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District Manager

CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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November 6, 2017

Mr. Robert Dobruskin, Director
Environmental Assessment & Review Division
New York City Department of City Planning
120 Broadway - 31st Floor
New York, NY 10271

Re: M1 Hotel Text Amendment Proposal – CEQR 18DCP042Y

Dear Mr. Dobruskin:

Manhattan Community Board No.4 (CB4) strongly supports the proposed action to draft a text amendment to the New York City Zoning Resolution creating a special permit process for the development of hotels in M1 zones. M1 zones can serve different purposes in a community at different times. One constant, however, is that filling an M1 zone with non-manufacturing uses generally precludes future manufacturing and industrial uses. The proposed special permit process will permit the city and the community in which an M1 zone is located the opportunity to help determine whether a proposed hotel is desirable. We are pleased to comment briefly on the Environmental Impact Statement (EIS) Draft Scope of Work (DSW). CB4, at its November 1st Full Board meeting, voted to approve the following comments with a vote of 33 in favor, 1 opposed, 1 Abstention, and 0 present but not eligible to vote.

We are comfortable that the Department of City Planning's normal study methodology will adequately address most of the elements required by the EIS. We ask, however, that special attention be paid to the points set out below concerning Land Use, Zoning and Public Policy, and on Socioeconomic Conditions, so that they will be in-scope when review of the proposed final text amendment begins.

Land Use, Zoning and Public Policy, and Socioeconomic Conditions

We request that the following potential impacts of developing a hotel in an M1 district be specifically included in the scope of the EIS:

- The impact of displacing from an M1 district manufacturing or industrial uses not permitted in other nearby districts;

- The impact on neighborhood character both within the M1 district and in the area surrounding the M1 district;
- The impact on pre-existing residential uses in the M1 district;
- The impact on residential and commercial uses in the area surrounding the M1 district;
- The impact on future affordable housing planned for development in an M1 district following rezoning;
- The impact on AirB&B and similar short-term, non-hotel rentals throughout the city, and on the potential loss of housing units because of the expansion of these uses due to a supply of hotel rooms that lags demand; and
- The Impact of hotel plaza bonuses in M1 districts on neighborhood character.

The effectiveness of a special permit process is determined by the required findings and how they are interpreted for a specific application. We believe that the proposed action will be strengthened by including these points in the crafting of the required findings.

Hotels Operated for a Public Purpose

We also request clarification on the issue of the transition of hotels operated for a public purpose (PPH) to commercial hotels. On page 32 the DSW states, “Transient hotels operated for a public purpose by the City of New York or organizations under contract with the City will be exempt from the special permit requirement.” On page 33 the DSW further states, “Any hotel operated for a public purpose within M1 districts on the date of adoption of the Proposed Action would be permitted to cease its public function and return to operating as a commercial hotel without seeking the proposed special permit.” We fear that this language may indicate that a developer could build a PPH in an M1 district without going through the special permit process and then transition to operating as a commercial hotel, again without going through the special permit process.

Although we have been told informally that transitioning from a PPH to a commercial hotel will in fact require the special permit process for PPHs that begin operations after the date of adoption, we believe this weakens the opportunity for the city and the community to help determine what is best for an individual M1 district. Once a public purpose hotel has been built in an M1 district, there will be a strong argument that there is no suitable use for the building other than as a commercial hotel.

We believe that the determination of whether any type of hotel is suitable for any individual M1 district must be made before a hotel is built, even if it is designated to be a PPH. This requires developers of all hotels built in M1 districts to be subject to the special permit process, and for the elimination of the proposed exemption for PPHs

Sincerely,



Delores Rubin
Chair
Manhattan Community Board 4



John Lee Compton, Co-Chair
Chelsea Land Use Committee



Betty Mackintosh, Co-Chair
Chelsea Land Use Committee

cc: Marisa Lago, Chair, Department of City Planning
Hon. Gale A. Brewer, Manhattan Borough President
Hon. Corey Johnson, City Council