |
|-----------------------------|--------|-------------------------|





# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|  |                     |                                |   |
|--|---------------------|--------------------------------|---|
| <b>RECOMMENDATION: Favorable</b>       |                     |                                |   |
| <b># In Favor:</b> 30                  | <b># Against:</b> 1 | <b># Abstaining:</b> 0         | <b>Total members appointed to the board:</b> 31 |
| <b>Date of Vote:</b> 6/8/2021 12:00 AM |                     | <b>Vote Location:</b> via Zoom |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|                                 |  |
|---------------------------------|--|
| <b>Date of Public Hearing:</b>  |  |
| <b>Was a quorum present?</b> No | <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> |
| <b>Public Hearing Location:</b> |  |

|   |        |                         |
|---|--------|-------------------------|
| <b>CONSIDERATION:</b> No Homeless Shelters Allowed<br>Water Pressure Must Be Determined<br>Hotels Not Permitted Near Residential Areas<br>Is Area Residential |        |                         |
| Recommendation submitted by   | QN CB4 | Date: 6/28/2021 1:50 PM |



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|  |                     |                                       |   |
|--|---------------------|---------------------------------------|---|
| <b>RECOMMENDATION: Conditional Favorable</b> |                     |                                       |   |
| <b># In Favor:</b> 42                        | <b># Against:</b> 0 | <b># Abstaining:</b> 0                | <b>Total members appointed to the board:</b> 50 |
| <b>Date of Vote:</b> 6/9/2021 12:00 AM       |                     | <b>Vote Location:</b> Remote via Zoom |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|  |  |
|--|--|
| <b>Date of Public Hearing:</b> 5/12/2021 7:30 PM |  |
| <b>Was a quorum present?</b> Yes                 | <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> |
| <b>Public Hearing Location:</b>                  | Remote via Zoom  |

|   |        |                         |
|---|--------|-------------------------|
| <b>CONSIDERATION:</b> Queens Community Board 5 is in favor of this Citywide Hotels Text Amendment, with the condition that the Exclusion in Section 32-02 (b) (1) is eliminated from this proposed amendment (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). |        |                         |
| Recommendation submitted by   | QN CB5 | Date: 6/14/2021 4:58 PM |



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|  |                      |  |   |
|--|----------------------|--|---|
| <b>RECOMMENDATION: Favorable</b>       |                      |  |   |
| <b># In Favor:</b> 20                  | <b># Against:</b> 18 | <b># Abstaining:</b> 0   | <b>Total members appointed to the board:</b> 49 |
| <b>Date of Vote:</b> 6/9/2021 12:00 AM |                      | <b>Vote Location:</b> Via Zoom - <a href="https://tinyurl.com/queenscb6june">https://tinyurl.com/queenscb6june</a> |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|   |  |
|---|--|
| <b>Date of Public Hearing:</b> 6/9/2021 6:30 PM |  |
| <b>Was a quorum present?</b> Yes                | <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> |
| <b>Public Hearing Location:</b>                 | Via Zoom - <a href="https://tinyurl.com/queenscb6june">https://tinyurl.com/queenscb6june</a>   |

**CONSIDERATION:**

|                             |        |                          |
|-----------------------------|--------|--------------------------|
| Recommendation submitted by | QN CB6 | Date: 6/16/2021 12:54 PM |
|-----------------------------|--------|--------------------------|



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|   |                      |                               |   |
|---|----------------------|-------------------------------|---|
| <b>RECOMMENDATION: Unfavorable</b>      |                      |                               |   |
| <b># In Favor:</b> 0                    | <b># Against:</b> 11 | <b># Abstaining:</b> 0        | <b>Total members appointed to the board:</b> 11 |
| <b>Date of Vote:</b> 6/24/2021 12:00 AM |                      | <b>Vote Location:</b> Virtual |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|                                 |  |
|---------------------------------|--|
| <b>Date of Public Hearing:</b>  |  |
| <b>Was a quorum present?</b> No | <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> |
| <b>Public Hearing Location:</b> |  |

**CONSIDERATION:** See uploaded support document

|                             |        |                         |
|-----------------------------|--------|-------------------------|
| Recommendation submitted by | QN CB7 | Date: 6/25/2021 4:03 PM |
|-----------------------------|--------|-------------------------|

TO: Gene Kelty – Chair CB7Q  
FROM: Chuck Apelian – Land Use Chair – CB7Q  
RE: DCP Health and Fitness Text Amendment and Citywide Hotels Special Permit  
DATE: June 25, 2021

The Land Use Committee of CB7Q met on Thursday June 24, 2021 to discuss the DCP proposed Health and Fitness Text Amendment and the Citywide Hotels Special Permit.

Listed below are our **unanimous** Committee comments and recommendations that CB7Q should upload to the DCP Site. We do not recommend the need for full Board discussion and vote.

Committee Attendance is attached.

**Health and Fitness Text Amendment:**

Our Committee welcomes the Amendment; however, we do not want these facilities to be allowed as-of-right in the lower density R3-2 districts.

**Citywide Hotels Special Permit:**

1. This process will eliminate any as-of right scenario anywhere within the City to build a hotel. We question the legality to prevent a permitted use.
2. This is an onerous, very expensive and time-consuming process that will deter hotel development. Each Special Permit process will cost the developer hundreds of thousands of dollars and take approximately two (2) years to complete.
3. History has proven that this process is specifically designed to aid the Hotel Trades Council (HTC) in their effort to secure Union contracts with hotel developers.
4. In outer boroughs like Queens, the daily room rate cannot be unilaterally raised to support Union demands for higher wages and benefits without the consequence of losing occupancy.
5. Community input is a by-product:
  - a. If the community approves the project and HTC cannot obtain a contract, the application will be held up and/or die at City Council, where HTC has overwhelming Member support.
  - b. If the Community has site objections but HTC secures a contract, the project moves forward without further objection.
6. In essence, the Special Permit becomes a main organizing mechanism for the Union, and community input is an unnecessary by-product.



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

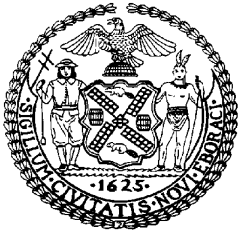
|  |                     |  |   |
|--|---------------------|--|---|
| <b>RECOMMENDATION: Favorable</b>       |                     |  |   |
| <b># In Favor:</b> 30                  | <b># Against:</b> 4 | <b># Abstaining:</b> 0                 | <b>Total members appointed to the board:</b> 34 |
| <b>Date of Vote:</b> 6/9/2021 12:00 AM |                     | <b>Vote Location:</b> Via Zoom Webinar |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|  |  |
|--|--|
| <b>Date of Public Hearing:</b> 5/25/2021 7:30 PM |  |
| <b>Was a quorum present?</b> No                  | <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> |
| <b>Public Hearing Location:</b>                  | Via Zoom Webinar   |

**CONSIDERATION:** This item was voted at Community Board 8's General Board Meeting held on Wednesday, June 9, 2021 via Zoom Webinar.

|                             |        |                          |
|-----------------------------|--------|--------------------------|
| Recommendation submitted by | QN CB8 | Date: 6/24/2021 12:41 PM |
|-----------------------------|--------|--------------------------|



The City of New York  
Borough of Queens

Community Board 8

197-15 Hillside Avenue  
Hollis, NY 11423-2126  
Telephone: (718) 264-7895  
Fax: (718) 264-7910  
Qn08@cb.nyc.gov  
www.nyc.gov/queenscb8



Chairperson, Martha Taylor

District Manager, Marie Adam-Ovide

Minutes of Community Board 8 Board Meeting held on Wednesday, June 9, 2021 via [Zoom Webinar](#).

**Attendance:**

**Board Members Present:**

Dilafroz Ahmed, Jagir Singh Bains, Heather Bennett-Idels, Carolyn Brown, Robert H. Block, Edward Chung, Susan D. Cleary, Kenneth Cohen II, Solomon Davydov, Maria DeInnocentiis, Allen Eisenstein, , Kevin Forrestal, Howard A. Fried, Bhitihara-Martha Fulton, James Gallagher Jr., John Gebhard, Wendy Gennaro, Ashan Habib, Marc A. Haken, Michael Hannibal, Tami Hirsch, Steven Konigsberg, Paul S. Lazauskas, Mitch Lisker, Elke Maerz, Mary Maggio, Jennifer Martin, Dilip Nath, Alan Ong, Tamara Oshero, Hersh Parekh, Simon Pelman, Frances Peterson, Mohammad Rahman, Jesse Rosenbaum, Seymour Schwartz, Deepti Sharma, Douglas Sherman, Harbachan Singh, , Dr. Penny M. Stern, Mohammed Tohin, Jacob Weinberg and Tamika Williams-Moore.

**Board Members Absent:**

Florence Fisher, Carolann Foley, Joshua Glikman, Frank Magri, David Mordukhaev, Rabbi Shlomo Nisanov, Charlton Rhee and Martha Taylor.

**Others Present:**

Max Weprin representing Borough President Donovan Richards, Susan Seinfeld representing Honorable Council Member Barry Grodenchik, Henry Yam representing Honorable Council Member Jim Gennaro, Ashley Lin representing State Senator John Liu, Tayler Jackson representing State Senator Leroy Comrie, Hudy Rosenberg representing Assembly Woman Nily Rozic, Mohammed Rahman representing District Attorney Melinda Katz, Scott Solomon from City Planning, Lucille Songhai from MTA, 107<sup>th</sup> Precinct Commanding Officer Kevin Chan and CB8 District Manager and Jatna Reyes, CB8 Staff Member.

**Call to Order:**

2<sup>nd</sup> Vice Chair Seymour Schwartz called this Board Meeting to order at 7:32 p.m.

*The order of the agenda was changed by 2<sup>nd</sup> Vice Chair Seymour Schwartz.*

\*\*\*\*\*

**Approval of Minutes:**

Marc A. Haken made a motion to approve the minutes of May 19, 2021, seconded by Mary Maggio.

Count in favor: **43** Opposed: **0** Abstained: **0**

\*\*\*\*\*

**Elected Officials' Announcements:**

**Hudy Rosenberg representing Assembly Member Nily Rozic** – Yesterday, Assemblywoman Rozic and State Senator Leroy Comrie, passed legislation that if signed, will allow deadline for property tax abatement programs. This will enable the current deadline to be extended through July 15, 2021. She will keep us posted.

**Susan Seinfeld representing Council Member Barry Grodenchik** – On Friday, June 11<sup>th</sup> from 11:00 a.m. to 12:30 p.m., there will be a FREE mask distribution event at the Food Universe located at 222-51 Jamaica Avenue. This event is being held in conjunction with Assembly Member Clyde Vanel, Senator John Liu, and Community Board 13. Also, on Friday, June 18<sup>th</sup> from 11:00 a.m. to 12:30 p.m. at the Franhill Shopping Center located at 202-15 Hillside Avenue. This event is being held in conjunction with Assembly Member Weprin, Senator Leroy Comrie and Community Board 8.

**Raida Hussain representing Assembly Member David Weprin** – Ms. Hussain reiterated what Ms. Seinfeld announced about the mask distribution event next Friday.

**Ashley Lin representing State Senator John Liu** – Their office is fully open and operational. If you have any questions/concerns, please call their office at: 718-765-6675 or email her at: Ashley@johnliusenate.com

**Muhammad Rahman representing District Attorney Melinda Katz** – They will have a gun buyback program this Saturday, June 12<sup>th</sup> from 10:00 a.m. to 4:00 p.m. If you have an operating gun, they are giving away a \$200 gift card and an iPad. It is going to be at St. Mary Magdalene Roman Catholic Church in Springfield Gardens. They will also have a Pride Celebration virtually on June 10<sup>th</sup> from 6:00 p.m. to 8:00 p.m. To sign up, please visit: [www.queensda.org](http://www.queensda.org).

**Taylor Jackson representing State Senator Leroy Comrie** – Their office is open by appointment only. They continue to assist constituents on the Home Energy and Cooling Assistance Programs. They will be having an E-Waste event this Saturday, June 12<sup>th</sup> at Baisley Pond Park for more information, please contact their office at: 718-765-6359.

**Additional Announcements:**

**Mary Maggio** – This Sunday, June 13<sup>th</sup>, the 107<sup>th</sup> Precinct will host a Fundraiser Car Wash Event at 10:00 a.m. You can enter at 158-40 Harry Van Arsdale Jr. Avenue. Car Wash is \$10. Refreshments will be served.

*1st Vice Chair Michael Hannibal took the floor and proceeded with the order of the agenda.*

\*\*\*\*\*

**Salute to the Flag**

1<sup>st</sup> Vice Chair Michael Hannibal led the salute to the flag.

\*\*\*\*\*

**Chairperson's Report – Michael Hannibal:**

- As discussed at last month's meeting, we have a new staff member, Nicholas Mejia. He is here with us today to say hello. *[Nicholas was not present. Introduction omitted.]*
- Best wishes to Board Member Susan Cleary who is home recuperating from a back injury. We wish her well!
- Hillcrest Jewish Center is looking to have in-person meetings in September. We do not have an exact date yet. If they re-open before September 22, 2021, the Board will meet fully in-person at the center. Anyone with any questions, can contact the center directly.
- We were joined by Commanding Officer Kevin Chan. 1<sup>st</sup> Vice Chair Michael Hannibal invited him to address the Board.

\*\*\*\*\*

**Commanding Officer Kevin Chan – 107<sup>th</sup> Precinct**

- Commanding Officer Chan introduced himself and expressed his gratitude with Community Board 8. He is happy to be here and become part of the community. He was born and raised in New York City. He currently lives in Brooklyn with his wife and kids since 2006. He is happy to join the family of the 107<sup>th</sup> Precinct. He's only been here for two weeks. He is learning the area quickly and is looking forward to working with all of us. He has seen a spike in robberies and assaults. They had a robbery this past Saturday at a Queens Valley Playground located at 137<sup>th</sup>



Street and 76<sup>th</sup> Avenue. A male Asian was approached by two individuals, one white male and a black male teenager. They asked him for his belongings, the victim took off and was stabbed twice. He survived and wasn't seriously hurt. They are still in the lookout for these two individuals. There was also a shooting incident back on Memorial Day on Hillside Avenue and 165<sup>th</sup> Street. A car passed by and started shooting. They recovered 6 bullet shells. They know who the shooter is and are looking to capture him soon. He invited everyone to visit him at the Precinct anytime.

*Commanding Officer Chan asked if there were any questions from the Board Members.*

**Marc A. Haken** – asked about any plans to combat drag racing in the District (i.e. Main Street, Francis Lewis Boulevard, etc.).

**Answer:** [C.O. Chan] – We are aware of this situation. This issue is being experienced Citywide. When we get exact areas where these races are, we conduct operations where they stop them from doing this. We have our Public Safety team working on the racing issues at the Fresh Meadows Mall and Cunningham Park. Local NCO's are always in the area working to serve you. If you know of any exact location, please feel free to reach out and we'll work on it. He understands that speed humps were installed at the Fresh Meadows Parking Lot and Cunningham Park to prevent recurrence of the issue.

**Tammy Osherov** – stated that IOG Supermarket Parking Lot on 69<sup>th</sup> Avenue and 195<sup>th</sup> Lane in Fresh Meadows is also a problematic area with racers doing donuts and loud exhausting.

**Answer:** [C.O. Chan] – We'll definitely keep an eye out on that parking lot.

*1<sup>st</sup> Vice Chair Michael Hannibal thanked Commanding Office Chan for attending our meeting. We look forward to working with him.*

\*\*\*\*\*

**Borough President's Donovan Richards Representative – Max Weprin**

- On Thursday, June 17<sup>th</sup>, there will be a virtual Job Recruitment Fair event at 2:00 p.m. Also, there will be a Father's Day Celebration event at 6:00 p.m. More information is available on their website.
- Borough President Richards is hosting Queens drive-in FREE movie nights at the parking lot of the New York Hall of Science. Upcoming movies are: June 16<sup>th</sup>, "Coming to America", June 24<sup>th</sup>, "Monsoon Wedding".
- Their office is hosting an IDNYC pop-up enrollment site at Borough Hall until June 30<sup>th</sup> by appointment only.
- On June 14<sup>th</sup>, they are launching an immigrant welcome center at Borough Hall. They will be also raising a pride flag on this day. Board Members who attend will receive a Community Board tote bag. You can register for all these events at: [www.queensbp.org](http://www.queensbp.org).

\*\*\*\*\*

**City Planning Representative – Scott Solomon** – Mr. Solomon gave a presentation on the three Citywide Text Amendments that are up for review by the Community Board. Along with Ms. Lucille Songhai from the MTA, they gave an overview of the text amendments for Elevate Transit: Zoning for Accessibility (ZFA). Mr. Solomon proceeded with the Hotels and the Health & Fitness text amendments overview. These are the main highlights of the presentation:

**Elevate Transit: Zoning for Accessibility (ZFA) – Lucille Songhai**

- The MTA and City Planning are proposing a citywide text amendment that will allow the MTA to work more efficiently with private developers to help achieve system-wide accessibility more quickly.
- The proposal includes a system-wide easement requirement and an expanded transit improvement bonus in high density (*mostly in R9/R10 districts/not applicable in CB8*).
- Their current accessibility status is 136 out of 493 subway stations are accessible. 25 out of 39 LIRR and MNR stations within city limits in the MTA system are accessible.
- They are focusing on having ADA accessible stations that include many features to make stations readily accessible to, and usable by, individuals with disabilities. They are looking at vertical accessibility which focuses on having elevators at stations.

- More New Yorkers can benefit from more accessible transit stations: people with disabilities, parents with young children, seniors, and people with small injuries.
- Of the 2.3 million Queens residents there are 130,000 residents with an Ambulatory Disability, 150,000 children under 5 and 340,000 residents 65+. From 2005 to 2015, the number of New Yorkers over 65 grew by 19.2 percent, that is more than twice the rate of the total population which is 7.5 percent.
- The MTA’s 2020-2024 Capital Program makes historic investment in accessibility. More than \$5 billion dedicated to making 77 stations accessible. In our District: Briarwood and Parsons Boulevard. 43% of New York City Transit stations, serving over 60% of riders, will be fully accessible. No subway rider will be more than 2 stations away from an accessible station.
- Elevator construction is challenging as they can encounter narrow platforms, limited entry and exit passages, narrow sidewalks, limited clearance between buildings and stations. Most stations require more than one elevator to be accessible.

**Scott Solomon:**

- Zoning for Accessibility (ZFA) is seeking to create more opportunities for accessibilities throughout the transit system with expanded zoning tools including the easement requirement provision limited applicability and CD11. Also, the transit bonus provision that only applies to those high density districts.
- Today, the zoning tools are in place to support the construction of transit improvements but with very limited applicability citywide.
- Existing zoning regulations: Easement Provisions – a requirement that station-adjacent sites provide a space for future station access if required by the MTA.
- There are also limitations which exists in very limited areas in the City. No general framework for facilitating transit easements outside of these limited areas. MTA has missed opportunities to locate ADA access, particularly at complex stations.
- The ZFA proposal includes an expanded system-wide easement requirement that will address some of these limitations. The easement will be applicable on sites that meet the criteria and will be triggered when building permits are filed with DOB.
- Sites eligible for easements will include developments and enlargements on zoning lots of at least 5,000 sq. ft. and within 50 ft. of mass transit stations.
- They will be located in residential zoning districts that permit multi-family housing, medium and high-density commercial districts, and all manufacturing districts.
- The easement requirement is the only provision that the ZFA will be applicable to CB8. Development located in applicable sites will be required to file an application with MTA and the Chairperson of the City Planning Commission to determine whether an easement on the zoning lot is needed, to help facilitate station access improvement in the future. While the process of obtaining a certification will be required for most sites within 50 ft. of a transit station, it is anticipated that the MTA will only seek an easement in places that are suited for future transit entrances.
- Easements can vary in height; underground subway stations could occupy multiple levels below grade as elevated transit stations which you don’t see along Hillside Avenue. They vary in size due to the multiple and things that will be provided. An elevator can take up less space whereas a new station entrance that requires a staircase and an elevator can take up a large easement volume.
- Briarwood and Parsons Boulevard stations is included in the 2020-2024 MTA Capital Program for ADA upgrades.

**Citywide Hotels Text Amendment – Scott Solomon**

- This is a text amendment that will create a new special permit for hotel development across the City. It is intended to create a consistent framework for hotels development and ensure that hotels do not negatively affect the surrounding area.
- Rapid growth of new hotels throughout the City has led to a variety of special permits in various locations in recent years. In addition, a special permit was adopted for hotels in M1 districts in 2018. Different criteria for varying locations and zoning districts has resulted in an inconsistent review of hotels.
- The purpose and need are to ensure that there is a consistent zoning framework for new hotels that will support more predictable development.

