CITY PLANNING COMMISSION

September 29, 2014/ Calendar No. 5 C 140360 PSK

IN THE MATTER OF an application submitted by the Mayor's Office of the Criminal Justice Coordinator and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection of property located at 444 Thomas S. Boyland Street (Block 3496, Lot 4) for use as a Community Justice Center, Community District 16, Borough of Brooklyn.

The application for site selection of property located at 444 Thomas S. Boyland Street in Community District 16 of the Borough of Brooklyn, for use as a Community Justice Center, was filed on April 23, 2014 by the Mayor's Office of the Criminal Justice Coordinator (MOCJC), and the Department of Citywide Administrative Services (DCAS). The application was revised on September 19, 2014 to clarify current and projected occupants of the building.

BACKGROUND

The Mayor's Office of the Criminal Justice Coordinator (MOCJC) and the Department of Citywide Administrative Services (DCAS) requests the site selection of property located at 444 Thomas S. Boyland Street (Block 3496, Lot 4) for use as a Community Justice Center. The subject building is currently used as a Multi-Service Center operated by the Human Resources Administration.

The surrounding area is zoned R6, R7A, R6/C2-3 and C4-3 and is primarily characterized by local and regional commercial services, community facilities and low- to mid-rise residential buildings. Directly to the west and north of the site is the New York City Housing Authority (NYCHA) Marcus Garvey Houses; and directly to the east of the site is The Beacon housing development (C 080185 HUK). Directly to the south is the Pitkin Avenue retail corridor. The NYPD 73rd Precinct is located almost directly across the street from the project site. The broader area primarily comprises residential, commercial and public facilities and institutional land uses, including several NYCHA multistory residential buildings as well as the 120-bed Crossroads Juvenile Center on Chester Street (two blocks east of the project site).

The site is accessible by public transportation via several Metropolitan Transportation Authority New York City Transit bus routes serving Pitkin Avenue and East New York Avenue at respective ends of the city block. Within a three-quarter-mile radius of the project site, there are six subway stations which are respectively served by the L Line, the 3 Line, and the C Line. The MTA Long Island Rail Road East New York Station is also located within a three-quarter-mile distance from the Project Site.

444 Thomas S. Boyland Street (Block 3496, Lot 4) is developed with a three-story, 35,240 square foot city-owned building that was built in 1971. It is currently occupied as a Human Resources Administration Multi-Service Center (MSC) providing comprehensive social services to the Brownville community, including the offices of Community Board 16. There are five non-profit organizations located within the building that offer services including homelessness prevention, GED programs, health education and other social services. All of the current building occupants, with the exception of the Brownsville Partnership and SCO Family of Services which are planning to relocate to another site, would be able apply for short-term leases from DCAS once renovation has been completed. Portions of the second and third floors of the building are currently underutilized. The building sits on a 1.2 acre property and has an existing FAR of .82. The site is located largely within an R6/C2-3 district, with the southern portion of the site within a C4-3 commercial district.

The proposed public facility, which is the subject of this site selection action, would be known as the Brownsville Community Justice Center (BCJC). This center would house a New York City Court handling all misdemeanor arrests originating from the 73rd Precinct, as well as probation offices, social service providers (including educational, occupational, social and health services) and offices of community based organizations. Social services would be available to all community residents, not just those involved in the criminal justice process. This Center would be modeled after similar centers in Red Hook, Midtown Manhattan, and the Bronx, which have been shown to reduce local crime, jail sentences, and increase public trust in government.

The BCJC would be open from 9:00 a.m. to 6:00 p.m., Monday through Friday, with some community meetings to be scheduled at night. Whenever the building would be open for

business, it would be available to all members of the community. During court hours (traditionally Monday – Friday from 8:30 a.m. – 6:00 p.m.), all members of the public would enter through the main entrance located on Thomas S. Boyland Street and would go through security screening done by New York State Court Officers. After court hours, the building can and many times would remain open for additional community programming and meetings.

The BCJC would be staffed by approximately 104 court and social service personnel (compared to 78 current staff at the MSC). A total of seven (7) off-street parking spaces would be provided within the paved area of the facility. There is also on-street parking available for facility employees and visitors.

