



FAIR SHARE

AN ASSESSMENT OF NEW YORK CITY'S
FACILITY SITING PROCESS

A REPORT TO THE MAYOR
AND THE CITY PLANNING COMMISSION

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City of New York
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INTRODUCTION

The 1989 City Charter (Section 203) required the City Planning Commission to adopt criteria

to further the fair distribution of the burdens and benefits associated with city facilities, consistent with community needs for services and efficient and cost effective delivery of services and with due regard for the social and economic impacts of such facilities upon the areas surrounding the sites.

The Charter mandate was prompted by the widespread perception -- and sometimes the reality -- that some communities were becoming dumping grounds for unwanted city facilities. The city's poorer neighborhoods were particularly concerned that they were being saturated with facilities like shelters because most city-owned property is in low-income areas. In fact, there is hardly a neighborhood in the city, no matter what the income level, that does not believe it is "oversaturated" by burdensome facilities of one kind or another or, at the very least, overlooked when it comes to distributing benefits. The Charter provisions were a reaction against poorly planned and often secretive siting decisions driven by expediency.

To encourage early consultation with communities, a companion provision in the Charter (Section 204) requires the city to publish an annual *Citywide Statement of Needs* listing and describing the facilities the city plans to site, close or substantially change in size over the next two years. Community boards are given the opportunity to comment on the statement and the borough presidents may propose sites in their boroughs for needed facilities. To inform the public of existing patterns of municipal uses, the *Statement of Needs* must be accompanied by a map and list of city-owned and leased properties (called the *Atlas and Gazetteer of City Property*).

In December 1990, the City Planning Commission unanimously adopted *Criteria for the Location of City Facilities*, commonly known as the Fair Share Criteria, which became effective July 1991. At the time of adoption, the Commission called upon the Department of City Planning to monitor and evaluate the effects of these new and

untested guidelines and to periodically report its findings to the Mayor and the Commission.¹

This report presents the department's observations about the fair share siting process during the three-year period since it became effective. It begins with summaries of the criteria as adopted and the statement of needs process, followed by an analysis of the number, type and locations of facilities sited under fair share. The report outlines a range of issues and shortcomings associated with implementation of fair share. The issues identified are based on review of borough president and community board comments, litigation related to fair share, consultation with siting agencies and examination of their fair share analyses, and the testimony of elected officials, community representatives and others at a public meeting held in June 1993. The report assesses the extent to which the fair share process has thus far achieved its key goals: "equitable" distribution of facilities; open and early consultation with affected communities; sound planning practices including heightened attention to impacts of facilities on neighborhoods; and efficient, cost-effective implementation of siting plans.

The report concludes with a series of recommendations for addressing identified shortcomings. Recommendations include both administrative actions to improve implementation, and proposals for the Mayor's consideration to formally amend certain provisions of the criteria.²

¹ Although the City Planning Commission called for the initial report within 24 months of the criteria's adoption, the Department has postponed issuance of the report to allow for a broader test of their application.

² Charter Section 203(b) prescribes the procedure for amending the criteria, stating that "the Mayor, after consulting with the borough presidents, may submit to the City Planning Commission proposed amendments to the rules" which the Commission may adopt, modify, or disapprove after a public review procedure.

SUMMARY OF FAIR SHARE CRITERIA AND FACILITY SITING PROCESS

Even after three years, misconceptions and unrealistic expectations about the meaning and intent of fair share are rampant -- in large part because the term itself is misleading. It is no wonder that the public is confused and misled when fair share is persistently characterized as a mechanical formula for apportioning controversial city facilities. For example, fair share has been described as:

"[requiring] that no neighborhood get more than its fair share of city projects..." (Newsday, 10/25/93);

"the City Charter mandate that forces neighborhoods to take their 'fair share' of social service facilities" (New York Post, 4/14/94);

"[determining] how many city facilities communities should contain." (The Westsider, 3/11/93); and

"the clause [that] bars the city from placing a project in an unwilling neighborhood if it would give the area an unfair share of the city's burdens, unless the city can show it had no other choice." (New York Times, 10/16/93).

In reality, the criteria adopted by the Commission pursuant to Charter Section 203 are not a set of formulas or rigid rules for determining which communities have too many burdens or too few benefits -- and should therefore get less of one and more of the other. The criteria do not define "fairness," "saturation" or even "burdens and benefits." The guidelines adopted by the Commission implicitly reject the idea that "fair" means an equal number or some other quantitative form of assessment. Instead, the criteria reflect a view that fairness is the outcome of sound procedures for deciding where facilities are sited.

The adopted criteria are a set of guidelines that require agencies to inform and consult with affected communities early in the planning process, and to consider, and balance, concerns of equity and efficiency. Traditional site planning considerations of program need, cost-effectiveness and service delivery efficiency are balanced against a new goal of broad geographic distribution and heightened attention to the effects of facility concentrations on neighborhoods.

The *Criteria for the Location of City Facilities* cover all kinds of facilities that are operated by the city in city-owned or leased property, as well as most facilities operated under contract with the city (see Appendix I, Article 3 of the criteria). The criteria set forth the factors that must be considered when new facilities are sited or existing facilities are closed or undergo significant expansion or reduction.

The criteria do not classify facilities as either benefits or burdens. Instead, a distinction is made between neighborhood or local facilities and those that serve a wider region or the city as a whole. For neighborhood facilities, such as day care centers, branch libraries, fire stations or drop-off recycling centers, both the benefits and burdens are local. Regional or citywide facilities, such as courthouses, incinerators, museums and homeless shelters, may benefit the entire city but burden only the neighborhood in which they are located. These facilities generally can be sited in a wider range of locations than neighborhood-serving facilities. Locations of regional facilities are constrained primarily by the availability of appropriately zoned sites and, in some cases like courthouses, by the desirability of clustering related services. Differing criteria apply to each of the two categories.

For neighborhood facilities, the principal siting concerns are the facility's accessibility to those it is intended to serve, and relative needs among communities for the service provided. New or expanded facilities are encouraged in areas with low ratios of service supply to service demand (e.g., districts with high levels of unmet need for daycare or with low parkland to population ratios).

For regional facilities -- most often unwanted -- the criteria acknowledge that over-concentration can be a problem. Excessive concentrations of institutional uses can impede community revitalization efforts or jeopardize the quality of life of neighborhood residents. The criteria encourage minimizing the size of regional facilities to lessen local impacts and increase broad distribution. They discourage undue concentration or clustering of facilities providing similar services or serving a similar population, unless an efficiency argument can be made for concentration. Additional criteria are specified for residential facilities (jails, shelters, nursing homes, group homes, etc.) proposed for sites in community districts with high ratios of residential facility beds to population. In general, these are the 20 districts with the highest ratios

listed in an index published annually by the Department. The community district ratios are intended to provide an objective information base to assess the reality of community claims of saturation.

The criteria do not prohibit the siting of additional residential facilities in the "high concentration" districts but do require closer scrutiny of the effects of facility clustering on neighborhood character. Since the community district ratio is a relatively gross measure of concentration, siting agencies must consider similar facilities, and facilities of all kinds, within one-half mile of the proposed site for both regional and local facilities. The analysis focuses on the neighborhood impacts of any identified concentration of facilities.³

For industrial uses -- municipal waste management and transportation facilities -- the criteria recognize a need to concentrate in industrially zoned areas, but require consideration of the cumulative effects of such concentrations on adjacent residential areas. The degree of concentration is an important factor to be weighed against considerations of need, cost effectiveness and compatibility with surrounding uses.

A separate set of considerations applies to office space: cost-effectiveness, operational efficiency and whether the office can be located suitably in a regional business district -- a provision intended to support decentralizing city offices to business districts outside of the Manhattan civic center, when other siting factors allow.

Community Consultation Procedures

The necessity for early and frequent dialogue with communities is a fundamental aspect of the fair share process. The annual *Citywide Statement of Needs* is the earliest formal disclosure of the city's plans to site new facilities or substantially change them. The statement describes the purpose and size of the proposed facility and the specific criteria to be used in locating or changing the facility. Early disclosure often means uncertainty as to the specific details of a program or its location (the Charter requires

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To assist in this analysis, the Department of City Planning publishes inventories, by community district, of city, state, federal and non-profit residential facilities and ambulatory health and social service facilities, in addition to the Atlas and Gazetteer of City Property published in conjunction with the Citywide Statement of Needs.

only that proposed sites be identified by borough or, if possible, by community district) but the intent is to get communities involved as early as possible in the decision-making process. If a proposal subject to the Uniform Land Use Review Procedure (ULURP) is not included in the statement of needs, the sponsoring agency must notify the affected borough president at least 30 days before the ULURP application is certified. (See Appendix II for sample statements of needs.)

The community boards and borough presidents have the right to submit comments on the statement within 90 days of its release each November 15th. The borough presidents also have the right to propose sites for any facilities planned for their boroughs. The comments are distributed to the agencies which must take the comments and any proposed sites into consideration in their evaluation of siting alternatives.

The fair share criteria further encourage agencies to attend community board hearings on the statement of needs and, if a community district is not identified in the statement, to offer to meet with the affected board as soon as a potential site is identified. The criteria for closing or significantly reducing the size of facilities call upon the sponsoring agency to consult with the affected community board and borough president about alternatives for achieving the planned reduction and the measures to be taken to ensure adequate levels of service.

For regional facilities, the Mayor may initiate a formal consensus building process intended to minimize conflict over the most controversial siting proposals, assess site alternatives, and ensure that facility design and operation afford appropriate community protections. Similarly, the criteria provide for establishment of facility monitoring committees with community representation to ensure that, once built, the facilities are operated in a way that responds to community concerns.

To help city agencies understand and comply with the criteria, the Department issued *The Fair Share Criteria: A Guide for City Agencies* in June 1991, just before the criteria took effect. It suggests the type of information and analysis needed for a complete disclosure of an agency's consideration of the criteria.

Disclosure and Review Procedures

A sponsoring agency discloses its consideration of the fair share criteria and relevant community board/borough president comments in one of three ways: (1) as part of a ULURP application for site selection or acquisition of sites for city facilities, or for disposition of city-owned property which would result in establishment of a city facility; (2) as part of a Charter Section 195 application for acquisition of office space⁴; or (3) in a so-called Article 9 statement to the Mayor for actions not subject to ULURP or 195 review, such as contracts with private providers and reduction or closing of existing facilities. (See Appendix II for examples of fair share submissions.)

The Department of City Planning reviews fair share analyses submitted in conjunction with ULURP, and the ULURP application will not be certified unless the fair share submission is complete. However, the greatly abbreviated timeframe for Section 195 applications does not allow for thorough review of the fair share analysis prior to the filing and distribution of the application. Similarly, the Department generally does not review Article 9 statements before they are submitted to the Mayor with copies to the affected community boards, borough presidents and council members.

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Under Section 195, the City Planning Commission must hold a public hearing and approve or disapprove an office space application within 30 days.

APPLICATION OF FAIR SHARE TO PROJECT PROPOSALS

Between July 1, 1991 and June 30, 1994, fair share was applied to 202 project proposals: 190 sites were selected for new, expanded or replacement facilities either through ULURP, Section 195 or contract procedures; and 11 facilities were closed and one reduced in size. Facilities subject to ULURP and Section 195 are counted once the application is certified, though not necessarily approved. The count of contract facilities and closed facilities is based on a review of fair share statements submitted to the Mayor in accordance with Article 9 of the criteria.

The following tables detail the type of facility, its location and sponsoring agency according to the action taken. Only 38 of the proposals subject to fair share were also subject to ULURP, less than 20 percent of the total. Nearly half the proposals were Section 195 office space applications and most of the others were contracts. More than one-third were not subject to City Planning Commission review.

Table 1

Facility Closings and Reductions*

Facility Type	Agency	Number	Location (Boro/CD)
Agency Operated Boarding Home	HRA/CWA	8	Bx1, Bx9, Bk14, Q7, Q8, Q11, Q12, Q13
Day Care Center	HRA	1	M6
Job Club	HRA	2	Bx2, M1
Senior Center*	DFTA	1	Bx5

* The DFTA senior center was reduced in size 25% or more; all others listed were closed.

Table 2

**New and Expanded Contract Facilities
(Article 9 Statements)**

Facility Type	Agency	Number	Location (Boro/CD)
Alternative-to-Incarceration	DMPS	2	Bx1, M3
Day Care/Head Start Center	HRA	12	Bx4, Bx5(2), Bx6, Bx7, Bk4, Bk5(2), Bk14, Bk15, M7, M12
Drug Treatment (ambulatory)	PROB	2	Bk7, Q2
Foster Care Residence	HRA	1	M10
Homeless Drop-in Center	DHS	1	M4
Job Training/EDWAAA	DOE	5	Bx5, Bk3, Bk14, Q1, Q12
Latino Occupational Training	DOE	10	Bx1, Bx4, Bx7, Bk7, M2, M3, M4, M12, Q4(2)
Mature Workers Skills Training	DOE	1	Bx9
Non-Secure Juvenile Detention	DJJ	4	Bx4, Bk8, Q4, Q8
Police Precinct (temporary)	NYPD	1	M12*
Public Assistance Recipients Training Program	DOE	3	Bx1, Bk2, M5
Supported SRO	HRA	15	Bx1(2), Bx5(2), Bx6(2), M2, M3(2), M4(3), M5, M8, M10
Transitional Family Shelter	HRA/DHS	5	Bx5, M4, M11(2), SI 1
Transitional Housing for Adults	HRA/DHS	5	Bk5*, M3(2), M10, SI 2

* Re-opening of former shelter and temporary police precinct, not contracts.

Table 3

ULURP Site Selection Applications

Facility Type	Agency	Number	Location (Boro/CD)
Branch Library	BPL	1	Bk15
Courthouse	DGS	1	Bx4
CSO Facility	DEP	2	Bk18, Q7
Day Care Center	ACD/HRA	6	Bx2, Bx5, Bk6, Bk13. M12, Q12
Evidence Vehicle Storage Facility	NYPD	1	Bk6
Literacy Program & Offices	DJJ	1	Bx9
Multi-agency Garage	DGS/DOS/DOH	1	M3*
Non-Secure Detention Group Home	DJJ	2	Bx5, M9
Park	DPR	2	Bk4**, Q7
Parking Lot/Garage	NYPD	2	Bk7(2)
Police Precinct	NYPD	1	M12
Sanitation District Garage	DOS	1	Q7**
School	DJJ	1	M11
Senior Center	DFTA	1	Q4
Sewer Maintenance Facility	DEP	1	Bk18
Sign Shop - Brooklyn	DOT	1	Bk7
Sludge Composting Facility	DEP	4	Bk7**, Q2, Q5**, SI 1
Transitional Living Center	HRA	1	M6
Warehouse	DCA/HPD/HRA /DA	4	Bk2, Bk7(2), M4
Water Tunnel Shaft Site	DEP	4	M4(2), Q2, Q3

* Pier 35/36 Garage overturned by courts
 ** Application withdrawn after certification

Table 4

Section 195 Office Space Applications

Facility Type	Agency	Number	Location (Boro/CD)
Day Care Resource Area	ACD/HRA	4	Bx1, Bk2, M1, M11
Electronic Voting System Office	Bd. of Elections	1	M1
Community Board Office	CBs	17	Bx3, 7, 10, 11 ^{**} ; Bk1, 4, 12, 17; M4, 5, 6, 7 ^{**} ; Q2, 7, 8, 10; SI 3
Agency Headquarters	CDA/HRA CWA/HRA CDCSA HPD LAW PVB/DOT TLC/FISA	7	M1 M1 Bk2 M1 M1 M2* M4 ^{**}
Neighborhood Human Rights Program	CHMRT	3	Bx1 ^{**} , Q7, Q12
CWA Field Office	CWA/HRA	6	Bx4, Bk1, Bk2, Bk3, Bk5, Bk13
Family Preservation Office	CWA/HRA	7	Bx1, Bx3, Bx4, Bx5, Bk3, M9, M12
District Attorney & Other Court-related Office	DGS	6	Bx4, Bk2, M5(3), Q9
Surrogates Court	DGS	1	Bk2*
Aftercare & Family Resource Area	DJJ	1	Bx4
Office of Compliance	DOC	1	M1
Queens Property Division	DOF	1	Q12
Borowide Health Program Offices	DOH	1	Q9

Table 4 (continued)

Facility Type	Agency	Number	Location (Boro/CD)
Tuberculosis Control Field Office	DOH	2	Bx8, Q4
Brooklyn North Office	DOS	1	Bk2
Enforcement Command Office	DOT	2	Bx7, Q8
Property Acquisition Unit	HPD	1	M11
Income/Family Support & others	HRA	3	Bk14, Q2, SI 1
CASA Office	HRA	2	Bk13, M1
Office of Central Processing	HRA	1	Bk2
Office of Employment Services	HRA	1	Q12
Emergency Assistance Unit	HRA	1	M2**
Family Court Offices	LAW	2	Bk2, M1
Mayor's Office of Midtown Enforcement	Mayor's Office	1	M4
Patrol Borough Office	NYPD	4	M9, Q1, Q2**, SI 1
Public Safety Answering Center	NYPD	1	Bk2
Office of Administrative Trials & Hearings	OATH	1	M1
Office of Film, Theatre & Broadcasting	OFTB	1	M5
Adult Supervision Office	PROB	3	M10*, Q12, SI 1
Office of the Sheriff	Sheriff	1	Bx1
Licensing Office	TLC	1	Q2

* Application disapproved by the City Council
 ** Project withdrawn

PUBLIC RESPONSE TO FAIR SHARE: THE ISSUES

Public response to fair share generally falls into two categories. The first is characterized by the belief that the Charter goal of equitable distribution is flawed, naive and unattainable. Those in this camp believe that siting controversial facilities is fundamentally a political matter, not easily addressed by rules and procedures. The second view, far more common, is that equity is a worthwhile goal, but either the criteria are ineffective in furthering it or the city has failed to adhere to the principles and procedures of fair share. In either case, the outcome is the same: pervasive cynicism, resentment and disillusionment.