- The new special permit will be applicable in higher density commercial, mixed-use, and M1/residential districts. The proposed Citywide special permit will replace existing special district permits.
- A map was shown of applicable areas in CB8. There was an area showing the area that currently allows hotel development and will be subject to the new hotel CPC special permit. This means that any hotel development will need to apply for the special permit with the Department of City Planning. This process will make all proposed hotels subject to ULURP review which includes time for Community Boards to review, adopt, and submit recommendations to the City Planning Commission. Upon the Borough President's review, should the CPC approve it then it will go to the City Council for final approval subject to mayoral veto.
- Similar to the existing M1 special permits, they will not require a special permit for hotels that are built for a public purpose such as temporary housing for the homeless.
- The proposed text amendment is intended to address the land use concerns related to commercial hotels and is neutral with regard to current policies related to siting social service and shelter facilities that also have sleeping accommodations.
- The new special permit findings are proposed to be that the hotel use shall not impair the future use and development of the surrounding area.
- The COVID-19 pandemic has had a disastrous effect on the NYC hotel industry and its workers. Between January and November 2020, a net total of 146 hotels (out of 705) and 42,030 rooms closed. 96.3% of room closures occurred in Manhattan. Estimates of 197,000 job lost in the leisure and hospitality industry.

### **Health and Fitness Text Amendment – Scott Solomon**

- A BSA special permit is currently required to open and operate most exercise and health-related businesses, including gyms, spas, and licensed massage therapy.
- The Physical Culture or Health Establishment (PCE) special permit process is costly and lengthy, often requiring more than 6 months before a business receives a permit to open.
- Even with a special permit, gyms are not permitted along many local retail streets that allow compatible service and retail amenities.
- Removing barriers for gyms and other health-related businesses to open will help speed the economic recovery from the pandemic and ensure that neighborhoods have important health-related amenities.
- During the 1970s, stringent zoning regulations were created for these businesses, designed to address commercial sex associated with health clubs and massage parlors.
- A special permit was required for all such uses as a means of verifying the legitimacy of the operator through a criminal background check.
- Over the last two decades, special permits for gyms, spas, and massage parlors are disproportionately located in the Manhattan core, western Brooklyn, and Queens.
- Removing the special permit requirement will help smaller, independent businesses open in more locations across NYC.
- Many gyms and health-related businesses have temporarily or permanently closed due to the pandemic.
- Employment in gyms declined by more than 605 in 2020. Removing the special permit will support economic recovery from the pandemic.
- What is being proposed is removing the BSA special permits from all gyms, spas, and licensed massage therapy. Gyms and spas will be considered commercial uses that will be allowed as of right. Smaller gyms and spas, those that are less than 10,000 sq. ft. will be allowed in all commercial manufacturing districts including C1 districts where gyms are currently not allowed. Gyms and spas that are unlimited in size will be slightly more limited. They will be allowed in high density C1 districts as well as C2 districts, higher districts, and manufacturing districts.
- Licensed massage therapy will be classified with other ambulatory health care uses as Use Group 4A or Use Group 6B (health care office), permissible in select residential, commercial, and manufacturing districts.
- Massage therapists are health professionals licensed by the NYS Education Department. Massage is a protected job title, meaning it is illegal to operate under the name without a license (includes massage, shiatsu, reflexology, acupressure, connective tissue, and other practices). Many massage therapists already work in community facilities, including physical therapy offices and nursing homes.

- In New York, massage therapists must display their current registration certificate and license to operate. Here is also a searchable database maintained by the State of all licensed massage therapists.
- There will also be noise and vibration regulations. Higher impact gyms will be required to submit documentation to the Department of Buildings certifying that they are designed to sufficiently reduce noise and vibration on neighboring uses prior to being issued a Certificate of Occupancy. These additional noise and vibration requirements will be applicable in mixed-use buildings with residences or schools. These requirements will apply in all commercial and MX districts.

*Scott Solomon asked if there were any questions from the Board Members regarding any of the three text amendments presented.*

**Maria DeInnocentiis – I was looking at the zoning maps for special permit districts. If you could go to your slide number 38. They are near the Long Island Expressway is the special district of Fresh Meadows, the commercial area, I would think that they would not be allowed to have a hotel at all due to the designation of a special district. Why is that of the gym being considered? Why would we allow a special permit there?**

**Answer:** *[Scott Solomon]* – It will still be subject to the special district regulation. The underlying zoning allows for a hotel.

**I hate to say this, we have a hotel right in the area, that we fought very hard to stop and it was still built. Now it is filled with prisoners from Riker’s Island. It really bothers me the Fresh Meadows Development area would even be considered a hotel possibility. Under any kind of permits.**

**Answer:** *[Scott Solomon]* – That is a good point that you raised because those are areas where today, you could build a hotel as of right. That was never changed if we came here. What is changing is if someone built it subject to approval of this text amendment, they will be required to seek a special permit at CPC. I would be happy to discuss this individually.

**Yes, I would like to get details on that because, not that we can do anything about the Wyndham now, but we need to figure out what we can do to keep that from happening.**

**Answer:** *[Scott Solomon]* – When you are talking about the future concerns, that’s what this would do. Any future hotels will be subject to a special permit subject to ULURP process, but any existing hotels will have to seek a special permit to continue operating.

**Jesse Rosenbaum – Scott, you are talking about the south side, we have two Marriott hotels on the north side and multiple new properties on Jamaica Avenue. We are a little bit over-built right now. I am not sure that you are giving us an option.**

**Answer:** *[Scott Solomon]* – In the future, if this special permit proposal is approved, any future hotel will be subject to a special permit.

**Douglas Sherman – In the past two years, hotels have been used in large parts to house homeless families. With your proposal with everything that you are saying, why would any community support the development of new hotels knowing that they could be used for a purpose of temporarily housing homeless families as opposed to tourism and a more desirable business.**

**Answer:** *[Scott Solomon]* – That future hotel that you are concerned with becoming a transient use for homeless housing, will be subjected to a public review. If this didn’t exist, they will not be subjected to it.

**I think there would be a greater support for affordable housing, then it will be for a hotel industry.**

**Answer:** *[Scott Solomon]* – This is a proposal about commercial transuse hotels. This has nothing to do with housing production, this is not a re-zoning change of homeless policy. We are City Planning. Zoning does not dictate homeless policy. This looks at the land use concerns related to commercial transuse hotels.

**So, these hotels that will be developed could be used to house temporarily homeless families. Correct?**

**Answer:** *[Scott Solomon]* – Yes, that would be allowed.

**Seymour Schwartz – I am looking at the area close to Hillside Avenue (referring to a map screen shared during the presentation). For most years, those couple of blocks were limited to commercial automobile related industries. We as a community worked very hard to change that. They are now C4. Why would we encouraged greater opportunities for hotels to fill up that area in the heart of our district when an important priority would be to encourage residential family use in that area. I cannot see us approving this recommendation.**

**Answer:** [Scott Solomon] – This is not encouraging hotel development. This map above here, exists today. This isn't a changed map; this isn't a re-zoning. These are the areas that you can built hotels today. With the approval of a special permit being lawed, tomorrow, it would not be allowed without approval of a special permit.

**Jesse Rosenbaum** – We are in a very unusual situation, when COVID-19 hit, the hotel industry went down the tubes because nobody could come in. I think that the proposal that is on the table is that is somebody oversees the operation to make sure that we don't get over-built and to make sure that the quality of the residents/guests that are coming to the hotel are the quality that we want.

**Answer:** [Steve Konigsberg] – Jesse, do you have a question? Seeing none, I would like to ask for a motion to for approval of all three text amendments.

**Jesse Rosenbaum made a motion to approve the three Citywide Tax Amendments presented tonight: Elevate Transit: Zoning for Accessibility (ZFA), Hotels Text Amendment and Health & Fitness Text Amendment, seconded by Wendy Gennaro.**

**Elevate Transit: Zoning for Accessibility (ZFA)**

*A roll call vote was taken.*

**Count in favor: 37      Opposed:      Abstained: 0**

**Members who voted in favor:** Dilafroz Ahmed, Jagir Singh Bains, Carolyn Brown, Robert Block, Edward Chung, Maria DeInnocentiis, Allen Eisenstein, Kevin Forrestal, Bhitihara-Martha Fulton, James Gallagher Jr., John Gebhard, Wendy Gennaro, Ahsan Habib, Marc A. Haken, Michael Hannibal, Tami Hirsch, Steven Konigsberg, Paul S. Lazauskas, Mitch Lisker, Elke Maerz, Mary Maggio, Dilip Nath, Alan Ong, Tamara Osherov, Hersh Parekh, Simon Pelman, Frances Peterson, Mohammad Rahman, Jesse Rosenbaum, Seymour Schwartz, Deepti Sharma, Douglas Sherman, Harbachan Singh, Dr. Penny M. Stern, Mohammed Tohin, Jacob Weinberg and Tamika Williams-Moore.

**Members who voted against:** None.

\*\*\*\*\*

**Citywide Hotels Text Amendment**

**Discussion:**

**Hersh Parekh – Would this apply to facilities where the bottom floors are restaurant or something else or is this only for buildings that are full hotels?**

**Answer:** [Scott Solomon] – It would be for any hotels.

**Seymour Schwartz – Scott, do I understand that the text amendment would allow the planner of a hotel, allow him 6 years to complete the project and in-between prior to the six full years, operate some other kind of a facility in that space.**

**Answer:** [Scott Solomon] – There are a few situations. For example, today is a hotel, upstairs goes empty because they are out of business during the pandemic and it stays empty. No one occupies it. They are empty for two years and a day, today right now and you are in the area where the zoning doesn't allow it, you would lose to continue the use.

**What if prior to any construction, the developer would of receive a special permit, does he require any other consideration or review, or should he change the purpose of the facility?**

**Answer:** [Scott Solomon] – They would be subject to a special permit.

*A roll call vote was taken.*

**Count in favor: 30      Opposed: 4      Abstained: 0**

**Members who voted in favor:** Dilafroz Ahmed, Jagir Singh Bains, Carolyn Brown, Robert Block, Edward Chung, Maria DeInnocentiis, Allen Eisenstein, Kevin Forrestal, Bhitihara-Martha Fulton, James Gallagher Jr., John Gebhard, Wendy Gennaro, Ahsan Habib, , Michael Hannibal, Steven Konigsberg, Elke Maerz, Mary Maggio, Dilip Nath, Alan Ong, Tamara Oshero, Hersh Parekh, Frances Peterson, Mohammad Rahman, Jesse Rosenbaum, Seymour Schwartz, Harbachan Singh, Dr. Penny M. Stern, Mohammed Tohin, Jacob Weinberg and Tamika Williams-Moore.

**Members who voted against:** Marc A. Haken, Tami Hirsch, Mitch Lisker, Douglas Sherman.

\*\*\*\*\*

**Health & Fitness Text Amendment**

*A roll call vote was taken.*

**Count in favor: 25      Opposed: 6      Abstained: 0**

**Members who voted in favor:** Dilafroz Ahmed, Jagir Singh Bains, Carolyn Brown, Edward Chung, Kevin Forrestal, Bhitihara-Martha Fulton, James Gallagher Jr., John Gebhard, Wendy Gennaro, Ahsan Habib, Marc A. Haken, Michael Hannibal, Steven Konigsberg, Mitch Lisker, Mary Maggio, Dilip Nath, Alan Ong, Tamara Oshero, Frances Peterson, Mohammad Rahman, Jesse Rosenbaum, Seymour Schwartz, Harbachan Singh, Dr. Penny M. Stern and Mohammed Tohin.

**Members who voted against** Maria DeInnocentiis, Allen Eisenstein, Tami Hirsch, Hersh Parekh, Douglas Sherman and Tamika Williams-Moore.

\*\*\*\*\*

**Committee Reports:**

**Health Minute with Dr. Penny Stern, Health Committee Chair:**

- Dr. Stern spoke about the rise of orthopedic complaints associated with spending unusual hours on the computer. As many people are still working from home due to the pandemic, they are experiencing more shoulder, lower back, and other types of pains.
- She suggested that you create a workspace that is comfortable. For example, positioning your computer, laptop at slightly or below eye level. To do this, you need a chair that is adjustable. Your feet need to be on the floor. Working on a sofa and lying in bed is not recommended. It can lead to more aches and pains due to bad postures. Try keeping your ears above your shoulders and your shoulders above your hips. This will help you to keep a good spinal alignment. If you need extra back support, you can use a cushion on your lower back against a chair.
- She suggested that one plans exercise breaks as often as possible. Standing up at least once to stretch, you'll prevent tight muscles and loss of flexibility which can happen when you sit for prolonged periods of time. Keeping well hydrated and when you eat make sure you look for healthy choices including snacks.

**Adjournment**

Marc A. Haken made a motion to adjourn this meeting at 9:04 p.m.

*Respectfully submitted,  
Jatnna Reyes, CB8 staff  
June 18, 2021*



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|  |                     |  |   |
|--|---------------------|--|---|
| <b>RECOMMENDATION: Favorable</b>       |                     |  |   |
| <b># In Favor:</b> 41                  | <b># Against:</b> 2 | <b># Abstaining:</b> 1                     | <b>Total members appointed to the board:</b> 51 |
| <b>Date of Vote:</b> 6/8/2021 12:00 AM |                     | <b>Vote Location:</b> Monthly Zoom Meeting |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|   |  |
|---|--|
| <b>Date of Public Hearing:</b> 6/8/2021 7:30 PM |  |
| <b>Was a quorum present?</b> No                 | <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> |
| <b>Public Hearing Location:</b>                 | Community Board 9 Monthly Zoom Meeting   |

**CONSIDERATION:**

|                             |        |                          |
|-----------------------------|--------|--------------------------|
| Recommendation submitted by | QN CB9 | Date: 6/16/2021 12:26 PM |
|-----------------------------|--------|--------------------------|





# COMMUNITY BOARD NO. 9

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

(718) 286-2686

Fax (718) 286-2685

Email: [qn09@cb.nyc.gov](mailto:qn09@cb.nyc.gov)

Website: [www.nyc.gov/queenscb9](http://www.nyc.gov/queenscb9)

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Kenichi Wilson, Chairperson \* James S. McClelland, District Manager \* Donovan Richards, Borough President

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June 9<sup>th</sup>, 2021

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

**RE:** CB9Q Land Use & Housing Committee Recommendation on Citywide Hotels Special Permit  
Text Amendment (N210406ZRY)

Dear Chair Lago,

At its monthly meeting on June 8<sup>th</sup>, Community Board 9 voted to approve the proposed text amendment that would create a new special permit for hotel development citywide. This text amendment will create a consistent framework for hotel development and ensure that hotels do not negatively affect the surrounding area.

The vote was 41 in favor, 2 opposed and 1 abstention.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kenichi Wilson".

Kenichi Wilson  
Chair  
Community Board 9-Queens





# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|  |                     |  |   |
|--|---------------------|--|---|
| <b>RECOMMENDATION: Conditional Favorable</b> |                     |  |   |
| <b># In Favor:</b> 36                        | <b># Against:</b> 1 | <b># Abstaining:</b> 0                     | <b>Total members appointed to the board:</b> 50 |
| <b>Date of Vote:</b> 6/3/2021 12:00 AM       |                     | <b>Vote Location:</b> Zoom Virtual Meeting |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|                                 |  |
|---------------------------------|--|
| <b>Date of Public Hearing:</b>  |  |
| <b>Was a quorum present?</b> No | <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> |
| <b>Public Hearing Location:</b> |  |

|   |         |                         |
|---|---------|-------------------------|
| <b>CONSIDERATION:</b> recommendation to approve with conditions |         |                         |
| Recommendation submitted by                                     | QN CB10 | Date: 7/14/2021 3:50 PM |

Here is our response to the CPC Text Amendment Action:

Both the Land Use Committee and the full Board voted to approve the ULURP.

CB#10 recommendations are to approve with modifications as follows:

- 1) the review process for New Special Permits for Hotel Developments should include detailed design guidelines for hotel developments proposed on commercially zoned properties that are adjoining &/or abutting surrounding Residential Zoning Districts especially those districts that only permit 1, 2 or 3 family residences.
- 2) guideline requirements must incorporate conditions and safeguards to minimize adverse effects on the character of the surrounding area through more stringent controls on the hotel design, height and setbacks from the surrounding residential areas.
- 3) other design features that should be added for future hotel developments that will ensure that such development does not negatively affect the adjoining surrounding residential areas should include: the location of all building entrances, landscaping at property lines adjacent to the surrounding residential areas, controls on night lighting, locations of required parking and access to the parking areas.
- 4) a process should be developed to give the Hotel Owner/Operators options to accepting and / or converting to temporary housing for the homeless if the hotel business model fails in the future. There should be incentives offered to look at other building uses to convert to. Also input from community and local elected officials should be required in the process.



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|  |                     |                                |   |
|--|---------------------|--------------------------------|---|
| <b>RECOMMENDATION: Favorable</b>       |                     |                                |   |
| <b># In Favor:</b> 41                  | <b># Against:</b> 0 | <b># Abstaining:</b> 0         | <b>Total members appointed to the board:</b> 41 |
| <b>Date of Vote:</b> 6/7/2021 12:00 AM |                     | <b>Vote Location:</b> Via Zoom |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|                                 |  |
|---------------------------------|--|
| <b>Date of Public Hearing:</b>  |  |
| <b>Was a quorum present?</b> No | <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> |
| <b>Public Hearing Location:</b> |  |

**CONSIDERATION:**

|                             |         |                        |
|-----------------------------|---------|------------------------|
| Recommendation submitted by | QN CB11 | Date: 6/9/2021 9:05 AM |
|-----------------------------|---------|------------------------|



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       |   |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

**RECOMMENDATION: Favorable**

|   |                     |                            |   |
|---|---------------------|----------------------------|---|
| <b># In Favor:</b> 17                   | <b># Against:</b> 4 | <b># Abstaining:</b> 2     | <b>Total members appointed to the board:</b> 51 |
| <b>Date of Vote:</b> 6/16/2021 12:00 AM |                     | <b>Vote Location:</b> Zoom |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

**Date of Public Hearing:**

**Was a quorum present?** No

*A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members*

**Public Hearing Location:**

**CONSIDERATION:**

|                             |         |                          |
|-----------------------------|---------|--------------------------|
| Recommendation submitted by | QN CB12 | Date: 7/14/2021 12:30 PM |
|-----------------------------|---------|--------------------------|



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|   |                     |                               |   |
|---|---------------------|-------------------------------|---|
| <b>RECOMMENDATION: Favorable</b>        |                     |                               |   |
| <b># In Favor:</b> 33                   | <b># Against:</b> 1 | <b># Abstaining:</b> 0        | <b>Total members appointed to the board:</b> 34 |
| <b>Date of Vote:</b> 5/24/2021 12:00 AM |                     | <b>Vote Location:</b> Virtual |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|                                 |  |
|---------------------------------|--|
| <b>Date of Public Hearing:</b>  |  |
| <b>Was a quorum present?</b> No | <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> |
| <b>Public Hearing Location:</b> |  |

**CONSIDERATION:**

|                             |         |                         |
|-----------------------------|---------|-------------------------|
| Recommendation submitted by | QN CB13 | Date: 6/14/2021 4:56 PM |
|-----------------------------|---------|-------------------------|



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

**RECOMMENDATION: Waiver of Recommendation**

|  |                            |                      |  |
|--|----------------------------|----------------------|--|
| <b># In Favor:</b>                     | <b># Against:</b>          | <b># Abstaining:</b> | <b>Total members appointed to the board:</b> |
| <b>Date of Vote:</b> 6/8/2021 12:00 AM | <b>Vote Location:</b> ZOOM |                      |  |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

**Date of Public Hearing:** 6/8/2021 7:15 PM

**Was a quorum present?** Yes

*A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members*

**Public Hearing Location:**

via zoom

**CONSIDERATION:** board discussed but choose to not take a position

Recommendation submitted by

QN CB14

Date: 6/10/2021 11:08 AM



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|  |                     |                               |   |
|--|---------------------|-------------------------------|---|
| <b>RECOMMENDATION: Unfavorable</b>     |                     |                               |   |
| <b># In Favor:</b> 25                  | <b># Against:</b> 6 | <b># Abstaining:</b> 0        | <b>Total members appointed to the board:</b> 39 |
| <b>Date of Vote:</b> 6/8/2021 12:00 AM |                     | <b>Vote Location:</b> virtual |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|                                 |  |
|---------------------------------|--|
| <b>Date of Public Hearing:</b>  |  |
| <b>Was a quorum present?</b> No | <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> |
| <b>Public Hearing Location:</b> |  |

|   |        |                                |
|---|--------|--------------------------------|
| <b>CONSIDERATION: MOTION PASSED TO DENY APPLICATION</b> |        |                                |
| Motion made and seconded to deny application.           |        |                                |
| <b>Recommendation submitted by</b>                      | SI CB1 | <b>Date:</b> 6/10/2021 1:23 PM |



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       |   |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|   |                      |                            |   |
|---|----------------------|----------------------------|---|
| <b>RECOMMENDATION: Unfavorable</b>      |                      |                            |   |
| <b># In Favor:</b> 8                    | <b># Against:</b> 14 | <b># Abstaining:</b> 0     | <b>Total members appointed to the board:</b> 22 |
| <b>Date of Vote:</b> 6/15/2021 12:00 AM |                      | <b>Vote Location:</b> Zoom |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|  |  |
|--|--|
| <b>Date of Public Hearing:</b> 6/15/2021 7:00 PM |  |
| <b>Was a quorum present?</b> Yes                 | <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> |
| <b>Public Hearing Location:</b>                  | Zoom   |