The existing building would undergo an interior gut renovation (architectural, structural, mechanical, electrical, and fire protection improvements) to provide the proposed law enforcement, judicial, and social service functions along with the necessary general building space. Minimal improvements to the exterior of the site would be implemented.

ENVIRONMENTAL REVIEW

The application (C 140360 PSK) was reviewed pursuant to the New York State Environmental Quality Review (SEQRA), and SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 14DAS003K. The lead agency is the Dormitory Authority of the State of New York (DASNY).

After a study of the potential impact of the proposed action, a Negative Declaration was issued on April 28, 2014.

UNIFORM LAND USE REVIEW

The application (C 140360 PSK) was certified as complete by the Department of City Planning on May 5, 2014, and was duly referred to Community Board 16 and the Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02 (b).

Community Board Public Hearing

Community Board 16 held a public hearing on June 24, 2014 and on that date, by a vote of 27 in favor and one against with three abstentions, adopted a resolution recommending approval of this application, with the conditions that:

1. Financial assistance be provided to not-for-profit organizations that presently lease office space at 444 Thomas S. Boyland Street and provide an array of educational and employment services; i.e., GED, job referral, resume writing, homework assistance, to community residents who face personal and systemic barriers to employment.
2. Those not-for-profit organizations that must relocate be given preference to return to 444 Thomas S. Boyland Street once construction is completed.

Borough President Public Hearing

The Borough President held a public hearing on this application and on August 1, 2014 issued a recommendation to approve this application, with the following conditions:

1. That the Department of Citywide Administrative Services transfer the excess air rights and a section of the site that is not built upon to the jurisdiction of the Department of Housing Preservation and Development for the purposes of developing permanent affordable housing according to the Mayor's Housing New York plan, and that resulting development visions, including bulk and income diversity, be developed in consultation with Community Board 16 and its local elected officials.
2. That DASNY incorporate into the construction contract documents no less than the agency's minimum requirements and standards towards retaining Brooklyn-based contractors and sub-contractors, especially those that are designated LBEs consistent with section 6-108.1 of the Citywide Administrative Code and MWBE establishments as a means to meet or exceed standards per Local Law 1 (not less than 20 percent participation) and to monitor such participation, with compliance reports provided to the Borough President.
3. That, prior to the vote by City Council, the Mayor's Office of the Criminal Justice Coordinator, in consultation with DASNY, should have the feasibility solar panel installation and/or green roof installation assessed and report its findings to the Borough President and the City Council.
4. That the Mayor's Office of the Criminal Justice Coordinator coordinate the availability of an Expense Budget allocation to the smaller-sized non-profits, such as the Central Brooklyn Economic Development Corporation, to fully pay for both moving relocation expenses away from 444 Thomas S. Boyland Street and on return to 444 Thomas S. Boyland Street, and that such City commitment be expressed in a letter to the Borough President and City Council prior to the vote by City Council.

City Planning Commission Public Hearing

On July 23, 2014 (Calendar No. 2), the City Planning Commission scheduled August 6, 2014 for a public hearing on this application (C 140360 PSK). The hearing was duly held on August 6, 2014 (Calendar No. 7). Four speakers testified in favor of the application and there were none opposed.

A representative from the Center for Court Innovation (CCI) testified in favor of the application. He stated that the Brownsville Community Justice Center would hear cases from the 73rd Precinct, as well as offer job training and social services. The Center is modeled after a similar center in Red Hook where crime and recidivism rates have dropped. The Center for Court Innovation conducted community surveys to understand the desire for such a Community Justice Center in Brownsville; surveys found that crime and violence are a top concern for community residents.

A representative from the Mayor's Office of the Criminal Justice Coordinator (MOCJC) testified in support of the proposed facility. He stated that the building at 444 Thomas S. Boyland is not currently rented to full capacity. Following renovation, the building would be moved to DCAS's portfolio, who would lease space to community-based organizations. DCAS and MOCJC worked with current occupants to identify alternate space for temporary use during the building renovations. Brownsville Partnership and the SCO Family of Services have existing plans to move to a new location on Rockaway Boulevard; other building occupants may be moving to this space as well.

A representative from the Central Brooklyn Economic Development Corporation testified in support of the proposed facility. Their organization, a current occupant of the building, is working with the Mayor's Office and the Brooklyn Borough President to find alternate office space for the duration of the building renovation. A representative of the Brooklyn Perinatal Network, another non-profit occupant of the building, testified in favor of the application. The representative stated that their organization is currently looking for alternate space in the neighborhood to relocate to during construction, and that they are seeking financial assistance towards their moving expenses.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the application for site selection of property, as modified, for use as a Community Justice Center, is appropriate.

