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Planning in a World City: New York and its Communities

Abstract

Planning in New York, a world city, is complicated, fragmented, layered, and project-oriented. The imperatives of a metropolis often dash with the goals of neighborhoods. The planning commission, working within a highly structured and legalistic environment, promotes compromise, balances the needs of different groups, and mediates conflicts, while ensuring that major projects get built. Case studies of Donald Trump's Riverside South, the United States Tennis Association's National Tennis Center and others illustrate the nature of large city planning. They also give rise to a set of governing principles.

Comments

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Planning in a World City

New York and its Communities

Eugenie L. Birch

Planning in New York, a world city, is complicated, fragmented, layered, and project-oriented. The imperatives of a metropolis often clash with the goals of neighborhoods. The planning commission, working within a highly structured and legalistic environment, promotes compromise, balances the needs of different groups, and mediates conflicts, while ensuring that major projects get built. Case studies of Donald Trump's Riverside South, the United States Tennis Association's National Tennis Center and others illustrate the nature of large city planning. They also give rise to a set of governing principles.

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We all know about world cities. Thirty years ago, Peter Hall, in his seminal book of that name (1966), told us all about them. In short, Hall observed that a few dominant metropolises, including New York City, were in a separate class. Characterized by their large size and their concentrations of a nation's communications and political, economic, cultural and educational functions, they had more in common with each other, he argued, than with other cities in their respective nations. Later, others, such as Saskia Sassen (1991), refined his argument to focus on the economic features that distinguish a group of global cities, including New York City, where political and business leaders have crafted surpassing economies dominated by banking and finance. A 1993 volume edited by Martin Shefter illuminated the predominance both nationally and internationally of the Big Apple. Finally, in 1996 the Regional Plan Association issued its comprehensive Third Regional Plan, reasserting the city's hegemony as a global center.

To some degree, we all know what kind of planning goes on in those large metropolitan centers. Susan S. Fainstein (1994) and Hank V. Savitch (1988), in their comparative studies of politics and planning in New York and other world cities, have shown how the need to maintain a superior position has yielded a special brand of planning. It requires the close collaboration of the public and private sectors in building receptive physical environments for economies based on services rather than manufacturing; cerebral activities, not physical strength; and office, not factory work. Government must assure that these environments—whether they incorporate transportation systems such as the mixed effort in the London Docklands or real estate developments such as Battery Park City—work financially, physically, socially, and politically. Savitch (1988) speculates that one result of this necessity is the reduction of internal political competition to achieve the required focused planning and implementation strategies; Fainstein (1994) maintains that public decision-makers, including city planning commissions and politicians, bow to economic development needs largely defined by real estate developers and neglect neighborhood concerns.

These interesting concepts need more illumination, for there is more to the story. Looking at the finished product of planning—a dominant city or huge project or the actions of elected officials and private interests—reveals only the macro but not the micro aspects of the process. Lacking is an investigation of the planning activities that shape a project after those charged with governing the city have made the basic decision to pursue it. Missing is an account of the delicate negotiations among those representing local neighborhoods that have also brought a given effort to fruition. As surely as global cities have special central business district features requiring protection and enhancement, they are also undergirded by a fragile fabric of loosely related neighborhoods, whose calls for attention are also part of the complicated, fragmented, and layered democratic planning process that occurs in world cities, particularly New York.

This paper will begin to fill this vacuum, using case studies of the Big Apple's project approval process to chart how community voices, the City Planning Commission and department, and local elected and appointed officials shape planning. Case studies, with their detailed accounts of how specific projects are defined, demonstrate how a city successfully resolves conflicts between the economic development drives that support its world city status and the social development efforts that build its essential fabric. They illustrate, through concrete examples, how a city reduces friction between whole area needs and small district concerns.

The cases highlight two assertions. (1) Democratic planning emphasizes negotiation, compromise, and mediation among many participants. (In the New York example these include not only the mayor and his agents and private sector leaders, but also the borough presidents, the local community boards, the city planning commission, and the city council.) (2) The planning commission plays a pivotal role in this process.

This investigation first places the case studies in context by addressing two questions: What are the bounds of planning in New York? What is the framework of New York's planning? Next it develops the cases around a central query: How does the New York approval process function with relation to "world city" related decisions, and does it ignore or incorporate neighborhood concerns?

The Bounds of Planning

An understanding of planning in New York must take into account its large size, complicated land use relationships, and need to sustain its world city position by ensuring mobility, employment, housing, and public services. That boils down to acknowledging five

MAP 1. New York City encompasses an area of 322 square miles. It contains five subcity or county units: Brooklyn, Queens, Manhattan, Bronx, and Staten Island.

dominant features. First, the city encompasses a huge geographic area: 322 square miles (or 206,000 acres) divided into five counties, co-terminous with the city's five boroughs. Brooklyn covers 81 square miles and has the largest population, 2.3 million residents. Queens's 112 square miles house only 1.9 million people. Manhattan, the smallest borough at 24 square miles, has a population of 1.5 million. The Bronx's 44 square miles contain 1.2 million, and Staten Island's 60 square miles hold 80,000 residents.

Mobility in a World City

Second, since four of the five boroughs are islands, the delivery of goods and services to the city's 7.3 million inhabitants, and personal mobility as well are complicated. Daily, 30,000 trucks cross New York's boundaries to bring products to and from the nation's largest market. Entering through one of only eight gateways, including the George Washington Bridge, completed in 1929, and the Verrazano Narrows Bridge, built in the sixties, they traverse a highway network that has seen little improvement since the 1970s; mammoth traffic jams occur regularly. Rail transportation offers little relief, since the city's low underpasses block modern double-stacked trains; and eighty percent of the city's waterborne trade lands at the containership facilities in Port Elizabeth, New Jersey, later to be transferred to trucks for delivery in the city.¹

The concentration of 40 percent of the central business district activities in a relatively small area in Manhattan also creates unique transportation challenges. Below 60th Street are 360 million square feet of office space. On any given workday 3.3 million people converge here. Almost half arrive in the peak

hours, with a million coming by subway and train, 200,000 by car, and 140,000 by bus. The city's transit system, containing over 700 miles of track and 6,000 subway cars, carries 51 percent of all New Yorkers to work throughout the city. In addition, 1.5 million riders use the above-ground system, with its 4,800 buses covering hundreds of routes.²