**CONSIDERATION:**

|                             |        |                          |
|-----------------------------|--------|--------------------------|
| Recommendation submitted by | SI CB2 | Date: 7/19/2021 12:00 PM |
|-----------------------------|--------|--------------------------|





# COMMUNITY/BOROUGH BOARD RECOMMENDATION

|   |   |                                       |   |
|---|---|---------------------------------------|---|
| <b>Project Name:</b> Citywide Hotels Text Amendment |   |                                       |   |
| <b>Applicant:</b>                                   | DCP - Department of City Planning (NYC) | <b>Applicant's Primary Contact:</b>   | DCP - Department of City Planning (NYC) |
| <b>Application #</b>                                | N210406ZRY                              | <b>Borough:</b>                       | Citywide                                |
| <b>CEQR Number:</b>                                 | 21DCP111Y                               | <b>Validated Community Districts:</b> | CY00                                    |

**Docket Description:**

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

|   |                     |                               |   |
|---|---------------------|-------------------------------|---|
| <b>RECOMMENDATION: Unfavorable</b>      |                     |                               |   |
| <b># In Favor:</b> 25                   | <b># Against:</b> 0 | <b># Abstaining:</b> 0        | <b>Total members appointed to the board:</b> 25 |
| <b>Date of Vote:</b> 5/25/2021 12:00 AM |                     | <b>Vote Location:</b> Virtual |   |

*Please attach any further explanation of the recommendation on additional sheets as necessary*

|  |  |
|--|--|
| <b>Date of Public Hearing:</b> 5/12/2021 7:00 PM |  |
| <b>Was a quorum present?</b> Yes                 | <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> |
| <b>Public Hearing Location:</b>                  | Virtual  |

**CONSIDERATION:** Whereas, the Community Board 3 after extensive review and discussion of the Citywide Hotel Special Permit – Application for Zoning Text Amendment, has concluded that this amendment does not effectively or satisfactorily serve the best interest of the people they represent.

|                             |        |                         |
|-----------------------------|--------|-------------------------|
| Recommendation submitted by | SI CB3 | Date: 5/26/2021 8:09 AM |
|-----------------------------|--------|-------------------------|



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

1243 Woodrow Road - 2<sup>nd</sup> Floor

Staten Island, NY 10309

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

Website: [www.nyc.gov/sicb3](http://www.nyc.gov/sicb3)

Email: [sicb3@cb.nyc.gov](mailto:sicb3@cb.nyc.gov)

## Land Use Committee Minutes

### Teleconference

May 12, 2021

#### Committee Members Present

Frank Morano, *Chairman of the Board*  
Thomas Barlotta, *Chairman*  
Patrick Donahue  
Jeffrey Geary  
Andrew V. Poznanski  
Owen Reiter  
Wayne Rosenfeld  
Danny Venuto

#### Committee Members Absent

Lou Bara  
Celia Iervasi

#### Board Members Present

Robert DiGennaro

#### Staff Present

Charlene Wagner, *District Manager*  
Stacey Wertheim, *Community Coordinator*  
Susan LaForgia, *Community Coordinator*

#### Guests

Aleena Farishta, Department of City Planning (DCP)  
Angie Koo, DCP  
George Todorovic, DCP  
Frank Rapacciuolo, Representative, Councilman Joseph Borelli  
Denise Pacheco, Representative, Assm. Michael Reilly  
Carol Donovan, President, Richmondtown-Clarke Avenue Civic Association

#### Public Contact Session

None

#### Agenda

Citywide Hotel Special Permit – Application for Zoning Text Amendment

- The proposed Text Amendment would create a new **Special Permit** for hotel development **Citywide**.
- It is intended to create a **consistent framework** for hotel development and ensure that new hotels do not negatively affect the surrounding area.
- Applicable Commercial Districts in CB3 District include Great Kills, Eltingville, Arden Heights, Tottenville, Charleston and Rossville.

*Complete presentation on file in CB3 Office*

**Whereas**, the Community Board 3 Land Use Committee, after extensive review and discussion of the **Citywide Hotel Special Permit – Application for Zoning Text Amendment**, has concluded that this amendment does not effectively or satisfactorily serve the best interest of the people they represent.

**Therefore, be it resolved;** Community Board 3 Land Use Committee hereby votes to **deny** the Application.

**VOTE: 9-0-0**

Barlotta Y; DiGennaro Y; Donahue Y; Geary Y; Morano Y; Poznanski Y; Reiter Y; Rosenfeld Y; Venuto Y

---

**New Business:**

**Whereas**, On May 10, 2021, Mayor de Blasio announced that the speed limit for the entire stretch of Hylan Boulevard would be lowered to 30 mph. None of the elected officials representing Staten Island were consulted on this decision. Community Board 3 feels that there are parts of Hylan Boulevard that are less traveled and should be exempt from this lowered speed limit, specifically those streets between Richmond Avenue and Massachusetts Street.

**Therefore, be it resolved**, Community Board 3 will send a letter to Mayor de Blasio in opposition to his proposal and request that Hylan Boulevard from Richmond Avenue to Massachusetts Street be exempt from the new speed limit reduction.

**VOTE: 9-0-0**

Barlotta Y; DiGennaro Y; Donahue Y; Geary Y; Morano Y; Poznanski Y; Reiter Y; Rosenfeld Y; Venuto Y

\*\*\*\*\*

Councilman Borelli, along with Councilman Matteo and Assemblyman Reilly arranged a pop-up vaccination site for Johnson & Johnson vaccine distribution at the corner of Richmond Avenue and Hylan Boulevard (the old CVS) on Saturday, May 15 and Sunday, May 16<sup>th</sup>. Councilman Borelli is hosting a Clean-up at Conference House Park this Saturday, May 15<sup>th</sup>. The Councilman is also writing a letter to the Mayor in opposition to the new Hylan Boulevard speed limit reduction.

---

**Old Business:**

**Whereas**, On April 14<sup>th</sup> the Staten Island Department of City Planning (DCP), together with the **Metropolitan Transportation Authority, New York City Transit** presented **N210270ZRY-Elevate Transit: Zoning For Accessibility**.

The Community Board 3 Land Use Committee understands that there is a need for greater transit accessibility for the handicapped population but believes that there are better means to achieve this end. The Committee is most concerned about DCP changing policy to allow relief in key areas such as, square footage, height, parking, streetscape, residential to commercial zoning, no Community Board review, and no ability for the existing property owners and new developers to opt out of this system-wide easement requirement.

**Therefore, be it resolved,** Community Board 3 Land Use Committee votes to **deny** this application.

**VOTE: 9-0-0**

Barlotta Y; DiGennaro Y; Donahue Y; Geary Y; Morano Y; Poznanski Y; Reiter Y; Rosenfeld Y;  
Venuto Y

---

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T Barlotta', written in a cursive style.

Thomas Barlotta, Chairman

**Comments re: N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

Public Hearing Comments (Do not reply) &lt;PublicComments\_DL@planning.nyc.gov&gt;

Mon 7/12/2021 9:36 AM

**To:** Alexander Plackis (DCP) <APlackis@planning.nyc.gov>; Rachel Antelmi (DCP) <RAntelmi@planning.nyc.gov>;  
**CitywideComments\_DL** <CitywideComments\_DL@planning.nyc.gov> 1 attachments (566 KB)

doc00060320210712093202.pdf;

Re. Project: **N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT****Submitted by:**Name: **Richard Born**Zip: **10019**

I represent:

- **A local business**

Details for "I Represent":

**My Comments:**Vote: I am **in favor**Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **No****Additional Comments:**

I strongly urge the City Planning Commission to approve the text amendment providing for the citywide hotel special permit. This amendment is a responsible proposal that will encourage the development of quality hotels, promote the health of the city's tourism sector, and ensure appropriate public input into new hotel projects.

RICHARD BORN  
BD HOTELS, LLC  
871 SEVENTH AVENUE  
NEW YORK, NEW YORK 100129

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

July 12, 2021

Dear Commissioners,

I am writing on behalf of BD Hotels to provide our perspective in favor of the citywide hotel special permit requirement being considered by the City Planning Commission.

Our company is one of the largest owners and operators of some of New York City's most well-known and highest quality hotels. We pride ourselves on providing our guests with memorable stays that will make them want to visit our city again and again. Unfortunately, our ability to do so has been severely hampered by an unprecedented pandemic that saw travel come to a standstill and many hotels, including some of ours, being forced to close their doors until tourism returns.

The city's hotel industry has never had to endure anything like this pandemic. But it also faces another grave threat to its health: oversupply. Since 2007, the city's hotel room supply has grown by over 55,000 rooms spread across over 340 new hotels. And the development boom is continuing unabated, with another 20,000-plus rooms in the development pipeline.

Due in part to our severe oversupply problem, Revenue Per Available Room, the key metric that measures the health of the city's hotel industry, has been on a steady decline since 2015. The city's hotel industry simply cannot sustain unfettered development, especially when it is already reeling from a pandemic. That is why a special permit requirement is so critical to the survival of the market.

A special permit will ensure that all future hotel development is carried out by bona fide developers who seek to partner with their surrounding communities and strive for the quality that New York's hotels are typically known for. It will also prevent overdevelopment by irresponsible developers whose primary goal is to erect a building, rather than create a memorable destination worthy of this city.

I strongly urge the City Planning Commission to approve the text amendment providing for the citywide hotel special permit. This amendment is a responsible proposal that will encourage the development of quality hotels, promote the health

of the city's tourism sector, and ensure appropriate public input into new hotel projects.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Richard Born', with a long horizontal flourish extending to the right.

Richard Born  
Principle

**Comments re: N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

Public Hearing Comments (Do not reply) &lt;PublicComments\_DL@planning.nyc.gov&gt;

Thu 7/22/2021 1:32 PM

**To:** Alexander Plackis (DCP) <APlackis@planning.nyc.gov>; Rachel Antelmi (DCP) <RAntelmi@planning.nyc.gov>;  
**CitywideComments\_DL** <CitywideComments\_DL@planning.nyc.gov> 1 attachments (104 KB)

CAIH Citywide Hotel Text 7-22-2021.pdf;

Re. Project: **N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

- Application Number: **N 210406 ZRY**
- Project: **CITYWIDE HOTELS TEXT AMENDMENT**
- Public Hearing Date: **07/14/2021**
- Borough: **CITYWIDE**
- Community District: **CITYWIDE**

*Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.*

**Submitted by:**Name: **Vivian Abuelo**Zip: **10032**

I represent:

- **A local community group or organization**

Details for "I Represent": **Coalition Against Illegal Hotels****My Comments:**Vote: I am **in favor**Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **No****Additional Comments:**

MEMORANDUM IN SUPPORT OF Application N 210406 ZRY Citywide Hotel Text Amendment Change  
The Coalition Against Illegal Hotels supports the Hotel Text Amendment Change. The citywide hotel



special permit proposal would require all new and enlarged hotels in current as-of-right zoning districts to go through the Uniform Land Use Review Procedure, or ULURP. ULURP would stop or modify inappropriate hotel projects, anywhere in the five boroughs. In places like Long Island City and North Brooklyn, lots of these smaller, economically questionable hotels have popped up in manufacturing zones. And the city's elected and appointed officials would be empowered not only to approve or deny hotel developments, but to help shape and improve them for the benefit of city residents and other stakeholders. The city's hotel supply has increased twofold since 2007, when it had just 357 properties totaling 73,692 rooms. At the start of 2020, New York City had over 700 properties totaling over 138,000 hotel rooms. And even in the aftermath of the pandemic, Smith's Travel Research is still projecting 78 hotels with more than 13,000 rooms combined will open this year alone. This proposal would help fine-tune hotel development to limit the low-quality, low-viability hotels while simultaneously prioritizing the needs of the communities that host these hotels. A special permit requirement would not freeze hotel development. There will always be a market for developing hotels as long as they are suitably located. For all these reasons, CAIH, supports this text amendment.



## Member Organizations

29th Street Association  
Association for Neighborhood and Housing Development (ANHD)  
Cooper Square Committee  
Friends of Petrosino Square  
Goddard Riverside Law Project  
Hell's Kitchen Neighborhood Association  
Housing Conservation Coordinators  
IMPACCT Brooklyn  
Inside Airbnb  
Lower Manhattan Loft Tenants  
Metropolitan Council on Housing  
MFJ Legal Services  
St. Nick's Alliance  
Southside United HDFC-Los Sures  
Tenants Political Action Committee  
Urban Justice Center  
West Side Neighborhood Alliance (WSNA)

## MEMORANDUM IN SUPPORT OF Application N 210406 ZRY Citywide Hotel Text Amendment Change

The Coalition Against Illegal Hotels supports the Hotel Text Amendment Change.

The citywide hotel special permit proposal would require all new and enlarged hotels in current as-of-right zoning districts to go through the Uniform Land Use Review Procedure, or ULURP.

ULURP would stop or modify inappropriate hotel projects, anywhere in the five boroughs. In places like Long Island City and North Brooklyn, lots of these smaller, economically questionable hotels have popped up in manufacturing zones.

And the city's elected and appointed officials would be empowered not only to approve or deny hotel developments, but to help shape and improve them for the benefit of city residents and other stakeholders.

The city's hotel supply has increased twofold since 2007, when it had just 357 properties totaling 73,692 rooms. At the start of 2020, New York City had over 700 properties totaling over 138,000 hotel rooms.

And even in the aftermath of the pandemic, Smith's Travel Research is still projecting 78 hotels with more than 13,000 rooms combined will open this year alone.

This proposal would help fine-tune hotel development to limit the low-quality, low-viability hotels while simultaneously prioritizing the needs of the communities that host these hotels.

A special permit requirement would not freeze hotel development. There will always be a market for developing hotels as long as they are suitably located.

For all these reasons, CAIH, supports this text amendment.

July 22, 2021

**CAIH is a coalition of neighborhood groups and housing advocates that have been fighting illegal hotels in residential buildings since 2004.**

**Comments re: N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

Public Hearing Comments (Do not reply) &lt;PublicComments\_DL@planning.nyc.gov&gt;

Tue 7/13/2021 4:37 PM

**To:** Alexander Plackis (DCP) <APlackis@planning.nyc.gov>; Rachel Antelmi (DCP) <RAntelmi@planning.nyc.gov>;  
**CitywideComments\_DL** <CitywideComments\_DL@planning.nyc.gov> 1 attachments (6 MB)

Pratt\_Center\_Still\_Room\_for\_Improvement\_July\_2021.pdf;

Re. Project: **N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

- Application Number: **N 210406 ZRY**
- Project: **CITYWIDE HOTELS TEXT AMENDMENT**
- Public Hearing Date: **07/14/2021**
- Borough: **CITYWIDE**
- Community District: **CITYWIDE**

*Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.*

**Submitted by:**Name: **Adam Friedman**Zip: **11205**

I represent:

- **Other**

Details for "I Represent": **The Pratt Center For Community Development****My Comments:**Vote: I am **in favor**Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **Yes****Additional Comments:**

Attached please find Hotel Development In New York City: Still Room For Improvement, which is an update to our earlier report examining land use impacts of hotel development and which calls for

creation of a special permit for hotel development.

July 2021

Hotel Development  
in New York City

# STILL ROOM FOR IMPROVEMENT

PRATT  
CENTER  
FOR  
COMMUNITY  
DEVELOPMENT





# ACKNOWLEDGMENTS

**REPORT AUTHOR**  
Adam Friedman

**ADDITIONAL RESEARCH AND REVIEW CONDUCTED BY**  
Paula Crespo, Taylor Novick-Finder, Mira Silveira, Lena Afridi, and Nepal Asatthawasi,

**REPORT DESIGN**  
Ben Dodd

Cover image by gzone77 / Flickr

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Pratt Center thanks the New York Hotel & Motel Trades Council for funding support for this study.



Founded in 1963, the Pratt Center for Community Development works for a more just, equitable, and sustainable city for all New Yorkers. As part of Pratt Institute, we leverage professional skills including participatory planning, community organizing, and public policy advocacy to support community-based organizations in their efforts to challenge systemic inequities and advance sustainable development.

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# I. EXECUTIVE SUMMARY

The tourism industry is of tremendous importance to New York City’s overall economy and it would not be the dynamic city that it is without a vibrant tourism sector. In 2018, tourism directly generated more than 300,000 jobs and \$4.6 billion in tax revenues to the city.<sup>1</sup>

Almost as important, tourism adds to the city’s cultural vitality, which is an asset that helps lure other sectors. Almost two-thirds of employment in the arts and entertainment sectors are attributable to tourist spending.<sup>2</sup> For example, in the 2018-2019 season, there were 14.8 million admissions to Broadway Theatres, an all-time high, and 65% of those attendees were tourists.<sup>3</sup>

The hotel segment of the tourism sector is particularly important. First, high wages are a distinct characteristic of the hotel segment. The average annual wage in hotel/lodging/accommodation jobs is more than \$67,000.<sup>4</sup> This can be compared to wages in the retail or restaurant sectors, which have similar characteristics in terms of the demographics and educational attainment of the workforce, but with much lower wages.

Second, hotels are a critical piece of the tourism infrastructure that is necessary for all the other segments to flourish. While the city’s restaurants, retailing, entertainment, sporting, and cultural resources all draw people to New York City, without hotels there can be virtually no tourism. These are “external” benefits generated by the hotel industry but not captured by hotels in the form of revenue.

In fact, the hotel segment itself faces challenges, demonstrated by the declining *Revenue Per Available Room* (RevPAR), a calculation that provides some insight into the overall wellbeing of the industry. While the Draft Environmental Impact Statement released by the Department of City Planning for the Citywide Hotel Text Amendment in May 2021 projects growth in demand for hotel rooms at approximately its historic rate, the growth rate in demand for hotel rooms is far from certain. The future of business travel is particularly uncertain given the surge in working remote during the pandemic, which accustomed workers to virtual meetings and operations, and is leading to changes in corporate travel policies that will most likely reduce business travel.

Hotels also present a land use challenge for their neighbors if development is unplanned, and potential land use conflicts are allowed to undermine a neighborhood’s quality of life. Conflicts over noise, traffic, sanitation and neighborhood character are not uncommon, particularly as hotels begin to cluster and the density of conflicting uses increases.

In addition, the boom/bust nature of unplanned development

Figure 1  
**Sector Wage Comparison: Accommodations, Retail Trade and Restaurants (2019)**

| Sector                              | Annual Average Employment | Average Annual Wages (in thousands) | Annual Wages per Employee |
|-------------------------------------|---------------------------|-------------------------------------|---------------------------|
| Accommodation                       | 52,730                    | \$3,638,738                         | \$69,007                  |
| Retail trade                        | 344,523                   | \$16,042,673                        | \$46,565                  |
| Restaurants and other eating places | 275,616                   | \$9,135,219                         | \$33,145                  |

Data: Quarterly Census of Employment and Wages, Bureau of Labor Statistics. Accommodation (NAICS 721, 44-45 and 7225), 2019 Annual Averages for Private establishments, accessed July 8, 2021.

is leading to additional conflicts as vacant or underutilized hotels cluster in some areas and are now being used for homeless shelters without adequate services for those experiencing homelessness. If vacant hotels are to be used as housing for the homeless, there needs to be greater planning, commitment of public resources, and other public interventions to assure that the residents are properly served. The use of hotels for sheltering the homeless is a symptom of the distinct and urgent need for more affordable housing, a persistent challenge for the City that requires greater financial resources and political attention.

Given on the one hand the land use challenges presented by hotels but on the other hand the important economic development benefits derived from their relatively well-paying jobs and the critical role they play in tourism overall, the City needs to develop the right process for balancing, mitigating and remediating costs and benefits. To this end, the City should move forward with implementation of a special permit process on a citywide basis. This will create an opportunity for the stakeholders to raise their concerns and work towards strategies to maximize the public benefits, reduce the potential for conflict, and create a mechanism for fostering local employment.

The City should also work with the industry to determine how to best address the overall economic wellbeing of the hotel segment in a more comprehensive process that is not governed by land use implications.

# II. BACKGROUND

In 2015, Pratt Center published *Hotel Development In New York City: Room For Improvement*, which examined the impact hotel development was having on land use in several communities in New York City. Our analysis found that hotel development could “price-out” other users and thereby undermine other public policy objectives such as the development of affordable housing. More often than not hotels generated conflicts around noise, traffic, parking, and other quality of life issues, or contributed to undermining the character of some neighborhoods.

These findings were the basis for Pratt Center’s recommendation that the City create a special permit for the development of hotels. While much has changed since 2015, certain fundamentals have not:

**“New York City needs a diverse economy that includes a healthy tourism sector; however, the growth of land uses associated with this sector should be balanced with other land use needs. The creation of a special permit process for hotels would provide the opportunity for communities and elected officials to balance competing land uses, to channel hotel development to where it is most appropriate, and to negotiate for better quality hotel jobs that can potentially go to local residents.”<sup>5</sup>**



Developed in a former barrel factory, the Wythe Hotel opened in 2012, and was featured on the cover of *Room for Improvement* in 2015. One year later, a 21-story, 183-room luxury hotel, the William Vale, opened across the street. The building includes 40,000 square feet of retail and office space on the lower levels. Photo: Shinya Suzuki / Flickr



*Room for Improvement* looked at a variety of indicators to illustrate how as-of-right hotel development was undermining a number of the city’s land use objectives. Hotels were increasingly being developed in areas where they conflicted with the public policy objectives approved by the community and City. In addition to conflicts in Industrial Business Zones, which the City has since addressed, the report identified special districts, 197(a) plans and other articulations of policy that were in conflict with hotel development.