The Brownsville Community Justice Center would serve as an official branch of the New York State Court System, handling all misdemeanor arrests originating from the 73rd Precinct. The Center would also house probation offices as well as social service providers (including educational, occupational, social and health services). These services would be available to all community residents, not just those involved in the criminal justice process. This Center would be modeled after similar centers in Red Hook, Midtown Manhattan, and the Bronx, which have been shown to reduce local crime, jail sentences, and increase public trust in government.

The proposed facility would be accessible via public transportation, with bus service on Pitkin Avenue and East New York Avenue, and six subway stations within a three-quarter-mile radius. The facility would provide seven on-site parking spaces. It is anticipated that most staff and visitors would use public transportation to reach the facility.

The need for this facility was not cited in the Citywide Statement of Needs; however, the applicant has complied with Section 204(g) of the City Charter.

The Commission shares the concern of the Borough President that the site is underutilized and therefore may have potential to accommodate additional development, such as affordable housing. In this regard, the Commission received a letter from the Department of Housing Preservation and Development, dated September 11, 2014, stating that they "would be pleased to evaluate the unbuilt portion of the site to assess the feasibility of affordable housing development."

The Commission also shares the concern of the Community Board and Borough President that existing non-profit providers desirous of returning to the renovated building, be given that opportunity. The Commission has received a letter from the Department of Citywide Administrative Services, dated September 12, 2014, stating that non-profit organizations that currently occupy space in the building would be offered short-term leases with DCAS following the building renovation, provided that they have an existing service contract with the City; have the ability to pay a fair and reasonable rent; and satisfactorily complete a due diligence review consistent with DCAS standard practices. The Commission notes that DCAS has communicated this information via phone and email to the two existing occupants who wish to return to the building following the renovation, and offered assistance in completing the required materials to secure leases. The two existing occupants that testified before the Commission have acknowledged and embraced these conditions. The Commission is therefore modifying this action, to include these conditions to ensure that existing non-profit organizations be given the opportunity to return.

The Commission also acknowledges the request by the Borough President and Community Board 16 that financial assistance be provided to non-profit occupants for relocation expenses. The Commission recognizes that while this issue is outside its purview, it is pleased nonetheless that the Mayor's Office of Criminal Justice has stated in a letter to the Borough President dated July 31, 2014, that they would provide a budget for these expenses.

The Commission further acknowledges recommendations by the Borough President that the proposed renovations on the building should include solar panels or a green roof at the facility. In response, the Mayor's Office of Criminal Justice stated in a letter to the Borough President dated July 31, 2014 that the renovation of the building would be designed to attain LEED Silver Certification based upon the US Green Building Council requirements. The Mayor's Office of Criminal Justice further stated that solar panels are not part of current construction plans, however, a new roof would be installed as part of the renovation which could support the installation of solar panels in the future.

The Commission is hopeful that the Brownsville Community Justice Center would serve as a catalyst for change in the surrounding neighborhood. While crime and violence have decreased significantly in recent years, crime rates in Brownsville, particularly the incidence of homicides, remain higher than in the rest of Brooklyn and the City. Residents of the neighborhood rank guns and gangs as top community problems. This Center aims to address these concerns by offering an integrated approach to public safety, social services and the justice system. In this way, the proposed Center has the potential to positively impact not only the lives of individuals involved in the criminal justice system, but on the entire Brownsville community by bringing about a reduction in crime and improved quality of life.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, by the City Planning Commission, pursuant to Section 197-c of the New York City Charter, that based on the environmental determination and consideration described in this report, the application (C 140360 PCK) of the Department of Citywide Administrative Services and the Mayor's Office of the Criminal Justice Coordinator for site selection and acquisition of property located 444 Thomas S. Boyland Street (Block 3496, Lot 4), Community District 16, Borough of Brooklyn, for use as a community justice center, is approved, subject to the following terms and conditions:

1. DCAS shall offer short-term leases to non-profit organizations that currently occupy space in the building should they wish to return to the building following the renovation, predicated on the following:
    a. That the non-profit organization, at the commencement of the lease, has an existing service contract with the City. If such contract is terminated or expires, the lease will be terminated.
    b. That the non-profit organization has the ability to pay a fair and reasonable rent.
    c. That the non-profit organization satisfactorily completes a due diligence review consistent with DCAS standard practices.