The fundamental question -- whether equitable distribution is an appropriate or achievable goal -- is beyond the scope of this report. It may well be true that the framers of the Charter did not fully recognize the extent to which land use patterns and zoning policies conflict with the concept of broad geographic distribution, particularly for industrial uses. Sound land use planning argues for concentrating noxious facilities away from residential areas, or for clustering some services near transportation hubs or near one another.

Nonetheless, the Charter mandates that "fair distribution" be taken into account when siting city facilities, and this report is not suggesting that the Charter be revised. Nor does the Department believe that the way to "put more teeth" into the equity provision is by establishing siting moratoria or quantitative thresholds for the number or type of facilities that may be located in any given area. Strict prohibitions on siting facilities for people with special needs, for example, could run afoul of federal law protecting the rights of the disabled. This is not to say, however, that siting agencies could not do a more effective job of protecting communities from excessive concentrations of facilities.

By and large, public comments on fair share do not find fault with the criteria themselves, other than perceived "loopholes" that allow some facilities to escape the fair share process. Most criticism tends to center on the way in which the criteria are interpreted, the lack of complete or timely information and follow-up from siting agencies, and the failure to meet community needs for "positive" facilities. These are

the recurring themes in correspondence from borough presidents and community boards, press reports, testimony of elected officials and community groups, and a report issued by the Manhattan Borough President.⁵

The Loophole Issue

One of the main reasons for disenchantment with the fair share process is the belief that many facilities of concern to communities evade public review. Of particular concern are non-city facilities, usually state funded, which are not subject to the city's fair share process or to uniform, predictable public review and consultation procedures before they are sited. As noted in the Recommendations section of this report, the administration has been working with the state in a concerted effort to remedy this situation.

There is also concern that as the city moves toward "privatization" of services, an increasing number of facilities will avoid fair share review. Although it is true that facilities developed and operated by non-profits usually are not subject to full public review under ULURP, many are subject to fair share consultation procedures by virtue of city contracts. One frequently cited example of "privatized" facilities to which fair share does not apply involves the motels, hotels and SROs to which the city refers homeless families and individuals (but does not contract for on-site support services). However, recent court rulings have upheld the city's contention that fair share does not apply to facilities to which it refers clients if the facilities are neither owned, leased or operated by the city, nor under contract with the city.

A third concern involves the criteria's definition of a contract facility. The criteria define a "contract facility" as one that is "used primarily for a program or programs operated pursuant to a written agreement on behalf of the city which derives at least 50 percent and at least \$50,000 of its annual funding from the city." Because the percentage of city funding applies to all programs within a facility, it is believed that some programs avoid fair share when they are housed within multiservice facilities (e.g., a city-funded drug treatment program within a private hospital, or a city-funded

⁵ The Fair Share Working Group Report: The Manhattan Borough Board's review of the Two-Year Application of the Criteria for the Siting of City Facilities, February 1993.

day care center within a settlement house with many programs and funding sources). This issue warrants attention and is addressed in the Recommendations section.

A final issue, though not directly related to fair share, concerns the distinction between offices subject to Section 195 review and facilities subject to ULURP. Considerable controversy arose, for example, when the city applied Section 195 to a Department of Probation proposal to relocate its Bronx-Harlem Intensive Supervision Program, and to HRA's siting proposal for an Emergency Assistance Unit for homeless families. The public tends to believe that Section 195 is inappropriate for programs providing direct, non-administrative services to clients. However, the appropriate standard for determining whether a use is an office, based on the overall intent of Section 195, is whether the space is used primarily for administrative and clerical tasks, whether or not it has a service component. Virtually all city offices are used, at least in part, to provide direct services to clients or the public at large, whether it is the review of plans at the Department of Buildings or the interview of food stamp applicants at HRA. Distinctions should not be made based solely on the characteristics of the people served.

Implementation Shortcomings

The problems cited most often relate to the way in which fair share has been implemented. Perceived flaws in the process and procedures used to implement fair share include:

- Insufficient detail on programs and potential sites in the statement of needs;
- Failure to include in the statement of needs closings and many Section 195 actions (which do not require a 30-day notice to borough presidents);
- Lack of comprehensive, regularly updated inventories and maps of public facilities (city, state, federal and non-profit);
- Inadequate coordination among city agencies and between city and state agencies, resulting in excessive concentrations of facilities in some areas;
- Lapses in timely notification and meaningful dialogue with affected communities;

- Need for better means of informing community groups and block associations about siting plans; and
- Lack of attention to beneficial facilities, particularly agency headquarters in regional business districts outside Manhattan.

The public clearly values the early notification and consultation provisions of fair share but there is a sense that not all agencies take these requirements seriously and that some are actively circumventing them. Although there is little if any evidence of intentional avoidance of fair share by agencies, it is important to clarify and strengthen community consultation procedures.

A Word about Litigation

Contrary to speculation at the time of its enactment, fair share has not resulted in a dramatic increase in the number of lawsuits brought by groups opposed to siting decisions. Unpopular facilities were litigated before fair share and unpopular facilities continue to be litigated since it took effect. Fair share simply provides additional grounds upon which to sue.

To date, 13 lawsuits involving fair share have been filed. All but three raised issues of applicability, that is, whether the fair share criteria (as well as ULURP or CEQR in some cases) should have been applied to the project in question. In Davis v. Dinkins, Queens residents argued that the city's use of the Kennedy Inn for homeless families made the facility subject to ULURP and fair share; HRA's homeless referral policy was challenged on similar grounds in Ferrer v. Dinkins and O'Donovan v. Dinkins. In West 97th-West 98th Street Block Association v. Volunteers of America, Community Board 4 v. Homes for the Homeless, and Marotta v. Community Agency for Senior citizens, Inc., plaintiffs claimed that HPD loans for development or renovation of the facilities should trigger fair share and ULURP. The applicability of fair share was also among the issues raised in suits challenging the H.E.L.P. 13th Street Housing for Homeless Families in Manhattan, a residential program for victims of domestic violence on Willoughby Avenue in Brooklyn, a state-funded housing facility in Red Hook for low-income families and families with an HIV-positive member, and the closing of a firehouse on the Lower East Side. The courts dismissed plaintiffs' fair share allegations in six of the

ten suits dealing with applicability issues, three cases are pending, and one was settled when the city chose another use for the domestic violence facility.

Only two cases have thus far challenged the way in which the city conducted the fair share analysis. Both involved actions that were subject to ULURP. The first, Silver v. Dinkins, challenged the city's selection of Piers 35-36 in Community District 3 Manhattan for a multi-agency garage and maintenance facility (primarily a Department of Sanitation garage for Community Districts 3 and 6). The lower court ruling, upheld by the Court of Appeals, found the site selection invalid because of a failure to conduct "meaningful" analysis of the fair share criteria. The court cited specific shortcomings in the sponsoring agency's fair share analyses of alternate sites, compatibility of the proposed use with existing facilities in its immediate vicinity, and the effects of any concentration of city and non-city facilities on neighborhood character. Although the court appears to have confused sections 4.1(a) and 4.1(b) of the criteria and disregarded the extent to which cost and time constraints may be properly considered in weighing siting decisions, it is clear that the criteria, or the guidelines for applying them, need to be amplified and clarified to eliminate ambiguities and to avoid similar problems in the future.

The second case challenging compliance with the criteria, Turtle Bay Association v. Dinkins, involved the establishment of a 150-bed residential treatment program for mentally ill homeless women on East 45th Street in Community District 6 Manhattan. Plaintiffs alleged that the city had not properly considered alternate sites pursuant to fair share requirements. In dismissing this case, the court found no "egregious" violation or "flagrant disregard" of the fair share criteria. The court determined that the appropriate standard is whether there has been "substantial" compliance with criteria that are essentially permissive in nature. The lower court's decision has been affirmed by the Appellate Court.

A subsequent lawsuit involving the East 45th Street facility alleged that the city violated fair share by failing to inform the Community Advisory Committee that the RFP for operation of the facility stated that one element of the program was contingent on financing. Finding "a flagrant disregard for the Fair Share criteria...contrary to the concept of a participatory democracy", the court granted a permanent injunction which the city is likely to appeal.

AN ASSESSMENT: HAS FAIR SHARE BEEN EFFECTIVE?

The opening statement of purpose and goals in the *Criteria for the Location of City Facilities* sets forth eight objectives the City Planning Commission hoped to accomplish. These can be consolidated into four key goals for purposes of evaluating the effectiveness of fair share:

- Equitable distribution of city facilities by avoiding undue concentrations of facilities that may negatively affect neighborhood character;
- Open and early consultation with affected communities during the siting process;
- Sound planning practices including heightened attention to impacts of facilities on neighborhoods and to the relative needs among communities for the services provided; and
- Efficient, cost-effective implementation of siting plans and delivery of needed services by city agencies.

As shown in the following assessment, the city has been more successful in achieving some of these goals than others. Overall, the fair share process is neither an unqualified success nor a total failure at this stage in its evolution.

Equitable Distribution

There is little evidence that fair share has promoted wider dispersion of unpopular city facilities. A review of facilities sited under fair share reveals, for example, that most new residential facilities continue to be sited in the boroughs and community districts with relatively high numbers of existing residential beds. There are many possible reasons for concentrations of these facilities in certain communities: the traditions or preferences of non-profit providers; the availability of appropriate or affordable building stock; the dramatic increase in needs for community-based services; and, some would claim, the inclination of government and non-profits to take advantage of communities that have historically offered little opposition compared to others.

However, experience has not borne out the underlying premise of the Charter -- that the availability of city-owned property is the determining factor in siting residential facilities. Many, if not most, of the residential facilities sited under fair share are located in privately owned property.

Moreover, as a result of fair share, agencies tend to be more sensitive to the effects of facility concentrations on neighborhoods by virtue of the required consideration of the range of facilities within one-half mile of the proposed site. In some cases, local area analysis leads to a reasonable conclusion that the area does not have a concentration of similar facilities or that the proposed site would not exacerbate an existing concentration of facilities with adverse neighborhood impacts.

In the example of a DHS contract for a new transitional homeless housing facility on the Lower East Side -- an area with one of the highest concentrations of residential facilities in the city -- the fair share analysis made a convincing case that the addition of the facility would have a positive effect on the neighborhood. In this instance, a not-for-profit agency was to reduce the capacity of an existing commercial SRO by two-thirds and provide improved support services for the residents and improved security for the neighborhood.

Agencies that incorporate consideration of key fair share provisions in their RFPs for contract services (e.g., HRA, DJJ, DHS) are also alerted early to potential concentration or compatibility issues.

The city's one major attempt to more widely distribute homeless shelters was a well publicized failure. The 1991 plan to site 24 small residential facilities for homeless adults exempted the 20 community districts with the highest concentrations of existing residential facilities -- which together have more than three-quarters of the city's shelter beds. This was a policy decision in the spirit of fair share but not mandated by fair share. Opposition to many of the sites proposed was fierce. Some sites offered for public discussion were clearly unsuitable, which tended to tarnish all of them. More important, at the time the plan was released, the New York City Commission on Homelessness was about to recommend that non-profits, not the city, take responsibility for siting and operating new homeless facilities. As a result, the plan was withdrawn.

With respect to infrastructure facilities, the city's original sludge management plan attempted to follow fair share principles by proposing a site in each borough and avoiding the most concentrated areas (e.g., Greenpoint). However, the plan is not likely to be implemented. Local opposition to the site in Brooklyn caused the previous administration to withdraw the application before it reached the City Council. The city may no longer need that sludge plant as well as those approved for Queens and Staten Island as result of new findings that it would be more cost-effective to ship dewatered sludge out-of-state for beneficial reuse.

Community Consultation

By and large, the procedures for public participation spelled out in the charter and criteria have been the most successful aspect of fair share, worth nurturing and reinforcing. The agencies that consistently notify affected borough presidents and boards early, share information openly and are responsive to their concerns tend to build support for their sites or find more acceptable alternatives. Even when they meet strong opposition, their openness lends credibility to future efforts.

A successful collaborative approach is exemplified by the recent Department of Sanitation proposal to temporarily relocate the garage for Manhattan Community District 6 to a site in Community District 4. The garage had been slated for Piers 35-36 and must be moved from its present location to permit the rehabilitation of the Williamsburg Bridge. DOS and the Mayor's office worked cooperatively with the Manhattan Borough President and Community Board 4, resulting in consensus on a site. In the words of the Borough President, the Board's receptivity "was due, in large part, to the City's willingness to engage in meaningful dialogue with the Board and the City's commitment to address some of the community's concerns." The involvement of the Mayor's office was critical to the success of this siting plan. Although DOS has consistently shared information on all its proposals with affected communities, only the Mayor's office was in a position to resolve community concerns.

The Department of Juvenile Justice has met with similar success for some of its facilities as a result of the agency's readiness to attend community board hearings on the statement of needs and to follow up with specific facility plans. DJJ found that the

opportunity to explain its program made people more comfortable with it and allowed the agency to get to know the community, make connections and spot potential issues.

A community's willingness to work with service providers can also help ensure that its concerns are addressed once the facility is in place. For example, a shelter for homeless families in Briarwood, Queens was approved (before enactment of fair share) in the face of bitter neighborhood opposition. After spending \$92,000 to fight the shelter, and losing on appeal, neighborhood residents began to get involved in the project's design and programming even before it opened in the fall of 1992. Seeking to peacefully integrate the shelter and its residents into the community, neighbors offered recommendations for social and educational programs and volunteered to staff them. Although it may be too soon to declare success, there have been no major problems thus far.⁶

The statement of needs process, despite continuing complaints about its implementation, has shown improvement in some respects. Some community boards are becoming constructively involved and a growing number of agencies are responding in kind. When the first two statements were issued in 1990 and 1991, fewer than half the boards submitted comments, and many were clearly at a loss as to how to respond to proposals that were not site-specific. With the help of the borough presidents and outreach by City Planning, more boards are developing effective approaches to the statement of needs, asking agencies appropriate questions, indicating their receptivity or objections to projects that could be sited in their districts and sometimes outlining the conditions for approval. This year, 40 boards held public hearings and commented on the statement, 16 of them for the fifth year in a row. Even so, a number of boards continue to find the statement of needs process a frustrating waste of their scarce resources and ask only that agencies keep them informed should sites in their districts be identified.

Most agencies with active proposals send staff to community board public hearings upon request. Agencies are also instructed by the Deputy Mayor for Operations to respond in writing to community board and borough president comments on the statement as appropriate. In addition, the Department of City Planning has been circulating names

⁶ New York Times, "Shelter Foes Reorganize as Helpers." March 24, 1993.

of agency contacts to help borough presidents and boards maintain year-round contact with agencies on proposals of interest to them. This is particularly important when a proposal is in the earliest stages of planning and little definitive information is available at the time the statement of needs is issued.