Employment in a World City

Third, while much of the city's economic activity is generated by the financial and business services sector, which dominates the central business district and employs over 760,000 workers, other sectors are also significant. Manufacturing, for example, employs under 300,000, more than 40 percent of whom work on the island of Manhattan. While factory employment is down from the historic 1961 high of one million and is declining at a precipitous rate—in the last ten years New York lost about a third of these jobs—it is still important in a city where the population has been replenished by immigrants who frequently arrive without English language facility or high school diplomas. (In fact, New York's number of manufacturing jobs is surpassed only by those of the metropolitan regions of Los Angeles, Chicago, Detroit, and Philadelphia.) Health, education, and social services are also noteworthy, employing 482,000, half of whom are hospital workers or university employees. Wholesale and retail trade is another large sector, with 600,000 jobs.³

The presence of the communications industry, the locations for numerous cultural facilities— theater, music, art—and the hosting of national and international sports events provide direct employment for more than 150,000. Theater alone contributes \$2.3 billion to the City's economy.⁴ These activities require space in their own right and also create other spatial demands through spillover effects. For example, the SoHo artists' community needs not only studio and living quarters for its residents, but also galleries and even hotels for its consumers. These requirements are often incompatible.

Housing in a World City

Fourth, as in most places in the United States, the city's economic strength depends not only on the presence of jobs but also on the availability of affordable shelter. New York's current stock—2.9 million units—reflects only a two percent increase in the past ten years, a situation underscored by prices. In the last decade housing costs in the New York metropolitan region rose at a far greater rate (7.4 percent) than for the nation as a whole (6.2 percent).⁵ In addition, the New York market is dominated by rental units—72 percent of the total—whose median rent is about \$450 per

month, forcing almost a third of the population to pay 35 percent or more of their income for their dwellings.⁶ The final aspect of the city's housing situation is homelessness. On a cold winter's night, New York City typically shelters 24,000 people—about 9,000 singles and 5,000 families. The annual cost of this effort is \$350,000,000.⁷

Servicing a World City

Fifth, planning for the delivery of municipal services to more than seven million people is a colossal effort. Every day New Yorkers consume 1.5 billion gallons of water, brought to the city in two ancient water tunnels—one completed in 1917 and the other in 1936—that have never been shut down for maintenance or repairs.⁸ Ultimately, the water drains into 6,000 miles of pipe, a combined rain and sanitary sewer system that flows into fourteen water pollution control plants treating 1.7 billion gallons of sewage and yielding 370 tons of sludge daily. (Until 1990, New York dumped the residue 106 miles out to sea, a practice ended by federal mandate. Now the city has to deal with its sludge in another, environmentally safe fashion.)⁹ Today, the sewer system is insufficient, often diverting large volumes of storm water into the city's harbors, fouling shorelines and polluting the waters. Finally, New Yorkers produce 20,000 tons of garbage every day, now accommodated by two substandard city incinerators and Staten Island's 2,500 acre landfill, which is rapidly reaching its limit.¹⁰

The Framework of New York City Planning

Meeting the planning needs of the Big Apple involves a sort of "planning machine" whose multiple parts range from the local community board members—there are about 1,700, sitting on 59 separate units—to a 13-member city planning commission. In addition, elected officials and thousands of staff members of city, state, and federal agencies, community-based organizations, and city-wide nonprofit interest groups are involved. The local chapter of the American Planning Association has over 800 members, a rough measure of the number of practitioners. Most participate in planning through the city's project approval process, the Uniform Land Use Review Process, known by its acronym, ULURP. This process dates from the seventies and has evolved through charter amendment to its present form.

The ULURP Process Explained

Under ULURP, communities and borough presidents present advisory votes to the planning commis-

MAP 2. New York City has 59 community districts, whose 50-member community boards play an important role in planning. The map above illustrates the boundaries of each district. (Each borough's districts are numbered, beginning with number 1.)

sion, city council, and mayor, on a list of major planning actions. They are: text and map amendments to the zoning resolution; all changes to the city map, that is, streets and parks; subdivision designs; urban renewal plans; site selection for capital projects; city acquisitions of real property for purchase or rent; community plans, known as "197a" plans; granting special permits according to findings indicated by the zoning resolution; franchise requests for proposals; noncity public improvements, and approval of sanitary or waterfront landfills.

Initiated by applicants, who can be either private individuals or groups (developers, civic groups), or public agencies (a community board, city planning department, or other municipal unit), ULURP plays a huge part in setting the city's planning agenda. And, most important here, the process actually establishes both the timing and the content or scope of planning commission activities (figure 1). By law, a given ULURP review must take place within an established time frame: 180 to 200 days.

The city charter and city-council-approved rules circumscribe ULURP as follows. Once a project application is complete, the chair, in his role as head of the department, certifies that the ULURP time table is to begin. The department promptly sends the material to the community board in question. The community

FIGURE 1. ULURP: The Uniform Land Use Review Process as practiced in New York City

board has 60 days to review it. During this time, it holds a public hearing and then submits its advisory vote to the borough president and the city planning commission. Within 30 days, the borough president submits his or her recommendation on the project to the city planning commission. (If the item deals with more than one district, the borough president convenes the borough board, composed of the chairs of the concerned community boards and the borough's city council representatives, for their vote and holds a public hearing before rendering a judgment.) Upon the application's return to the city planning commission with its two recommendations, the commission has 60 days to hold yet another public hearing before its vote.

The 1989 charter specified clear arrangements for the allocation of power in the ULURP process. The community boards' and the borough presidents' recommendations are advisory and not binding on the commission. If the commission votes negatively, the project is defeated.¹¹ If the commission votes positively, the matter goes to the city council, which has 50 days to review it, hold a public hearing, and vote. The mayor then has five days to review and veto a city council action. The city council may override the mayor's veto by a two-thirds vote if it acts in ten days.¹²

If this process sounds onerous and fraught with pitfalls, it also allows for maximum public participation in reviewing a project. In practice, it contains the issues and provides closure on the negotiations that frequently occur with major proposals. Once ULURP begins, the matter defined in the application is set. Changes must relate directly, in legal terms, to its substance. Thus, even if the participants know that other projects might have a bearing on an application under study, they cannot consider them in their decision-makers. Further, they cannot make substantial amendments that change the scope of an application. In a petition for a development approval, for example, the ULURP documents establish the actual envelope or physical dimensions and general site placement of the project. The city planning commission and city council can eliminate or downsize, but cannot enlarge or substantially rearrange elements in the application.