The above resolution, duly adopted by the City Planning Commission on September 29, 2014 (Calendar No. 5), is filed with the Office of the Speaker, City Council, and the Borough President of Brooklyn in accordance with the requirements of Section 197-d of the New York City Charter.

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

RAYANN BESSER, IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III, MICHELLE DE LA UZ, JOSEPH I. DOUEK, RICHARD W. EADDY, CHERYL COHEN EFFRON, BOMEE JUNG, ANNA HAYES LEVIN, ORLANDO MARIN, *Commissioners*

LARISA ORTIZ, *Commissioner, Abstaining*

Community/Borough Board Recommendation

Pursuant to the **U**niform **L**and **U**se **R**eview **P**rocedure

Application #: **140360PSK**	Project Name: **Brownsville Community Justice Center**
CEQR Number: 14DAS003K	Borough(s): Brooklyn Community District Number(s): 16

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

SUBMISSION INSTRUCTIONS

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

Docket Description:

IN THE MATTER OF an application submitted by the Mayor's Office of the Criminal Justice Coordinator and the Department of Citywide Administrative Services, pursuant to Section 197-c of the City Charter, for the site selection of property at 444 Thomas S. Boyland Street (Block 3496, Lot 4) for use as a community justice center.

Applicant(s):	**Applicant's Representative:**
Office of Criminal Justice Coordinator 1 Centre Street NY, NY 10007 Department of Citywide Administrative Services 1 Centre Street NY, NY 10007	Elan Parra 212-788-5214 Randy Fong 212-386-0618

Recommendation submitted by:

Brooklyn Community Board 16

Date of public hearing: June 24, 2014 **Location:** 444 Thomas S. Boyland Street

Was a quorum present? **YES** ☒ **NO** ☐ *A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.*

Date of Vote: June 24, 2014 **Location:** 444 Thomas S. Boyland Street

RECOMMENDATION

☐ Approve ☒ Approve With Modifications/Conditions

☐ Disapprove ☐ Disapprove With Modifications/Conditions

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

Voting

 # In Favor: 27 **# Against:** 1 **# Abstaining:** 3 **Total members appointed to the board:** 47

Name of CB/BB officer completing this form	*Title*	*Date*
Bettie Kollock-Wallace	Chairperson	7/3/2014

EXPLANATION OF COMMUNITY BOARD # 16'S APPROVAL
FOR ULURP APPLICATION # 140360PSK

By a majority vote, Community Board #16 approves the site selection of property located at 444 Thomas S. Boyland Street (Block 3496, Lot 4) for use as a community justice center on condition that financial assistance be provided to not-for-profit organizations that presently lease office space at 444 Thomas S. Boyland Street and provide an array of educational and employment services; i.e., GED, job referral, resume writing, homework assistance, to community residents who face personal and systemic barriers to employment. Several not-for-profits have expressed that they will encounter hardship because they do not have sufficient funds in their budget to relocate. Furthermore, Community Board #16 requests that those not-for-profit organizations that must relocate be given preference to return to 444 Thomas S. Boyland Street once construction is completed.

Brooklyn Borough President Recommendation

CITY PLANNING COMMISSION
22 Reade Street, New York, NY 10007
FAX # (212) 720-3356

INSTRUCTIONS

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

APPLICATION # 140360 PSK

Brownsville Community Justice Center

In the matter of an application submitted by the Mayor's Office of the Criminal Justice Coordinator and the Department of Citywide Administrative Services, pursuant to Section 197-c of the City Charter for the site selection of property located at 444 Thomas S. Boyland Street (Block 3496, Lot 4) for use as a new facility.

COMMUNITY DISTRICT NO. 16 BOROUGH OF BROOKLYN

RECOMMENDATION

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

BOROUGH PRESIDENT

Augist 1, 2014

DATE

RECOMMENDATION FOR A SITE SELECTION FOR THE BROWNSVILLE COMMUNITY JUSTICE CENTER

PUBLIC HEARING

The applicants, the Mayor's Office of the Criminal Justice Coordinator (MOCJ) and the Department of Citywide Administrative Services (DCAS), are seeking approval of a proposal to establish the Brownsville Community Justice Center at 444 Thomas S. Boyland Street in the Brownsville section of Community District 16.