When the criteria were adopted, the timing of the Article 9 statement for contract facilities was left open. As a result, an agency's consideration of the fair share criteria often was not shared with affected elected officials and community boards until after the contract had been approved. In response to public concern, the Mayor's Office of Contracts issued guidelines in 1993 which spell out required procedures for integrating the fair share and procurement processes. With respect to the timing of the Article 9 statement, the guidelines state that it

must be finalized and submitted... no later than 10 days PRIOR to the scheduled contract public hearing date. In addition, the Article 9 Statement is to be available at the Agency for inspection by the public 10 days prior to the contract public hearing, along with the draft contract or extract.... This will ensure that the information the Agency has used in its siting considerations is available to the public when they comment on the proposed contract. While requiring completion and submission of the Article 9 Statement before the public hearing is held may sometimes increase the lead time prior to the hearing, it is important in order to allow for meaningful comment at the public hearing.⁷

The statement must be submitted to the Deputy Mayor for Planning, the Director of the Department of City Planning, each affected borough president, each affected community board and, as a courtesy, to the Speaker of the City Council and each affected Council member. Although communities would undoubtedly appreciate longer advance notice of the Article 9 statement, lengthening the lead time prior to the contract hearing would cause delay in the procurement process.

Although not required to do so under fair share, agencies have been preparing and disclosing Article 9 statements at the time a city loan is approved for acquisition or development of private property intended for use as a contract facility. The contract may not be awarded until several years after the loan is approved. However, disclosure

⁷ Applicable to contracts where sites subject to fair share are known before the contract is awarded.

prior to loan approval gives communities the earliest possible notice of the city's plans for the site.

The consensus building provision in the criteria (Section 6.2), intended for the most controversial proposals, was never used during the three-year period. Reasons included expense, fear of delay, lack of an agency assigned responsibility for administering the process, and the general impression that an elaborate, formal process is not needed. After the first statement of needs, the Bronx Borough President requested consensus building for several proposed projects, but most did not meet general guidelines for determining a project's suitability for a formal consensus building process (e.g., significance of potential impacts). No further requests for consensus building were made until this year.

Sound Planning

Results so far have been mixed. Some agencies have undoubtedly been prompted by the criteria to take a closer look at traditional land use concerns when selecting facility sites and to provide needs assessments that justify particular locations. For others, fair share often appears to be a perfunctory exercise after the fact.

For the most part, agencies' consideration of the fair share criteria are well reasoned, thorough and carefully documented. For those that fall short, greater clarity in the guidelines for applying the criteria would be helpful, as would periodic training workshops.

The Manhattan Borough Board's recommendation that the Department of City Planning or some other agency be designated to oversee compliance with the criteria would not necessarily promote better planning on the part of the sponsoring agencies. City Planning or other oversight agencies do not define the needs for services, select the sites to provide them, or operate the facilities once developed. A "watchdog" agency to monitor the quality of fair share analyses would not ensure that the siting agencies themselves have taken fair share considerations into account from the very start of the siting process. Nevertheless, the City Planning Commission and Department can take

greater responsibility for assuring the completeness and accuracy of fair share analyses submitted in conjunction with ULURP applications.

Facilities intended to serve the needs of local populations are generally sited in the neighborhoods with the greatest needs for those services. The Agency for Child Development, for example, prefers to target new Head Start centers to the communities with high levels of unmet need. However, some areas, such as parts of Queens with documented need for day care facilities, have not yet received new centers -- largely because qualified providers in those areas have not responded to HRA/ACD requests for proposals.

Not surprisingly, there is vigorous competition among the boroughs for agency headquarter offices and other facilities viewed as a stimulus for local economic development. However, in today's real estate market, considerations of cost and operating efficiency often outweigh the advantages of bolstering the city's regional business districts. As a result, many agency headquarters and citywide administrative offices continue to be located in Downtown Manhattan, with the exception of the 150,000 square-foot space for the Computer and Data Communications Services Agency (CDCSA) and the Police Department's 70,000 square-foot 911 center which were sited in Downtown Brooklyn last year (see Table 4 and Appendix II). While fair share ensures that agencies take a hard look at sites outside Manhattan, it cannot guarantee that those sites will be selected.

Efficient Implementation

Fair share has imposed additional regulatory costs on siting agencies in terms of increased paperwork (statement of needs submissions, fair share analyses, etc.) and staff time for community meetings. For complex or highly controversial projects, these requirements generally do not cause excessive delay. However, many small, non-controversial projects are drawn into the process, adding an unnecessary bureaucratic burden.

There is little purpose served by requiring agencies to apply fair share to projects with little or no impact, to projects where equity concerns are irrelevant, or to projects

where fair share analysis and consultation requirements merely duplicate other required procedures. In these cases, fair share becomes a meaningless exercise and a waste of time and effort.

The criteria's definition of contract facilities, for example, establishes a threshold amount of \$50,000, a sum that would barely cover the cost of two staff. That amount is unlikely to "establish" or "significantly expand" a city facility. Under the city's procurement procedures, contracts under \$100,000 do not even require a public hearing.

The locations of other projects, such as water tunnel shaft sites,⁸ rail lines or natural area parks, are determined by a pre-existing route or the particular attributes of the property. Fair distribution is an irrelevant consideration in such instances, and land use and public review concerns are addressed as part of ULURP. Similarly, 17 proposed sites for community board offices were subject to fair share since July 1991. These offices do not raise equity issues and are subject to public review under Section 195. However, Charter Section 195(c) specifically requires the Commission to apply the fair share criteria in its review of all office space applications.

⁸ The Law Department recently determined that water tunnel shaft sites are not "facilities" and therefore are not subject to fair share.

RECOMMENDATIONS FOR IMPROVING THE FACILITY SITING PROCESS

There are no simple solutions to siting locally unwanted facilities or, for that matter, fairly distributing wanted facilities. Complex forces come into play -- forces that are no less difficult to manage under the city's new fair share experiment. The experiment can nevertheless work -- as long as expectations are modest and both communities and siting agencies understand the need for accommodation to find common ground. Agencies need to acknowledge that citizens are not behaving irrationally or displaying unreasonable prejudice when they oppose a facility that may have real neighborhood impacts. On the other hand, communities must understand that facilities to care for people in need or handle our wastes must be sited somewhere, and that they can minimize adverse effects by working cooperatively with the sponsors.

The new siting process set in motion by the 1989 City Charter is continually evolving. It provided no instant panacea but is a positive step in the right direction -- toward a more open, collaborative process involving all those with a stake in the outcome. It can be improved in many respects, as proposed below, but even with the recommended changes, the process is likely to need adjustment again and again as we learn from experience.

As a start, it would be helpful to discontinue use of the term "fair share" since it generates so many unrealistic expectations. The process for siting facilities should by all means be perceived as fair, but the notion of fair share implies more than the process can deliver.

Next, the Department of City Planning can expand siting choices by advancing proposals to amend the zoning governing the location of community facilities. It can also increase the amount and utility of information made available to communities and agencies to assist in their evaluation of potential sites. The Department can also revise its guide to the *Criteria for the Location of City Facilities* to clarify interpretations and eliminate ambiguities. The administration can improve the level of coordination among city agencies and between the city and state, and it can reinforce the necessity for early notification and consultation with affected communities. Borough Presidents can coordinate a streamlined statement of needs process for community boards, and

they can play a greater role in helping to resolve thorny siting issues within their boroughs. Finally, the Mayor may consider proposing a limited set of amendments to the criteria to enhance their clarity and simplify their application.

- **Pursue zoning changes that would minimize the adverse land use impacts of community facilities without impairing their ability to deliver essential services.**

Most newly established facilities in recent years are defined under zoning as community facilities. The definition covers, for example, day care centers, libraries, senior centers, ambulatory health and mental health services, and residential facilities for people with special needs. The Zoning Resolution specifies the zoning districts in which they are permitted as-of-right -- that is, where they may be located without review by community boards, borough presidents and the City Planning Commission.

When the city's zoning was last amended comprehensively in 1961, community facility regulations were among the most liberal in the nation. Most community facilities were, and still are, permitted as-of-right in all residential districts except single-family districts, and in most commercial districts. They were also granted more generous bulk and parking controls than other uses in the same district. At the same time, most community facilities are banned from manufacturing districts. Yet the size and nature of both the social service and manufacturing sectors have changed dramatically over the past 30 years.

During the last decade alone, employment in private industrial firms fell by at least 10 percent in every borough except Staten Island. During the same period, employment in private activities classified as "community facilities" grew by one-third in all the boroughs except Manhattan, where it increased by 20 percent. The net result of these trends is that economic activity has shifted out of manufacturing areas, leaving vacant or partially occupied properties that could provide cost-effective sites for the city's expanding social service sector. Many of these light manufacturing districts abut residential districts and contain a mix of uses that could be compatible with community facilities.

In response to these changes, the Department of City Planning has recently proposed comprehensive changes in the community facility zoning regulations. As a first step, proposed amendments would ease existing restrictions in light manufacturing districts. For example, temporary residential facilities for special needs populations as well as ambulatory health facilities, libraries and child care facilities would be permitted in M1 and C8 zones. The department is drafting a zoning text amendment for consideration by community boards, borough presidents, the City Planning Commission and the City Council.

The intent of the proposal is not to isolate people with special needs in places far removed from normal community life. It would instead expand siting choices and help to relieve pressures on residential neighborhoods that already have large concentrations of facilities.

- **Strengthen and reinforce community consultation procedures.**

A number of steps can be taken to build on and solidify community consultation provisions of the criteria and statement of needs process. The Deputy Mayor for Planning and Community Relations has already begun a dialogue with city and state social service agencies in an effort to establish a uniform protocol for notifying and consulting with community groups likely to be affected by siting proposals.

Consultation procedures need not be limited to facilities subject to Sections 203 and 204 of the City Charter. While several bills in the state legislature seek to mandate a local public review procedure for state-funded facilities, it may be possible to establish a uniform, predictable process of timely notification through administrative action such as the new policy recently established by the state Office of Mental Health.

Non-profit providers of services can be directed by their city or state funding agencies to abide by a set of procedures which might include: contacting community boards and groups before final commitments are in place; disclosing, to the maximum extent feasible, the number of clients, staffing patterns and services to be provided; considering any alternative sites proposed by the community; and developing community outreach plans, including establishment of community advisory boards once the facility

is approved. (Community boards and advisory boards should also be notified well in advance of any contemplated changes in the operation of the facility, e.g., a significant change in the number or type of clients served.) Funding agencies should keep informed of the status of consultations with the community and, in cases where reasonable and well justified objections have been raised, offer to seek alternative sites.

Even when there are existing city or state procedures for notifying local elected officials and community boards of project proposals, the neighborhood groups or block associations in the immediate vicinity of the proposed site do not always get word of the plan. The Manhattan Borough Board report proposes that service providers place signs on the subject property before a community board hearing. Such a requirement could violate state and federal client confidentiality and fair housing regulations. As an alternative, the Mayor's Community Assistance Unit or the community board could provide the sponsoring agency with a list of local groups and offer to facilitate meetings with them.⁹

Finally, in discussing proposals with affected communities, sponsor agencies should make every attempt to accommodate community needs for services. Sometimes that can be accomplished by giving priority for facility services to local residents, or making space or certain programs available to neighborhood residents. Sometimes the most important community needs cannot be accommodated within the proposed facility or by the sponsoring agency if it has no jurisdiction to provide the needed service. In those cases, particularly where the proposed facility could impose a substantial burden on the host community, the Mayor's office should be involved in the discussions, as was the case with the temporary site for the District 6 sanitation garage. Participation by the Borough President and local Council members can also facilitate broad consensus.

- **Improve and streamline the Statement of Needs process.**

The requirement for an annual statement of needs places a considerable burden on the diminishing resources of siting agencies, oversight agencies, offices of the borough presidents and community boards. The benefits to all involved do not appear to justify

⁹ This offer was included in Manhattan Community Board 2's Guidelines for Siting Social Service Facilities, April 1994.

the costs incurred. The main purpose of the statement -- an early alert of potential siting needs -- can be served just as well by issuing it every other year instead of annually for a rolling two-year period. Many community boards find it frustrating to review and comment on needs that are not fully defined, subject to change and not yet site-specific. A more targeted approach to community consultation, as proposed above, may be more effective. Alternate year relief from the requirement for public hearings and written comment may be welcome, as long as agencies keep the boards and borough presidents informed of new proposals or changes affecting their districts or boroughs.

Biannual, instead of annual, publication of the Gazetteer and Atlas of City Property should not be a major issue. The IPIS database (the source for the gazetteer) is updated continuously by the Division of Real Estate Services and is available on-line to the borough presidents and community boards.

In producing the biannual statement, the Department of City Planning will increase its efforts to provide as much information as is known and relevant about facility proposals. Although the level of detail will vary depending on the complexity of the project and how far along it is in the site planning process, the statement will include locations of sites under serious consideration when that information would not compromise negotiations with private property owners. Non-mayoral agencies, such as the Board of Education, will also be asked to supply the names of agency contacts and to provide more detail on their siting plans although they are not required to do so.

Community review of the statement of needs would be less of a burden for both agencies and boards if boards were relieved of the obligation to hold a public hearing when no projects are proposed for their districts. If boards do wish to hold a public hearing, agencies should not be asked to attend unless their projects are clearly intended for those districts. The process works best when the borough president convenes a meeting at which all boards may learn about proposals affecting the borough. Agency representatives can then attend the borough meetings and only those hearings in community districts where they are actively seeking sites.

- **Revise the Guide to the Criteria for the Location of City Facilities.**

It has been more than three years since the Department issued the guide for interpreting and applying the criteria. Until such time as the criteria are amended, several sections of the guide need to be amplified and clarified to remove ambiguities and to produce more focused analyses of the criteria's key provisions -- those that deal with compatibility (4.1a), concentration (4.1b), and cost effectiveness (4.1c) which includes consideration of privately owned sites and other alternatives (see Appendix I).

Section 4.1(a): The revised guide would clarify the purpose of the compatibility analysis by focusing on a detailed map and description of all land uses, not just city and non-city facilities, within 400 feet of the proposed site, i.e., the one- or two-block area likely to be most directly affected by the facility. For example, if the proposed facility would house a drug treatment program or a use generating heavy truck traffic, the ways in which the use might affect a school, playground or retail activities within or just beyond the 400-foot radius should be discussed.

Section 4.1(b): The purpose of the concentration analysis, as distinguished from that under 4.1(a), is to assess whether adding the proposed facility to a neighborhood is likely to create or contribute to a concentration of facilities which could cause an undesirable alteration in neighborhood growth and development. The analysis requires more than a tallying of city and non-city facilities within a half-mile radius of the proposed site, since facilities serve a variety of purposes and often have very different impacts on the surrounding area. In particular, it is important to draw a distinction between existing facilities intended primarily to serve the neighborhood in which they are located, e.g., a day care center or parking garage, and those which serve a larger area and could have been located outside the neighborhood without impairing operating efficiency. Neighborhood facilities generally do not have adverse effects upon neighborhood character and do not contribute to an adverse concentration of city or non-city facilities.

Although neighborhood facilities should not be disregarded, the larger focus of analysis under 4.1(b) should be on three key questions: (1) whether the neighborhood already accommodates a large number of non-neighborhood facilities of all types, but particularly those that provide similar services, serve a similar clientele, or have

similar environmental impacts; (2) whether these non-neighborhood facilities create a concentration of city and/or non-city facilities with actual or potential adverse effects upon neighborhood character; and (3) whether siting the proposed new city facility in the neighborhood would exacerbate the effects of an existing concentration or its potential to negatively affect neighborhood character.

For residential facilities in particular, it is important to conduct the concentration analysis early in the planning process so that relative degrees of concentration among alternative sites can be assessed before a final selection is made. Although all the criteria need not be applied at this stage, knowledge of the number and types of facilities proximate to the proposed site should inform the selection process. Readily accessible data and maps of existing facilities would allow this to be done quickly and easily.

For warehouses and other light industrial uses proposed for manufacturing districts, analysis of similar uses within one-half mile is not meaningful since a concentration of such uses is expected within such districts. The 4.1(b) analysis is not needed for these facilities; the analysis should focus instead on the distribution of similar city facilities throughout the city (Section 6.1b).