In addition, at that point in time hotels generated a return on investment significantly greater than other desirable uses. This was a particular problem for industrial space as well as Class B and C commercial buildings which are important to the future of the tech sector and other emerging industries—new industries often need older and consequently lower rent space.

**“A growing tourism industry is an important contributor to the city’s economic well-being, and new hotel development is vital to that industry. However, developing affordable housing, preserving Class B office space for high-tech and related entrepreneurs, and preserving and expanding the city’s manufacturing sector and industrial infrastructure are also important policy goals that should not be secondary to the goal of expanding the hospitality sector.”<sup>6</sup>**

While the economics of the hotel industry has been severely impacted by Covid-19, so have the economics of office space and other uses. While the entire market may reset or shift down, the relationships between the competing uses may not. The post-pandemic real estate market is just beginning to emerge and the dynamics between the sectors is still uncertain.

Finally, a special permit was necessary to give the community, its elected officials and other stakeholders an opportunity to identify and seek to address concerns such as parking requirements, access to public transit and services and perhaps most important to develop strategies to support resident employment. Hotels, particularly union hotels, tend to pay better for people lacking educational credentials, than many other similarly accessible jobs, from retailing to food services.



# III. STILL ROOM FOR IMPROVEMENT

In May 2021, the City Planning Commission certified a zoning amendment that would create a citywide special permit for hotels, an action which Pratt Center recommended in *Room for Improvement*. As part of the preparation for the certification, City Planning retained BJH Advisors to analyze the anticipated supply and demand for hotel space over the next ten years.

## EMERGING TRAVEL NORMS

A primary conclusion of the BJH report was that there will be a deficit of hotel rooms, which suggests that the addition of a special permit process could exacerbate the deficit and delay economic recovery. This analysis was based on historic pre-Covid trends and does not anticipate significant changes in traveler behaviors, such as the normalization of remote work, which could dramatically impact the demand for hotel rooms over the long term.

“Using historic pre-COVID visitation projection data, along with national tourism demand trends and New York City hotel development pipeline information from the Department of Buildings, the report’s market outlook analysis evaluates projected hotel room demand and supply growth for New York City through 2035... Based on data and recovery projections for the New York City hotel market, this analysis assumes that the city’s hotel market will have fully recovered, reaching pre-COVID January 2020 demand levels, in 2025.”<sup>7</sup>

The report goes on to apply the historic growth rates—1% for business travel and 3% for leisure travel—as the basis for its analysis.

But there is considerable uncertainty about the nature of post-pandemic travel, particularly business travel, not only because of health concerns but also the extraordinary acceleration of remote work during the pandemic.

Health concerns will significantly impact how long it takes the city to return to pre-Covid levels of travel as more people are vaccinated, as international travel restrictions



To curb the spread of COVID-19 in early 2020, the City began transferring thousands of homeless residents from the city-run shelter system into hotels across the boroughs like the Lucerne Hotel in Manhattan (page 7) and the Glo Hotel on Fourth Avenue in Brooklyn (above). Photos: mifl68/Flickr, Google



recede, and as the city’s tourist destinations, from museums to theaters to restaurants, reopen. But health concerns—not only from the current pandemic but from future pandemics and other health and environmental events—may also influence the informal calculus that leisure travelers make when planning or embarking on a trip and contribute at some point towards lowering the historic growth rate. There may be a short-term spike in travel due to pent up demand, but over the long term, there may be fundamentally different assumptions and preferences. Travelers may be less likely to cross international borders and quicker to change plans at the appearance of a public health risk.<sup>8</sup>

Business travel, which makes up 21% of total travel in New York City,<sup>9</sup> may experience even more profound changes because of the surge in remote work, a factor not

fully explored in the report or the Draft Environmental Impact Statement. The experience of the pandemic has clearly changed perceptions about the necessity or value of face-to-face meetings, increased awareness of the option for remote meetings, and raised skill levels and competencies in the logistics of remote work. This is not to say people may not prefer face-to-face work for many components of their work, but rather that the overall calculus and judgment calls about how often and under what circumstances (such as meetings with clients vs internal meetings with other employees) people travel for work will be different.

In addition, corporate travel policies are changing:

- “Business travel will take longer to recover, and even then, we estimate it will only likely recover to around 80 percent of pre-pandemic levels by 2024. Remote work and other flexible working arrangements are likely to remain in some form post pandemic and people will take fewer corporate trips.”<sup>10</sup>
- “The US pre-pandemic...trade show and exhibition industry will be permanently changed by COVID-19, along with smaller events like corporate meetings... Hybrid meetings will be the norm as opposed to the exception. People can attend face-to-face or virtually.”<sup>11</sup>
- “Deloitte reports that, with COVID, companies face an increased burden of proof to demonstrate that business travel is necessary. This will continue to lead to significant declines in business travel.”<sup>12</sup>
- “After living without travel for over a year...some big companies are re-evaluating exactly what role it will play...“I think there’s going to be a higher bar for travel in the future,” said Eric Bailey, global director of travel at Microsoft Corp.”<sup>13</sup>

An additional and growing consideration may be corporate commitments to reduce environmental footprints, particularly reducing carbon emissions.<sup>14</sup> A 2018 study found that between 2009 and 2013, tourism’s global carbon footprint accounting for about 8% of global greenhouse gas emissions. This is not to suggest that all companies are going to stop business travel but that climate-friendly considerations are going to impact their decision-making and probably lead to greater scrutiny and less travel.

- “Commitments companies have made to reducing emissions are emerging as one of the biggest threats to travel, as corporate leaders evaluate how best to return.”<sup>15</sup>
- “Sure, there’s something magical about meeting face to face, but in an age of pretty good video-conferencing, there isn’t magic enough to justify the extreme environmental costs of routine flight.”<sup>16</sup>

Basing growth projections on slightly modified healthy pre-COVID growth rates is too optimistic.



**SPECIAL PERMIT IMPACTS: FEWER CONFLICTS, GREATER LOCAL EMPLOYMENT, STABLE GROWTH AND FUTURE DEVELOPMENT**

The special permit requirement will provide an opportunity for host communities to participate in the planning process for the hotel which could have significant impacts in their neighborhoods, to promote local hiring of hotel employees, and to add some stability to the hotel development sector.

Prior to the pandemic, New York’s hotel industry was going through an extraordinary boom:

“In 2019, New York City drew a record 66.6 million visitors, a 2.4 percent increase over 2018 and reflective of an uninterrupted 12-year run of consecutive increases in visitor counts. 28 million of those visitors stayed in hotels in the city, accounting for over \$13 billion in direct and indirect business sales...”

...2019 also saw the continuation of an unprecedented boom in hotel development in New York City that had begun in 2007 and has added over 54,100 hotel rooms since that year, a 73 percent increase in supply. This growth was remarkable for its endurance as the five years between 2015 and 2019 saw over 21,000 hotel rooms come online in the city, a 40 percent increase over the number of rooms that came online during the previous five-year period.”<sup>17</sup>

But by January 2021, in response to the dramatic drop in tourism and demand for hotel rooms, Governor Cuomo, with the support of the Real Estate Board of New York and the Hotel Association of New York City, proposed legislation to override local zoning and allow the conversion of hotels to



residential uses. The memorandum in support of the proposed legislation stated that “New York State has an urgent and significant interest in addressing the high commercial vacancy rates and underutilized hotel properties.”<sup>18</sup>

Vijay Dandapani, president of the Hotel Association of NYC, said: “The hotel industry is the most stressed industry in the commercial property sector due to the near total evaporation of revenues since March 22... (T)he Governor’s proposal that seeks to make it easier for owners and operators of hotels to maximize the value of their severely negatively affected assets will be welcomed by many.”<sup>19</sup>

The boom/bust dynamic is familiar in real estate development, and its consequences are felt beyond developers by the communities hosting the development. In this current boom/bust cycle, distressed hotel operators have resorted to renting their otherwise vacant hotels to the City and to organizations serving the homeless.

While addressing the needs of the city’s most vulnerable residents should be one of the City’s highest priorities, those services should be intentional and planned in the best interest of the homeless, not a market-driven afterthought. A consequence of the current hotel rescue-plan process has been the unplanned concentration of homeless people in areas that previously experienced significant hotel development but do not have adequate social services. A particularly extreme example of this is the ten-block stretch along 4th Avenue between 25th Street and 35th Street in Brooklyn.

A special permit requirement will not stop hotel development. Some hotels are currently beginning the certification process in areas where a special permit is already required such as an M1 zone and the East Midtown Special District.

But a special permit requirement would tend to weed out weaker developers and less certain or riskier projects. The exclusion of these types of proposed hotel developments would curb the boom/bust dynamic and lead to more stable growth. It would both alter the calculus behind the decision to develop a hotel to deter some development and it would create an opportunity for the community and elected officials to scrutinize the proposal. This additional scrutiny and negotiation could lead to contingency planning such as for “warning notices” of conversions (similar to the warning notices required by the Department of Labor before a large layoff of employees). A warning notice would create an opportunity to put homeless services in place before a conversion. It could even lead to contingencies which prioritize affordable housing.

The current unregulated development of hotels clearly leads to numerous land use conflicts, much of which could be addressed through the special permit process.

The Brooklyn Way Hotel on Fourth Avenue between 25th and 26th streets is one of the hotels repurposed to a homeless shelter amid the pandemic. Image: Google Maps

The Grand Hyatt is an example of an older hotel being redeveloped and reconceptualized. The tower (rendering shown at right) replacing the hotel on 42nd Street in Manhattan will include 2.1 million square feet of Class A commercial office space, a new 500-room Hyatt-operated hotel on the upper floors of the building, and 10,000 square feet of retail on the ground floor and cellar levels. Image: Skidmore Owings & Merrill



The Department of City Planning’s Draft Environmental Impact Statement (DEIS) on Citywide Hotel Text Amendment concludes that the special permit requirement would have a significant economic cost in lost tourism and jobs. It projects that the special permit requirement could reduce total hotel development by as many as 47,000 rooms and 18,970 direct jobs.<sup>20</sup>

One obvious but flawed strategy for addressing some land use concerns without risking a gap between hotel supply and demand would be to carve out the areas where the gap will be greatest, which is essentially Manhattan.

This strategy would be contrary to at least two decades of City economic development policy that sought to extend the benefits of the tourist economy beyond Manhattan. A “Manhattan carve out” would make development more attractive in Manhattan but less attractive in the other boroughs, areas where there has been significant growth in tourism over the past few years.

It is important to recognize that the gap between the “No Action” and “With Action” scenarios may not be caused by the land use regulations but by the interplay of land use and an evolving business model. It appears that several new hotel developments are moving forward in areas that already require a special permit, demonstrating that the requirement is not so onerous as to eliminate all development. In

addition, there is a general decline in *Revenue Per Available Room*, and some hotels with successful histories are being repurposed. The Grand Hyatt on 42nd Street is just one very visible example of a redevelopment and reconceptualization.

“While hotel owners in the four outer boroughs are considering converting their hotels for use as permanent homeless shelters, owners of older hotels in Manhattan that were marginally profitable before COVID-19 are considering redevelopment and/or conversion to residential, office, or institutional uses. During stakeholder interviews, some industry stakeholders predict that up to 30 percent of New York City’s hotel rooms will not reopen.”<sup>21</sup>

The possible oversupply of hotels and the growth of lower margin, less well capitalized hotel operations poses a threat to the stability of the industry and its characteristic high-quality jobs. The industry is already seeing a decline in Revenue Per Available Room. At some point, this decline will influence industry wages.

The City should seek to address the obstacles confronting the hotel component of the tourism industry with tools other than an exception from the special permit. Hotels are a critical piece of the infrastructure that makes tourism economic activity possible. But hotels themselves may be vulnerable, and this vulnerability is weakening the entire ecosystem.<sup>22</sup>



# IV. CONCLUSIONS & RECOMMENDATIONS

## 1 A hotel special permit will help address community concerns

Tourism presents challenges to the quality of life of many city residents, particularly hotels, which are an obviously essential piece of the tourism infrastructure. Much of this conflict can be remediated through better planning during the development process to address community concerns, which would be achieved with the creation of a special permit. In addition, to the extent communities remain negatively impacted by hotel development, they should also benefit from the employment opportunities generated by the development.

## 2 A hotel special permit could anticipate services for the homeless and other policy objectives

The City should explore ways to “bake in” strategies to advance public policy by including the provision of services for the homeless in the event the hotel fails and creates a reuse opportunity, including for permanent affordable housing. A pilot program is now being developed by the New York State Division of Housing And Community Renewal that will support the acquisition of vacant hotels for reuse as affordable housing.

## 3 Carving out some areas from the special permit’s coverage risks undermining citywide tourism growth

Carving out some areas from the proposed citywide special permit would put the remaining areas at a disadvantage in terms of hotel investment and the employment and other potential benefits they might provide. This would conflict with long-term city policy to spread the economic development benefits of tourism to all five boroughs.

## 4 Land use strategies alone will not address the industry’s challenges

While more tourists want to come to New York, the return on investment in hotel development and operations may not be sufficient to incentivize the additional supply. The city could lose out by not capturing the tourist dollars, jobs, tax revenue and all the other external benefits generated by hotel development that could otherwise be gained. The city should explore how best to stabilize and incentivize the hotel sector beyond its land use tools and through alternative public sector interventions.

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22. The situation where a critical piece of an industry’s ecosystem is weakening and threatening the entire ecosystem is not uncommon. In the fashion industry the loss of local manufacturing is weakening the design and other components. In the food industry, the shortage of cold storage and co-packing businesses is an obstacle for many small and mid-sized companies. In the bio-tech industry, the city identified wet-labs as a missing element but essential element of the bio-tech infrastructure.

**Hotel Development  
In New York City**

**STILL ROOM FOR  
IMPROVEMENT**



**Comments re: N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

Public Hearing Comments (Do not reply) &lt;PublicComments\_DL@planning.nyc.gov&gt;

Tue 7/13/2021 4:40 PM

**To:** Alexander Plackis (DCP) <APlackis@planning.nyc.gov>; Rachel Antelmi (DCP) <RAntelmi@planning.nyc.gov>;  
**CitywideComments\_DL** <CitywideComments\_DL@planning.nyc.gov> 1 attachments (120 KB)

Pratt Center\_Testimony\_Hotels Special Permit.docx;

Re. Project: **N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

- Application Number: **N 210406 ZRY**
- Project: **CITYWIDE HOTELS TEXT AMENDMENT**
- Public Hearing Date: **07/14/2021**
- Borough: **CITYWIDE**
- Community District: **CITYWIDE**

*Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.*

**Submitted by:**Name: **Adam Friedman**Zip: **11205**

I represent:

- **Other**

Details for "I Represent": **The Pratt Center For Community Development****My Comments:**Vote: I am **in favor**Have you previously submitted comments on this project? **Yes**If yes, are you now submitting new information? **Yes**I have attended or will attend the City Planning Commission's Public hearing on this project: **Yes****Additional Comments:**

Attached please find testimony for Wednesday's hearing.



## TESTIMONY

The New York City  
Planning Commission

Marisa Lago, Chair  
Wednesday, July 14, 2021  
Remote Hearing

Note: This testimony reflects the position of Pratt Center for Community Development and not Pratt Institute.

<sup>1</sup> Both *Room For Improvement* and *Still Room For Improvement* were partially underwritten by the Hotel Trades Council.

### Re: Citywide Hotels Text Amendment

Good morning. I'm Adam Friedman, Director of the Pratt Center and I appreciate the opportunity to testify in support of the proposed Hotel Special Permit.

A Special Permit will give host communities and their elected representatives an opportunity to address any potential land use conflicts such as noise, traffic, sanitation and other quality of life impacts while increasing local employment opportunities and it will help stabilize the hotel sector.

In 2015 Pratt Center published *Hotel Development In NYC: Room For Improvement* which called for a citywide special permit for hotel development and we recently published *Still Room For Improvement*, an addendum to *Room*.

Four conclusions that are clear and frame this issue:

1. Hotels, particularly when they begin to cluster, can cause land use conflicts around noise, traffic, sanitation, and can lead to a change in neighborhood character.
2. The tourism industry is critical to the city's economic wellbeing both as a direct generator of jobs and tax revenues, and tourist spending is essential to the city's art and entertainment sectors and therefore to the city's creative vitality.
3. Hotels are perhaps the most critical piece of the tourism infrastructure without which everything else contracts. A particular characteristic of the hotel segment is the relatively high quality of its jobs. Average annual wage is over \$67,000.
4. Finally, there are warning signs for the hotel industry. Even before the pandemic, the *Revenue Per Available Room* was declining and some well-established hotels were closing or downsizing.

So how to reconcile the imperative to address the land use challenges presented by hotel development with the imperative to provide support for this critical industry?

The land use challenges should be addressed through the special permit implemented on a citywide basis.

The DEIS suggests this will lead to a deficit in hotel rooms with tourists and their dollars being turned away. But this finding is off for at least two reasons:

First, the projections of the growth in tourism are overly optimistic. The nature of travel is changing, particularly business travel. This is not just because of the pandemic but because of zoom and the surge in remote work which is barely mentioned in the DEIS. We have all gained a level of zoom competence and acceptance of the remote experience. So all the variables that go into a judgement about travel, that lead to an individual decision or a corporate travel policy, are being recalculated.

In addition, businesses committed to environmentally sustainable practices are increasingly limiting their allowance for travel.

Second, if there is a deficit in hotel rooms, it is not caused by a special permit or even strictly land use challenges. Rather any deficit would be the result of the interplay of hotel development, operations, market forces and financing. The *revenue per available room*, an indicator of the industry's wellbeing, was dropping before the pandemic. And that is putting job-quality at risk. The situation requires a different set of tools beyond land use to address.

A special permit requirement will add stability to the hotel industry. It will create an opportunity for communities and their elected representatives to address potential issues, promote resident employment, and help weed out the riskier projects and less well capitalized operators.

I urge you to move forward with implementation of a hotel special permit on a citywide basis. Thank you.



**ADAM FRIEDMAN**  
Executive Director  
Pratt Center for Community Development

200 Willoughby Avenue Brooklyn, NY 11205  
718 637-8640  
AFriedman@prattcenter.net  
prattcenter.net

**Comments re: N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

Public Hearing Comments (Do not reply) &lt;PublicComments\_DL@planning.nyc.gov&gt;

Fri 7/23/2021 12:57 PM

**To:** Alexander Plackis (DCP) <APlackis@planning.nyc.gov>; Rachel Antelmi (DCP) <RAntelmi@planning.nyc.gov>;  
**CitywideComments\_DL** <CitywideComments\_DL@planning.nyc.gov> 1 attachments (292 KB)

Pratt Center - Memo to CPC - Hotel Special Permit - July 2021.pdf;

Re. Project: **N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

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*Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.*

**Submitted by:**Name: **Adam Friedman**Zip: **11205**

I represent:

- **Other**

Details for "I Represent": **The Pratt Center For Community Development****My Comments:**Vote: I am **in favor**Have you previously submitted comments on this project? **Yes**If yes, are you now submitting new information? **Yes**I have attended or will attend the City Planning Commission's Public hearing on this project: **Yes****Additional Comments:**

The attached memo responds to the Commissioners' questions at the hearing and clarify that: 1. There is a solid land use basis for the Hotels Special Permit. 2. Projected demand for hotel rooms is overly



optimistic and consequently projections of job and revenue losses are overstated; 3. The hotel sector is challenged by a variety of issues not addressed by a special permit; and 4. Because of this misdiagnosis of the challenges, proposals for a sunset and carveout provisions will not help the industry.

**Date**  
July 22, 2021

**Re: Hotels Special Permit**

**To**  
New York City  
Planning Commission  
Marisa Lago (Chair)

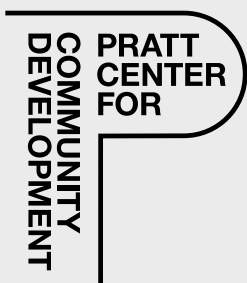
Dear Chair Lago and Commissioners,

This memo addresses a number of issues that were raised at hearing for the Citywide Hotels Text Amendment which I did not have time to respond to.

In summary:

1. There is a solid land use basis for a hotel special permit. Hotels, particularly when they begin to cluster, can cause conflicts around noise, traffic, sanitation and other quality of life issues and can undermine other higher priority land uses such as affordable housing.
2. The risk of a deficit in hotel rooms and consequent loss of jobs and tax revenues is overstated.
3. The threat to the hotel industry in New York is being misdiagnosed. The threat to the sector is from a combination of factors which are causing a long-term decline in Revenue Per Available Room; and that is why both the Hotel Association of New York City (which represents the hotel operators and developers) and the Hotel Trades Council (which represents the workers) are in support of the special permit.
4. A special permit requirement will not hurt the industry and the addition of carve-out and sunset provisions will not help stabilize the industry. Carve-out provisions for some areas, mostly likely Manhattan, conflicts with decades of city policy to encourage tourism beyond the traditional Manhattan venues.