On July 8, 2014, the Borough President held a public hearing on the proposed land use action. There were five speakers who testified at the hearing. The Chair of Community Board 16 spoke in favor, though she requested financial assistance to be provided to non-profits needing support to address the costs associated with temporarily relocation. Three representatives of the Central Brooklyn Economic Development Corporation (CBEDC) spoke about their agency's positive contributions to the community and their concerns about being displaced due to the need to secure interim space and their uncertainty of how moving expenses would be afforded. A fifth speaker testified in opposition because he felt the facility was not what the community needed, citing the lack of success of a facility in Harlem operated by the same organization, the Center for Court Innovation (CCI). Rather, he reflected on how parts of the Brownsville-Ocean Hill community are underserved and he stressed the importance of increasing services to people in need.

Representatives from CCI, a partner of MOCJ in this endeavor, expressed the community's support for this initiative and noted the wide range of community-minded programming already being conducted in Brownsville through CCI.

The representative from MOCJ addressed community concerns involving the holding cell component of the proposed building. Cases handled by this particular court would be for misdemeanors and minor court cases from the 73rd Precinct across the street. The holding cells would be for pre-arraignment detention only, not for overnight holding, with one person to a cell. The facility is expected to host up to 30 cases daily, typically on weekdays from 9:00am-5:00pm. Weekend cases, assumed to be those brought in later than early Friday afternoon, would be transferred to the court on 120 Schermerhorn Street. This was subsequently confirmed in a memo to the Deputy Borough President dated July 31, 2014 (attached). There would be five holding cells, all located on the first floor within the secured section of an otherwise openly accessible building. Defendants would enter through a sally port, which would be screened by decorative fencing similar to what is in place currently and would be surrounded by greenery in order to hide activity from public view.

The Deputy Borough President noted the Borough President's policy to maximize job opportunities for Brooklynites with local businesses, citing MWBEs and Local Business Enterprises in particular. In response, a representative from DASNY, which would be responsible for facilitating the construction, noted DASNY's policy pertaining MWBEs, including monitoring participation compliance. In addition, DASNY facilitates training and educational opportunities to assist area residents to become employed, including jobs opportunities with its construction projects through a project labor agreement with organized labor for apprenticeships. The Brooklyn Chamber of Commerce will be providing assistance towards training and employment opportunities.

The Deputy Borough President noted the Borough President's policy to promote the use of sustainable and renewable energy resources. The representative from DASNY responded that all projects are certified LEED Silver. As the roof will be redone, the idea of installing solar panels would be entertained, though it is not within the budget for the renovation. Framing would need to be done to incorporate such a subsequent improvement.

The Deputy Borough President expressed the Borough President's policy to promote the construction of more affordable housing. Underutilized portions of the lot provide an opportunity to introduce income diversity, bringing housing affordability to this site. Though this idea was not previously considered, the MOCJ representative responded that this possibility will be considered as the project moves forward.

The representative of MOCJ noted recent efforts to assist two of the smaller non-profits secure interim accommodations. The Deputy Borough President pledged the services of Borough President's Office to work to facilitate interagency cooperation to ensure that vital community services are not placed at risk because of non-profit building tenants having to find interim locations and incurring additional expenses from moving out and then back to the facility. The Borough President is concerned that, without adequate accommodations being made, interim rental and moving costs would hamper the solvency of the smaller non-profit agencies. The Borough President's Office will maintain coordination to ensure that all tenants can afford to rent temporary spaces and move out and back into the proposed facility.

Finally, in response to a question posed by the Deputy Borough President regarding case volume at the Red Hook Community Justice as a means of determining the effectiveness of such "Community Court," in a memo to the Deputy Borough President data July 31, 2014 (attached), it was noted that according to a United States Department of Justice independent evaluation the decline in crime was attributed to the impact of that Justice Center. It had reduced reoffending among its defendants by ten percent when compared to similar populations, with an even greater reduction among juveniles.

CONSIDERATION

Community Board 16 approved the application with the condition that financial assistance be provided for relocation pertaining to not-for-profit organizations that presently lease space at 444 Thomas S. Boyland Street and that such entities be given preference to return.