Effects of the 1989 Charter Revision On City Planning

The ULURP system fits into a larger planning framework developed in the city's 1989 charter revision. As of June 1, 1990, the planning commission was enlarged from seven to 13 members (illustration 1). Of this group the mayor appoints seven; the public advo-

ILLUSTRATION 1. At its inception in 1990, the members of the newly enlarged New York City Planning Commission were (from left to right) Anthony I. Giacobbe, Maxine Griffith, Ronald Schiffman, James C. Jao, Eugenie L. Birch, Joel A. Miele, Richard L. Schaffer, Brenda Levin, Jacob B. Ward, Victor G. Alicea, Edward T. Rogowsky, Amanda M. Burden, and Deborah C. Wright.

cate, one; and each of the five borough presidents, one. All serve staggered five-year terms.¹³ This appointment system has given the boroughs much more representation in official planning than they formerly had.

The commission's general mandate is to manage the orderly growth and development of the city. It performs this function not only throughout its participation in the uniform land use review process (ULURP), but also by incorporating a set of regularly scheduled planning and policy reports into its deliberations. These documents are a new element, having been prescribed by the 1989 charter, and are produced by the Department of City Planning, often with other agencies. The reports are:

- The Mayor's Strategic Policy Statement, issued every four years by the mayor, co-ordinated by the Department of City Planning and supplemented by the borough presidents' strategic policy reports;
- The Annual Report on Social Indicators, a yearly analysis of a wide range of social, economic, and environmental data designed to provide a statistical portrait of the state of the city;
- Citywide Statement of Needs, an annual disclosure document describing all the facilities that city agencies expect to locate in the next two fiscal years, with their proposed locales and criteria for site selection. (Accompanying this report is the five-volume Atlas of City Property, showing the location and use of all city-owned land.);
- The Ten Year Capital Strategy, a biennial document designed to co-ordinate land use planning and capital budgeting, by laying out the city's \$52 billion capital budget.¹⁴

The Commission also observes a series of rules that the 1989 charter defined and charged the commission with formulating. In general, these procedures disclose the negative effects of large-scale projects, help prevent the concentration of so-called nuisance activities in neighborhoods, and allow for expression of community viewpoints. The rules include the Criteria for the Location of City Facilities, the first attempt in the nation to combine equity with efficiency criteria in site selection, in an effort to reduce the NIMBY ("Not in my back yard") syndrome and to allocate both beneficial and less beneficial uses evenly throughout the city; and 197a Rules, a code establishing the minimum standards that the planning commission and city council must apply when adopting plans generated by neighborhoods or by other entities, including community boards, boroughs, and even the whole city.¹⁵

The ULURP process and the new sets of reports and rules frame the planning process in New York

City. Within this framework the commission meets officially five times a month—in two public hearings and three briefing sessions—and has several unofficial meetings or site visits per month, as well. In its first year, 1990, the commission had 81 sessions and voted on 500 items.¹⁶

World City Initiatives versus Local or Neighborhood Needs

The preceding discussion about the bounds of planning and the planning framework delineated the complex context of planning in a world city. The following cases illuminate how, in this environment, the imperatives of the world city and those of the loosely related neighborhoods take form, clash, and find resolution. The examination of four ULURP projects reveals a planning process that takes its own measure in a series of negotiations where everyone realizes that changes will occur; the question is not whether they will occur, but what will happen and who will cause it. Together, the case studies represent responses to three main areas of concern in planning for a world city: economic development, housing, and municipal service delivery.

Riverside South

The scene is early 1991; Donald Trump is holding onto Penn Yards, 75 acres of prime land on the upper west side of Manhattan, the last large site on the island. Having just received word that his proposed 14-million-square-foot Television City, featuring a 150-story office building, a regional shopping center, and several 60-story residential buildings, would never get through the ULURP process because of stiff community and government opposition, he has decided to regroup. With the mayor's office, he has negotiated an unusual agreement to pursue an eight-million-square-foot development.¹⁷ Parties to the agreement are several former opponents, including the Municipal Art Society, the Regional Plan Association, the Parks Council, West Pride, and the Natural Resources Defense Council. Their support of the revision is based on a Trump promise to dedicate a 23-acre riverside park and an inland right-of-way for the relocation of the West Side Highway, currently located along the waterfront. (Trump reputedly is inspired to compromise because he is in hock to his creditors, notably the Chase Manhattan Bank, which holds a \$220 million mortgage on the property.¹⁸)

Trump also agrees to underwrite a planning entity, the Riverside South Planning Corporation, to develop a new ULURP application. This group is supported by the city-wide civic groups who had led

ILLUSTRATION 2. Donald Trump's Riverside South plan includes a 23-acre waterfront park and adjacent residential development accommodating 5,700 dwellings. A world-renowned architectural firm, Skidmore, Owens and Merrill, designed the site plan and provided the commission with this vision of the proposal.

the opposition to his earlier plans, but does not represent all neighborhood interests. In fact, many of the area's 210,000 residents, who are predominantly white, relatively affluent, and well-educated, experienced veterans of many land use battles—including a lengthy skirmish over this very site ten years earlier—threaten a massive offensive to defeat the proposal. They have the support of their local elected officials.¹⁹

Nonetheless, the Riverside South Corporation, working speedily with architects from Skidmore, Owens and Merrill as well as with the staff of the Department of City Planning, completes a ULURP application within fourteen months. Incorporating the park and highway components, the plan outlines a \$3 billion project encompassing a three-quarter-mile extension of Riverside Drive from W. 72nd Street to W.

59th Street, the creation of 15 development parcels to hold 5,700 apartments arranged in 16 buildings, a 1.8-million-square-foot studio for television and movie production, and assorted commercial spaces designed to service the expected 10,000 new residents. Appearing in the middle of a deep real-estate recession, a project of this scale has massive, positive implications for the city's economy. Not only would it provide thousands of jobs for the depressed construction industry, but it would also supply much-needed commercial space for the entertainment sector. It would also address the city's chronic shortage of housing.