Yours truly,



**ADAM FRIEDMAN**  
Executive Director  
Pratt Center for Community Development

200 Willoughby Avenue Brooklyn, NY 11205  
917 379-9484  
AFriedman@prattcenter.net  
prattcenter.net

# 1

## THERE IS A SOLID LAND USE BASIS FOR A HOTEL SPECIAL PERMIT

The community boards voted overwhelmingly in support of a special permit in large measure because of their experience of land use conflicts. The vote was 22 to 11 with at least 4 of the 11 votes in opposition because the amendment should be made even stronger. Residents with experience of hotel development in their neighborhoods see land use impacts including not only traffic, noise and congestion but conflicts in design—such as a breaking up the street-wall and above ground parking—and the Commission should acknowledge the validity of that lived experience.

But there is an additional land use rationale which was articulated by Communities For Change: Many communities if not City Hall have prioritized the development of affordable housing, schools and other land uses. In *Room For Improvement*, Pratt's earlier study, this conflict was documented through examination of existing expressions of policy for an area such as an Industrial Business Zone or 197[a] plan:

‘Much of this recent hotel development conflicts with the intentions of the various public land use policies and plans for these areas. Pratt Center illustrated this conflict by mapping both existing hotels and hotels in the development pipeline over geographic districts with plans and/or policies that are inconsistent with hotel development including: Industrial Business Zones (IBZs), manufacturing zoning districts, four special purpose zoning districts, and community initiated 197-a plans.<sup>1</sup> For example, between 2007 and 2014, eleven hotels were built in IBZs, areas which are intended as stable “safe havens” for industrial firms to invest in their businesses and create jobs.’<sup>2</sup> (*Room For Improvement*, page 2)

When the City implemented the special requirement for the Industrial Business Zones, the rationale included the impact that hotels had in fueling real estate speculation in those areas and the likelihood that would lead to the loss of industrial businesses and jobs.

“The Department of City Planning needs to ensure that sufficient opportunities for industrial, commercial, and institutional growth remain...

Since 2010, there has been a rapid increase in hotels in M1 districts, particularly in areas near transit. Citywide, 13% of existing hotel rooms are in M1 districts, whereas 30% of hotel rooms in the development pipeline are slated to be built in M1 districts...

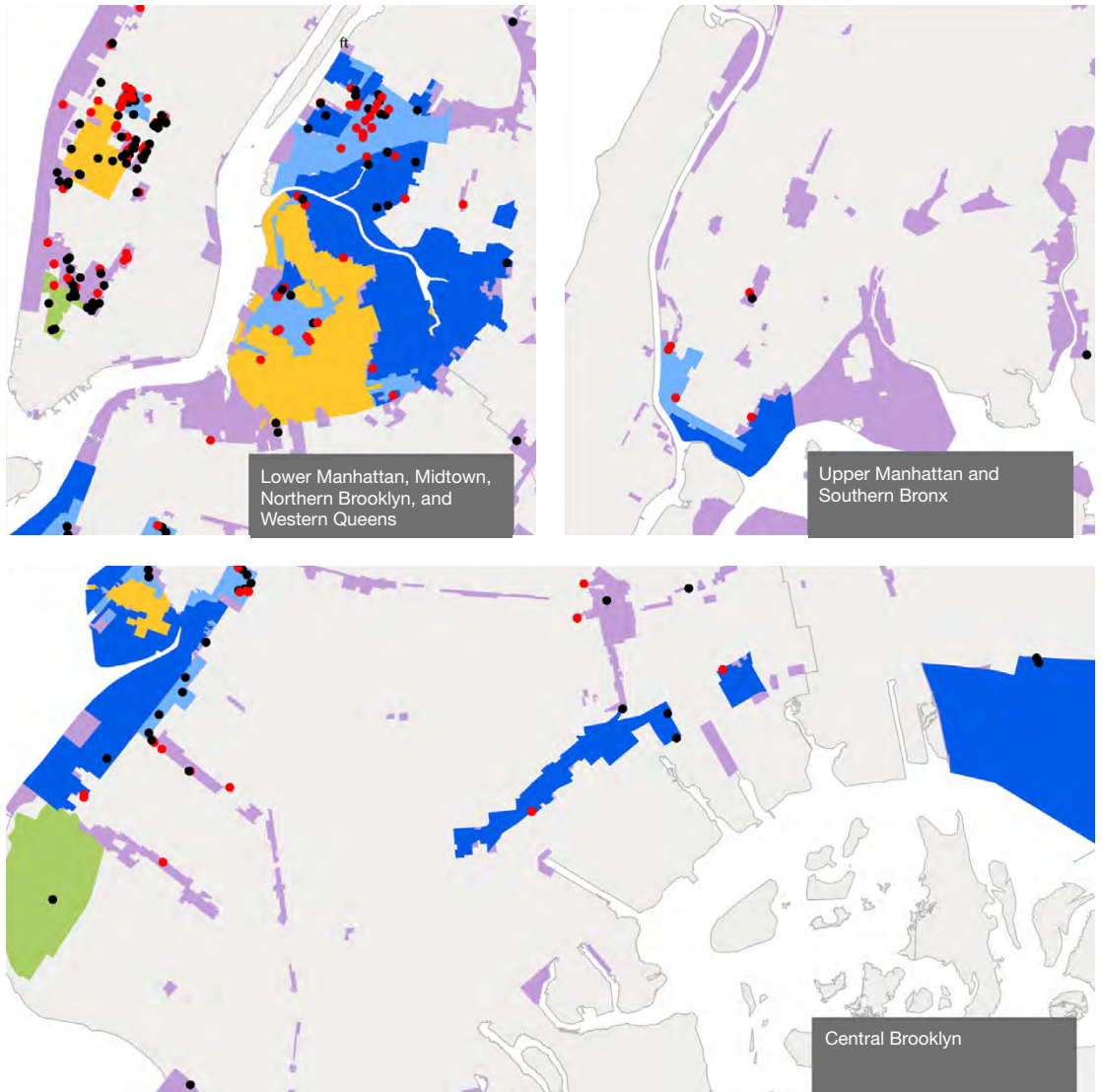
Hotels may directly or indirectly detract from opportunities for other kinds of development, by occupying vacant or underdeveloped sites that could have been available to other uses better equipped to fulfill neighborhood development objectives and needs, or by accelerating neighborhood change with the expansion of tourism-oriented uses.”<sup>3</sup>

1. The New York City Zoning Handbook contains summaries of the intent and purpose of each of the city's special purpose zoning districts. The ones that were deemed to be inconsistent with hotels yet experienced new hotel development after they were designated are: Special Bay Ridge District, Special Tribeca Mixed Use District, Special Garment Center District, and Special South Richmond Development District. 197-a plans that are inconsistent with hotels yet saw new hotels built there after they were adopted are in Red Hook, Williamsburg, and Chelsea.
2. The recommendation to require special permits for hotels in IBZs is one of several reforms that are needed to strengthen IBZs and encourage investment and job creation by manufacturers in those areas. The topic of how to improve zoning in the IBZs is discussed in [another policy brief](#) and includes consideration of special permits for self-storage facilities, big box retailing, some schools and other uses.

MAP 1

**HOTELS IN AREAS WITH POLICY OR PLANNING CONTRADICTIONS**

- Industrial ombudsman area
- Industrial Business Zone (IBZ)
- M1, M2, or M3 zoning district
- Special purpose zoning district
- 197-a plan area
- Existing hotels
- Hotels in the pipeline



Data source: New York Hotel and Motel Trades Council, 2014

The recognition of this type of land use conflict is embodied in the required findings for the Special Permit in the IBZs which requires that the Commission must find that “such (transient hotel) will not impair the essential character or future use or development of the surrounding area.”<sup>4</sup>

The same dynamic and policy rationale applies to a citywide hotel permit. The communities and many elected representatives have articulated higher priorities, particularly affordable housing and in interviews conducted for *Still Room For Improvement*, many residents complained that hotel sites should have been used for affordable housing.

While at first blush it might seem that hotel development in some of the city’s densest commercial areas should be allowed as of right, the City and communities have articulated other priorities as well, particularly the need to preserve Class B and C office space for the growth of the tech sector and emerging industries. This is particularly true on the west side of Manhattan from roughly 14th Street north through the Garment Center.

3. M1 Hotel Text Amendment, New York City Department of City Planning, December 20, 2018, <https://www1.nyc.gov/site/planning/plans/m1-hotel-text/m1-hotel-text.page>

4. M1 Hotel Text Amendment, Section 74-803[c], <https://www1.nyc.gov/assets/planning/download/pdf/plans-studies/m1-hotel-text/amended-proposed-text-amendment-062918.pdf>

# 2

## THE RISK OF A DEFICIT IN HOTEL ROOMS AND CONSEQUENT LOSS OF JOBS & TAX REVENUES IS OVERSTATED

The DEIS suggests that a hotel special permit will lead to a deficit in hotel rooms with tourists and their dollars being turned away. But this finding is off for at least two reasons:

First, the projections of the growth in tourism are overly optimistic and so the projected gap is overstated. The nature of travel is changing, particularly business travel. This is not just because of the pandemic but because of zoom and the surge in remote work which is barely mentioned in the DEIS. We have all gained a level of zoom competence and acceptance of the remote experience. Consequently, the judgement calls about whether to travel at both the individual and the corporate policy levels, are being recalculated.

‘After living without travel for over a year ... some big companies are re-evaluating exactly what role it will play...“I think there’s going to be a higher bar for travel in the future,” said Eric Bailey, global director of travel at Microsoft Corp.’<sup>5</sup>

One recent study of the airline industry projects a permanent decline of 19 percent to 36 percent in business travel (See figure 1):

“Communication in the business world is evolving from a mixture of in-person and digital interaction before Covid-19 to one focused almost entirely on remote online contact. With the pandemic beginning in March 2020 and likely lasting through most of 2021, more than a year will pass before commerce has much opportunity to return to past practices. That’s a lot of time spent doing our work through mobile phones, Zoom, Google Meet, and Microsoft Teams.

Recognizing that something significant and permanent is happening to our business culture is not a popular topic...

Nineteen percent of business trips at a minimum will not return, and the loss could be as high as 36 percent (17 percentage points higher). That’s a potential for 1 out of 3 airline business trips to be permanently lost as employers continue the technological replacements adopted during the pandemic.”<sup>6</sup>

Second, businesses committed to environmentally sustainable practices are increasingly limiting their allowance for travel. **Sixty-seven percent of all business travelers expect to fly much less over the next ten years because of environmental concerns.**<sup>7</sup>

“Sure, there’s something magical about meeting face to face, but in an age of pretty good videoconferencing, there isn’t magic enough to justify the extreme environmental costs of routine flight.”<sup>8</sup>

5. Alison Sider, “Business Travel Is Coming Back,” Wall Street Journal, 01 Jun 2021, <https://www.wsj.com/articles/business-travel-is-coming-back-11622547001>

6. Jay Sorensen, The Journey Ahead: How The Pandemic and Technology Will Change Airline Business Travel, IdeaWorks Company, <https://ideaworkscompany.com/wp-content/uploads/2020/12/Journey-Ahead-Airline-Business.pdf>

7. Corporate Travel Sustainability Index, SAP Concur, 2020, [https://go.concur.com/rs/013-GAX-394/images/Corporate%20Travel%20Sustainability%20Index\\_SAP%20Concur.pdf](https://go.concur.com/rs/013-GAX-394/images/Corporate%20Travel%20Sustainability%20Index_SAP%20Concur.pdf)

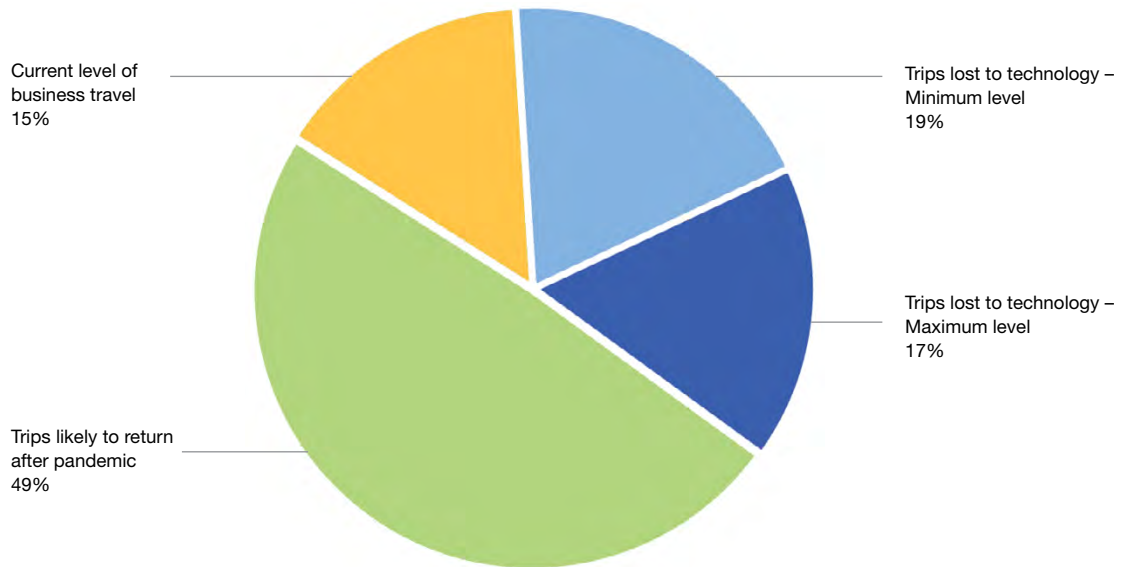
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FIGURE 1

### WHAT HAPPENED TO BUSINESS TRIPS BY AIR?

Estimate of current and missing activity compared to pre-pandemic

Source: "The Journey Ahead: How the pandemic and technology will change airline business travel." Percentages based upon a review of reports from government, commercial and academic sources with assessments made by a group of travel industry professionals coordinated by IdeaWorksCompany.



# 3

## THE THREAT TO THE HOTEL INDUSTRY IN NEW YORK CITY IS BEING MISDIAGNOSED

The threat to the sector is from a combination of factors which are causing a long-term decline in *Revenue Per Available Room*, an indicator of the industry's financial wellbeing. While hotels pose a land use challenge for their host communities, the challenge to hotel operations and profitability is not itself a land use challenge but the result of a combination of factors. The *RevPAR* was dropping before the pandemic and it is dropping in other cities as well. The multifaceted challenge requires other types of public interventions.

**Both labor and management of the hotel industry support the creation of a special permit because it will help stabilize growth in the industry.** One explanation for the declining *RevPAR* is that the industry is being hurt by an oversupply of rooms which are speculative, in poor locations from both a community and a tourism perspective and are being built by less well capitalized developers and operators. This dynamic is undermining existing hotels and hotel financing: Investment in new hotels is deterred if investors believe there is already sufficient supply.<sup>9</sup>

The current financial situation for hotels is dire. New York City is among seven cities that the American Hotel and Lodging Association classified as in a depression in a report released last week. Between May 2019 and May 2020, *revenue per available room*, the hotel industry's leading performance metric, dropped 62% in New York City, according to STR.

9. Kelsey Neubauer, "Desperately Needed NYC Hotel Recovery Could Be Prolonged By 22,000-Room Construction Pipeline," BizNow.com, July 15, 2021, <https://www.bisnow.com/new-york/news/hotel/nyc-hotels-path-to-recovery-could-be-elongated-by-massive-amounts-of-hotel-supply-109570>.

Vijay Dandapani, President and CEO of the Hotel Association of New York City which represents the owners and operators of the city’s hotel sector, recently wrote:

“We cannot... support the indiscriminate development that occurred since 2005 — an unprecedented development boom that saw the hotel market almost double in size from 74,000 in 2007 to 138,000-plus rooms in 2020. Many of these hotels, such as the wave of hotels developed in manufacturing zones, are out of context with the communities that they were built in, which was only resolved when the city implemented special permits in those areas.”<sup>10</sup>

Additionally, New York has the nation’s most robust development pipeline, with 150 hotels and 25,000-plus rooms slated to flood the market over the coming years. Over-supply has been the direct cause of consistent declines in revenue-per-available room, a key performance metric regarding the health of the hotel sector, since 2015. This massive supply problem, along with the fact that the pandemic has cratered the demand for hotel rooms, demonstrates that any future growth needs to be measured and thoughtful for the sake of the health of the city’s hotel industry...

As we rebuild from the COVID-19 pandemic, it is more crucial than ever that we ensure that new hotel projects in New York City are executed by entities committed to quality and viability. Such an approach will optimize the long-term health and performance of the city’s tourism industry. The city must move forward with the citywide special permit.”<sup>10</sup>

**It is important to distinguish the two types of issues that are part of this discussion:**

The impacts presented by hotel siting are a land use challenge appropriate for a land use strategy. The impacts confronting the hotels, however, are varied and a broader sectoral strategy would be more appropriate to address those impacts.



10. Vijay Dandapani, “Actually, a NYC Hotel Special Permit Makes Sense,” Opinion, New York Daily News, July 14, 2021, <https://www.nydailynews.com/opinion/ny-oped-actually-a-nyc-hotel-special-permit-makes-sense-20210714-a5vf7kjt5ajrgvj22vg4hy4qq-story.html>

# 4

## PROPOSALS FOR SUNSET PROVISIONS AND CARVE-OUTS WILL NOT HELP THE INDUSTRY

The justification for carveouts and sunset provisions for the special permit is predicated on this misdiagnosis of the challenges to the hotel industry. Facilitating development in some areas is not going to address declining *RevPAR* and might exacerbate the problem by allowing less well capitalized development to move forward.

In addition, the proposal for carve-outs conflicts with decades of City policy to encourage tourism and tourist spending and economic growth beyond the traditional Manhattan tourist districts. In all likelihood, carve-out provisions would lead to a higher standard for hotel development outside of Manhattan, which would exacerbate the disparity in development.

### ADDITIONAL RESOURCES ON HOTEL SPECIAL PERMITS



**Hotel Development in NYC:  
Still Room for Improvement (2021)**

[Download](#)



**Hotel Development In NYC:  
Room for Improvement (2015)**

[Download](#)



**Comments re: N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

Public Hearing Comments (Do not reply) &lt;PublicComments\_DL@planning.nyc.gov&gt;

Tue 7/13/2021 2:08 PM

**To:** Alexander Plackis (DCP) <APlackis@planning.nyc.gov>; Rachel Antelmi (DCP) <RAntelmi@planning.nyc.gov>;  
**CitywideComments\_DL** <CitywideComments\_DL@planning.nyc.gov> 2 attachments (665 KB)

REBNY to DCP re N 210406 ZRY citywide hotel text amendment DIGITAL.pdf; AKRF Memorandum\_CWHotelITA\_6.29.2021.pdf;

Re. Project: **N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

- Application Number: **N 210406 ZRY**
- Project: **CITYWIDE HOTELS TEXT AMENDMENT**
- Public Hearing Date: **07/14/2021**
- Borough: **CITYWIDE**
- Community District: **CITYWIDE**

*Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.*

**Submitted by:**Name: **Basha Gerhards**Zip: **10022**

I represent:

- **Other**

Details for "I Represent": **Real Estate Board of New York (REBNY)****My Comments:**Vote: I am **opposed**Have you previously submitted comments on this project? **Yes**If yes, are you now submitting new information? **No**I have attended or will attend the City Planning Commission's Public hearing on this project: **Yes****Additional Comments:**

Please see attached for full remarks to be delivered on behalf of REBNY and a copy of an economic analysis of the proposed citywide text amendment by AKRF. To summarize, the text amendment would

stifle multiple industries that have brought jobs, revenue, and growth opportunities to all five boroughs. The City Planning Commission should disapprove of this action or if it intends to move forward, significantly scale back the scope of this dangerous action so that it applies only to the extent that facts – supported by careful analysis – so warrant.

REBNY Testimony | July 14, 2021

## The Real Estate Board of New York to The Department of City Planning Concerning N 210406 ZRY (CEQR No. 21DCP111Y) - Citywide Hotel Text Amendment

The Real Estate Board of New York (REBNY) is the City's leading real estate trade association representing commercial, residential, and institutional property owners, builders, managers, investors, brokers, salespeople, and other organizations and individuals active in New York City real estate. REBNY strongly opposes the proposed text amendment to establish a citywide hotel special permit (N 210406 ZRY; CEQR No. 21DCP111Y) due to the devastating billions of dollars' adverse impact it will have on the city's economy and its complete lack of a land use rationale.

The City Planning Commission's (CPC or the Commission) own Environmental Impact Statement (EIS) predicts that adoption of the text amendment will result in a failure to meet a projected demand for new hotel space by 47,000 rooms, resulting in nearly 28,000 forgone job opportunities and over \$2 billion foregone earnings from hotel operations in New York City.

This is alone is a frank and sobering assessment, and the EIS correctly determines that this would be a significant adverse impact to the hotel industry.

But the EIS severely understates the overall impacts of the text amendment by failing to also consider the potential for significant adverse impacts on the City's construction industry and on the tourism sector overall. The hotel industry is part of a larger hospitality sector and a critical component of the city's economy<sup>1</sup>.