The property is currently used by the New York City Human Resources Administration as a Multi-Service Center, providing comprehensive social services to the Brownsville community. This 35,240 square-foot, three-story building is built on a 1.2 acre through-lot property bounded by Thomas S. Boyland Street on the east and Amboy Street on the west. East New York Avenue and Pitkin Avenue are located to the north and south, respectively.

Approval is being sought for the selection of this three-story building as a new court facility. The Brownsville Community Justice Center (BCJC) would be a new community-based criminal justice center and multi-jurisdictional court. When fully operational, the BCJC would be an official branch of the New York State Court System, with a full-time judge dedicated to the center. The project is sponsored by the Center for Court Innovation (CCI). The Dormitory Authority State of New York (DASNY) is providing design, development and construction services.

The Borough President supports development that is appropriate for the context of the neighborhood and supports the needs of the community.

The Brownsville Community Justice Center will provide much-needed educational, occupational, social and health services to at-risk youth of the Brownsville and Ocean Hill communities. This center will provide services to these youth at nearly every stage of the justice process, including arrest, prosecution, sentencing and aftercare following a stint in custody.

Though the Borough President is generally supportive of the proposed Brownsville Community Justice Center, he believes it presents opportunities to further public policies that have not been incorporated into the plan and he has concerns regarding the impact it might have on existing smaller-sized non-profits that are seeking to return to 444 Thomas S. Boyland Street.

Affordable Housing

It is one of the Borough President's policies to support effective ways to create more affordable housing. He is committed to seek out all opportunities to facilitate affordable housing. Brooklyn is one of the fastest growing communities in the New York metropolitan area, and the ongoing Brooklyn renaissance has ushered in a series of unforeseen changes even from ten years ago. Unfortunately, Brooklyn's success has led to displacement of longtime residents, who can no longer afford to live in their own neighborhoods. Residents of Ocean Hill and Brownsville living without rent stabilization protection have not been immune to the rise in real estate prices as more people discover that this community is a great place to live.

As a result, many residents are unable to remain in the area where they have lived for many years; they are exhausting their life savings just to keep up with day-to-day living.

Mayor de Blasio has recently stated a goal of achieving 200,000 affordable housing units. This site is zoned C4-3 with an allowable overall floor area ratio of 3.4 inclusive of a residential floor area ratio of 2.43 as per R6 standards. The building uses 35,240 square feet of floor area and the lot size is 49,500 sq ft. As a result, there is 133,060 square feet of floor area available. Given the open space within the designated lot surrounding this court building, the Borough President believes there appears to be an opportunity for this property to contribute to the Mayor's Housing New York Plan as permanent affordable housing.

The City should take steps necessary to develop affordable housing. This should be achieved by transferring this property's unused floor area and air rights over to the Department of Housing Preservation and Development for the use of building new affordable units. Considerations for such development visions, including building bulk and income diversity, must be in consultation with Community Board 16 and its local elected officials.

In a letter sent to the Borough President dated July 31, 2014 (attached), the Mayor's Office of Criminal Justice noted that the City is receptive to exploring further development.

Promoting Brooklyn-Based MWBE and LBE Participation

The Borough President is concerned that too many residents of Brooklyn are unemployed or underemployed. It is his policy to promote economic development as a means of creating more employment opportunities, as well as promoting Brooklyn-based businesses, including those that qualify as MWBE and Locally-Based Enterprises (LBE). As new construction, this development provides an opportunity for DASNY to retain Brooklyn-based contractors and subcontractors, especially those that are designated LBEs consistent with section 6-108.1 of the City's Administrative Code and MWBE establishments as a means to meet or exceed standards per Local Law 1 (not less than 20 percent participation). The Borough President understands that DASNY will coordinate MWBE and LBE participation and also serves as the monitoring agency to verify performance.

The Borough President seeks to emphasize that DASNY should include clauses in construction contract documents that mandate the participation of Brooklyn-based contractors and subcontractors. These Brooklyn-based businesses would be required to comply with City standards as well as DASNY's minimum requirements, and their participation would be monitored. Compliance reports would be provided to the Borough President.