Section 4.1(c): The guide should make it clear that analysis of cost-effectiveness takes into account acquisition, construction and other capital costs, as well as operating expenses. Inordinate delay in securing the site may also be a relevant factor, if the delay has bearing on either capital or operating expense. Privately owned sites must be considered unless there is a well articulated reason for not doing so. Reasons for limiting the site search to city-owned property might include a determination that acquisition costs would make the project infeasible, or that the need to comply swiftly with legal mandates or to address an imminent threat to public health or safety makes it impractical to acquire private sites.

Analysis under 4.1(c) should include discussion of the alternative city-owned and non-city sites considered. The level of detail would vary according to the circumstances. For example, less detail would be necessary for most neighborhood facilities than for regional facilities. The guide would outline the steps in the alternate site analysis, leading to a reasoned justification for finding one site more cost-effective (and, for regional facilities, more consistent with the 4.1 criteria) than others.

Other sections of the guide that should be revised include the discussion of procedures for facility closings and reductions and for incorporating the key criteria in RFPs for new or expanded facilities. The importance of timely community notification and consultation regarding facility closings needs to be emphasized since the timing of most closings means that they are rarely disclosed in the *Citywide Statement of Needs*. Although the guide presently suggests including the criteria requirements in an RFP for contract facilities, and several agencies including HRA, DHS, and DJJ have done so, the section can be amplified with sample excerpts of effective RFPs and discussion of the ways in which the criteria may be taken into account when rating proposals. For example, when reviewing more than one proposal, agencies could give preference to those sites with the least concentration of similar facilities in the surrounding area -- other screening criteria being equal.

- **Develop and maintain a consolidated and mappable database of publicly operated and funded facilities.**

Complete and up-to-date information about the location of existing facilities enables agencies and communities to assess the suitability of proposed sites that may pose compatibility or concentration issues. The *Gazetteer and Atlas of City Property* is a useful but incomplete source of information since it includes only city-owned or leased properties. The department's databases of residential facilities, hospitals and ambulatory health, mental health and substance abuse facilities do include all state-licensed programs operated by non-profits, as well as city, state or federal agencies. Its *Selected Public Facilities* database published annually in the *Community District Needs Statements* includes public and private schools and colleges, libraries, HRA day care and Head Start centers, senior centers, city parks and police and fire stations.

The department has begun to update, consolidate and expand these databases. The facilities will be geo-coded and classified according to type. Microcomputer diskettes will be made available to agencies and the public which can use mapping software to assist in facility distribution analyses. The database will be developed incrementally, starting with health, education and social service facilities and ultimately including all types of public facilities.

As part of the efforts of the Deputy Mayor for Planning and Community Relations to improve coordination among city and state social service agencies, the development of an on-line clearinghouse for information on sites under consideration is being explored. Its purpose would be to avoid situations where one agency planning a facility is unaware that another is looking at sites in the same vicinity. Issues of scope, confidentiality and resources for development and maintenance of an on-line system need to be resolved.

- **Consider selective amendments to the Criteria for the Location of City Facilities.**

The Charter allows the Mayor, after consulting with the borough presidents, to submit to the City Planning Commission proposed amendments to the criteria. Within 30 days, the Commission must publish notice of the amendments proposed by the Mayor or as proposed to be modified by the Commission. After a public hearing, the Commission may approve, modify or disapprove the amendments. Approved amendments are to be filed with the City Council.

The Mayor and Commission should consider a limited set of amendments to simplify and clarify application of the criteria. A working group of representatives from the Mayor's office, Department of City Planning, Law Department and Department of General Services could be formed to consult with interested agencies, the borough presidents and Council and to draft amendments for submission to the Mayor. The following changes should be among those considered.

The definition of city facility should be amended to increase the threshold amount for contract facilities. Now, contracts are subject to the criteria if the facility in which the contracted program is housed is "used primarily for a program or programs... which derives at least 50 percent and at least \$50,000 of its annual funding from the city." The intent was to differentiate between incidental contracted programs that are housed within non-city facilities (e.g., a city-funded preventive health program occupying a small portion of a large private hospital) and city-funded contracts that establish a "facility." However, the definition is confusing at best and entails complicated computations to determine whether the contract establishes a city facility. It is also perceived as a loophole that may allow siting proposals for programs with potentially significant neighborhood impacts to evade public scrutiny.

The contract threshold should be increased to at least \$250,000 per year to capture only those contracts that are large enough to establish a city facility. In fiscal 1994, for example, the average contract amount for HRA and DMHMRAS homeless, child welfare, day care, AIDS, mental health, mental retardation, and substance abuse services ranged from \$380,000 to more than \$1 million. Consideration should also be given to modifying the 50 percent rule, which is difficult to administer.

The criteria should also be modified to eliminate or minimize required analysis for certain facilities for which the criteria have little meaning. The criteria can be redundant or irrelevant for projects which do not raise issues of fair distribution and which undergo ULURP or Section 195 review. Examples include natural area parks, rail lines along pre-existing routes, accessory parking lots or day care play areas, and some local offices targeted to particular communities.

In general, the criteria could be tightened and reorganized to simplify their application and to better focus analysis on key criteria. The criteria are now organized according to type of facility -- local, regional, waste management, residential and office -- and contain overlapping criteria for each type. The analysis for a residential facility, for example, may have to address three slightly different criteria dealing with concentration issues. Although distinctions could still be drawn in the way the criteria are analyzed for differing types of facilities, the analyses would be more focused and worthwhile if the criteria were restructured around the principal considerations to be balanced: need, compatibility, concentration/distribution, cost-effectiveness/operational efficiency, and consistency with specific siting criteria in the statement of needs. Procedures for community consultation should be amplified where necessary and spelled out in one consolidated section.

It may also be appropriate to eliminate the criteria (6.53) calling for extra scrutiny of residential facilities proposed for community districts with a "high ratio" of facility beds to population. The community district rankings tend to foster misconceptions about "fair share" and do not, in any case, adequately address concentration issues. For example, some community districts with relatively low ratios overall contain neighborhoods with high concentrations of residential beds. The converse is also true. More focused analysis of the citywide distribution of similar facilities and of facilities within one-half mile of the proposed site would generate a more meaningful assessment of concentration factors.

CONCLUSION

Although the city's new Charter-mandated siting process is imperfect in several respects, it is a significant step in the right direction. With the course corrections proposed in this report, it may well lead to better site planning and fewer hardships on host communities. However, the city must enhance the credibility of its siting process by implementing it wisely and by operating its facilities in a way that is responsive to citizen concerns. By the same token, more communities must understand the value of working cooperatively with service providers to produce facilities that are good neighbors and that might even provide some local benefits.

APPENDIX

I. Adopted Criteria for the Location of City Facilities

II. Sample statements of need, borough president comments and siting analyses

**NYPD Public Safety Answering Center
DHS contract for Supportive SRO Facility**



CRITERIA FOR THE LOCATION OF CITY FACILITIES



**Adopted by the New York City Planning Commission
on December 3, 1990**

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PREFACE

These criteria are intended to guide the siting of city facilities, as provided by Section 203 of the City Charter. The fair distribution of city facilities will depend on balancing a number of factors, such as community needs for services, efficient and cost effective delivery of those services, effects on community stability and revitalization, and broad geographic distribution of facilities. Furthermore, these factors can be weighed more effectively, and siting decisions can be accepted more readily, when communities have been meaningfully informed and consulted early in the siting process. The intent of these guidelines is to improve, not to obstruct, the process of siting facilities.

Under the provisions of Section 204 of the Charter, the Mayor will prepare an annual Statement of Needs in accordance with these criteria. The Statement of Needs will provide early notice of facility proposals to Borough Presidents, Community Boards and the public at large. It will be accompanied by a map and text indicating the location and current use of city properties and of state and federal facilities, as designated by the Charter. This will allow the public and city agencies to assess the existing distribution of facilities and analyze factors of compatibility and concentration. Section 204 also provides procedures for public review and comment on the Statement of Needs, permits Borough Presidents to propose locations for city facilities, and requires city agencies to consider the statements that ensue from that review. Those provisions, together with these criteria, should provide a more open and systematic process for the consideration of facility sites.

The criteria will have several applications in the Section 204 proceedings. The Mayor and city agencies will use them in formulating plans for facilities. Community Boards will refer to them in commenting on the Statement of Needs, and Borough Presidents will employ them in recommending specific sites for facilities. The City Planning Commission will consider them in acting on site selection and acquisition proposals subject to the Uniform Land Use Review Procedure (ULURP) and in the review of city office sites pursuant to Section 195 of the Charter. Sponsoring agencies will also observe them in actions that do not proceed through ULURP such as city contracts, facility reductions, and closings. Although recognizing that non-city agencies are not subject to these criteria, the Commission encourages all such agencies to consider the factors identified in these criteria when they are siting facilities in this city.

Since the principles and procedures contained in these guidelines are new and untested, it is important to monitor and evaluate their effects. The Department of City Planning will undertake this evaluation and report its findings to the Commission and Mayor within twenty-four months of adoption and periodically thereafter.

ARTICLE 1. AUTHORITY

Pursuant to Section 203 of the New York City Charter, the City Planning Commission is authorized to establish criteria for the location of new city facilities, the significant expansion of existing facilities, and the closing or significant reduction in size or service capacity of existing facilities.

ARTICLE 2. PURPOSE AND GOALS

The purpose of these criteria is to foster neighborhood stability and revitalization by furthering the fair distribution among communities of city facilities. Toward this end, the city shall seek to:

- a) Site facilities equitably by balancing the considerations of community needs for services, efficient and cost-effective service delivery, and the social, economic, and environmental impacts of city facilities upon surrounding areas;
- b) Base its siting and service allocation proposals on the city's long-range policies and strategies; sound planning, zoning and budgetary principles; and local and citywide land use and service delivery plans;
- c) Expand public participation by creating an open and systematic planning process in which communities are fully informed, early in the process, of the city's specific criteria for determining the need for a facility and its proposed location, the consequences of not taking the proposed action, and the alternatives for satisfying the identified need;
- d) Foster consensus building to avoid undue delay or conflict in siting facilities providing essential city services;
- e) Plan for the fair distribution among communities of facilities providing local or neighborhood services in accordance with relative needs among communities for those services;
- f) Lessen disparities among communities in the level of responsibility each bears for facilities serving citywide or regional needs;
- g) Preserve the social fabric of the city's diverse neighborhoods by avoiding undue concentrations of institutional uses in residential areas; and
- h) Promote government accountability by fully considering all potential negative effects, mitigating them as much as possible, and monitoring neighborhood impacts of facilities once they are built.

ARTICLE 3. DEFINITIONS

For purposes of these rules, the following definitions apply.

a) City facility:¹ A facility providing city services whose location, expansion, closing² or reduction in size is subject to control and supervision by a city agency, and which is:

(i) operated by the city on property owned or leased by the city which is greater than 750 square feet in total floor area; or

(ii) used primarily for a program or programs operated pursuant to a written agreement on behalf of the city which derives at least 50 percent and at least \$50,000 of its annual funding from the city.³

b) New facility: A city facility newly established as a result of an acquisition, lease, construction, or contractual action or the substantial change in use of an existing facility.⁴

1 Only city facilities are subject to these criteria. However, the sponsoring agency and the City Planning Commission will take into account the number and proximity of all other facilities--whether private, city, state, or federal--in proposing or evaluating the location of a city facility.

2 As a matter of law, the criteria do not apply to siting of facilities by private entities, state or federal agencies, or various entities operating within the City of New York which have been established by or pursuant to state law (e.g., the School Construction Authority, the Health and Hospitals Corporation, the Housing Authority, the New York City Transit Authority, and the City University of New York). To the extent that federal, state or city laws governing the siting of such facilities provide for approvals or recommendations by the City Planning Commission, the Commission will consider these criteria in making their approvals or recommendations.

3 Any state, federal, or private funding which enters the city's treasury will be considered city funding for this purpose unless other law, regulations, conditions, or restrictions upon the funding, reserve to non-city agencies authority over facility siting.

4 Contract or lease renewals that do not substantially change the use, size or capacity of a city facility are not subject to these criteria since they do not result in the establishment of a new facility or the significant expansion or reduction of an existing facility.

c) Residential facility: A city facility with sleeping accommodations which provides temporary or transitional housing, provides for pre-trial detention or custody of sentenced inmates, or provides a significant amount of on-site support services for residents with special needs for supervision, care or treatment.⁵

d) Local or neighborhood facility: A city facility serving an area no larger than a community district or local service delivery district (pursuant to Section 2704 of the Charter), in which the majority of persons served by the facility live or work (see Attachment A).

e) Regional or citywide facility: A facility which serves two or more community districts, an entire borough, or the city as a whole and which may be located in any of several different areas consistent with the specific criteria for that facility as described in the Citywide Statement of Needs pursuant to Section 204 of the Charter (see Attachment B).

f) Significant expansion: An addition of real property by purchase, lease or interagency transfer, or construction of an enlargement, which would expand the lot area, floor area or capacity of a city facility by 25 percent or more and by at least 500 square feet. An expansion of less than 25 percent shall be deemed significant if it, together with expansions made in the prior three-year period, would expand the facility by 25 percent or more and by at least 500 square feet.

g) Significant reduction: A surrender or discontinuance of the use of real property that would reduce the size or capacity to deliver service of a city facility by 25 percent or more. A reduction of less than 25 percent shall be deemed significant if it, together with reductions made in the prior three-year period, would reduce the facility by 25 percent or more.

⁵ Application of these criteria to the siting of residential facilities shall be consistent with the federal Fair Housing Act and any other requirements of federal and state law.

ARTICLE 4. CRITERIA FOR SITING OR EXPANDING FACILITIES

The following criteria and procedures apply to the siting of all new facilities other than administrative offices and data processing facilities and the significant expansion of such facilities.

4.1 The sponsoring agency and, for actions subject to the Uniform Land Use Review Procedure (ULURP) or review pursuant to Section 195 of the Charter, the City Planning Commission, shall consider the following criteria:

- a) Compatibility of the facility with existing facilities and programs, both city and non-city, in the immediate vicinity of the site.
- b) Extent to which neighborhood character would be adversely affected by a concentration of city and/or non-city facilities.
- c) Suitability of the site to provide cost-effective delivery of the intended services. Consideration of sites shall include properties not under city ownership, unless the agency provides a written explanation of why it is not reasonable to do so in a particular instance.
- d) Consistency with the locational and other specific criteria for the facility identified in the Statement of Needs or, if the facility is not listed in the Statement, in a subsequent submission to a Borough President.
- e) Consistency with any plan adopted pursuant to Section 197-a of the Charter.

4.2 Procedures for Consultation

In formulating its facility proposals, the sponsoring agency shall:

- a) Consider the Mayor's and Borough President's strategic policy statements, the Community Board's Statement of District Needs and Budget Priorities, and any published Department of City Planning land use plan for the area.

b) Consider any comments received from the Community Boards or Borough Presidents and any alternative sites proposed by a Borough President pursuant to Section 204(f) of the Charter, as well as any comments or recommendations received in any meetings, consultations or communications with the Community Boards or Borough Presidents. If the Statement of Needs has identified the community district where a proposed facility would be sited, then, upon the written request of the affected Community Board, the sponsoring agency should attend the Board's hearing on the Statement. If the community district is later identified, then the sponsoring agency shall at that point notify the Community Board and offer to meet with the board or its designee to discuss the proposed program.

ARTICLE 5. CRITERIA FOR SITING OR EXPANDING LOCAL/ NEIGHBORHOOD FACILITIES

In addition to the criteria and procedures stated in Article 4, the following criteria and procedures apply to the siting of new local or neighborhood facilities other than administrative offices and data processing facilities, and the significant expansion of such facilities (see Attachment A).

5.1 The sponsoring agency and, for actions subject to ULURP or review pursuant to Section 195 of the Charter, the City Planning Commission, shall consider the following criteria:

a) Need for the facility or expansion in the community or local service delivery district. The sponsoring agency should prepare an analysis which identifies the conditions or characteristics that indicate need within a local area (e.g., infant mortality rates, facility utilization rates, emergency response time, parkland/population ratios) and which assesses relative needs among communities for the service provided by the facility. New or expanded facilities should, wherever possible, be located in areas with low ratios of service supply to service demand.

b) Accessibility of the site to those it is intended to serve.

5.2 A Community Board may choose to designate or establish a committee to monitor selected local facilities after siting approval pursuant to these criteria. Following site selection and approval for such a facility, the sponsoring agency and Community Board shall jointly establish a mutually acceptable procedure by which the agency periodically reports to the committee regarding the plans and procedures that may affect the compatibility of the facility with the surrounding community, and responds to community concerns.