At the scoping hearing, REBNY asked City Planning to study these potential impacts, but it has not. For the full and more accurate picture of the total impacts of the text amendment, REBNY commissioned AKRF to do a study that, using standard economic modeling techniques, evaluates the impacts that the EIS does not.

AKRF estimates that the text amendment will cost New York City:

- Over 75,000 permanent job opportunities and forego approximately \$9.9 billion in economic activity that would have resulted from non-hotel spending by 2035, when accounting for jobs within and outside of the hotel sector;

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<sup>1</sup> The larger hospitality sector includes various businesses – restaurants, Broadway, retail shopping and other cultural and arts attractions – dependent upon the flow of tourists, visitors and business travelers that patronize hotels. This ecosystem employs roughly 562,0000 people in New York City each year, per <https://statistics.labor.ny.gov/cesemp.asp>, metrics include 'Leisure and Hospitality' and 'Retail Trade,' accessed on July 7, 2021.

- the equivalent of 23,800 people working full time over the ten-year period, between 2026 and 2035, due to the reduction in hotel construction activity; and
- about \$37.8 billion from the loss of construction in the city, from direct, indirect, and induced related economic activity, including labor income.

The EIS also does not consider the impact of the text amendment on City tax revenues; while it can be argued that fiscal impacts are not part of a SEQRA analysis, they are surely relevant for the Commission to consider in deciding whether this text amendment reflects sound planning that will promote the health, growth and vitality of the City. A significant loss in tax revenues necessarily means that the City will have less ability to address the many needs of its residents.

**If the text amendment is approved, AKRF estimates that the City would forgo over \$8 billion in tax revenues between 2026 and 2035, and by 2035 the annual recurring cost to the city would be over \$1.2 billion.**

The text amendment would stifle multiple industries that have brought jobs, revenue, and growth opportunities to all five boroughs. During a pivotal time in New York City's economic history, the socioeconomic impacts found both in the DEIS and AKRF's further analysis are devastating, and do not support the need for the text amendment nor the goals of this Commission.

The City Planning Commission should disapprove of this action or if it intends to move forward, significantly scale back the scope of this dangerous action so that it applies only to the extent that facts – supported by careful analysis – so warrant. Thank you for the opportunity to provide comments and for consideration of these points.

**CONTACT:**

**BASHA GERHARDS**

*Senior Vice President of Planning*  
Real Estate Board of New York

bgerhards@rebny.com



***Environmental, Planning, and Engineering Consultants***

440 Park Avenue South  
7th Floor  
New York, NY 10016  
tel: 212 696-0670  
fax: 212 213-3191  
[www.akrf.com](http://www.akrf.com)

## Memorandum

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**To:** Basha Gerhards (REBNY)  
**From:** John Neill  
**Date:** June 29, 2021  
**Re:** Citywide Hotel Text Amendment – Economic Opportunity Cost Analysis

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This memorandum presents AKRF's estimates of the economic opportunity costs of the proposed Citywide Hotel Text Amendment.<sup>1</sup> As detailed in the New York City Department of City Planning's (DCP's) Draft Environmental Impact Statement (DEIS) this "Proposed Action" is projected to forestall the development of over 47,000 hotel rooms in the City by 2035, which would have the potential to result in significant adverse impacts to the City's hotel and tourism industries.<sup>2</sup> The DEIS analysis accurately identifies the potential for significant adverse impacts, but does not provide full description of the Proposed Action's potential economic consequences. Working from the DEIS findings, AKRF performed the following analyses to more fully characterize the Proposed Action's potential impact:

- **Adverse impact to the construction industry** – AKRF estimates that between 2025 and 2035 the Proposed Action would cost the City over 230,000 person-years<sup>3</sup> of forgone construction-related employment and over \$20 billion in labor income.
- **Job losses from forgone visitor spending** – The DEIS estimates that the City would forgo over 25,000 permanent jobs from spending at hotels, but it does not quantify lost job opportunities from reduced spending in other tourism-related sectors. AKRF estimates that the loss of non-hotel visitor spending would support an additional 51,000 permanent jobs in the City by 2035. In total, the Proposed Action costs the City over 75,000 permanent job opportunities by 2035.
- **Adverse fiscal impact to the City** – AKRF estimates that the City would forgo over \$8 billion in tax revenues between 2026 and 2035 because of the Proposed Action.

The Proposed Action also would increase the cost of visiting the City, which has unintended land use planning and equity consequences detailed in this memorandum.

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<sup>1</sup> The proposed zoning text change would require City Planning Commission (CPC) approval for new and enlarged hotels and motels, tourist cabins and boatels in commercial, mixed-use, and paired M1/R districts. For more information on the proposed text amendment see: <https://www1.nyc.gov/site/planning/plans/citywide-hotel/citywide-hotel-overview.page>

<sup>2</sup> For more information on the DEIS see: <https://www1.nyc.gov/site/planning/applicants/env-review/citywide-hotels.page>

<sup>3</sup> A "person year" is the equivalent of one person working full time for one year.

## HOTEL DEMAND AND SUPPLY FORECASTS TO 2035

Prior to the Covid-19 Pandemic (the pandemic), New York City’s hotel occupancy levels were among the highest of any urban market in the United States. As of January 2020, there were an estimated 127,810 hotel rooms in over 705 hotels in New York City and an overall average occupancy rate of approximately 87 percent.<sup>4</sup> Over 80 percent of the hotel rooms were located in Manhattan, though more recently there has been growth in outer-borough hotels.

As with other global cities whose economies rely on national and international tourists and business travel, New York City has been particularly hard-hit by the pandemic. For the visitor-dependent hotel industry, the pandemic led to declines in occupancy and revenue per available room (RevPAR) through 2020, with an historic 71 percent decline in RevPar.<sup>5</sup> According to a hotel market analysis released by DCP in Fall 2020, industry analysts project that the City’s tourism and hotel markets will not fully recover from the pandemic until 2025.<sup>6</sup>

The Proposed Action would affect the City’s ability to produce the hotel room inventory necessary to fully capture future visitor spending potential. AKRF’s analysis of the Proposed Action’s impacts used the hotel demand and supply assumptions found in the Socioeconomic Conditions chapter of the DEIS. Consistent with the City’s DEIS, AKRF’s analysis assumes that hotel room demand would return to pre-pandemic levels by 2025, and that post-2025 hotel room demand will grow at pre-pandemic rate of 3.7 percent per year for leisure travelers, and 1.0 percent per year for business travelers. **Figure 1** shows the resulting projected hotel room demand from 2025 to 2035. By 2035, there will be demand for nearly 175,000 hotel rooms in New York City, representing an approximately 37 percent increase compared to pre-pandemic room demand.



As detailed in the DEIS, the Proposed Action would limit future hotel construction; by 2035 only 4,210 hotel rooms are expected to be approved for construction utilizing the proposed special permit process. The Proposed Action would leave an approximately 47,000-room “supply gap” by 2035. This gap is the

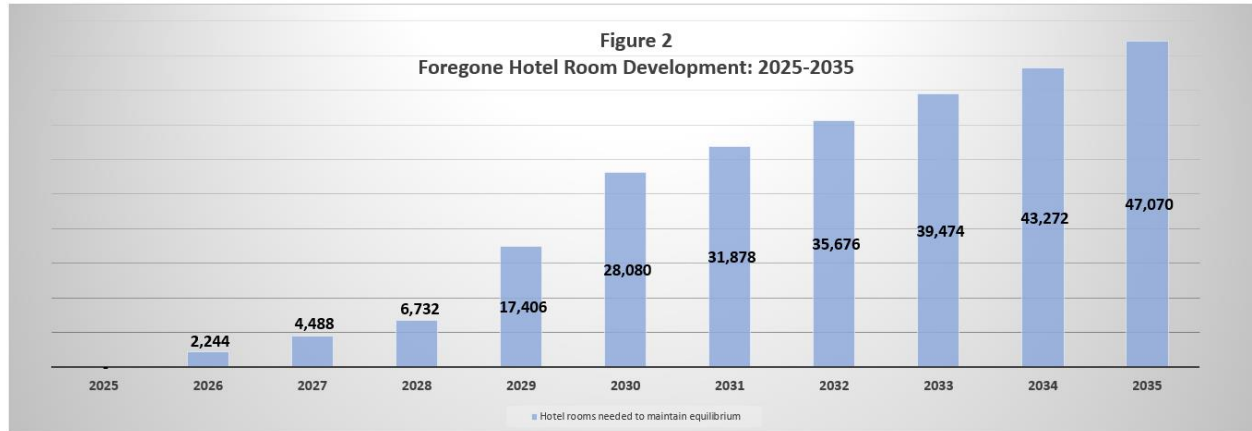
<sup>4</sup> Smith Travel Research (STR).

<sup>5</sup> PWC’s Manhattan Lodging Index: Q4 2020.

<sup>6</sup> New York City Department of City Planning (DCP) *NYC Hotel Market Analysis; Existing Conditions and 15-Year Outlook* available at: <https://www1.nyc.gov/assets/planning/download/pdf/planning-level/housing-economy/nyc-hotel-market-analysis.pdf>.

opportunity cost of the Proposed Action; in the absence of the Proposed Action, the 47,000 rooms would be constructed to meet projected demand.

**Figure 2** illustrates the cumulative opportunity cost over time based on the DEIS' year 2025, 2030, and 2035 room demand and supply projections.



## ADVERSE IMPACT TO THE CITY'S CONSTRUCTION INDUSTRY

The DEIS socioeconomic conditions assessment states that because the Proposed Action would impede hotel development, it is not expected to generate incremental new construction activity and therefore, an assessment of temporary impacts associated with construction activity is not warranted. While this logic may apply to potential adverse construction-related impacts such as noise, it ignores the adverse effects that the Proposed Action would have upon a construction industry particularly hard-hit by the pandemic. In 2020, New York State lost 44,000 construction jobs, the worst annual decline in over 25 years. New York City accounted for more than half the industry's statewide job losses. The City's construction employment declined by 14.4 percent (23,300 jobs), worse than for the private sector overall. Employment has remained at lower levels during the first few months of 2021.<sup>7</sup>

AKRF estimated the forgone economic benefits of "building out" to meet the above-described forecasted 47,070-room supply gap. Using hotel construction cost data from industry sources as an input to the IMPLAN input-output model, AKRF estimated the direct, indirect, and induced employment, labor income, value added, and economic output that would be forgone because of the Proposed Action.

As shown in **Table 1**, between 2026 and 2035 the reduction in hotel construction activity resulting from the Proposed Action would cost the City approximately 238,000 person-years of forgone employment, which is the equivalent of 23,800 people working full time over the 10-year analysis period.<sup>8</sup> This includes nearly 185,000 person-years of direct construction jobs, nearly 16,000 person-years of indirect jobs in industries supporting construction, and over 37,000 person-years of employment supported by workers' consumer expenditures in the City.

The direct labor income that would have been generated during construction period is estimated at \$15.5 billion. Total direct, indirect, and induced labor income resulting in New York City is estimated at \$20.6

<sup>7</sup> Office of the New York State Comptroller, The Construction Industry in New York City: Recent trends and Impact of Covid 19. [https://www.osc.state.ny.us/reports/osdc/construction-industry-new-york-city-recent-trends-and-impact-covid-19?utm\\_medium=email&utm\\_source=govdelivery](https://www.osc.state.ny.us/reports/osdc/construction-industry-new-york-city-recent-trends-and-impact-covid-19?utm_medium=email&utm_source=govdelivery)

<sup>8</sup> A "person-year" is a metric used to characterize temporary (construction-related) employment and is the equivalent of one person working full-time for one year.

billion. The total economic activity that would have resulted from construction is estimated at about \$37.8 billion in New York City (see **Table 1**).

**Table 1**  
**Economic Impact of Hotel Text Amendment**  
**Forgone Hotel Construction Benefits: 2026-2035**

| Economic Opportunity Costs                           | New York City   |
|--|---|
| <b>Jobs (person-years of employment<sup>1</sup>)</b> |   |
| Direct (on-site construction)                        | 184,746   |
| Indirect (jobs in support industries)                | 15,809  |
| Induced (jobs from household spending)               | 37,487  |
| <b>Total</b>   | <b>238,042</b>  |
| <b>Labor Income<sup>2</sup> (millions of \$2021)</b> |   |
| Direct   | \$15,503  |
| Indirect   | \$1,803   |
| Induced  | \$3,262   |
| <b>Total</b>   | <b>\$20,568</b>   |
| <b>Value Added<sup>3</sup> (millions of \$2021)</b>  |   |
| Direct   | \$15,900  |
| Indirect   | \$2,835   |
| Induced  | \$5,809   |
| <b>Total</b>   | <b>\$24,545</b>   |
| <b>Output<sup>4</sup> (millions of \$2021)</b>       |   |
| Direct   | \$24,840  |
| Indirect   | \$4,520   |
| Induced  | \$8,427   |
| <b>Total</b>   | <b>\$37,787</b>   |
| <b>Notes:</b>  | 1. A "person year" is the equivalent of one person working full time for one year. 2. Labor income includes employee compensation, proprietor income, and the cost of benefits. 3. Value added is equivalent to local gross domestic product (GDP). It includes labor income, taxes, and other property income, but excludes intermediate expenditures. 4. The economic output or demand for local industries is derived from the direct construction spending estimates. Numbers may not sum to total due to rounding. |
| <b>Sources:</b>                                      | AKRF, Inc. and the 2019 IMPLAN input-output model for New York City.  |

## ADVERSE IMPACT TO THE HOTEL INDUSTRY

The DEIS estimates the direct and indirect economic effects of the Proposed Action specific to forgone hotel operational activity. As detailed in the DEIS, the Proposed Action would result in nearly 28,000 forgone job opportunities and over \$2 billion in earnings in New York City from hotel operations. The DEIS estimates include nearly 19,000 direct hotel industry jobs, as well as thousands of City jobs that would have been supported by hotels' business-to-business purchasing and workers' consumer spending.



## ADVERSE IMPACT TO THE TOURISM INDUSTRY

New York City's robust hotel supply is critical to maintaining visitor appeal. The DEIS correctly asserts that the Proposed Action would diminish future potential visitor spending, as it would create an estimated 47,070 hotel room supply gap, and that this would have a significant adverse impact on the City's tourism industry.<sup>9</sup> The DEIS analysis makes reasonable assumptions about how the hotel room supply gap would affect visitors' consumer behavior, with a portion of visitors forgoing trips altogether, and others staying outside the City in the metro region or finding non-hotel accommodations in the five boroughs (e.g., Airbnb, friends and family). However, the DEIS analysis does not take the final important step of translating what that reduced spending means in terms of lost job opportunities for non-hotel industry sectors that are also dependent upon visitor spending (e.g., restaurants, retail).

Using the visitor spending assumptions from the DEIS analysis as inputs to the IMPLAN input-output model, AKRF estimated what the loss of non-hotel spending would mean in terms of forgone employment, labor income, value added, and economic output by 2035. As shown in **Table 2**, by 2035 the forgone non-hotel visitor spending associated with the Proposed Action would cost the City over 51,000 permanent jobs. This includes nearly 43,000 "direct" City jobs in the food and beverage, retail, arts/entertainment/recreation, and transportation sectors. When accounting for jobs within and outside of the hotel sector, the Proposed Action costs the City over 75,000 permanent job opportunities by 2035.

The direct labor income that would have been supported by visitors' non-hotel spending is estimated to be \$1.8 billion. Total direct, indirect, and induced labor income is estimated at \$4.8 billion annually by 2035. The total economic activity that would have resulted from non-hotel spending is estimated at about \$9.9 billion in New York City annually by 2035 (see **Table 2**).

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<sup>9</sup> The tourism industry as defined in the DEIS includes food and beverage establishments, retail, arts/entertainment/recreation, and local transportation in addition to the lodging sector itself.

**Table 2**  
**Economic Impact of Hotel Text Amendment**  
**Forgone Non-Hotel Visitor Spending Benefits: 2035**

| Economic Opportunity Costs   | New York City  |
|--|----------------|
| <b>Jobs (full- and part-time)</b>  |                |
| Direct (on-site)   | 42,617         |
| Indirect (jobs in support industries)  | 3,603          |
| Induced (jobs from household spending)   | 5,543          |
| <b>Total</b>   | <b>51,763</b>  |
| <b>Labor Income<sup>1</sup> (millions of \$2021)</b>   |                |
| Direct   | \$1,839        |
| Indirect   | \$373          |
| Induced  | \$2,640        |
| <b>Total</b>   | <b>\$4,852</b> |
| <b>Value Added<sup>2</sup> (millions of \$2021)</b>  |                |
| Direct   | \$2,435        |
| Indirect   | \$639          |
| Induced  | \$3,837        |
| <b>Total</b>   | <b>\$6,912</b> |
| <b>Output<sup>3</sup> (millions of \$2021)</b>   |                |
| Direct   | \$3,426        |
| Indirect   | \$965          |
| Induced  | \$5,496        |
| <b>Total</b>   | <b>\$9,886</b> |
| <b>Notes:</b> 1. Labor income includes employee compensation, proprietor income, and the cost of benefits. 2. Value added is equivalent to local GDP. It includes labor income, taxes, and other property income, but excludes intermediate expenditures. 3. The economic output or demand for local industries is derived from the direct construction spending estimates.<br>Numbers may not sum to total due to rounding. |                |
| <b>Sources:</b> AKRF, Inc. and the 2019 IMPLAN input-output model for New York City.   |                |

### ADVERSE FISCAL IMPACT TO THE CITY

The DEIS does not report the losses in tax revenue that would result from the Proposed Action because the quantification of fiscal impacts is outside the scope of City Environmental Quality Review (CEQR). However, a Statement of Findings considers the relevant environmental impacts presented in an EIS and weighs and balances them with social, economic, and other essential considerations. The City's tourism industry generates billions of dollars in tax revenues annually, so it is appropriate to consider the Proposed Action's potential fiscal effects on the City.

AKRF estimated the potential loss in tax revenues to the City from the construction, operations, and visitor spending associated with the forgone 47,000 hotel rooms. As detailed in **Table 3**, over a 10-year period the Proposed Action would cost the city over \$8 billion in forgone tax revenues. This includes nearly \$1 billion in hotel construction tax revenues such as sales tax on construction materials; over \$2.9 billion in forgone hotel sales and occupancy taxes; approximately \$2.4 billion in incremental property tax revenues; and \$1.4 billion in sales tax and other tax revenues associated with visitors' non-hotel expenditures (e.g., on food and beverage, transportation, or retail purchases).

**Table 3**  
**Fiscal Impact of Hotel Text Amendment**  
**Forgone New York City Tax Revenues: 2026 - 2035**

| Fiscal Opportunity Costs  | New York City  |
|---|----------------|
| <b>Hotel Construction Tax Revenues<sup>1</sup> (millions of \$2021)</b>   |                |
| Direct  | \$395          |
| Indirect  | \$177          |
| Induced   | \$372          |
| <b>Subtotal</b>   | <b>\$944</b>   |
| <b>Hotel Operations Tax Revenues<sup>2</sup> (millions of \$2021)</b>   |                |
| Direct  | \$5,317        |
| Indirect  | \$175          |
| Induced   | \$240          |
| <b>Subtotal</b>   | <b>\$5,732</b> |
| <b>Non-Hotel Visitor Spending Tax Revenues<sup>3</sup> (millions of \$2021)</b>   |                |
| Direct  | \$967          |
| Indirect  | \$168          |
| Induced   | \$266          |
| <b>Subtotal</b>   | <b>\$1,401</b> |
| <b>TOTAL FORGONE TAX REVENUES (MILLIONS of \$2021)</b>  | <b>\$8,077</b> |
| <p><b>Notes:</b> 1. Hotel construction tax revenues include sales tax, personal income taxes, corporate and business taxes, mortgage recording tax, and numerous other taxes on direct and secondary expenditures. 2. Hotel operations tax revenues include hotel sales and occupancy taxes, incremental property taxes estimated by AKRF, sales tax, personal income taxes, corporate and business taxes, and numerous other taxes on direct and secondary expenditures. 3. Non-hotel visitor spending tax revenues include sales taxes on visitors' non-hotel purchases on food and beverage, retail, entertainment, and transportation, personal income taxes, corporate and business taxes, and numerous other taxes on direct and secondary expenditures.</p> <p>Numbers may not sum to total due to rounding.</p> |                |
| <p><b>Sources:</b> AKRF, Inc. and the 2019 IMPLAN input-output model for New York City.</p>   |                |

## TOTAL ECONOMIC AND FISCAL OPPORTUNITY COSTS

**Table 4** presents the total economic and fiscal opportunity costs of the Proposed Action when accounting for both the DEIS and AKRF analysis findings, and when considering the cumulative effect of time rather than a static “build year” metric as is standard under CEQR.

As a result of the Proposed Action over the 10-year period from 2026 to 2035:

- The City would forgo an estimated 238,000 person-years of construction-related employment due to the projected reduction in hotel construction.
- The City would lose out on spending that would support nearly 80,000 permanent jobs, many within sectors hit hardest by the pandemic. Over the 10-year period this equates to over 430,000 “job years” worth of employment.
- The City would lose out on over \$8 billion in tax revenues over the 10-year period. By 2035, the annual reoccurring fiscal cost to the City would exceed \$1.2 billion.