The ULURP application is extremely complicated. It includes five categories of city map alterations; five rezoning actions; eight special permits that range from allowing construction over a railroad right-of-way, to permissions to arrange bulk across zoning lot lines, to authorization for curb cuts; as well as the execution of three legal documents including a restrictive declaration that places in the land records the terms of the special permits.²⁰ It also requests an extension of the vesting period from the usual two years to ten. It is so complex that the department's briefing sheet has over 60 pages and a dozen supplementary maps and plans. Nonetheless, the community board, the borough president, and the city planning commission are expected to absorb, comprehend, and offer their decisions within the prescribed 180–200 day timetable.

As the proposal wends its way through the ULURP process, it is met with enormous opposition. For assistance, the community board hires its own planning firm, Buckhurst, Fish, Hutton, Katz & Jacquemart Inc.²¹ After three days of public hearings, the board rejects the project, enumerating 61 points of disapproval.²² The borough board follows suit.²³ The community's objections center on the project's population density and on related issues of sewage treatment, transportation, and schools; the park component, its phase-in, maintenance, and operation; the fear of an onslaught of luxury housing; and design issues.

After much speculation and her own two-day public hearing, the Manhattan Borough President, Ruth Messinger, dramatically reverses the local stance, but insists on signing a memorandum of understanding with the applicant before offering her approval.²⁴ While this agreement does not bind the city planning commission, it does outline the conditions on which the borough president gives her sanction and, theoretically, could withdraw it. The memorandum contains several commitments from the Trump forces: provision of ten percent of residential units as affordable, a five-million-dollar payment for subway improvements,

a pledge to pay one-half of the maintenance fees for the park, and construction of a temporary open space in the interim period before the West Side Highway is moved inland. In an accompanying report, Messinger suggests, but does not require, a number of other modifications including elimination of the 1.8-million-square-foot television space, adjustments to the urban design requirements, a reduction of the vesting period, construction of an on-site sewage treatment plant, and formation of a construction oversight committee.²⁵

After a long public hearing with 84 speakers and extensive written testimony, the planning commission begins six weeks of hard negotiations with the applicant. While disposed to favor the project, it wants to ameliorate some of the adverse neighborhood effects. Yet the commission is also mindful that the extractions attached to development permissions granted for the area a decade earlier made that project unbuildable.²⁶ The commission seeks a balance between the city's need to encourage construction during a recession and local concerns about the impacts of what could be the largest private construction project in the history of the city.²⁷

The commission has only one type of legal action at its disposal: the approval or disapproval of the ULURP application. The commission, in an unprecedented move, refuses to vote without reviewing the contents of the restrictive declaration, a contract spelling out the legal requirements that implement the permissions, which is not officially part of the ULURP process. In the end, the commission decides the following:

1. The project density is too high. The commission reduces the residential use by 100,000 square feet and the commercial area by 300,000 square feet, bringing the development rights down to 7.9 million square feet. This action also addresses the community's concerns about urban design by requiring specified streetwalls, maximum base heights, and tower setbacks and widths.
2. The project has too much luxury housing. The commission requires provision of a minimum of 12 percent of the total dwelling units in the affordable category, allotted according to income levels (e.g., six percent will be for households earning 80 percent of the area's median income). It also specifies a phase-in for building the market-rate housing.
3. Careful regulation of all open space commitments is necessary. The commission gives definition to the 23-acre park. In setting terms for the park's scheduling and design, as well as performance standards, it engages in a particularly arduous negotiation

complicated by the uncertain arrangements for moving the West Side Highway, as well as by uncertainty about the timing of the development of the separate parcels in the project. (The commission's scrutiny of the restrictive declaration, a document dedicating 26 of its 117 pages and 11 appended landscape drawings to this topic, is important at this juncture.) The commission also requires a maintenance agreement between Trump and the New York City Parks Department. Finally, it specifies that several public access easements that the plan permits (as a method of generating development rights, streets are demapped and replaced by public access easements) must look like public, not private, space.

4. The applicant must address transportation issues. Realizing that the residential uses alone could increase the area's population by 15,000, the commission calls for Trump to contribute ten million dollars to the Metropolitan Transportation Authority for subway station improvements at West 72nd Street and West 66th Street, as well as to dedicate a light rail easement within the project area. It also requires a seven-million-dollar set-aside for the rehabilitation of the Harlem River Rail Yards in the Bronx, because the Trump project will preclude any rail freight shipment to Manhattan.²⁸
5. The city should not require project responsibility for sewerage treatment. Despite the community board's strong concern, the commission determines that the project's estimated daily sewage production of 1.42 million gallons would not have a major impact on a nearby water pollution control plant, with a daily processing capacity of 170 million gallons, whose service area encompasses 5,100 acres and over half a million residents.²⁹ To reassure the community, however, the commission requires that before occupancy permits are released, its chairman certify that the project's hook-ups will not place the treatment facility beyond its legal capacity.
6. The commission accepts other personal commitments from Trump to lessen negative impacts. They include land for a 600-seat school; a \$125,000 payment to a fund to deter tenant harassment, as a step towards assuaging secondary displacement; creation of a sustainable development program with a system for reporting to the community and elected officials; promises to employ women and minorities in the construction and operation of the development; establishment of an urban design advisory board including neighborhood representatives; and formation of a trouble-shooting construction liaison committee

to address ongoing community concern.³⁰ Finally, the commission limits the vesting period to seven and a half years.