ARTICLE 6. CRITERIA FOR SITING OR EXPANDING REGIONAL/CITYWIDE FACILITIES

In addition to the criteria and procedures stated in Article 4, the following criteria and procedures apply to the siting of new regional and citywide facilities other than administrative offices and data processing facilities, and the significant expansion of such facilities (see Attachment B).

6.1 The sponsoring agency and, for actions subject to ULURP or review pursuant to Section 195 of the Charter, the City Planning Commission, shall consider the following criteria:

a) Need for the facility or expansion. Need shall be established in a citywide or borough-wide service plan or, as applicable, by inclusion in the city's ten-year capital strategy, four-year capital program or other analyses of service needs.

b) Distribution of similar facilities throughout the city. To promote the fair geographic distribution of facilities, the sponsoring agency should examine the distribution among the boroughs of existing and proposed facilities, both city and non-city, that provide similar services, in addition to the availability of appropriately zoned sites.

c) Size of the facility. To lessen local impacts and increase broad distribution of facilities, the new facility or expansion should not exceed the minimum size necessary to achieve efficient and cost-effective delivery of services to meet existing and projected needs.

d) Adequacy of the streets and transit to handle the volume and frequency of traffic generated by the facility.

6.2 Where practicable, the Mayor may initiate and sponsor a consensus building process to determine the location of a proposed regional facility. A Borough President may submit a written request for such a process if the request is made within 90 days of publication of the Statement of Needs or, if the facility is not listed in the Statement, within 30 days of a subsequent submission to the Borough President.

In the consensus building process, representatives of affected interests will convene to assess potential sites in accordance with these criteria and the specific criteria set forth in the Statement of Needs. The participants may include but need not be limited to representatives of the Mayor, the sponsoring agency, the Borough President(s), and the affected Community Board(s). The participants may review any issue relevant to site selection under these criteria. The process shall be completed within a reasonable time period to be determined by the Mayor. If location of the facility is subject to ULURP, the process shall be completed prior to submission of a ULURP application. If the participants (including the sponsoring agency) reach consensus, the agency will submit whatever agreements were reached regarding the facility and site to the City Planning Commission

as part of its ULURP application for the site. If no such consensus is reached, the sponsoring agency may initiate ULURP, if applicable, for its proposed site.

6.3 Upon the request of the Borough President and/or Community Board, a sponsoring agency and Community Board shall establish a facility monitoring committee, or designate an existing Community Board committee, to monitor a facility following selection and approval of its site. The agency shall inform the committee of plans and procedures that may affect the compatibility of the facility with the surrounding community. Once the facility is constructed, the sponsoring agency shall meet with the committee according to a schedule established by the committee and agency to report on the status of those plans and procedures and to respond to community concerns. The committee may also submit reports to the agency head addressing outstanding issues. The agency head shall respond to the committee's report within 45 days and shall identify the actions, if any, that the agency plans in response to such concerns.

6.4 Transportation and Waste Management Facilities

Transportation and waste management facilities (see Attachment B) are subject to the following criteria in addition to those stated in Article 4 and Sections 6.1, 6.2 and 6.3.

6.41 The proposed site should be optimally located to promote effective service delivery in that any alternative site actively considered by the sponsoring agency or identified pursuant to Section 204(f) of the Charter would add significantly to the cost of constructing or operating the facility or would significantly impair effective service delivery.

6.42 In order to avoid aggregate noise, odor, or air quality impacts on adjacent residential areas, the sponsoring agency and the City Planning Commission, in its review of the proposal, shall take into consideration the number and proximity of existing city and non-city facilities, situated within approximately a one-half mile radius of the proposed site, which have similar environmental impacts.

6.5 Residential Facilities

Regional or citywide residential facilities (see Attachment B) are subject to the following criteria in addition to those stated in Article 4 and Sections 6.1, 6.2 and 6.3.

6.51 Undue concentration or clustering of city and non-city facilities providing similar services or serving a similar population should be avoided in residential areas.

6.52 Necessary support services for the facility and its residents should be available or provided.

6.53 In community districts with a high ratio⁶ of residential facility beds to population, the proposed siting shall be subject to the following additional considerations:

- a) Whether the facility, in combination with other similar city and non-city facilities within a defined area surrounding the site (approximately a half-mile radius, adjusted for significant physical boundaries), would have a significant cumulative negative impact on neighborhood character.
- b) Whether the site is well located for efficient service delivery.
- c) Whether any alternative sites actively considered by the sponsoring agency or identified pursuant to Section 204(f) of the Charter which are in community districts with lower ratios of residential facility beds to population than the citywide average would add significantly to the cost of constructing or operating the facility or would impair service delivery

To facilitate this evaluation, the Department of City Planning will publish annually an index of the number of beds per thousand population, by type of residential facility (as set forth in Appendix C) and overall, in each community district. The index will be based upon the number of beds in all city, state, federal, and private facilities in operation or approved for operation.

ARTICLE 7. CRITERIA FOR SITING OR EXPANDING ADMINISTRATIVE OFFICES AND DATA PROCESSING FACILITIES

The following criteria apply to the siting of new city administrative offices and data processing facilities and the significant expansion of such facilities, pursuant to Section 195 of the City Charter.

7.1 The sponsoring agency and the City Planning Commission shall consider the following criteria:

- a) Suitability of the site to provide cost-effective operations.
- b) Suitability of the site for operational efficiency, taking into consideration its accessibility to staff, the public, and/or other sectors of city government.
- c) Consistency with the locational and other specific criteria for the facility stated in the Statement of Needs.
- d) Whether the facility can be located so as to support development and revitalization of the city's regional business districts without constraining operational efficiency.

⁶ In general, the twenty community districts with the highest ratios of facility beds to population, by type of residential facility, will be considered to have a high ratio for that type.

ARTICLE 8. CRITERIA FOR CLOSING OR REDUCING FACILITIES

The following criteria and procedures apply to the closing of existing facilities and the significant reduction in size or capacity to deliver service of existing facilities.

8.1 The sponsoring agency shall consider the following criteria:

a) The extent to which the closing or reduction would create or significantly increase any existing imbalance among communities of service levels relative to need. Wherever possible, such actions should be proposed for areas with high ratios of service supply to service demand.

b) Consistency with the specific criteria for selecting the facility for closure or reduction as identified in the Statement of Needs.

8.2 In proposing facility closings or reductions, the sponsoring agency shall consult with the affected Community Board(s) and Borough President about the alternatives within the district or borough, if any, for achieving the planned reduction and the measures to be taken to ensure adequate levels of service.

ARTICLE 9. ACTIONS NOT SUBJECT TO THE UNIFORM LAND USE REVIEW PROCEDURE OR SECTION 195

9.1 Whenever an agency takes an action with respect to a city facility that is subject to these criteria but is not subject to ULURP or to Charter Section 195 review, the agency shall submit a statement to the Mayor, with copies to the affected Community Board(s), Borough President and Department of City Planning, which describes the agency's consideration and application of the relevant sections of these criteria, and states the reasons for any inconsistencies.

Attachment A Local/Neighborhood Facilities*

Branch libraries
Community cultural programs
Community health/mental health services
Community-based social programs
Day care centers
Drop-off recycling centers
Employment centers
Fire stations
Local, non-residential drug prevention and/or treatment centers
Local parks
Parking lots/garages
Police precincts
Sanitation garages
Senior centers

*List is illustrative and should not be considered to include all such facilities.

Attachment B Regional/Citywide Facilities *

Administrative offices
Courts
Data processing facilities
Department of Health centers
Income maintenance centers
Maintenance/storage facilities
Museums, zoos, performance centers, galleries and gardens
Regional, non-residential drug prevention and/or treatment centers
Regional parks

Transportation and Waste Management Facilities:

Airports, heliports
Ferry terminals
Sewage treatment plants
Sludge management and transfer facilities
Solid waste transfer and recycling facilities
Solid waste landfills
Solid waste incinerators, resource recovery plants

Residential Facilities:

Group homes/halfway houses
Hospices
Nursing homes/health-related facilities
Prisons, jails, detention, remand facilities
Residential facilities for children
Residential substance abuse facilities
Secure and non-secure detention facilities for children
Supported housing for people with mental health or physical problems
Temporary housing
Transitional housing

*List is illustrative and may not include all such facilities.

Attachment C Types of Residential Facilities (as referenced in Section 6.53)*

a) Correctional facilities, including prisons, jails, detention and re-mand facilities, and secure detention for children

b) Nursing homes and health-related facilities, including hospices

c) Small residential care facilities and temporary housing facilities, serving no more than 25 people, including group homes, halfway houses, residential facilities for children, residential substance abuse and mental health/retardation facilities, supported housing, shelters, temporary and transitional housing, non-secure detention for children

d) Large temporary and transitional housing facilities, providing shelter or transitional housing for more than 25 people

e) Large residential care facilities, serving more than 25 people, including halfway houses, residential facilities for children, homes for adults, residential substance abuse and mental health/retardation facilities, supported housing, psychiatric centers

*Lists by type are illustrative and should not be considered to include all such facilities.

CITYWIDE STATEMENT OF NEEDS FOR FISCAL YEARS 1993-1994

AGENCY	Police Department (NYPD)
PROPOSAL	Public Safety Answering Center and Back-up Center
AREA SERVED	Citywide
PUBLIC PURPOSE	<p>The Police Department is proposing to replace the Emergency "911" System with a modern efficient, state-of-art Public Safety Answering Center (PSAC) which will serve as the central answering point for all emergency services.</p> <p>The current center, which has been in service for 18 years, is inadequate to meet the future needs of the system. There is no room for expansion at the current location. As a result of previous growth in capacity and manpower, personnel are required to perform their duties in an overcrowded environment.</p> <p>It is necessary to replace the existing facility without discontinuing service, as this is the City's only facility for processing requests for emergency services.</p> <p>A parallel back-up center for the enhanced 911 system will also be necessary in case a natural or man made disaster incapacitates the main PSAC. The PSAC and the backup PSAC must be large enough to efficiently house the 916 staff currently deployed at the existing location and leave sufficient room for anticipated expansion needs. The center will operate 24 hours per day, 365 days per year. Presently the center processes 8.9 million calls for assistance per year resulting in 3.9 million radio dispatches per year.</p> <p>Currently, back-up centers exist in each of the five boroughs and are located in precinct station houses.</p>
SIZE	45,000 square feet each for center and for back-up facility
LOCATION	Undetermined
SITING CRITERIA	<p>Close proximity to necessary infrastructure</p> <p>Good access to public transportation and arterial highways</p> <p>Sufficient building height to support microwave transmissions</p> <p>Raised flooring necessary for computer cables</p> <p>Sufficient HVAC and electrical power supply to support new centers</p> <p>Must be isolated from general public and have adequate security</p> <p>For main center, reasonable proximity to Police Plaza allowing for linkage to existing communications network</p>

**EXCERPTED FROM BROOKLYN BOROUGH PRESIDENT COMMENTS ON
FY 1993-94 CITYWIDE STATEMENT OF NEEDS**

Police Department

- Increased police patrol strength is an important and needed City commitment. However, I believe the City should recognize that even at present staffing levels the police and civilian vehicles at and around the precinct houses often result in double parking, sidewalk parking, blocked driveways, etc. The City should recognize, and the Statement of Needs should document, an effort to obtain off-street secure parking facilities citywide at police stationhouses. This will be especially necessary to accommodate the increased stationhouse population.
- My statements regarding the DOT and TLC tow pound facilities contained in my attached letter of December 5, 1991 are also applicable to the Police Department auto pound.
- I believe that Downtown Brooklyn can serve as an ideal location for the proposed Police Department Public Safety Answering Center and Back-up Center.
- The 66th Precinct house at 5822 16th Avenue is severely overcrowded, lacking in facilities and in need of replacement. A new site has been identified on 14th Avenue and the construction of a new 66th Precinct house should go forward within the next two fiscal years. This facility should be listed in the Statement of Needs.

Notice of Intent to Acquire Office Space
11 Metrotech Center, Brooklyn
NYC Police Department, Public Safety Answering Center
(Emergency 911)

FUNCTIONS TO BE PERFORMED AT THE SITE

The mission of the New York City Police Department (NYCPD), Communications Division is to provide and support a telephone and radio communications system for the delivery of emergency services (Emergency 911) to people in the City of New York.

The NYPD has provided Emergency 911 response to the city since the inception of that service in April 1968. The current Public Safety Answering Center (PSAC) at One Police Plaza was opened in June 1973.

The primary responsibility of the Division is to service emergency calls from the public for police, fire and medical assistance by dispatching the appropriate resources in a prompt, effective and efficient manner. In addition, the Division provides the following services to the public and the NYCPD: staffing several hot-lines to services specific reports of criminal acts in the area of narcotics (KRAK Hotline), and criminal mischief (Graffiti Hotline), notifies authorized towing companies for response to vehicle collisions occurring on the City streets (Directed Accident Response Program - DARP), oversees the assignment of authorized tows to bridges, tunnels, highways and limited access roads, oversees programs dealing with chronic alarm abusers and the servicing of low priority incidents via the Precinct Activated Response (PAR), are other areas requiring specially trained operators, staffs the FINEST system (General Administrative Information), TDD for the hearing impaired, the alarm board (NYCPD Office and Plant Security), specialized clerical duties (NYCPD funeral arrangements, Coles directory information, NYNEX liaison, etc.) and headquarters switchboard functions are performed by Communications Section personnel.

NUMBER OF EMPLOYEES TO BE LOCATED AT THE SITE

The proposed site will house a total of 750 full time employees over a seven day work week/twenty four hours per day (three shift daily cycle).

These employees will be 10% uniform police officers and 90% civilian members of the NYCPD. The civilian and uniform breakout of supervisors to workers is about one to ten.

REASON FOR MOVING

The present Police Department emergency communication center including the City's Public Safety Answering Center (PSAC) was established in 1973; it processed 6.9 million calls that year. It is located at One Police Plaza. Various equipment/system upgrades and enhancements have been put in place. These interim steps have enabled the NYCPD to continue to fulfill its emergency communication responsibilities to the present, however, even a casual examination of the current PSAC facility and systems reveals that it suffers fundamental problems no longer amenable to "interim step" fixes. The system is driven by the number of 911 calls offered (NCO). The NCO has increased by an average of 4.1 percent annually since 1982; there is nothing concrete to suggest that this trend will change in the near future. This growth in demand has created severe overcrowding of the current PSAC's communication systems and physical plant.

In addition, the technology is seriously outmoded, e.g. the current computer aided dispatch (CAD) is not compatible with Enhanced Emergency 911 automatic number identification (ANI) and auto location identification (ALI).

NYCPD 911 PSAC

RESPONSE TO CRITERIA FOR LOCATION OF CITY FACILITIES

7.1a SUITABILITY OF THE SITE TO PROVIDE COST EFFECTIVE OPERATIONS

The proposed site will be especially advantageous for the location of the Emergency 911 function. The building systems and level of redundancy which were planned by the co-located Computer and Data Communications Services Agency (CDCSA) are a hand-in-glove fit for Emergency 911 facility and system needs. The fact that these systems and their level of redundancy does not have to be duplicated at another site saves considerable time and money for the City.

The proposed site will house the data center and technical infrastructure; the network and data center operations; software development and technical services; client services; and administrative and executive functions.

The proposed site is located in Metrotech Center in downtown Brooklyn, accessible to various forms of public transportation and arterial highways.

Metrotech Center is ideally designed for large scale high tech service operations such as the Public Safety Answering Center (PSAC). This development includes major private sector operations of a similar technical nature including Securities Industries Automation Corporation's (SIAC) main data center operation, Brooklyn Union Gas, the Board of Education's Data Center and Chase Manhattan Bank's central data center operations. A premier technical college is located on the site and a technical high school emphasizing electronics is located near by.

The proposed site will provide the NYPCD with high quality, very reliable and disruption resistant automation support services. 11 Metrotech Center is a new building which will be optimized for data center and telecommunications uses in a number of ways:

- o The building will provide highly reliable, isolated power service.
- o Power supply will be backed up through uninterruptable power supplies, batteries, and diesel generators for all power requirements necessary to continue full operations in spite of any full or partial Con Ed power failure whether locally isolated or affecting wide areas.
- o The building will provide a high level of security to ensure that center operations, City assets, data and support staff are protected against interference, vandalism and/or acts of terrorism.
- o The proposed facility is co-located with a number of other high tech operations, many of which also are intended to provide disaster resistant 24 hour, 7 day per week services. This concentration of high tech, similar usage ensures the availability of high quality, economical support services such as hardware and software maintenance suppliers, parts depots and other necessary round the clock support.
- o The Metrotech Center is already serviced by multiple vendors of high tech telecommunications facilities, thus ensuring the availability of multiple sources of high tech communications products and services without extraordinary cost to bring such services to an otherwise unsupported location.
- o The proposed site is immediately adjacent to a major public transportation hub resulting in the majority of travel by staff and visitors to and from the center within a one fare zone. Additionally, up to 157 parking spaces contained within the 11 Metrotech garage will be dedicated for NYPCD and CDCSA use.