Advancing Sustainable Energy and Storm Water Management Policies

The Borough President sees opportunities to utilize solar panels and/or green roofs on the roof. In addition to aligning with the Borough President's sustainable energy policy, such modification would reduce the facility's carbon footprint and reduce energy costs annually. In addition, green roofs would defer storm water from entering the City's water pollution control plants. Considering the amount of open space available on the roof and its exposure to direct sunlight, such measure would be an advantageous usage of an otherwise unused surface. He believes DASNY should assess the feasibility of such installation and report its findings to the Borough President and the City Council.

In a letter sent to the Borough President dated July 31, 2014 (attached), the Mayor's Office of Criminal Justice noted that architects have confirmed that with sub-framing, the new roof can support possible future installation of solar panels.

Financial Support for Locally-Based Not-for-Profits

The Borough President is aware that most of the current nonprofit tenants of 444 Thomas S. Boyland Street would like to return to the premises after its renovation. However, these tenants cannot afford the costs associated with relocating both away from and returning to 444 Thomas S. Boyland Street without compromising the quality of essential services they provide to the Ocean Hill-Brownsville community. In the case of CBEDC, the need to make interim space arrangements was not conveyed until after its annual operating budget request was submitted to the City's Department of Youth and Community Development.

The Borough President is concerned that a direct reduction of services provided by CBEDC would result from diverting operating expenses to moving twice in order to accommodate the upgrading of 444 Thomas S. Boyland Street and the Center for Court Innovation's Brownsville Community Justice Center. The community's need for CBEDC's assistance is great. Therefore, he calls on the Mayor's Office of the Criminal Justice Coordinator to coordinate the availability of an Expense Budget allocation to such smaller-sized non-profits, to fully pay for both moving relocation expenses away from 444 Thomas S. Boyland Street and on return to 444 Thomas S. Boyland Street, and that such City commitment be expressed in a letter to the Borough President and the City Council.

In a letter sent to the Borough President dated July 31, 2014 (attached), the Mayor's Office of Criminal Justice noted the City's commitment to to assist the Central Brooklyn Economic Development Corporation identify a new location for their program and that City resources will be made available to pay for moving costs.

RECOMMENDATION

Be it resolved that the Brooklyn Borough President, pursuant to Section 197-c of the New York City Charter, recommends that the City Planning Commission and City Council approve the land use action requested according to the following conditions:

1) That the Department of Citywide Administrative Services transfer the excess air rights and a section of the site that is not built upon to the jurisdiction of the Department of Housing Preservation and Development for the purposes of developing permanent affordable housing according to the Mayor's Housing New York plan, and that resulting development visions, including building bulk and income diversity, be developed in consultation with Community Board 16 and its local elected officials.
2) That DASNY incorporate into the construction contract documents no less than the agency's minimum requirements and standards towards retaining Brooklyn-based contractors and subcontractors, especially those that are designated LBEs consistent with section 6-108.1 of the City's Administrative Code and MWBE establishments as a means to meet or exceed standards per Local Law 1 (not less than 20 percent participation) and to monitor such participation, with compliance reports provided to the Borough President.
3) That, prior to the vote by the City Council, the Mayor's Office of the Criminal Justice Coordinator, in consultation with DASNY, should have the feasibility of solar panel installation and/or green roof installation assessed and should report its findings to the Borough President and the City Council.
4) That the Mayor's Office of the Criminal Justice Coordinator coordinate the availability of an Expense Budget allocation to the smaller-sized non-profits, such as the Central Brooklyn Economic Development Corporation, to fully pay for both moving relocation expenses away from 444 Thomas S. Boyland Street and on return to 444 Thomas S. Boyland Street, and that such City commitment be expressed in a letter to the Borough President and City Council prior to the vote by the City Council.

MEMORANDUM

To: Diana Reyna, Deputy Borough President, Brooklyn Borough President's Office

From: James Brodick, Project Director, Brownsville Community Justice Center

cc: Elan Parra, Senior Advisor for Project Management, Mayor's Office of Criminal Justice

Date: July 31, 2014

Re: Brownsville Community Justice Center ULURP Public Hearing programmatic questions

At the Borough President's ULURP Public Hearing regarding the Brownsville Community Justice Center that took place on July 8, 2014, Deputy Borough President Diana Reyna asked two questions about the planned program in Brownsville and the protocols in the Red Hook Community Justice Center. In response, the Center for Court Innovation, which planned Red Hook's Justice Center and is working with the City and the New York State Court System in planning Brownsville's Community Justice Center, we respectfully submit the following:

Question: Will defendants be held overnight or over the weekend in the Brownsville Community Justice Center's holding areas and what will happen to defendants held in custody on Friday evening?