Voting unanimously on this modified project, the commission gives Trump 7.9 million square feet of development rights—600,000 more than the previously approved project for the Penn Yards.³¹ Before giving final permission, however, the city council refines the basic agreement achieved with the commission and calls for four more concessions. To respond to concerns from Queens, which is the site of Silvercup Studios, a major economic development project for that borough, the council requires Trump to seek a special permit to construct the studio, thus reducing his immediate development rights to 6.1 million square feet. To pin down his commitment to employ significant members of women and minorities, it calls for a hiring goal of 20 percent. To soothe the still-angry community board, it extracts half a million dollars more for the district's senior citizen, youth, and job training programs. To ensure accountability, it forms a five-member oversight board, the Riverside South Implementation Task Force, composed of representatives from the city's executive and legislative branches and charged with overseeing the obligations tied to the permissions.³² Through the approval process, the value of the land increases from about \$85 million to an estimated \$400 million; the cost of the infrastructure and amenities package amounts to \$340 million.³³

The planning commission's handling of the approval process fashions a solution whose elements contain clearly delineated responses to local concerns expressed by the neighborhood, nearby boroughs, city agencies, and civic groups. Exercising its authority to regulate land use and building form, the commission endorses the project's amount of housing, but guides its composition. It reduces the amount of television studio space to achieve a better balance between residential and business uses. It shores up the amenities package, sorting out and clarifying responsibility for specific items as well as establishing performance standards. In sum, it tempers "world city" initiatives with "loosely related neighborhood" imperatives. Not everyone is happy with the outcome. (In fact, a neighborhood group, deeply disappointed that the commission neither reduced the number of housing units nor reiterated the transportation conditions of the 1982 restrictive declaration, sought to overturn the permissions, but has been unsuccessful. Others have complained that the amenities package is too expensive.) Nonetheless, the project is moving forward.³⁴

New Providence Transitional Housing

Homelessness stands at the opposite end of the scale from the concerns associated with Riverside South. Yet both are related to the recent changes in the city's economic base and its emergence as a player in the global economy. The market for Riverside South's housing will presumably be the city's growing number of service sector employees. The increasing incidence of homelessness also results from economic restructuring and the disappearance of formerly abundant low-skill manufacturing jobs.³⁵

In 1992, the city has about 7,500 single men and 1,500 single women in its shelter system. In a representative sample of this population, 80 percent test positive for substance abuse.³⁶ Under a court order since the early eighties to provide lodging for the homeless, New York decides to target support services to specific populations among them rather than continue an earlier policy of placing people in barracks with minimal social services. A housing program is announced whose centerpiece is the creation of small, service-intensive facilities.³⁷

In line with the new policy, the Mayor's Office of Housing advances a ULURP application to purchase a 42,000-square-foot, vacant building, New Providence House (formerly a Franciscan residential facility and soup kitchen), for transitional housing for 150 mentally ill, substance-abusing women. The site, 225 E. 45th Street, is in a commercial zone adjacent to some of the more exclusive residential districts of the city—Turtle Bay, home of Katherine Hepburn, the actress; Beekman Place; and Sutton Place, home of a former secretary of state, Henry Kissinger. That community's 133,000 residents are highly educated, have incomes well above the city's median, and all live within a square mile, in a relatively small but densely settled area.

The proposed shelter is two blocks from Grand Central Station, where a business group has established St. Agnes Drop-In Center, which offers referrals and meals to 500 homeless people per day. It is also about eight blocks away from another facility, known officially as the United Nations Women's Shelter and colloquially as "931 First Avenue," housing 170 women in a situation that led one observer to label it as "an example of everything that is wrong with the city's shelter system."³⁸ (This facility, a landmarked former school building, was the site of an unsuccessful civic effort to attract a private investor for adaptive reuse. No developer came forward. The city, desperate for space, turned it into a temporary shelter, without making any physical improvements to accommodate the use or establishing sufficient social services on site.

In fact, the building is in substantial disrepair.) Much to the annoyance of the other neighborhood residents, the shelter occupants tend to loiter outside the building; in the immediate vicinity, security is an issue. One witness records:

I have seen firsthand the effects of this shelter on the surrounding neighborhood. I have heard stories about the influx of prostitution surrounding the shelter as well as an increase in crime. I have also seen women eating grapes off of the vine in grocery stores. In addition, because the women are not required to be clean and sober, substance addictions and mental illness go untreated and residents have essentially nothing to do all day. . . . I must say that I believe community residents are correct to be a bit skeptical of the City's promises, because many commitments have not been kept in the past.³⁹

With these experiences as context, the community board holds two emotionally charged and contentious public hearings before voting, 18 to 16 (with one abstention) to reject the New Providence project as proposed.⁴⁰ Underlying its reservation is the belief that their district is "oversaturated" with homeless facilities. It lists seven nonnegotiable conditions which, if met, would reverse their recommendation. Among the community board's demands are the immediate closing of 931 First Avenue; guarantees that New Providence would be solely a transitional, therapeutic facility giving admissions preference to the district's own homeless population; the formation of a community advisory board empowered with direct oversight of the facility, including the power to reduce the home's population; and a reduction of the St. Agnes drop-in center's population.⁴¹

The Manhattan borough president's public hearing features panels of experts drawn from city agencies, private and nonprofit groups delivering services to the homeless, business representatives, and committee chairs of the community board, as well as representatives from the general public. In the end, she recommends approval providing that the community board's conditions about the closing and adaptive reuse of 931 First Avenue and the narrow restriction on the use of New Providence are met. She calls for a citizens advisory group with more limited powers than envisioned by the community board, and a six-month transition period between opening New Providence and closing 931 First Avenue. The borough president does not seek a reduction of services at the St. Agnes center.⁴²

Again, the city planning commission takes this ad-

vice as well as other evidence under consideration in fashioning its solution. First, it refers to the newly drafted Criteria for the Location of City Facilities (Fair Share Criteria) to make sure that New Providence would not violate them, as some of the testimony at the public hearing had asserted. (Objective evaluation by the criteria reveals that the neighborhood ranks 23rd out of 59 for residential facility beds, having 18 beds for every 1,000 population; the citywide ratio is 19:1,000.) Second, the commission verifies that the shelter will be transitional and therapeutic only. Third, it demands and receives specific city agencies' assurances that they will enforce the operational conditions outlined by the borough president. In particular, the commission sets a cap of 150 on the residential population, specifies a one-year time limit between the opening of New Providence and the closing of 931 First Avenue, and establishes a firm schedule and charge for the advisory committee.⁴³ Fourth, some members visit similar facilities to see first-hand how they work. In the end, satisfied that the majority of community concerns are met, the commission unanimously approves the project. The city council makes no changes in the arrangements.