- o Cost effective operations are currently seriously hampered by the size, layout and lack of sufficient infrastructure support at the existing site. The proposed site will allow the City the freedom to pursue the most effective technical solutions without the artificial constraints of an inadequate (size) site.

The proposed site will be equipped with modern office accommodations for staff and is fully handicapped accessible.

7.1b Suitability Of The Site For Operational Efficiency

1. The design of the Emergency 911 center installation and supporting infrastructure will provide an optimally efficient floor layout highly suitable for large scale data processing and telecommunications operations including Computer Assisted Dispatch. Larger than typical column spacing, side core (as opposed to central core) services and close proximity of raised floor facilities to roof mounted electrical and HVAC support systems, will all contribute to highly efficient space utilization patterns, data center equipment layouts, security zone control and adaptability to future developing technical requirements. All of these attributes will contribute greatly to current and future operational efficiency of the proposed facility.
2. The proposed location will provide cost-effective operations by providing large, contiguous spaces within which individual units' offices will be configured to maximize space utilization, sharing of resources, centralization of support services, security administration, meeting facilities for internal and external staff needs and technical training facilities.
3. The location of this site will contribute to operational efficiency due to the ready availability of high tech maintenance and support services already provided to other high tech tenants at Metrotech. Emergency 911 requires and currently consumes such services on a 24 hours a day 7 days a week basis. The availability of service and parts from the local area is an important contributing factor. The immediate availability of multiple sources of public transportation will assist service providers in traveling to the site with minimal time delay.
4. The proposed site, which provides optimal support of a high tech data center operation, will enable NYCPD to pursue the most cost effective and operationally effective technical solutions to New York City's Emergency 911 center and network operational needs, fully supported by a facility designed specifically for this purpose.
5. The proposed site affords access for the staff and other client agency personnel via a substantial number of bus and subway lines. The site is located within 3 blocks of bus stops of the #s 15,26,37,54,61,67 and 75. The site is additionally served by subway lines including the #s 2,3,4, and 5 and the B,D,Q,M,N,R,A,C and F. The subway lines all have stops within 3 blocks of the proposed site. The site is also located near several major local streets and highways including the Brooklyn Queens Expressway for vehicular access.
6. Administrative aspects of the operation of NYCPD require transportation to and from City Hall, Police headquarters, the Municipal Building, the Offices of Operations, OMB, Labor Relations and the Department of Personnel on a frequent and recurring basis. The proposed site affords substantial operational efficiencies due to its close proximity to downtown Manhattan and downtown Brooklyn, and the central government organizations.

Located in downtown Brooklyn, the proposed site is within walking distance to restaurants and a wide variety of retail and other consumer service establishments.

7.1c Consistency With The Location And Other Specific Criteria Stated In The Statement Of Needs

The proposed location accommodates all of the siting criteria identified in NYCPD's fiscal year 94-95 Statement of Needs: (See attached page 82)

1.) Close proximity to necessary infrastructure

The proposed site will provide appropriate utility services including power as well as facilities for uninterruptable power supply (UPS), and back up diesel generators. The site is in close proximity to major roadways including the Brooklyn Queens Expressway and public transit including a variety of bus and subway lines.

2.) Good access to public transportation and arterial highways

The proposed location facilitates the use of public transportation. The site is located within 3 blocks of bus stops for the #s 15,26,37,54,61,67 and 75. The site is additionally served by subway lines including the #s 2,3,4, and 5 and the B,D,Q,M,N,R,A,C and F. The subway lines all have stops within 3 blocks of the proposed site. The site is located near several major roadways including the Brooklyn Queens Expressway for vehicular access.

3.) Sufficient building height to support microwave transmissions

The microwave transmission facility located at 11 Metrotech Center (350', 25 stories) provides appropriate transmission capability for the NYCPD Emergency 911 services which will be located within the complex at 11 Metrotech Center.

4.) Raised flooring necessary for computer cables

The proposed building will provide appropriate slab to slab clearance for raised flooring and other computer and telecommunications operations needs.

5.) Sufficient HVAC and electrical power supply to support new center

11 Metrotech Center will have a modern HVAC installation designed to meet the specific needs of the proposed users. Additionally, power supply sources will be sufficient to meet current and anticipated demand and the building will be provided with facilities for uninterruptable power supply including back up generators.

6.) Must be isolated from the general public and have adequate security

The proposed site will include specific design elements intended to provide multiple tiered security support facilities including computer monitored sensors, access control equipment and video camera surveillance.

7.) For main center, reasonable proximity to Police Plaza allowing linkage to existing communications network

The proposed site is reasonably close (short commuting time) to Police Plaza. Further, the new facility may be efficiently linked to the existing and proposed communications network.

7.1d Whether The Facility Can Be Located So As To Support Development And Revitalization Of The City's Regional Business Districts Without Constraining Operational Efficiency

11 Metrotech Center is located within the downtown Brooklyn Regional business district.

Citywide Statement of Needs for Fiscal Years 1995-1996

AGENCY	Department of Homeless Services (DHS)
PROPOSAL	New Supportive Single-Room Occupancy Facilities
AREA SERVED	Citywide
PUBLIC PURPOSE	<p>The Department of Homeless Services proposes the development of new supportive SRO housing facilities. This development will occur through non-profit acquisition and development of properties, or new construction or rehabilitation of city-owned buildings undertaken by the city. The city will contract with not-for-profit facility operators to provide appropriate services to facility residents.</p> <p>Supportive SRO's are the critical last phase of the service continuum for homeless individuals. They provide permanent housing for formerly homeless persons and those who are otherwise "housing needy." The social services offered vary according to resident population needs. All facilities provide case management services to link residents with appropriate entitlements and community services. Many also provide other on-site services, including treatment or care for mental illness and/or AIDS.</p> <p>Some of the proposed SROs would belong to a new category of convertible SRO housing for mentally ill persons. The convertible housing will allow residents to move from the streets to permanent housing in three stages -- reception, transitional housing and permanent housing -- all of which will take place in the same building. Movement from phase to phase will be based on client readiness. Over time, vacancies will be made available to people from the community surrounding the facility, who are in need of housing but do not necessarily have special needs.</p> <p>Revised referral requirements target 40 percent of permanent housing units in Supportive SRO's for persons in the neighboring community who are at risk of homelessness. In addition, priority for placement will be given to successful graduates from various independent living, mental health and substance abuse programs in the shelter system. Referrals from similar outreach and drop-in center programs will also be given priority. The goal of DHS is to achieve a balanced mix of tenants to maximize benefits to facility residents and neighbors.</p> <p>The facilities proposed here are in addition to approximately 2,300 units of supportive SRO housing to be completed in 25 projects in fiscal years 1993 and 1994, which were described in HRA's proposals in the Citywide Statement of Needs for FY 92/93 and FY 93/94.</p>
SIZE	Varies by project with new development under 200 units
LOCATION	All boroughs
SITING CRITERIA	<p>Availability of land and/or buildings suitable for conversion to SRO units</p> <p>Minimal concentration of residential facilities in surrounding neighborhood</p> <p>Cost of development</p> <p>Access to public transportation, and health and social service facilities</p>

**EXCERPTED FROM MANHATTAN BOROUGH PRESIDENT COMMENTS ON
FY 1995-96 CITYWIDE STATEMENT OF NEEDS**

New Supportive Single Room Occupancy Facilities:

This is a proposal favored by many of the Manhattan Community Boards. Community Board 2, which strongly encouraged the development of permanent SRO housing with on-site social services components, states that this is a major priority for its area. Board 11 also offered a supportive resolution. Board 5 is supportive of such housing within its district and throughout the city, but cautions that no one community should be asked to shoulder the burden of providing this type of housing.

DHS should build on this receptivity on the part of communities. A meaningful dialogue with Community Boards can result in appropriate siting and management as DHS successfully addresses the need for housing for single homeless individuals. To further aid this process, the Borough President suggests the following principles:

- **Community Boards should be made significant participants in identifying sites. Many times, the local Community Board is the best resource for identifying available and suitable property within its area. The local Community Board is also useful in helping agencies determine the best approach to siting facilities within the district. It is able to articulate the community's concerns, as well as act as an intermediary between agencies and neighborhoods.**
- **A significant percentage of these units should be reserved for homeless persons with some attachment -- including "street residence" -- to the local communities. Many times, an agency can gain more support for its proposals when there is a clear demonstration to a community that its own needs will be met as a result of hosting a citywide facility. Often, when facilities are to serve a citywide population, they are resisted by the local communities because of a basic distrust of the City's motives. Some communities feel that the City is using the situation as an opportunity to shift populations from one area to another because land is cheaper or more available. However, when the City is able to demonstrate that there can be real benefits to the local community, such as alleviating homelessness in their own backyard, this goes a long way to establishing community support.**



The City of New York
Department of Homeless Services

161 William Street
New York, NY 10038
(212) 788-9446 Fax: (212) 788-9908

Joan Malin
Acting Commissioner

February 3, 1994

Honorable Rudolph Giuliani
Mayor
City Hall
New York, NY 10007

Dear Mayor Giuliani:

The Department of Homeless Services is proposing to award a contract to BRC Human Services Corp. which will result in the establishment of a new transitional facility for homeless individuals at 317 Bowery in Manhattan Community District (CD) 3. In the selection of this site, the Department of Homeless Services (DHS) considered such factors as the balance between service need, the extent of community support, cost-effective delivery of services, effects on neighborhood character, and an equitable distribution of similar facilities. This statement records our consideration and application of the Criteria for the Location of City Facilities (the Fair Share Criteria), as required by Article 9 of the Criteria.

Project Description

BRC Human Services Corporation was founded in 1970 and incorporated in 1973 as the Bowery Residents' Committee to help homeless alcoholic men living on the Bowery. At its inception, BRC dedicated itself to providing alcoholism social rehabilitation services to the homeless. Later, as the nature of homelessness changed, BRC created mental health treatment programs, outreach and case management services to homeless seniors, and housing facilities -- all in an effort to help the homeless. Today, BRC is one of the largest social service agencies dedicated to housing and supporting New York City's homeless as they work to recover their lives.

BRC proposes to develop four floors of the Palace Hotel at 317 Bowery for use as a transitional housing program for up to 75 single adults. The program will admit elderly, mentally ill, addicted, and HIV-infected and other medically frail single adults, in accordance with New York State Department of Social Services (DSS) regulations. Residents will receive mental health, alcoholism, and health care from BRC programs located next door at 313 Bowery and at nearby 191 Chrystie Street. Food, laundry, and

clothing services will also be provided at the facility.

Clients will be admitted to the transitional housing program in accordance with State DSS regulations and Department of Homeless Services guidelines. Within 24 hours of admission, each client will be interviewed to determine his/her immediate needs. Clients will also be medically and psychiatrically assessed. Those with acute medical conditions or who require in-patient medical and/or psychiatric care will be referred to local hospitals. Clients with active substance abuse problems will be referred to detoxification programs and those actively using alcohol will be referred to BRC's Alcohol Crisis Center for detoxification. Clients may return to the transitional housing program upon completion of their detoxification program, if beds are available.

The transitional housing program will be staffed by a multi-disciplinary team, including a Program Director, Program Coordinator, Substance Abuse Counselors, Case Managers, a nurse, food service workers and security personnel.

Fair Share Analysis

The analysis below describes DHS' consideration of the fair share criteria applicable to the selection of this site.

Article 4: Criteria for Siting or Expanding Facilities

4.1(a) Compatibility of the facility with existing facilities and programs in the immediate vicinity of the site.

An examination of the FY 1994 Statement of District Needs for Manhattan Community Districts 3 and 2, the 1993 Residential Facilities and 1992 Ambulatory Program indices, the 1992 Gazetteer of City-Owned Property, and a field survey of the immediate vicinity (within a 400-foot radius) of the site reveals a mix of uses. The uses in the area include a variety of office, commercial, and manufacturing uses as well as a variety of residential buildings. The site is currently zoned for use as a 224-unit commercial lodging house.

As Map 1 indicates, within 400 feet of the proposed site, there is a municipal parking area and a short-term lease facility controlled by HPD for the Cooper Square URA at the corners of East 1st Street and Bowery and two Large Temporary/Transitional Housing facilities for homeless men. The 8 East 3rd Street facility is a 240-bed specialized alcoholism program operated by the Manhattan Bowery Corporation. The Kenton Men's Shelter is a 95-bed facility now operated by DHS; however, Manhattan Bowery Corporation is also expected to assume the operation of the Kenton later this year. The services proposed for this site, including case management, counseling, and assistance in obtaining permanent housing placements will be provided primarily on-site at the facility. As

such, the program is expected to be compatible with the activities of the local facilities within a 400-foot radius.

This will be a community-based program which proposes to be better operated and serve significantly fewer people than were it to remain a commercial lodging house. Therefore, the proposed facility is expected to be compatible with the existing facilities and programs in its immediate vicinity.

4.1(b) Extent to which neighborhood character would be adversely affected by a concentration of city and/or non-city facilities.

The proposed transitional facility for adults is located in the Lower East Side of Manhattan in Community District 3, and at the eastern border of Community District 2. The program will be located in the north building of the Palace Hotel (buildings 313, 315, and 317 Bowery) which is an existing, half-vacant lodging house. The surrounding neighborhood is a broadly mixed-use area, with low- to high-density residential buildings as well as buildings with a wide variety of commercial and manufacturing uses.

To determine whether the establishment of this transitional program for adults would create or contribute to a concentration of facilities, DHS reviewed the FY 1994 Statement of District Needs for Community Districts 3 and 2 in Manhattan, the 1993 Residential Facilities and 1992 Ambulatory Program indices, the 1992 Gazetteer of City Owned Property, and a field survey of the neighborhood (within a half-mile radius) of the site provided by the proposed operator. The half-mile radius surrounding this facility extends from just south of Grand Street to just north of East 13th Street (both at the East/West border of CDs #2 and #3), and from west of McDougal Street (in CD #2) to the West, to just east of Avenue B (in CD #3).

Map #2 and Attachment A illustrate and name all of the residential facilities and ambulatory programs within this half-mile radius which are similar (or serve a similar population) to the proposed program; they include Large Temporary/Transitional Housing, Large Residential Care, and Small Residential Care and Transitional Housing facilities. In addition, although a concentration of similar programs does appear to exist in the neighborhood within a half-mile of the proposed site, the program proposes to reduce by two-thirds the capacity of the facility from its permitted occupancy and to improve support services to the residents and improve neighborhood security over the facility's former use as a commercial lodging house. As such, the addition of this facility is not expected to adversely affect neighborhood character, and potentially may have a positive effect.

Attachment B lists all of the other facilities within one-half mile of the proposed program. Of these facilities, the vast majority

are operated by local community-based organizations and/or serve the local community. These facilities which serve customary neighborhood needs are, as expected, dispersed throughout the half-mile area surrounding the proposed facility and do not contribute to a concentration of facilities that would adversely affect neighborhood character.

In examining existing facilities and programs, the mixed-use character of the neighborhood, and taking into consideration the proposed improvements to the facility over its previous operation as a commercial lodging house, the establishment of this transitional program for up to 75 individuals is not expected to significantly alter patterns of population distribution and growth, economic activity, or use and development of land.

4.1(c) Suitability of site to provide cost-effective delivery of services.

The site selected is well-suited to provide cost-effective delivery of services for several reasons. BRC has obtained a 45-year lease from the owner, thus averting the need for the City to provide capital costs for the project. The rental costs per square foot negotiated by BRC are considerably lower than other market-rate residential spaces. The facility is highly suitable for providing shelter and on-site support services for special needs homeless populations as an alternative to beds in large armory facilities, while remaining cost effective. The number of beds which will be provided at the facility facilitates economies of scale in personnel costs for the provision of on-site supports, as well as fixed costs relating to the maintenance and operation of the building.