**Table 4**  
**Economic and Fiscal Impact of Hotel Text Amendment: 2026 -2035**

| Economic and Fiscal Opportunity Costs                  | New York City   |
|--|---|
| <b>Temporary NYC Jobs (person-years of employment)</b> |   |
| Direct (on-site construction)                          | 184,746   |
| Indirect (jobs in support industries)                  | 15,809  |
| Induced (jobs from household spending)                 | 37,487  |
| <b>Total</b>   | <b>238,042</b>  |
| <b>Permanent Jobs / Job-Years</b>                      |   |
| Direct   | 61,460 / 334,679  |
| Indirect (jobs in support industries)                  | 8,373 / 45,595  |
| Induced (jobs from household spending)                 | 9,633 / 52,458  |
| <b>Total</b>   | <b>79,466 / 432,732</b>   |
| <b>Tax Revenues (millions of \$2021)</b>               |   |
| Direct   | \$6,679   |
| Indirect   | \$520   |
| Induced  | \$878   |
| <b>Total</b>   | <b>\$8,077</b>  |
| <b>Notes:</b>  | A “person year” is the equivalent of one person working full time for one year. “Job years” is a metric used to account for growth in permanent employment over time. By 2035, the Proposed Action would forgo nearly 80,000 permanent full- and part-time jobs.<br>Numbers may not sum to total due to rounding. |
| <b>Sources:</b>  | AKRF, Inc. and the 2019 IMPLAN input-output model for New York City.  |

## UNINTENDED CONSEQUENCES – PLANNING AND EQUITY CONCERNS

The DEIS recognizes that the supply gap created by the Proposed Action would be expected to increase the average daily hotel room rates, particularly during peak periods. To date, the City’s market conditions have allowed for new hotel development offering a range of price points. The Proposed Action would lead to severe supply constraints and the “pricing out” of certain segments of the visitor population, including lower-income visitors and small business entrepreneurs.

The increase in hotel room rates would also result in would-be hotel guests staying in Airbnb. The DEIS analysis predicts that by 2035 the demand for approximately 15,690 forgone hotel rooms would be met by

Airbnb lodging or friends and family within the City, which equates to nearly 5 million additional room-nights stays in rented rooms and homes within the City's residential neighborhoods. This would exacerbate existing nuisances to long-term residents.

Finally, Airbnb lodging takes housing units off the residential market. In a City with a housing crisis such as New York, Airbnb exacerbates the issue of lack of housing availability and affordability. A 2018 study by the office of the New York City Comptroller found that Airbnb significantly contributed to rent pressure. The report estimates that in 2016, New Yorkers paid \$616 million in additional rent due to Airbnb.<sup>10</sup> Under New York City law, short-term rentals of Class A dwellings without the owner on site are illegal. However, this law was difficult to enforce. To address this issue, in 2018, New York City passed a law requiring disclosure of short-term rentals, which caused the number of Airbnb's in the City to plummet.<sup>11</sup> The Proposed Actions would create market pressures that counteract the City's own policies and goals regarding short-term rentals and housing affordability.

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<sup>10</sup> Bureau of Budget, Office of the New York City Comptroller, Scott Stringer. "The Impact of Airbnb on NYC Rents". April 2018. [https://www.dropbox.com/s/u4s1fcync2gseyl/AirBnB\\_Report%20FINAL.docx?dl=0](https://www.dropbox.com/s/u4s1fcync2gseyl/AirBnB_Report%20FINAL.docx?dl=0)

<sup>11</sup> Murray Cox, Inside Airbnb. "Short-Term Rental Market Decimated in Advance of Data Sharing Law." <http://insideairbnb.com/reports/nyc-short-term-rental-market-decimated-in-advance-of-data-sharing-law/>

# Citywide Hotels Text Amendment Draft Environmental Impact Statement (“DEIS”) Comments

Prepared by:



LW Hospitality Advisors®  
200 West 41st Street, Suite 602  
New York, NY 10036  
(212) 300 6684  
[www.lwhospitalityadvisors.com](http://www.lwhospitalityadvisors.com)





July 26, 2021

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

Re: Proposed Citywide Hotels Text Amendment – Draft Environmental Impact Statement

Dear Commissioners,

Our firm has been retained to assist a non-profit association, in formation, New Yorkers for Tourism, Inc. ("NYFT") to review and prepare comments in response to the Draft Environmental Impact Statement prepared for the Citywide Hotels Text Amendment, CEQR No.: 21DCP111Y, ULURP No.: N210406ZRY (the "DEIS").

The enclosed comments provide specific responses to and pose questions regarding assumptions, statements, and conclusions contained in the DEIS.

Thank you for your consideration.

Respectfully Submitted,

**LW Hospitality Advisors®**

**Executive Summary:**

- Figure 2 Area of Applicability (Page 13)
  - Comment: The study identifies the relationship of new hotel development to the area’s context and conflicts with adjacent uses as major concerns. However, the general area in which the special permit would apply is primarily dense commercial. It is unreasonable to assume, without evidence, that hotels would conflict with dense commercial areas.
- “Use Group 5 transient uses that are operated for a public purpose, such emergency shelters and certain types of for-profit supportive housing that do not operate as commercial hotels, will also be excluded from the proposal.” (Page 14)
  - Comment: If it is the city’s goal to remove homeless from commercial hotels, then why are such uses excluded from the proposal? If a major concern is that the actual development/structure conflicts with the surrounding area, then why does changing its use or guest make it acceptable?
- “However, in M1 zoning districts, the City’s special permit requirement for new hotels, instituted at the end of 2018, resulted in no new hotel projects in these areas.” (Page 15)
  - Comment: The most recent and comparable CPC special permit relating to hotels resulted in no new hotel development. The city’s assumption that hotel development would nevertheless continue under the proposal is not supported.
- “Hotel industry analysts have also identified many of the same trends that are affecting the hotel industry nationwide, most notably high labor costs and third-party commission fees, to be the cause of decline of profitability of hotels in New York City.” (Page 15)
  - Comment: Feasibility of new hotel development in New York City has been decreasing over the past several years. The assumption that new hotel development would continue at a pace in line with historical trends when feasibility has decreased is not realistic.
- “In these locations, hotels can create conflicts with adjacent uses and residences, and in less centrally located commercial areas, hotels may create nuisances to surrounding residents or local services” (Page 16)
  - Comment: What are the examples of “conflicts” and “nuisances” caused by hotels? If the immediate area is lacking related services, amenities, etc., how much time are tourists spending in the immediate area? It is likely not much. If tourists are spending time in these communities they are likely contributing economic activity.
- “Additionally, less centrally located commercial areas often lack infrastructure to address the safety of or meet the needs of hotel guests. Although hotels are appropriate and desirable uses in the city’s commercial, mixed-use, and light manufacturing districts, reviewing the project’s relationship to area context will result in better configuration of the use to minimize conflicts with adjacent uses and protect the safety of hotel guests.” (Page 16)
  - Comment: The existing zoning and planning regulations should determine the area’s permitted uses, not subjective policy and planning. If these areas are not safe for hotel guests, then how are they safe for area residents or other businesses?



- “In addition, while hotels are like residential uses in that they primarily contain sleeping accommodations, the transient nature of hotels can change the residential character of some neighborhoods.” (Page 17)
  - Comment: This is subjective. Is there an official study that supports this claim? The proposed exemption of utilizing hotels for a public purpose (housing homeless) would likely change the character of some neighborhoods. It would likely have a more negative impact on the neighborhood than a commercial hotel, yet the proposal does nothing to address this issue.
- “Of these, approximately 21,440 rooms are active DOB projects, and 7,100 are inactive projects, meaning that there has been no action on the project for three years.” (Page 20)
  - Comment: Given that the benchmark for “inactive” projects is that there has been no action within three years and considering COVID-19 changed the hotel and tourism industries and with it the hotel development landscape, these new supply assumptions are weak at best. As these assumptions are integral to the study’s findings, they should be reviewed and adjusted at a later date.
- “Therefore, the No-Action condition assumes that, with an expected recovery in 2025, that by the 2035 build year the hotel supply in the City will grow to reach an equilibrium with market demand.” (Page 23)
  - Comment: This assumption and analysis do not account for decreasing feasibility of hotel projects. Utilizing historical supply growth rates when hotel feasibility continues to decline will overestimate future supply projections. Hotel projects were already being abandoned or repurposed due to financing difficulties prior to COVID-19, which demonstrates a lack of consideration of the current situation and economic feasibility principles.
- “CPC special permits generally present a disincentive to development that previously was as-of-right, since obtaining the special permit can add significant time, cost, and uncertainty to a project.” (Page 24)
  - Comment: The above text states that the proposed CPC special permit would further deter development and decrease feasibility of hotel projects. Given the current struggles in the hospitality industry is the unstated reason for this proposal to protect existing hotel owners/worker at the expense of future developers large or small, *i.e.*, protectionism? Is that a reasonable basis for zoning resolution?
- “Therefore, under the With-Action condition, for supply to meet market demand, it is estimated that approximately 51,280 future hotel rooms could be affected by the special permit, slowing or hindering their development. However, it is expected that an additional 4,210 rooms will come to market between the effective date and 2035 through seeking the proposed special permit, based on those that have sought special permits for hotels in the past decade. Therefore, it is estimated in the With-Action Condition, that there would be a supply of approximately 127,660 hotel rooms, and there would be an estimated unmet demand of approximately 47,070 hotel rooms in 2035.” (Page 25)
  - Comment: Based on the M1 CPC special permit precedent, it would be a more supported assumption to assume that little to no additional hotel rooms would come to market.

- Table 5 Hotel Room Supply Estimated in Future Conditions (Page 25)
  - Comment: Under the no-action condition, 2035 hotel supply and demand are anticipated to be equal at 174,730. This assumes an occupancy rate of 100%, which is not a reasonable projection. Either the total demand or supply figure is off or misrepresented.
  
- “By introducing a CPC special permit, the DCP proposes a case-by-case, site-specific review process to ensure that hotel development occurs only in appropriate locations, based on reasonable considerations regarding opportunities for the future siting of a permitted use on the site and the achievement of a balanced mix of uses in the area.” (Page 25/26)
  - Comment: A case-by-case, site-specific review process for each proposed hotel development would be a time consuming and expensive endeavor for both the would-be developer and the City that would require specialized knowledge. Additionally, the proposed review process would create opportunity for outside forces to influence “appropriate” projects. The proposal does not explain or define what “appropriate locations” for hotels are or what “reasonable considerations” will be applied to proposed projects. This process is at best unclear and undefined and requires significant study to ensure fairness and reasonable decision making would be part of this process. Passing such a statute with so many undefined parameters will likely deter developers from pursuing new hotel projects in the future. Additionally, if hotels conflict with the area, then why have they historically been allowed as of right? If CPC is concerned with use and conflict, then why would existing hotels not be reviewed under the proposed special permit process?
  
- “In commercial districts citywide, the Proposed Action would reduce the occurrence of hotels and potential land use conflicts resulting from hotel development. It is expected that various other uses would be developed in the place of hotels.” (Page 26)
  - Comment: How do hotels conflict with commercial districts? If anything, hotels support commercial activity. Would the other potential uses developed in the place of hotels not conflict? Has this been studied? How are hotels a more or different conflict than other commercial uses? By some estimates, a 100,000 square foot office building houses approximately the same number of workers as a similarly sized hotel has guests & employees, particularly if the office building has retail tenants. Therefore, other commercial uses are unlikely to be a less intense use than a hotel.
  
- “The Proposed Action would not hinder the goals of relevant public policies, and there would be no adverse impact due to the Proposed Action.” (Page 26)
  - Comment: This is false. As the study states there would be negative effects to employment, wages, and spending, especially to tourism and tourism adjacent industries which accounts for a significant portion of New York City’s general economy, and therefore would result in less tax revenue. These outcomes would adversely impact public policy.

- “The assessment concluded, as discussed below, that the Proposed Action would have the potential to result in significant adverse impacts to the hotel and tourism industries.” (Page 26)
  - Comment: Yes, and also every business that receives spending from tourists, as well as construction, design, technology, service, consultants, and all other industries that directly/indirectly service the hotel and tourism industries. How would the “adverse impacts to the hotel and tourism industries” impact other sectors of the New York City economy? Has this been studied?
  
- “As the majority of overnight visitors to New York City stay in hotels, the Proposed Action also has the potential to diminish future visitor spending in the broader tourism sector in the city.” (Page 26)
  - Comment: Less visitor spending not only affects the hotel and tourism industries, but the overall economy of the city. Has this been studied?
  
- “It was found that the Proposed Action would result in a scale of lost rooms—as much as 25 percent of the projected 2035 inventory—and the resulting loss in visitation may substantially affect the ability of the hotel and tourism industries to grow and meet future anticipated demand. Therefore, there would be potential for significant adverse impacts to the hotel and tourism industries due to socioeconomic conditions in the future with the Proposed Action.” (Page 26)
  - Comment: The lost rooms would not only hurt the hotel and tourism industries, but all businesses that work directly or indirectly with such industries and any industry that benefits from tourism or tourist spending.
  
- “Estimated values are not cumulative but are annual values for that year only. The analysis showed that the foregone direct gross output on the local economy is estimated to be \$5.3 billion in 2035, from \$19.8 billion in the No-Action condition to \$14.5 billion in the With-Action condition. An employment analysis based on current worker-per-room ratios indicates that in the No-Action condition the hotel industry would directly employ approximately 70,420 workers and generate \$4.7 billion in direct wages in 2035. In the With-Action condition, the industry would directly employ 51,450 workers and generate \$3.5 billion in direct wages in 2035. As such, there would be approximately 18,970 fewer direct workers and \$1.3 billion fewer direct wages in the hotel sector in the With-Action condition in 2035. All dollar amounts are in 2019 dollars.” (Page 27)
  - Comment: The annual forgone direct gross output is projected to be \$5.3 billion. This does not account for any indirect losses. There would be 18,970 fewer direct works and \$1.3 billion fewer direct wages. This does not account for any indirect losses.

**Table 3-21 Potential Foregone Economic Effects, 2035 (Comparison of With-Action to No-Action condition)**

|              | <b>Direct</b> | <b>Indirect</b> | <b>Induced</b> | <b>Total</b> |
|--------------|---------------|-----------------|----------------|--------------|
| Gross Output | \$5,334M      | \$2,012M        | \$1,319M       | \$8,664M     |
| Earnings     | \$1,274M      | \$462M          | \$285M         | \$2,022M     |
| Employment   | 18,970        | 4,770           | 4,090          | 27,830       |

Source: QCEW, BLS Accommodation (NAICS 721) and RIMS II Multipliers 2019.

- “As outlined in this chapter, it is anticipated that approximately two-thirds of the visitors unable to secure hotel rooms in New York City due to the supply gap in the With-Action condition would nevertheless still travel into the city, while the remaining one-third would cancel their travel plans entirely. Of the two-thirds of these visitors that would still travel to New York, the analysis assumes that one half of this cohort would find non-hotel accommodations in the five boroughs and the other half of the cohort would choose to stay in hotels in the metro region outside of the city. The analysis assumes that the first half of the cohort that is staying overnight in New York City would still maintain their non-hotel visitor spending at levels similar to hotel guests in the No-Action condition. The analysis assumes that the second half of the cohort that is staying overnight elsewhere in the metro area would still consider New York City their primary destination and therefore would likely spend the majority of their activity and non-hotel spending in New York City. It is assumed that approximately two-thirds of this group’s non-hotel spending would take place in New York City and the remaining one-third of their non-hotel spending would occur outside the five boroughs, closer to where they are staying.” (Page 28)
  - Comment: It is projected that one-third of displaced travelers would cancel their plans entirely. Given that short-term rentals are generally illegal and friends & family accommodation would be realistically limited, it is not clear what non-hotel accommodations would be utilized by one-third of displaced travelers. If those include Airbnb or other short term rentals, does that have the potential of negatively impacting housing prices threatening other critical city policy area? It is projected that one-third of displaced travelers would stay outside the city. This results in less spending and tax dollars for the city, with more for surrounding areas. Who cannot travel to the city as a result? Is it less advantage people? Does this policy effectively ensure that less well off tourist and travelers will not have an opportunity to travel to the city and enjoy its tourist attractions? Is that at odds with the city’s policies with respect to equity?
- “Of the relevant technical areas specified in the CEQR Technical Manual, the Proposed Action would not cause a significant adverse impact to land use, zoning, or public policy, but would cause significant adverse impacts regarding socioeconomic conditions. However, the significant adverse socioeconomic impact would not result in a significant adverse impact to neighborhood character. It is expected that the commercial and visitor activity that currently characterizes the commercial districts throughout the city would continue to contribute to the local neighborhood character under the With Action condition.” (Page 28)
  - Comment: How do significant adverse socioeconomic impacts not result in significant adverse impacts to neighborhood character? Reduced jobs, wages, spending, etc. would affect a neighborhood’s character. If there is increasingly more demand than supply, then hotel rates (ADR) will likely increase, which would potentially result in fewer tourists and/or less ancillary spending, which support many communities.
- “The Proposed Action is not anticipated to directly induce development and, consequentially, would not involve resources in the form of building materials, energy, or human effort. Therefore, further analysis is not warranted.” (Page 30)
  - Comment: By artificially restricting development of one use, it would allow for other non-hotel uses to become more feasible, therefore indirectly inducing development.

## Chapter 2: Land Use, Zoning, and Public Policy

- “Neighborhood characteristics such as presence of services and amenities, a significant office or commercial market, and an existing critical mass of hotels are also important factors for hotel developers. Land value and the ability to develop hotels as-of-right without zoning changes are also important considerations when thinking about project financials and timelines.” (Page 36)
  - Comment: Given that the presence of services, amenities, office market, commercial market, and existing critical mass of hotels are important factors for hotel developers, it can be reasonably assumed that the majority of new hotel development would be limited to such areas and therefore would not conflict with the surrounding area.
  
- “It is assumed that hotels will continue to locate in a pattern similar to that of the past 10 years, which is to concentrate increasingly in already established hotel districts, such as the Manhattan Core, Downtown Brooklyn, and Long Island City.” (Page 39)
  - Comment: This assumption disregards market fundamentals, the concept of supply and demand, land scarcity, feasibility and cost of projects, as well as the current trend of development away from saturated areas. This projection also undermines the putative basis for the special permit—if hotels will primarily locate in established hotel districts, what is the basis for believing hotels needs to be constrained from causing conflicts in neighborhoods that are more residential in nature.
  
- OneNYC 2050 (Page 41/42)
  - Comment: The tourism and hotel industries directly support several of One NYC 2050 goals such as:
    - “A Vibrant Democracy through empowering participation, welcoming immigrants, promoting justice and equal rights, and promoting democracy and civic innovation”;
    - “An Inclusive Economy through good paying jobs and job training, economic security through fair wages and benefits, expanded decision making power of workers and communities”;
    - “Healthy Lives through high quality, accessible health care, addressing health and mental health needs of communities, making healthy lifestyles easier, and designing a healthy physical environment.”
 Because the proposed amendment will impede the tourism and hospitality industry, it directly undermines the City’s stated goals under OneNYC 2050.
  
- “The Fiscal Year 2022 New York State budget included \$100 million for adaptive reuse of commercial and hotel properties located in New York City to create permanent affordable housing under the Adaptive Reuse Affordable Housing Program as administered by the Division of Housing and Community Renewal (HCR). There is no established policy with standards for these conversions at this time, but various bills have been introduced to the state legislature with proposals for the conversions of properties and standards of affordability.” (Page 43)
  - Comment: This policy suggests hotels not only generate economic and social benefits, but also have the flexibility and potential to be converted to other uses to accommodate future needs and government policy. How will converting existing hotels into permanent housing impact future hotel supply and demand? Has this been studied and incorporated into the projections in the DEIS?

### Chapter 3: Socioeconomic Conditions

- “The Proposed Action would not have the potential to result in direct or indirect residential displacement or direct or indirect business displacement, in accordance with the standards set forth in the CEQR Technical Manual.” (Page 47)
  - Comment: This assumption is not reasonable. The hotel and tourism industries support not only its direct employment and wages, but also indirectly support countless businesses, employees, and wages. Therefore, the assumption that there is no potential for direct or indirect residential displacement or direct or indirect business displacement is unreasonable given that the City predicts that the Proposed Action will reduce employment, wages, and economic activity.
  
- “While the Proposed Action would not have an impact on existing hotels in New York City nor would it, due to the proposed Recovery Provisions, impact hotels in the development pipeline—the Proposed Action would affect future hotel supply in the City, which under existing conditions has been significantly decreased due to the COVID-19 pandemic.” (Page 48)
  - Comment: This conclusion is unsupported. The Proposed Action would have an impact on existing hotels. Given the principles of supply & demand and historical precedent, it would be reasonable to assume hotel rates (ADR) would increase under the proposal. Higher ADRs could result in higher property values, less tourist ancillary spending, and/or fewer overnight travelers.
  