United States Tennis Association Tournament Stadium

Another project illustrates the collision between world city aspirations and local considerations about open space. New York City has always hosted the U.S. Open, the annual three-week international tennis competition held in Queens. In addition to generating enormous positive publicity for the Big Apple, the Open yields about \$112 million in economic activity and over two million dollars in New York City taxes. Sponsored by the United States Tennis Association, it is played in a single-purpose facility occupying about 20 acres in Flushing Meadow Park, a 1,200-acre former ash heap converted by Robert Moses to a world's fair site and later given to the city's parks department. In 1993, the USTA seeks a 99-year lease for 22 additional acres of parkland. It intends to build a 23,000-seat stadium, to refurbish the two existing stadiums, reducing their capacity by about 40 percent, and to build 47 tournament quality courts, replacing 35 existing ones (illustration 3). The USTA expects to spend \$172 million, financed primarily by \$120 million in municipal bonds issued by the city's Industrial Development Agency.

ILLUSTRATION 3. Proposed expansion of the USTA National Tennis Center at Flushing Meadows-Corona Park includes construction of a new stadium as well as over 40 outdoor courts.

Strongly supported by Mayor David Dinkins and the Queens Borough President, Claire Shulman, who both realize the project's symbolic and economic significance although seeking to soothe community resistance, the USTA and the city's parks department advance a joint ULURP application linking the tennis center expansion to the conversion of a nearby 31-acre, waterfront, city-owned plot into a park. Also in the package is the provision of the stadia for public events all year round (currently the USTA closes its arenas for 48 weeks of the year); the opening of up to eleven of the outdoor courts to holders of fifty-dollar-a-year Parks Department permits (Flushing Meadow Park now has no public tennis courts); creation of an eight-million-dollar Flushing Meadows Endowment Fund for use anywhere in the park; construction of wetland enhancements in a drainage area adjacent to the tennis facility; and issuance of free passes to New York City residents during the U.S. Open qualifying rounds. The USTA is to pay an annual rent of \$400,000 plus a percentage of the gross revenues. The city will contribute improvements and benefits of over \$13 million—for roadway improvements and traffic mitigation, for clean-up and construction of the waterfront park, and in deferred fees for the municipal bonds.⁴⁴

Despite the applicants' careful proposal, they do not have smooth sailing at the community board. The park abuts six community districts whose combined populations are predominantly white and middle class. The ULURP process requires a vote from each. Two give their approval outright; three impose conditions—about traffic, security, and no rock concerts during the off season; and two reject the proposal entirely. One critic bitterly remarks, "Maybe this will benefit the whole city, but Queens will bear the brunt." Another bluntly observes, "I think this deal stinks."⁴⁵ In addition to their displeasure with the physical aspects of the proposal, many residents are miffed that the city has negotiated a change in the airplane flight patterns from nearby Queens airports during the U.S. Open, a feat that they themselves have never been able to accomplish. The borough board vote reflects the community division. The borough president modifies her approval with demands for a USTA Community Advisory Council given a consultative role; and that the USTA be more forthcoming with free passes to the Open, funding for the New York Junior Tennis League, and other training programs.⁴⁶

The planning commission, fully cognizant of the importance of this project for New York yet sensitive to the local objections, relies on the environmental impact statement for appropriate mitigation, particularly

of traffic congestion and environmental hazards. That commission requires extensive transportation improvements, including the construction of new entrances and circulation lanes in the park. Since the park is a former ash heap, the commission also calls for a two-foot layer of clean fill on the open areas of the site. It confirms the clean-up of the new park at Powell's Cove. It mandates the formation of the community advisory council. The city council makes a few adjustments unrelated to the commission's basic land use decisions.⁴⁷

The New York Police Department's Erie Basin Evidence Vehicle Facility

This last case illustrates one example of a needed municipal service and how it is made more palatable to the site neighborhood. The time is 1992. The head of the city's Economic Development Corporation (EDC), Carl Weisbrod, has just achieved a major coup: he has persuaded the New York Times to build a new printing and distribution plant in Queens instead of taking this \$280 million investment to New Jersey as the editors have threatened. The only problem is that the site is now occupied by a police-controlled parking lot used to store vehicles held as evidence in crime or forfeited to deter quality-of-life crimes such as drug dealing or prostitution. (In the past few years, increased activity due to funding of more police officers as part of the mayor's "Safe Streets/Safe City" anti-crime program has resulted in a 50 percent increase in impounded cars. The net effect is that the police need room to store and auction an average inventory of 6,000–7,000 cars, or 25,000–30,000 vehicles, per year. Two-thirds can be placed on a lot near the New York Times site, but another 18–20 acres is needed to store the remainder.)⁴⁸

After an extensive search that evaluated 30 sites for their compliance with selection criteria—appropriate zoning, access, and size—the EDC settles on the Erie Basin, a large, derelict, fish-hook-shaped pier in a rundown industrial section of Red Hook, a disadvantaged Brooklyn neighborhood (map 3). In its ULURP application, the EDC proposes to rent the pier at a reduced rate of \$400,000 annually from a private owner, float bonds to support its \$21 million reconstruction price tag, and allow the owner to retain the inner part of the pier to continue his barge business. Included in the proposal is a modest amenities package that provides limited public access to a part of the pier. The scheme promises to buttress a distressed local business, use excess pier space for the car pound, rebuild a huge, rundown dock, and increase the community's meager open space.

MAP 3. The Erie Basin Evidence Vehicle Facility will be placed on the outer arm of the pier located at the bottom of the map. The pedestrian walkway extends along Columbia Street and west to the second bend in the pier.