Answer: At the Brownsville Community Justice Center, as in Red Hook, no defendants will be held in custody overnight. Defendants will not be held in Brownsville's holding areas at any time throughout the weekend. Defendants will not be held after the Brownsville Court closes at 5 pm (including Friday evenings). If defendants arrested on Friday cannot have their cases arraigned in Brownsville by 5 pm, or if defendants are arraigned but are held in custody after arraignment (pending bail or a court order of remand), their cases will be heard downtown at 120 Schermerhorn; and defendants will not be returned to the Brownsville Community Justice Center until Monday morning.

Question: Has the overall case volume at the Red Hook Community Justice Center declined over the years since the project has been operating?

Answer: In Red Hook, the volume of criminal cases and reported crime from the Justice Center's original geographic catchment area – three police precincts – has declined significantly (between 15 and 30 percent) over time. Specifically, the Red Hook Community Justice Center's catchment area case volume dropped from about 4,200 cases, annualized, in 2000, to between 3,000 and 3,500 today. (That said, the geographic area of one precinct, the 78th, was physically expanded several years ago to add Atlantic Mall and Barclay's Center, which returned the Justice Center's arraignment numbers back to earlier levels.) Further, according to a US Department of Justice independent evaluation, the decline in crime in the Red Hook precincts has been greater than that in neighboring precincts, which the evaluators attribute to the impact of the Justice Center. The same impact evaluation found that the Justice Center had reduced reoffending among its defendants by 10 percent when compared with similar populations processed downtown (and an even greater reduction among juveniles).

NYC
Office of the Mayor

Elizabeth Glazer
Director
Mayor's Office of Criminal Justice

One Centre Street, Rm 1012N
New York, NY 10007

212 788 6810 tel
212 788 6815 fax

July 31, 2014

Eric Adams
Brooklyn Borough President
Brooklyn Borough Hall
209 Joralemon Street
Brooklyn, New York 11201

RE: ULURP/444 Thomas Boyland St/Brownsville Community Justice Center

Dear Borough President Adams:

I write to respectfully respond to outstanding inquires by your office related to the City's Uniform Land Use Process ("ULURP") application, for the Brownsville Community Justice Center, at the public hearing held in Brooklyn Borough Hall on July 8, 2014. The Center for Court Innovation will separately provide you with data regarding the growth and current operation of the Red Hook Community Court.

Sustainable Renewable Energy

The renovation of the new Community Justice Center will be designed to attain LEED Silver Certification based upon the U.S. Green Building Council requirements. Noteworthy features are: low water usage fixtures; high efficiency lighting fixtures with motion sensors; high recycle content materials, including the furniture; and low VOC (volatile organic compound) paint and finishes. Solar panels have not been considered for this project due to budgetary limitation. A new roof will be installed and architects have confirmed that with sub-framing, the new roof can support possible future installation of solar panels.

Funding to Assist Non-Profit Move-Out Costs

The remaining non-profit that requires assistance for relocation is the Central Brooklyn Economic Development Corporation ("CBEDC"). This office is committed to assist CBEDC by working closely with the Department for Citywide Administrative Services, the Department of Youth and Family Development and the Center for Court Innovation to identify a new location for their program. CBEDC will continue to pay rent at their new location at or below their current rate and City resources will be made available to pay for moving cost.

30%

Use of Excess Zoning Rights on the Existing Block/Lot

The City is receptive to exploring further development on the site for additional affordable housing, but there are currently no plans or funding for such development as part of this pending ULURP application.

I hope that this information fully addresses the outstanding matters raised at the public hearing. If you should have any additional questions please contact me at (212)788-5214.

Sincerely,

Elan Parra
Senior Advisor for Project Management
Mayor's Office of Criminal Justice

Cc: Elizabeth Glazer, Mayor's Office of Criminal Justice
Viola Green-Walker, Community Board 16
Koren Manning, Department of City Planning
Matt Stanley, Dormitory Authority of the State of New York
Randy Fong, Department of Citywide Administrative Services