4.1(d) Consistency with criteria in Statement of Need or in a submission to the Borough President.

The Citywide Statement of Needs for Fiscal Years 1994-1995 identified the following criteria for the siting of new Transitional Facilities for Individuals:

- Availability of appropriate land or buildings
- Compatibility of facility with surrounding neighborhood
- Cost of development
- Minimal concentrations of facilities providing similar services

The location of this facility is consistent with the criteria identified in the FY 1993-1994 Statement of Needs, with the exception of the existing concentration of similar facilities in its surrounding community. However, as the proposal calls for re-

using an existing residential building in a manner which will arguably have fewer negative impacts than its previous use, the selection of the site seems justified.

4.1(e) Consistency with any plan adopted pursuant to Section 197-a of the Charter.

There are no 197-a plans applicable to the area in which this site is located.

4.2(a) Consideration of the Mayor's and Borough President's Strategic Policy Statement and Community Board's Statement of District Needs.

In the most recent Mayoral Strategic Policy Statement issued by Mayor Dinkins in 1991, the section relating to assisting those in need (pages 103-112) outlined a number of strategies for reaching the goals of "reducing the number of homeless New Yorkers and improving temporary housing." The strategies include continuing to develop strategic plans for Housing and Assisting Homeless Individuals and Families and reevaluating the shelter system for single adults and focussing planning on smaller-scale facilities with access to rehabilitative services such as drug treatment, training in independent living skills, and employment training.

The City's Revised and Updated Plan for Housing and Assisting Homeless Single Adults and Families (March 1993) builds upon these goals and strategies by detailing the City's plan to provide a continuum of care for homeless single adults and transform the single adult shelter system into a program-intensive transitional system. These proposed shelters and services in appropriate facilities are designed to encourage those who have been outside the shelter system to enter an environment that can address their needs. The programming will also assist those currently in the shelter system to live as independently as possible as quickly as possible. The proposed facility is expected to provide the type of appropriate and receptive accommodations and services called for in the City's plan for homeless single adults.

In her October 1991 Strategic Policy Statement, the Manhattan Borough President stated that "large shelters must be phased out and replaced with smaller and more humane alternatives" and vowed to "work with the city administration and advocacy organizations to develop appropriately planned special needs housing for homeless adults, particularly the medically fragile and people who are HIV positive." Additionally, in her 1992 Strategic Policy Statement Update, the Borough President endorsed the goals of the City's policy initiatives for housing and assisting homeless single adults and pledged to "collaborate with communities to implement a continuum of social services and transitional and permanent housing for targeted populations with differing social, medical, and mental health needs" (page 17). The proposed facility will help to expand

the continuum of services for homeless single adults and provide a humane alternative to large armory shelters.

Manhattan Community Board 3's "Statement of District Needs" expressed the Board's recognition of the need for housing preservation, code enforcement and proper maintenance of existing housing as a means of addressing homelessness. For many years prior to BRC's assumption of the operation of the Palace Hotel, the Palace was considered to be a locus of criminal activity in the neighborhood and a blight on the community under its former management. As a result, Community Board 3 initiated the formation of a Task Force, which also included Community Board 2, the New York City District Attorney's office, the 6th Police Precinct, and the Mayor's Office on Homelessness and SRO Housing, to address the neighborhood problems related to the Palace Hotel. BRC's proposal for this facility represents a feasible reuse of the building which will both address the concerns of the Community Board over security and law enforcement issues and provide revenue to cover lease costs for the facility without having to reopen it as a commercial lodging house.

4.2(b) Meetings, consultations, or communications with the Community Board and/or Borough President

BRC initiated this proposal in response to a request by members of Community Board 3 for BRC to assist in the community's efforts to alleviate the negative impacts created by the Palace Hotel's operation as an unsupported commercial lodging house.

BRC has been sensitive to the concerns of the local community when developing this new program. Shortly after its conception, BRC notified neighborhood organizations, public officials, and social service agencies throughout the area of their plans for the Palace Hotel, including Community Boards 3 and 2, the Lower East Side Joint Planning Council, the Cooper Square and Noho Neighborhood Associations, the Trinity Lutheran Church, Columbia University Community Services, the Bowery Mission, the Salvation Army (Booth House), Community Access, Nazareth Homes, St. Joseph's House, the Manhattan Bowery Corporation, Holy Name Center, Greenwich House Alcohol Halfway House, and the Amato Opera. A fact sheet about the project has been broadly circulated and BRC has participated in community meetings at the request of the community in an effort to elicit formal community support.

In June of 1992, when BRC first presented its plan to lease the Palace Hotel to relocate their housing and support services programs, both Community Board 3 and 2 passed resolutions supporting the proposal (see Attachment C). BRC has subsequently had follow-up conversations with the Boards and the other neighborhood and service organizations to answer questions or respond to concerns.

BRC is committed to creating a Community Advisory Council for the facility. They will invite members of Community Boards 2 and 3, the Noho Neighborhood Association, the Lower East Side Joint Planning Council, and representatives of other neighborhood social service organizations to sit on the Council.

Article 6: Criteria for Siting or Expanding Regional/Citywide Facilities

6.1(a) Need for the Facility.

The City of New York currently houses approximately 7,000 individuals nightly in temporary shelters, with the number increasing in the colder winter months.

The Department of Homeless Services has proposed to contract with not-for-profit organizations throughout the city to develop transitional housing for homeless individuals. This will allow the City to close or reduce the size of emergency shelters currently used to house homeless adults that are incompatible with the City's policy and programmatic goals. While the total number of beds required to accommodate the adult homeless population is not projected to change significantly from the approximately 7,000 beds currently in the system, the physical characteristics of facilities for homeless adults are expected to be transformed over the next several years.

In furtherance of the initiatives described in the city's Revised and Updated Plan for Housing and Assisting Homeless Individuals and Families (March, 1993), DHS has already begun to transform the singles shelter system into a program-intensive transitional system. Shelter and services in appropriate facilities will encourage those who have been outside the shelter system to enter an environment that can address their needs. The programming will also assist those currently in the shelter system to live as independently as possible, as quickly as possible.

A number of program-intensive facilities have been opened or sited already and a number of large armory facilities have been downsized or closed. The development of this program will further the city's goal of transforming the shelter system for homeless adults.

6.1(b) Distribution of similar facilities in the City.

The Department of Homeless Services operates or contracts for the operation of 34 shelters or transitional housing facilities for adults within the city. Three (3) facilities comprised of 472 beds are located in the Bronx, 9 facilities comprised of 1,941 beds are located in Brooklyn, 17 facilities comprised of 3,308 beds are located in Manhattan, 3 facilities comprised of 665 beds are located in Queens, and two small facilities comprised of 12 beds are located on Staten Island.

In examining the distribution of similar facilities throughout the city, DHS looked at the distribution of residential facilities as well as ambulatory program which tend to provide similar services to similar populations. These facilities and programs are: Large Temporary and Transitional facilities, Large Residential Care facilities, Small Residential Care and Temporary Housing facilities, Substance Abuse programs, and Mental Health and Mental Retardation/Developmental Disability programs. A look at the residential facilities in Manhattan Community District 3 which serve similar populations to the proposed program reveals a higher ratio of beds to population than the citywide average -- CD 3 ranks 19th citywide for its ratio to population of beds in Small Residential Care and Temporary Housing facilities, 11th for beds in Large Temporary and Transitional facilities, 11th for beds in Large Residential Care facilities, and 16th for beds overall in these three categories. There are also a number of ambulatory programs within a half-mile of the proposed site in both Community Districts #2 and #3; however, they appear to be neither clustered nor concentrated near the proposed site.

Despite the number of residential and ambulatory programs in the neighborhood of the proposed site, the establishment of the program will benefit the community for three important reasons: 1) the programs will to reduce by two thirds the capacity of the facility from its permitted occupancy; 2) improve support services to the residents; and 3) improve neighborhood security over the facility's former use as a commercial lodging house. The proposed reduction in size and improved operation of the facility mitigates the negative impacts which are usually associated with a concentration of facilities.

6.1(c) Size of Facility

In determining the appropriate capacity for the proposed facility, BRC considered the number of persons who could comfortably be housed in the facility with adequate support services and on-site staff, while maintaining economies of scale. A capacity of 75 was selected as the minimum number necessary to operate the program cost effectively.

6.1(d) Adequacy of streets and transit

The proposed facility is well served by public transportation including the IRT #6 (Uptown) subway line two blocks away at Bleeker and Lafayette Streets and the #6 (Downtown), D, F, B, and Q subway lines three blocks away at the Broadway/Lafayette subway station. In addition, buses running in all directions (the M101, M102, M5, and M15) can be caught within three blocks of the site. The facility is also convenient to the following major thoroughfares: Bowery, Houston Street, Broadway, and Lafayette Street.

6.51 Undue concentration or clustering of facilities providing similar services or serving similar populations should be avoided in residential areas

Although a concentration of facilities providing similar services or service similar populations exists in the neighborhood of the proposed site, the neighborhood is clearly mixed-use in nature, rather than purely residential. In addition, as discussed above, BRC expects to mitigate the negative effects on the neighborhood by reducing by two-thirds the number of residents permitted by law in the building and improving building management.

6.52 Necessary Support Services for the facility and its residents should be available and provided

This facility will provide shelter services to homeless individuals in accordance with Part 491 of the State Department of Social Services regulations. Among the services that will be provided at the proposed program by directly-funded staff are case management, counseling, and referral to appropriate community services. Three meals a day will also be provided, as well as recreation and laundry services. The proposed transitional housing program will be staffed by a multi-disciplinary team, including a Program Director, Program Coordinator, Substance Abuse Counselors, Case Managers, a nurse, food service workers, and security personnel. In addition, BRC will make available the services of its mental health, alcoholism, and Health Care for the Homeless programs at 191 Chrystie Street and 313 Bowery to better support residents at the facility.

6.53(a) Whether the facility in combination with other similar facilities within a half-mile radius would have a significant cumulative negative impact on neighborhood character

Upon examination of the distribution of existing similar ambulatory and residential programs and considering the mixed-use character of the neighborhood which is host to a number of compatible social service programs, the establishment of this facility is not expected to have a cumulative negative impact on neighborhood character.

6.53(b) Whether the site is well located for efficient service delivery

The proposed site is well located for efficient service delivery for the following general reasons: it is located in the vicinity of several major thoroughfares (Bowery, Houston Street, Broadway, and Lafayette Street) and public transportation stations; it is located within a mixed-use area; it is located in close proximity to areas where the target population tends to congregate; and it is

in close proximity to BRC Human Services Corporation's other facilities and headquarters at 313 Bowery and 191 Chrystie Street.

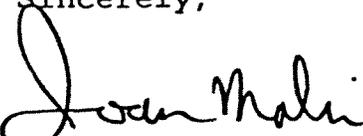
6.53(c) Whether any alternative sites considered which are in community districts with lower ratios of residential facility beds to population than the citywide average would add significantly to the cost of constructing or operating the facility or would impair service delivery

BRC initiated this proposal in response to a request by members of Community Board 3 for BRC to assist in the community's efforts to alleviate the negative impacts created by the Palace Hotel's operation as an unsupported commercial lodging house, specifically within Community District 3. BRC's proposal for this facility represents a feasible reuse of the building which will both address the concerns of the Community Board over security and law enforcement issues and provide revenue to cover lease costs for the facility without having to reopen it as a commercial lodging house. As such, no alternative sites in other community districts were considered for this project.

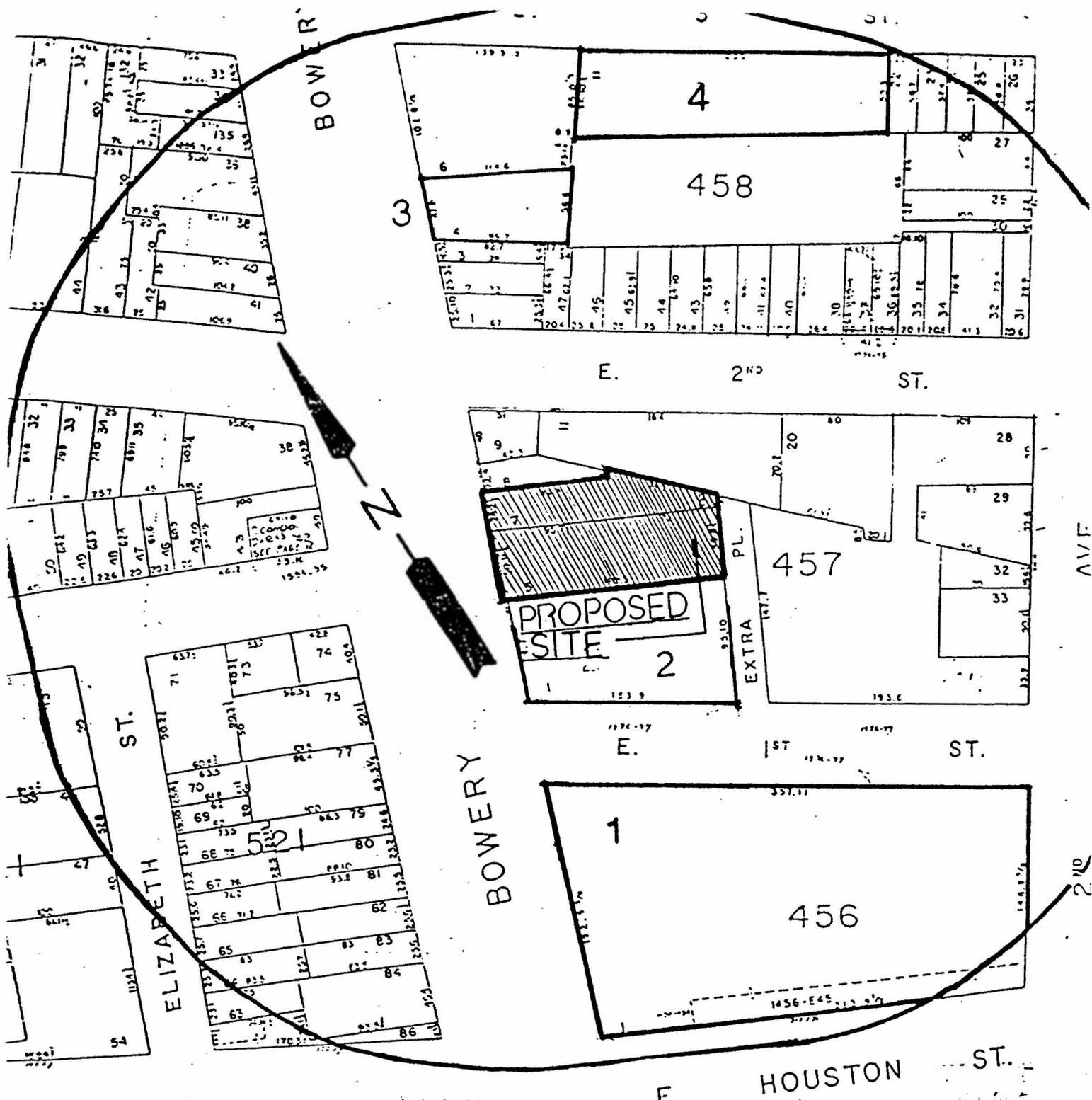
Summary Statement

The Department of Homeless Services has considered the balance between cost-effective delivery of services, effects on neighborhood character, the distribution of similar facilities throughout the city, the need for the facility, and the extent of community support for the project. As demonstrated in the above analysis, DHS has determined that the selection of 317 Bowery for the establishment of a transitional facility for homeless individuals is appropriate and consistent with the Criteria for the Location of City Facilities.