Both the community board that represents this area's poor, minority population, and Howard Golden, the Brooklyn Borough President, fiercely oppose the project. In their opinion, Red Hook suffers from a history of public decisions that have weakened the neighborhood. For example, the 2,800-unit Red Hook Houses, built in 1939 and enlarged in 1955, dominate the district and are one of New York's largest and most crime-ridden public housing complexes.⁴⁹ The Gowanus Expressway and the access roads to the Battery Tunnel, constructed in the fifties, isolate the area from the rest of the borough. City permit policy has allowed the second highest concentration of transfer stations of any city district. To local leaders, this project, with its resulting increased traffic flow, is misguided. Both the community board and the borough president vote no, sending the application back to the commission with a plaintive cry: "We must do better for our community in Red Hook."⁵⁰

While fully appreciating the value of the project, the planning commission insists on scrutinizing the

city's mitigation proposals. It accepts the Department of Transportation's program to address the additional traffic, but finds the EDC-added amenities insufficient. It forces the agency to double the length of its planned dockside, 800-foot pedestrian walk and bicycle path, and it insists on construction of a harbor viewing station with benches, lighting, and appropriate decoration. It requires longer open hours for the walkway than originally had been proposed. It calls for the removal of a guardhouse barring entry to the public parts of the area. It also presses the EDC to provide the maintenance fund for an adjacent, abandoned pier about to be converted into recreational space. It accepts the police department's offer to start a Police Athletic League program in the Red Hook Houses community center. Finally, the commission demands that the directors of the EDC and the city planning department find resources to give technical assistance to Red Hook residents for the development of a 197a community plan, and that they pledge a progress report in six months.⁵¹

Conclusion

The description of the bounds of planning, New York's framework, and the case studies presented here reveal the nature of planning in world cities. The traditional and legal requirements, the multiplicity of players, the scale of the projects, the complicated approvals and permissions, and the prominence of many of the applicants demonstrate the fragmented and layered quality of planning in this context. They also show how in one global city, New York, neighborhoods have opportunities to influence every planning activity or project—a power exercised primarily through participation in ULURP, the real engine of the planning process in New York.

As table 1 indicates, every one of the projects in the case studies ended ULURP with certain changes or new amenities requested by the communities. Through planning commission intervention, Riverside South lost square footage, included affordable housing, made substantial payments to the subway and other affected facilities or groups, had a sharply delineated park development package, agreed to fund park maintenance, and submitted to continuing community and citywide scrutiny through the advisory councils. When the commission approved the New Providence application, it provided for two of the community's most pressing concerns: the guarantee on type of use, and closing the other shelter. While requiring an advisory council, the commission declined to extend certain powers requested by the neighborhood and did not reduce the level of service in an adjacent drop-in center. For Queens residents,

Project Name	Project Type	Community Board Reaction	Borough President Reaction	City Planning Commission Action
Riverside South	residential/ commercial	opposed	in favor	space reduction, affordable units, amenity package, park, subway, performance standards, advisory boards
New Providence	residential/ service delivery	opposed	in favor	use guarantees, closing of other shelter, advisory board
USTA Tennis Center	economic development	mixed	in favor	environmental mitigations, endowment fund, amenities, compensating park, advisory board
Erie Basin Evidence Facility	economic development/ service delivery	opposed	opposed	extended path, longer hours, community plan

TABLE 1. The effects of local input on city-wide planning decisions

the commission invoked the environmental impact mitigations, accepted the park endowment, established an advisory council, and increased the availability of the public courts. At the Erie Basin Evidence Vehicle Facility, the commission pushed city agencies to offer more, larger, and more sensible neighborhood amenities, as well as to give technical assistance for ongoing planning.

Thus the original question of whether planning, as it is driven by the need to sustain world city status, deprives that city's residents of a voice in planning execution and moves ahead ignorant of local needs—that question is answered with a resounding “NO,” at least in New York. Citizens have substantial power to mitigate the negative aspects of a large project or to turn a project to their advantage, because ULURP incorporates subcity units and ensures their representation. In addition, ULURP takes place with reference to targeted disclosure documents and charter-mandated reports such as environmental impact statements and the fair share criteria. (The city planning commission accepts, by the way, about 90 percent of the more than 1,000 community board recommendations issued through ULURP.⁵²)

The four case studies demonstrate the actual nature of this citizen power. First, it is limited: although neighborhoods can oppose projects, they rarely can stop them. Second, notwithstanding the first constraint, it is palatable. Community activists can help to shape projects to be more compatible with their districts, by articulating suggestions strongly and presenting clear notions for improvements. Borough

presidents' endorsements strengthen their positions. Third, this power is inclusive: all neighborhoods, regardless of economic status, can participate. Fourth, it is demonstrable to decision-making bodies. It is clear that the planning commission, in arbitrating the details of an approval, balances citywide and neighborhood needs. The commission listens keenly to local suggestions for improvement and considers them essential to the successful achievement of world city objectives.

The process through which changes emerge is instructive, because it reveals general principles to be aware of in planning practice. First, in all cases, the applicant wants to have the project and is willing to compromise to get it. Second, in all cases, both the applicant and the neighborhood agree that some sort of mitigation of its negative effects must take place. They may differ on what the mitigation should be, but, at some level, they all know that the project will not happen without meaningful response to neighborhood needs. The ability of the planning commission to kill a project gives force to these convictions. Third, in identifying the acceptable modifications, a pattern is clear. The applicant advances mitigation proposals and, on a parallel course, the community boards, borough presidents, and city planning department offer theirs. At some point—usually at the city planning commission—agreement crystallizes on a few proposals, and the rest are discarded. (For example, at Riverside South the commission decided that building a percentage of affordable housing would supersede the community's suggestion, which was construction of

an on-site sewage treatment plant. It made this choice after public hearings, briefings by city agency officials, and pleas by lobbyists from both sides.) Through debate, negotiation, creation of memoranda of understanding, and restrictive declarations, the conditions become part of the approval process.

In general, the mitigations are shaped by mutual agreement into specific, clearly defined elements linked to performance. They are related to the nature of the project and advance a city goal. Thus, economic integration in housing is incorporated in the mandatory provision of affordable housing in large scale residential developments; or the use of an industrially zoned waterfront pier for a city function yields waterfront improvements for the community. For the most part, the mitigations are defined not in dollar terms, but in specific expected outcomes. (This avoids ending up with less-than-hoped-for improvements when mitigation takes place years after the granting of the original permissions, as often occurs with large, complicated projects that take a long time to complete.⁵³)

In sum, project planning in New York City is the product of efforts by many people, who collectively consider local needs as well as promote world city undertakings. It is democratic, and it tempers any unilateral drive for economic or cultural superiority, through an inclusive set of reviews. To broker the inevitable compromise, the New York City Planning Commission presides over a process that is rational and responsive.