- “Proposed Action would create a discretionary action for the development of new hotels citywide. The Proposed Action would not induce development and therefore would not directly or indirectly displace any residents. Therefore, the Proposed Action would not result in significant direct or indirect residential displacement that could have the potential to change socioeconomic conditions in the study area.” (Page 51)
  - Comment: Based on the study’s analysis, the proposal would have negative socioeconomic impacts on the hotel and tourism industries. Given the hotel and tourism industries indirectly support many external communities in terms of employment, wages, and economic activity, it is likely that there would be a significant impact. Additionally, by artificially restricting development of hotels, it is likely the feasibility for other non-hotel uses would increase, resulting in induced development. Given that the study predicts a reduction in hotel construction, has the study considered what developments will be built in place of hotels? Is it not the case that many of the alternative uses would cause the same conflicts that are the purported basis for the Proposed Action? Is it not true that a 100,000 square foot office building houses approximately the same number of workers as a similarly sized hotel has guests & employees, particularly if the office building has retail tenants? Has the City studied the different impacts of hotels versus other commercial uses?
  
- “Accordingly, the Proposed Action does not have the potential to directly displace any business or institution from any site, and therefore, further analysis is not warranted.” (Page 52)
  - Comment: Given that the hotel and tourism industries directly and indirectly support many local businesses, the Proposed Action would likely negatively affect area businesses and general economic activity.



- “The Proposed Action would not induce development and, therefore, would not cause secondary displacement pressures. Therefore, no further analysis is warranted with respect to indirect business displacement due to increased rents.” (Page 52)
  - Comment: By artificially restricting development of hotels, it is likely the feasibility for other non-hotel uses would increase, resulting in induced development. Based on the laws of supply & demand, hotel values would likely increase following the Proposed Action, and would cause upward pressure on rents and values.
- “In addition, hotels are a unique business category, as they accommodate a customer base—overnight visitors to New York City—who generate a significant amount of spending on multiple secondary industry sectors related to tourism. Under NAICS, these include codes 7223/7224/7225 (Restaurants and Drinking Places, in addition to Specialized Food Services, such as caterers), 44/45 (Retail Trade), 71 (Arts, Entertainment, and Recreation, such as Performing Arts/Theater, Spectator Sports, Museums/Zoos/Botanical Gardens, Historical Sites, and Amusement Parks) and 485 (Transportation), which primarily includes local urban transportation systems, such as taxis and limousines and urban public transit, in addition to a relatively small number of airline flights and interurban rail purchased on-site in New York City.” (Page 53)
  - Comment: The above text supports the idea that the negative impact of the Proposed Action would be far-reaching.
- “While the inability to accommodate future demand for overnight visitation to New York City would result in fiscal losses in the form of lost Hotel Room Occupancy Tax and sales taxes related to visitor spending, the quantification of fiscal impacts is outside the scope of CEQR.” (Page 54)
  - Comment: Given the potential for the Proposed Action to transcend the hotel and tourism industries, the fiscal losses in the form of lost Hotel Room Occupancy Tax, sales taxes related to visitor spending, and other government sources of revenue should be studied. The study must thoroughly analyze the effect of the Proposed Action on all stakeholders.
- “In 2019, according to the QCEW, New York City Accommodation sector employees made approximately \$69,010 on average per year.” (Page 59)
  - Comment: The text above exemplifies that the hotel industry provides good paying jobs, which will be lost under the Proposed Action.
- “While some industry analysts question whether business travel and lodging patterns will ever return to pre-COVID-19 levels, others offer that peer pressure to conduct face-to-face business and attend meetings in competitive industries will drive demand back to pre-COVID-19 levels. For the purposes of this analysis, it is assumed that growth rates will return to pre-COVID-19 levels. Demand from business travelers will be able to support more than 23,300 rooms by 2025, 24,500 rooms by 2030, and 25,700 rooms by 2035.” (Page 69)
  - Comment: What is the basis for this assumption? It is too early to know how the pandemic changed business travel and lodging patterns. The assumption that growth rates will return to pre-COVID-19 levels may be overestimating future trends. It would be prudent to analyze market conditions following industry recovery.

- “The supply gap in the With-Action scenario would likely have an effect on future hotel pricing. Though the socioeconomic analysis provided in this chapter does not undertake a specific estimate of future pricing effects in terms of dollar amounts given different supply and demand scenarios, average daily rates would be expected to increase together with occupancy rates due to the suppression of new supply resulting from the Proposed Action. This would be particularly true during “compression periods” and other times of exceptionally high demand for hotel rooms.” (Page 75)
  - Comment: The effect on pricing, not only within the hotel industry, but also within other industries, should be studied, given many industries are interconnected with the hotel and tourism industries. By not studying pricing impacts, the study fails to genuinely study the effects of the Proposed Action.
  
- “The allocations are based on a review of existing trends and further informed by conversations with NYC & Company. Of the two-thirds of overnight visitors who would still travel to New York City despite the unavailability of hotel rooms, it is projected that approximately half of this cohort, representing approximately 15,690 hotel rooms, would stay in New York City, either at lodgings secured through Airbnb or another short-term rental platform, with friends and family who live in the city, or through an as-yet unknown innovative accommodation model in the city that may be developed with new technologies. While it is difficult to project where in the city these travelers would stay, it is expected that, based on current regulations restricting short-term rentals and the fact that a portion of these accommodations would be friends and family, these rooms would be relatively dispersed throughout the city and not concentrated in any particular neighborhood.” (Page 77)
  - Comment: Given short-term rentals are generally illegal within the city and New York City apartments are typically very small, it is unlikely that these forms of accommodation would be suitable replacements for hotel rooms in the future.
  
- “Finally, NYC & Company has found that many overnight visitors to New York City choose to stay with friends or family, either because it is a less expensive option, their friends or family live in areas of the city that are not well served by hotels, or this is simply their preference. It is expected that a portion of unmet demand for hotel rooms in 2035 would shift to this option as well.” (Page 79)
  - Comment: Has this been studied appropriately? What percentage of visitors stay with friends or family? How much unmet demand will be captured by friends and family?



**Chapter 4: Neighborhood Character**

- “Tourist-serving businesses tend to operate with longer hours and can create additional noise and traffic during evening hours. If hotels continue to locate in areas like MX districts that are heavily residential in character, they may also add traffic and parking congestion to areas already experiencing high congestion.” (Page 88)
  - Comment: Is there any official study to support the hypothesis that “Tourist-serving businesses tend to operate with longer hours and can create additional noise and traffic during evening hours”? Many community businesses operate longer hours e.g., laundromats, delis, restaurants, bars, etc. Is there any official parking or traffic study related to overnight travelers? These assertions must be supported prior to being utilized as assumptions.

**Chapter 5: Mitigation**

No additional comments.

**Chapter 6: Alternatives**

- “The rapid growth of hotels across the city, especially in locations that had not historically experienced much hotel development, would continue in the No-Action Alternative, and could change the local neighborhood character. However, it is not possible to assess whether or not these changes would lead to adverse effects to neighborhood character, because the location of future development is unknown.” (Page 95)
  - Comment: The above text directly contradicts one of the primary points developed to advocate the Proposed Action. The City argues that the Proposed Action is justified because hotels cause “conflicts with adjacent uses and residences,” yet the study concedes that “it is not possible to assess whether or not these changes would lead to adverse effects to neighborhood character.” The supposed “conflict” is, at best, entirely speculative.

**Chapter 7: Unavoidable Significant Adverse Impacts**

No additional comments.

**Chapter 8: Growth-Inducing Aspects of the Proposed Action**

No additional comments.

**Chapter 9: Irreversible and Irretrievable Commitment of Resources**

No additional comments.

**Chapter 10: Conceptual Analysis**

No additional comments.

**Comments re: N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

Public Hearing Comments (Do not reply) &lt;PublicComments\_DL@planning.nyc.gov&gt;

Wed 7/14/2021 11:44 AM

To: Alexander Plackis (DCP) <APlackis@planning.nyc.gov>; Rachel Antelmi (DCP) <RAntelmi@planning.nyc.gov>;  
CitywideComments\_DL <CitywideComments\_DL@planning.nyc.gov>Re. Project: **N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

- Application Number: **N 210406 ZRY**
- Project: **CITYWIDE HOTELS TEXT AMENDMENT**
- Public Hearing Date: **07/14/2021**
- Borough: **CITYWIDE**
- Community District: **CITYWIDE**

*Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.*

**Submitted by:**Name: **May Yu**Zip: **11201**

I represent:

- **A local community group or organization**

Details for "I Represent": **Downtown Brooklyn Partnership****My Comments:**Vote: I am **opposed**Have you previously submitted comments on this project? **No**If yes, are you now submitting new information? **No**I have attended or will attend the City Planning Commission's Public hearing on this project: **Yes****Additional Comments:**

Good Morning Chairperson Lago and Commissioners: My name is May Yu, and I am the Vice President of Real Estate and Economic Development at the Downtown Brooklyn Partnership. On behalf of the Downtown Brooklyn Partnership, I'd like to express our strong opposition to the proposed Citywide Hotel Text Amendment. Imposing a citywide special permit for hotels for hotels construction will drastically restrict hotel development, impede tourism, and harm the many retail, food/beverage, and

service businesses that rely on NYC tourism. This would hamper our post-pandemic recovery and much needed job growth – particularly for central business districts like Downtown Brooklyn. Downtown Brooklyn is the city’s third-largest central business district, and the economic and civic center of the borough, serving a diverse range of users from residents and workers to shoppers and visitors. Over the past few decades, the neighborhood has grown into a mixed-use hub with more than 15 thousand residential units, 17 million square feet of office space, and twenty-five hundred hotel keys along with retailers, schools, universities, and cultural venues. This existing context, bolstered by excellent transit connectivity, makes Downtown Brooklyn the ideal location for new hotel development. The proposed action conflicts with city and state economic policies, which call for supporting additional mixed-use growth at this location. Furthermore, local hotels support corporate travel for the growing number of businesses located in the district. Firms such as JPMorgan Chase, Blue State, 2U, and Slate require places for employees and clients to stay when visiting the city, and hotels within walking distance of their Downtown Brooklyn offices meet this demand. Hotel development also complements the needs of Downtown Brooklyn’s anchor academic and cultural institutions. The district is home to nearly a dozen higher education institutions that host scholars and industry partners from around the world. For example, New York University’s 370 Jay Street includes incubator space, lab facilities, and a recording studio that attract a global audience of entrepreneurs and innovators. Venues in the Brooklyn Cultural District, such as the Brooklyn Academy of Music (BAM), Mark Morris Dance Group, and BRIC, as well as the Barclay’s Center, require nearby lodging for visiting artists as well as tourists who travel to view performances. Hotel uses are vital to supporting tourism, innovation, and commercial and cultural activity in Downtown Brooklyn, and are in alignment with the character of the area and its central location. We encourage you to oppose this proposed Citywide Hotel Text Amendment. Thank you for the opportunity to testify.

**Comments re: N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

Public Hearing Comments (Do not reply) &lt;PublicComments\_DL@planning.nyc.gov&gt;

Wed 7/21/2021 7:30 PM

To: Alexander Plackis (DCP) <APlackis@planning.nyc.gov>; Rachel Antelmi (DCP) <RAntelmi@planning.nyc.gov>;  
CitywideComments\_DL <CitywideComments\_DL@planning.nyc.gov>Re. Project: **N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

- Application Number: **N 210406 ZRY**
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- Borough: **CITYWIDE**
- Community District: **CITYWIDE**

*Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.*

**Submitted by:**Name: **Gwendolyn Allison**Zip: **11226**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**Vote: I am **in favor**Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **No****Additional Comments:**

My name is Gwendolyn Allison and I've been living in Flatbush for 15 years. I'm concerned about some of the changes that I have witnessed here, and what they mean for long time community residents. I have been seeing many new people move in, the cost of living going up, and longtime residents continually getting displaced. People here should have a greater say in how our community is changing. One way to ensure this is by implementing Hotels Text Amendment. This would enable at

least one line of community input to help fight displacement. Please, I ask the City Planning Commission to support the Hotels Text Amendment for these reasons.

## Comments re: N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT

Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>

Mon 7/12/2021 12:34 PM

To: Alexander Plackis (DCP) <APlackis@planning.nyc.gov>; Rachel Antelmi (DCP) <RAntelmi@planning.nyc.gov>;  
CitywideComments\_DL <CitywideComments\_DL@planning.nyc.gov>

 1 attachments (2 MB)

Hotel Text Amendment Better.pdf;

Re. Project: **N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

- Application Number: **N 210406 ZRY**
- Project: **CITYWIDE HOTELS TEXT AMENDMENT**
- Public Hearing Date: **07/14/2021**
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- Community District: **CITYWIDE**

*Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.*

### Submitted by:

Name: **Tom Cayler**

Zip: **10036**

I represent:

- **Myself**

Details for "I Represent": **I've lived in Hell's Kitchen NYC since 1977.**

### My Comments:

Vote: I am **in favor**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **No**

### Additional Comments:

Please see attached.





Why are there two abandoned/derelict “Sliver” hotels on West 36th between 9&10 in Hell’s Kitchen?



Well, they aren’t actually between 9&10, they are between 10& the Lincoln Tunnel ramp to W34th that splits those blocks:

Dyer Ave.

- 1) there’s nothin’ over here. Just us citizens of Hell’s Kitchen.
- 2) You can’t get a cab across the Lincoln Tunnel ramp during rush hour.
- 3) There’s only a few places to eat, and those are new/recovering and weren’t here when Hudson River Hotel was built in 1998.



4) It's even dangerous to walk across Dyer. You have to either go to 37th or 34th.

But some hotelier thought this would be a great place to wedge a couple of hotels because they could By Right?

This makes no sense.

What is the point?

Do we really want to put our "tourists" over here?

And what's to become of these "Slivers" now?

The citywide hotel special permit proposal would require all new and enlarged hotels in current as-of-right zoning districts to go through the Uniform Land Use Review Procedure, or ULURP.

And put an end to this kind of abysmal By Right hotel construction to No Where.

Especially in a neighborhood that desperately needs Affordable Housing.

Tom Cayler  
525 West 45, 3B  
NY, NY. 10036  
Hell's Kitchen

**Comments re: N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

Public Hearing Comments (Do not reply) &lt;PublicComments\_DL@planning.nyc.gov&gt;

Tue 7/13/2021 1:28 PM

To: Alexander Plackis (DCP) <APlackis@planning.nyc.gov>; Rachel Antelmi (DCP) <RAntelmi@planning.nyc.gov>;  
CitywideComments\_DL <CitywideComments\_DL@planning.nyc.gov>Re. Project: **N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

- Application Number: **N 210406 ZRY**
- Project: **CITYWIDE HOTELS TEXT AMENDMENT**
- Public Hearing Date: **07/14/2021**
- Borough: **CITYWIDE**
- Community District: **CITYWIDE**

*Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.*

**Submitted by:**Name: **Joanne Georgiades**Zip: **10019**

I represent:

- **Myself**

Details for "I Represent": **457 West 49th Street****My Comments:**Vote: I am **in favor**Have you previously submitted comments on this project? **No**If yes, are you now submitting new information? **Yes**I have attended or will attend the City Planning Commission's Public hearing on this project: **No****Additional Comments:**

The main challenge the city's hotel and tourism industry faces during the recovery will be a lack of demand, not supply. Building more hotel rooms will not result in more hotel guests, hotel jobs, or associated tourism industry jobs. I am in favor of requiring all new and enlarged hotels in current as-of-right zoning districts to go through the Uniform Land Use Review Procedure.



**Comments re: N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>

Wed 7/21/2021 7:07 PM

To: Alexander Plackis (DCP) <APlackis@planning.nyc.gov>; Rachel Antelmi (DCP) <RAntelmi@planning.nyc.gov>;  
CitywideComments\_DL <CitywideComments\_DL@planning.nyc.gov>

Re. Project: **N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

- Application Number: **N 210406 ZRY**
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*Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.*

**Submitted by:**

Name: **Patrick Houston**

Zip: **11225**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **in favor**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **Yes**

**Additional Comments:**

To the members of the City Planning Commission, I recently heard about the Hotel Special Permits initiative and am testifying to express my support for it and urge yours. I have lived in New York for four years, both in the Bronx and Brooklyn. Despite being relatively new to New York, I have witnessed how so many Brooklynites struggle to have a say in how their neighborhoods transform, and how they will be affected. Housing access and affordability remains one of the main hardships for working New

Yorkers. Hotel Special Permits would give these communities an important say on if, when, and where new development happens in their neighborhoods. This is an important step in making this City more just, especially for those whose voices are so often ignored. Hotel Special Permits is a simple initiative that would go a long way at making this city more affordable and fair. It also is a small tool that could help be a stepping stone to engage more people in democratic systems– something the City should support in every way. I urge the City Planning Commission to vote in favor of these Hotel Special Permits.

**Comments re: N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>

Wed 7/21/2021 7:20 PM

To: Alexander Plackis (DCP) <APlackis@planning.nyc.gov>; Rachel Antelmi (DCP) <RAntelmi@planning.nyc.gov>;  
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**Submitted by:**

Name: **Harry Johnson**

Zip: **11212**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **in favor**

Have you previously submitted comments on this project?

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **No**

**Additional Comments:**

My name is Harry Johnson and I live in Flatbush. I'm emailing to express my support for the Hotel Special Permits. We need to allow the community to decide what is being built in our neighborhood, rather than cede so much of that decision to developers ultimately searching for a profit. The concerns about a resulting undersupply of hotels is wildly overblown. What is a present and clear issue though is housing insecurity and displacement. Many people I know are struggling to pay rent and remain in

their homes. This of course was the case before the pandemic, though it was worsened by it. The community should have a voice in deciding whether another hotel is built or instead we create permanent affordable housing so that we don't have to have only temporary shelters. I urge the Brooklyn Borough Board to support the hotel special permits for these reasons.

**Comments re: N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>

Wed 7/21/2021 6:39 PM

To: Alexander Plackis (DCP) <APlackis@planning.nyc.gov>; Rachel Antelmi (DCP) <RAntelmi@planning.nyc.gov>;  
CitywideComments\_DL <CitywideComments\_DL@planning.nyc.gov>

Re. Project: **N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

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*Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.*

**Submitted by:**

Name: **Cecelia Lewis**

Zip: **11226**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **in favor**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **No**

**Additional Comments:**

My name is Cecelia Lewis and I am writing in support of the hotels text amendment. I was very excited to hear about this proposal. I have lived in New York for 29 years, in Brooklyn specifically. Over the years I have seen changes that concern me. The cost of rent constantly increases everywhere and has pushed so many in my community out of their neighborhoods. It is not that I am wholly opposed to change. Change will happen regardless. But we need to make sure it is fair and that the lives of



everyday New Yorkers aren't harmed in the process. That harm mitigation isn't happening. My nephew, who works full-time, applied recently for a place in a new building in his neighborhood. Even with his full-time income, they said he still does not qualify financially to live in the new building. So he watches the neighborhood transform around him with no chance to benefit from that change. The hotel special permits initiative is a necessary step in providing New Yorkers more say in the changes in our communities and more potential to benefit from them. I ask the City Planning Commission to support hotel special permits. Thank you. (Note - I signed up to testify at the Planning hearing last week, but couldn't hold on the line long enough for my name to be called.)

**Comments re: N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

Public Hearing Comments (Do not reply) &lt;PublicComments\_DL@planning.nyc.gov&gt;

Wed 7/21/2021 6:48 PM

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**Submitted by:**Name: **Lystra Martin**Zip: **11226**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**Vote: I am **in favor**Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **No****Additional Comments:**

I write to express my strong enthusiasm for and to ask the City Planning Commission to support the Hotel Special Permits policy. There is no reason why people in community should not have the opportunity to have a say in what gets built in our communities. I live in Brooklyn and have been here for over 20 years. And we should have a say about how things built in our community could help us. If new hotels are going to displace more people who live here, we should have an option to deny it. This

is common sense. Please make a decision that will help existing communities and not hurt them. A decision that could also fight homelessness and displacement and not worsen it. Please support the Hotel Special Permits.

**Comments re: N 210406 ZRY - CITYWIDE HOTELS TEXT AMENDMENT**

Public Hearing Comments (Do not reply) &lt;PublicComments\_DL@planning.nyc.gov&gt;

Wed 7/21/2021 6:27 PM

To: Alexander Plackis (DCP) <APlackis@planning.nyc.gov>; Rachel Antelmi (DCP) <RAntelmi@planning.nyc.gov>;  
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**Submitted by:**Name: **Jaqueline Phillips**Zip: **11203**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**Vote: I am **in favor**Have you previously submitted comments on this project? **No**If yes, are you now submitting new information? **Yes**I have attended or will attend the City Planning Commission's Public hearing on this project: **No****Additional Comments:**

Hi - I am writing to express my support for the Hotel Special Permits initiative. I have been living in Brooklyn for over 30 years. Over this time I have seen an increase in new homes. That is not necessarily bad. But it has only added to the displacement of people and the increase in homelessness it seems. Changes in our communities should lead to more people being housed, not less. For that reason any hotels that want to build here should first have to get permission from the community. We should

have a say in if they get built, how many, and how they might help fight homelessness when their is a need and potential to do so. Please support the Hotels Special Permit initiative! Thank you