Sincerely,



Joan Malin



MAP #1: FACILITIES WITHIN 400'-0" RADIUS OF THE SITE

FACILITY NAME	ADDRESS	OTHER INFORMATION
1. HPD/Cooper Square URA	303 Bowery	Municipal Parking
2. HPD/Cooper Square URA	305-07 Bowery	Short-Term Lease
3. HRA/Kenton Hotel Men's Shelter	331-333 Bowery	95-Beds
4. HRA/Men's Shelter	8-24 E. 3 Street	240-Beds



MAP #2: RESIDENTIAL FACILITIES WITHIN ONE-HALF MILE RADIUS

RESIDENTIAL FACILITIES By Community District - Manhattan

- ◆ Small Residential Care/Temporary housing
- Large Residential Care
- Large Temporary/Transitional housing

City of New York, Department of City Planning
 Computer Information Services/Geographic Systems
 22 Reade Street, New York, NY 10007

Source: DCP Residential Facilities in New York File, 1992
 Note: Symbol Positioning is Approximate

ATTACHMENT A

SIMILAR RESIDENTIAL FACILITIES WITHIN A ONE-HALF MILE RADIUS OF 313, 315 & 317 BOWERY NY, NY

<u>NO</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>TYPE</u>	<u>BEDS</u>
SMALL RESIDENTIAL CARE AND TEMPORARY HOUSING				
13	Bowery Residents Committee	324 Lafayette Street	Alcohol Crisis Center	24
14	Bowery Residents Committee	324 Lafayette Street	Single Shelter	24
15	Metropolitan Apt. Prog.	425 Lafayette Street	MNT. HLTH. Residence	24
21	Contemporary guidance Svs	201 2 Avenue	ICF/DD	14
50	Kraus IFC	224 E. 5 Street	ICF/DD	14
51	East House	538 E. 6 Street	CR/SUPP.Living	20
57	Community Access	301 E. Houston Street	MNT.HLTH.Residence	6
59	Shelter Care For Men NYC Social	8 E. Third Street	Singles Shelter	16
70	Emergency Shelter 2	69 St Marks Place	JUV. Shelter	15
LARGE RESIDENTIAL CARE				
8	Greenwich House Inc.	312 Bowery	Alcoholism Com. Res	46
29	Booth House II	225 Bowery	Adult Care-DSS	442
39	Educational Alliance	331 E. 12 Street	SUB.Abuse SUPP.HOU	83
46	Manhattan Bowery Corp	8 E. 3 Street	Alcohol Crisis Center	48
58	Odyssey House Inc.	309 E. 6 Street	SUBS.Abuse FAC	60
71	Stuyvesant Residence Club	74 St. Marks Place	JUV. GRP. Residence	25
LARGE TEMPORARY AND RESIDENTIAL HOUSING				
11	Volunteers of America	65 E. Houston Street	Single Shelter	47
16	Shelter Care For Women	350 Lafayette Street	Single Shelter	46
30	Bowery Mission & Young Mens Hm.	227 Bowery	Single Shelter	75
31	Kenton Hall	333 Bowery	Men's Shelter	95
44	East 3 Street Family Shelter	282 E. 3 Street	Family Homeless Fac.	156
45	East third Street Shelter	8 E. 3 Street	Single Shelter	240
49	NY Found.For Sr.Citizens	269 E. 4 Street	Single Shelter	90
			Total	1615

Numbers Correspond to Those on Map #2

Source: DCP Residential Facilities in New York File, 1992

ATTACHMENT B

HOSPITAL AND AMBULATORY (OUT PATIENT) PROGRAMS WITHIN A ONE-HALF MILE RADIUS OF 313, 315 & 317 BOWERY NY, NY

<u>NAME</u>	<u>ADDRESS</u>	<u>TYPE</u>
Lafayette M M T P	233 Lafayette Street	MTP Drug TRT
Greenwich House East	50 Cooper Square	MTP Drug TRT
Beth Israel-Avenue A	26 Avenue A	MTP Drug TRT
Manhattan Bowery Corp	8 E. 3 Street	Alcoholism Clinic
BRC Human Services	191 Chrystie Street	Alcoholism Clinic
The Stuyvesant Ployclinic	137 Second Avenue	Alcoholism Clinic
NY Center For the Disabled	272 E. Second Street	MH Clinic Treatment
Educational Alliance	315 E. 10 Street	MH Clinic Treatment
Victory Guild Psych Cons. Ctr	184 Eldridge Street	MH Clinic Treatment
Community Consultation Ctr.	191 Chrystie Street	MH Clinic Treatment
Unitas	57 St. Marks Place	MH Clinic Treatment
Stuyvesant Polyclinic	137 Second Avenue	MH Clinic Treatment
R. Clemente Fam Quidance Ctr	215 Avenue B	MH Clinic Treatment
Beth Israel Meltzer		
HLTH & Svc C	94 E. First Street	Primary Care/Maternity Svcs
St.Vincent's-General Medi Clin	8 E. 3 Street	Primary Care/Maternity Svcs
Stuyvesant Polyclinic	137 Second Avenue	Primary Care/Maternity Svcs

OTHER FACILITIES WITHIN ONE-HALF MILE RADIUS OF 313, 315 & 317 BOWERY

<u>NAME</u>	<u>ADDRESS</u>	<u>TYPE</u>
Grad. School of Figurative Art	419 Lafayette Street	Independent
Hebrew Union College	1 West, 4 Street	Independent
Hofstra Uni'sity-DC 65 Campus	13 Astor Place	Independent
New York University	70 Washington Square South	Independent
Pratt Institute-Pratt Manhattan	295 Lafayette Street	Independent
Cooper Union	41 Cooper Square	Independent
Tobe-Coburn School for Fashion Careers	686 Broadway	Proprietary
PS 63 William Mckinley Schl	121 E. Third Street	Public School
PS 110 Flornc Nightingale Sch.	285 Delancey St Sout	Public School
PS 19 Asher Levy School	185 First Ave	Public School
PS 20 Anna Silver School	166 Essex Street	Public School
Lower East Side Prep School	145 Stanton Street	Public School

PS 94	442 E. Houston Street	Public School
PS 751 Sch For Career Dvlpmt	113 E. 4th Street	Public School
St. George E S	215 E. Sixth St.	Private School
St. George ACAD	215 E. Sixth St.	Private School
Nativity Mission School	204 Forsyth Street	Private School
Grace Church School	86 Fourth Ave	Private School
St. Joseph School	111 Washington Place	Private School
Lasalle ACAD	44 East Second St.	Private School
Notre Dame School	104 St. Mark's Place	Private School
Tompkins Square	331 E. 10 Street	Public Library
Hamilton Fish	415 E. Houston Street	Public Library
Ottendorfer	135 Second Avenue	Public Library
Action For Progress DCC	255 E. Houston Street	Grp Day Care
Children Libereation DCC	150 First Avenue	Grp Day Care
East Third Street After School	121 E. 3rd Street	Grp Day Care
League for Child Care	184 Eldridge Street	Grp Day Care
Puerto Rican Council DCC	180 Suffolk Street	Grp Day Care
Satellite Academy HS LYFE	198 Forsyth Street	Grp Day Care
1ST AV After School-age DCC	185 First Avenue PS 19	Grp Day Care
University Settlement FDC	184 Eldridge Street	Family DC Of
Cardinal Spellman H S Ctr	137 East 2nd Street	Head Start
Dewitt Reformed Church	280 Rivington	Head Start
Grand Street Head Start	294 Delancey Street	Head Start
University Settlement H S Prog	184 Eldridge Street	Head Start
Little Missionary's Day Nurs.	93 St. Marks's Place	Voucher
Bowery Res SR.Nutrition PGM	30 Delancey Street	Senior Center
John Paul II Friendship Center	101 E. 7 Street	Senior Center
Uni'sity Settlmt Nutrition PGM	189 Allen Street	Senior Center
Sirovich Senior Center	331 East, 12 Street	Senior Center
Public Theatre	Lafayette St. E.4 St, Astor Pl	Building
Kenmare Square Knmr.	Lafayette Sts. Clevelnd Pl	Triangle
Schiff Pkway Center Plots	Delncey St.Bowery to Essex St	Street Mall
Hamilton Fish Park	E. Houston, Stanton, Pitt Sts	Park
Tompkins Square Park	Aves A to B. E 7 To E 10 Sts	Park
Playground	Essex, Norfolk & Houston Sts	Playground
PS 63 Playground	Ave A, E 3-E 4 Sts	Playground
Recreation Area	Houston St, E 1 St , 1 Ave.	Recr. Area
St. Marks Place	E. 10 St, 2 Ave.	Sitting Area
Cooper Park (T)	3 to 4 Aves, E 6 to E 7 Sts	Triangle
Civilian Complint Rev'w Board	295 Lafayette Street	Police Prect.
9th Precinct	321 East 5 Street	Police Prect
Engine 33 Ladder 9	42 Great Jones Street	Fire Station
Engine 20 Amb 4		
Oxygen Health Serv	253 Lafayette Street	Fire Station
Engine 28 Ladder 11	222 E. 2 Street	Fire Station
Ladder 3	108 E. 13 Street	Fire Station



COMMUNITY BOARD NO. 3 MANHATTAN
59 EAST 4th STREET • NEW YORK, N. Y. 10003 • TEL. 533-5300
FAX # 533-3659

RICK CARMAN
Chairperson

MARTHA DANZIGER
District Manager

June 3, 1992

Ms. Joyce Wolbarst
Executive Director
BRC Human Services Corp.
191 Chrystie Street
New York, New York 10002

Dear Ms. Wolbarst:

At its May 1992 monthly meeting, Community Board #3 passed the following motion:

To support BRC Human Services Corporation's proposal to relocate their housing and support services for the homeless to the Palace Hotel, 315-317 Bowery.

If you have any questions, please do not hesitate to call.

Sincerely,

RICK CARMAN, CHAIRPERSON
COMMUNITY BOARD #3

Setram Hunter, Chairperson
Human Services, CB #3



**CITY OF NEW YORK
COMMUNITY BOARD NO. 2, MANHATTAN**

3 Washington Square Village • New York, New York 10012-1899 • (212) 979-2272 • FAX 212-254-5102
Greenwich Village • Little Italy • Soho • NoHo
June 23, 1992

KEITH CRANDELL
Chair

Mayor David N. Dinkins
City Hall
New York, New York 10007

Hon. Ruth W. Messinger
Municipal Bldg., 19th fl.
1 Centre Street
New York, New York 10007

RITA LEE
District Manager

Councilmember Kathryn Freed
49-51 Chambers Street
New York, New York 10007

CAROL FEINMAN
HONI KLEIN
Vice Chairs

LIZ SHOLLENBERGER
Secretary

Dear Gentlemen/Gentlewomen:

RONALD COHN
Asst. Secretary

At its full Board meeting held on June 18 1992, Community Board #2, Manhattan adopted the following resolution:

ALAN GERSON
Treasurer

PROPOSAL BY BRC HUMAN SERVICES CORPORATION FOR THE PALACE HOTEL

WHEREAS, BRC has proposed to move their administrative offices and support services for the homeless from 191 Chrystie Street to the Palace Hotel at 313-317 Bowery, a move of about three blocks; and

WHEREAS, BRC has proposed to create transitional support housing for 75 adults, including 50 current residents of the Palace Hotel; and

WHEREAS, BRC is a well-known highly respected non-profit agency servicing the needs of the Bowery community through its Alcohol Outpatient Clinic, Community Support System, Project Rescue, and Metropolitan Apartment Project, and most notably, the Alcohol Crisis Center and Transitional Reception Center at 324 Lafayette; and

WHEREAS, CB #3, Manhattan passed a motion at its May, 1992 monthly meeting supporting the proposal; and

WHEREAS, the Palace Hotel has been, and continues to be, the host of drug-traffickers and drug-abusers and the proposal by BRC offers a unique solution to eliminating these problems by engaging existing residents in supportive rehabilitative services; and

WHEREAS, BRC has sought the support of NoHo, which has agreed to the program in concept, even though NoHo has requested in the past that no new programs be sited in this heavily impacted area, (CB #2, Manhattan, is on

record as supporting this position);

THEREFORE BE IT RESOLVED that CB #2, Manhattan endorses the concept of the relocation of BRC from 191 Chrystie Street to the Palace Hotel at 313-317 Bowery, with the assumption that BRC will continue to work with the local community and invite participation by neighboring non-profit social service providers to develop program guidelines that will address the special needs of the current population.

Vote: Passed: 38 in favor, 0 opposed, 1 abstention.

Please let us know, in writing, what action you take on this proposal.

Sincerely,

Keith Crandell, Jr.
Keith Crandell
Chair
Community Board #2, Manhattan

Marilynn Geyer
Marilynn Geyer, Chair
Social Services, Health &
Aging Committee
Community Board #2, Manhattan

KC:lg

cc: Rick Carman, Chair, CB#3
Doug Warn and Mike Bucci, BRC Human Services Corp.



BRC HUMAN SERVICES CORPORATION

A not-for-profit tax exempt organization
Established in 1970 as The Bowery Residents' Committee

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Joyce Wobbarst

ALCOHOL CRISIS CENTER TRANSITIONAL RECEPTION CENTER

324 Lafayette St.
New York, N.Y. 10012
(212) 925-9393
Fax (212) 226-4627

ALCOHOLISM OUTPATIENT CLINIC HOMELESS SERVICES

MENTAL
HEALTH SERVICES
191 Chrystie Street
New York, N.Y. 10002
(212) 533-5700
Fax (212) 533-1893

COLUMBA HALL SUPPORT SERVICES

209 East 118th St.
New York, N.Y. 10035
(212) 427-6670
Fax (212) 427-6674

FULTON HOUSE

1570 Fulton Street
Brooklyn, N.Y. 11207
(718) 485-5570
Fax (718) 485-5573

METROPOLITAN RESIDENT PROGRAM

Lafayette St., 8th Fl.
New York, N.Y. 10012
(212) 941-7780
Fax (212) 925-1203

SENIOR SERVICES

Delancey Street
New York, N.Y. 10001
(212) 353-0955

May 7, 1992

Ms. Marilyn Geyer
Noho Neighborhood Association
1 Bond Street, #2B
New York, New York 10012

Dear Ms. Geyer:

On behalf of Debi Alpert and Carol Ayala, I would like to thank you and the Noho Neighborhood Association for your interest in our proposed work at the Palace Hotel. We appreciated the opportunity to meet with the Association, and look forward to working with the community on this project.

BRC is committed to working with the community on this project, and I will keep you informed of any developments.

Please feel free to contact me with concerns or further questions (533-5700).

Again, thank you.

Sincerely yours,

Douglas J. Warn
Director of Planning and
Community Development



BRC HUMAN SERVICES CORPORATION

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EXECUTIVE DIRECTOR

Joyce Wolbarst

ALCOHOL CRISIS CENTER

TRANSITIONAL RECEPTION CENTER

324 Lafayette St.
New York, N.Y. 10012
(212) 225-9393
Fax (212) 225-4627

ALCOHOLISM OUTPATIENT CLINIC

HOMELESS SERVICES

MENTAL HEALTH SERVICES

791 Chrystie Street
New York, N.Y. 10002
(212) 533-5700
Fax (212) 533-1893

COLUMBA HALL SUPPORT SERVICES

209 East 72nd St.
New York, N.Y. 10035
(212) 427-6670
Fax (212) 427-5674

FULTON HOUSE

2570 Fulton Street
Brooklyn, N.Y. 11207
(718) 485-5570
Fax (718) 485-5573

METROPOLITAN APARTMENT PROGRAM

1 Lafayette St., 8th Fl.
New York, N.Y. 10012
(212) 947-7780
Fax (212) 925-1203

SENIOR SERVICES

30 Delancey Street
New York, N.Y. 10001
(212) 353-0955

March 26, 1992

Rick Carman, Chair
Community Board #3
59 East 4th Street
New York, New York 10003

Dear Mr. Carman:

I am writing you about BRC's plans to take over the management and daily operation of the Palace Hotel at 313-317 Bowery.

We are negotiating with the owners to take over the Palace. If we are able to secure a long-term lease, we plan to renovate the buildings, and provide housing and support services for homeless people. We will manage the building.

The attached summary describes the project. We are presently seeking funds for renovation of one floor from the State Department of Social Services; these Emergency Shelter Grant Program funds will be used to create a dormitory-style shelter for 25 homeless adults. The remaining floors will be renovated to provide enhanced lodging house-type housing for the homeless; we are seeking funds for this remaining renovation.

BRC brings a great deal of experience to this project. We renovated a building in East New York which now provides supported community residential living to 48 formerly homeless adults. With the support of Community Board #3, we are presently rehabilitating a building at 91 Pitt Street which will become a supported community residence for the mentally ill homeless.

Community support for this project is critical. We welcome your comments.

Sincerely yours,

Joyce Wolbarst
Executive Director

DEPARTMENT OF CITY PLANNING

Joseph B. Rose, Director

Andrew S. Lynn, Executive Director

William Bernstein, First Deputy Executive Director

Lance Michaels, Deputy Executive Director, Land Use Review

Sandy Hornick, Deputy Executive Director, Strategic Planning

Planning Coordination

Barbara Weisberg, Assistant Executive Director

Marvin Roth, Director, Social and Education Planning

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