AUTHOR'S NOTE

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NOTES

1. New York City Planning Commission, *Shaping the City's Future, New York City Planning and Zoning Report* (New York, 1993), 55-59.
2. New York City Planning Commission, *Shaping*, 18-20, 51.
3. New York City Planning Commission, *Shaping*, 27, 30-31; Department of City Planning, *New Opportunities for a Changing Economy, Summary Report of the Citywide In-*

dustry Study (New York, 1993); Samuel M. Ehrenhalt, "Economic and Demographic Change: The Case of New York City," *Monthly Labor Review*, February, 1993, 40-50.

4. New York City Planning Commission, *Shaping*, 16-17; Port Authority of New York and New Jersey, *Arts as an Industry* (New York, 1993); Arts Research Center, *The Economic Impact of Major Exhibitions at the Metropolitan Museum of Art, Museum of Modern Art and the Solomon R. Guggenheim Museum* (New York, 1993); Exploring the Metropolis, Inc., *Complementary Assets, The Entertainment Arts Industry*, Part 2 (New York, 1993).
5. New York City Planning Commission, *Shaping*, 89-90; The Port Authority of New York and New Jersey, *Regional Economy: Review 1993, Outlook 1994 for the New York-New Jersey Metropolitan Region* (New York, 1994), 13, 27.
6. Michael Stegman, *Housing and Vacancy Report* (New York: Department of Housing Preservation and Development, 1992).
7. New York City Commission on the Homeless, *The Way Home, A New Direction in Social Policy* (New York, 1992); David N. Dinkins, *New York City Five Year Plan for Housing and Assisting Homeless Adults* (New York, 1991).
8. David W. Dunlap, "Construction Below, Opposition Above, Queens Groups Fight an Access Site for Huge Water Tunnel Project," *New York Times*, May 15, 1994; Department of City Planning, "Briefing Sheet, City Water Tunnel No. 3, Shaft 17-B," May 2, 1994, 268-84; New York City Planning Commission, *Shaping*, 73.
9. The sludge issue is a moving target. In the late 1980s, the U.S. Environmental Protection Agency through a court order demanded that New York City create a treatment plan to dispose of the residue. By 1991 the city had produced such a plan: Department of Environmental Protection, Bureau of Clean Water, *New York City Long Range Sludge Management Plan* (prepared by Stone & Webster Engineering Corporation, et al.), May 1991 (updated November 1991). The city's plan included the construction of nine processing sites by 1998. They will use a combination of thermal drying, composting and chemical stabilization to accomplish beneficial use or recycling of the sludge. The goal is to provide processing capacity for 650 dry tons of sludge per day by 1998. In the interim, the court has allowed New York to ship 200 tons a day out of state. In the spring of 1993, Nassau County's successful suit against the federal government allowed that area to continue to export sludge instead of building two treatment plants on Long Island. New York City officials will challenge its consent order, to seek a similar solution. In the meantime, the city must continue to pursue the plan in the event that the court denies the petition (James C. McKinley, Jr., "Giuliani Refuses Chancellor on Money for New Schools," *New York Times*, May 4, 1994).
10. Department of Sanitation, "Draft Executive Summary," *Comprehensive Solid Waste Management Plan* (New York, 1992); Joe Sexton, "Brooklyn Incinerator Opponents See Victory in High Court Ruling," *New York Times*, May 4, 1994, B-7; New York City Planning Commission, *Shap-*

- ing, 78-79. This estimate for the life of Fresh Kills is not too firm. Some observers believe it has forty more years of capacity; others project ten. Recycling; the extreme price-sensitivity of commercial carters, who, faced with higher tipping charges for the Staten Island facility, disposed of their refuse out of state; and other factors have a significant effect on the potential life of the Fresh Kills landfill on Staten Island. In June 1996, New York City, New York State, and the Borough of Staten Island signed an agreement to close the landfill by December 31, 2001 ("After Fresh Kills, New York Will Need a New Partner in Garbage," *New York Times*, June 2, 1996).
11. The mayor can override special permits and zoning map and text changes if he certifies them as necessary. Under a few special circumstances the 51-member city council can recall an application within 50 days if 2/3 of the members vote to do so. In the four most recent years, neither of these measures has been employed to overturn a commission vote.
 12. Another wrinkle in this process is the borough presidents' ability to exercise what is called a "triple no." If both the community board and the borough president recommend disapproval of an item, but the city planning commission approves it, the borough president may ask for the whole city council to review and vote on it. In the three most recent years, only one borough president has exercised this right.
 13. "The Long March to Charter Revision: An Historical Review," *The Charter Review*, vol.3, no.3 (winter, 1989-90), 6-10.
 14. Included in the 1993 version were \$7 billion for schools, \$5 billion for housing, \$3 billion for environmental protection and sanitation projects (sludge disposal facilities, the third water tunnel, the combined sewer overflow program and garbage disposal), \$5 billion for street paving and mass transit improvements, \$1 billion plus for municipal hospital renovation, \$2.3 billion for reconstruction of courthouses, and \$95 million for the city contribution to the Commodities Exchange, a group that threatened to move to New Jersey (Department of City Planning and Office of Management and Budget, *Ten Year Capital Strategy* [New York, 1994]).
 15. The rule-makings included extensive community outreach—public hearings in all five boroughs, an all-day conference whose papers are issued in Todd W. Bressi, ed., *Planning and Zoning New York City, Yesterday, Today and Tomorrow* (New Brunswick: Center for Urban Policy Research, 1993).
 16. Department of City Planning, *Planning New York City, 1991-1992* (New York, 1991).
 17. Office of the Mayor, "Memorandum," March 5, 1991; Office of the Mayor, "Mayor Dinkins Announces Agreement for Penn Yards Development Plan, Waterfront Park and Westside Highway," March 5, 1991. The first line of the memorandum read: "The City of New York, The State of New York, Donald Trump and a consortium of civic associations (Municipal Art Society, Natural Resources Defense Council, Parks Council, Regional Plan Association, Riverside Park Fund, West Pride) have reached an agreement on a concept that will form the basis of a new plan for the Penn Yards site."
 18. David Henry, "Donald Trump, Are Things Looking Up? He Says Yes, But the Numbers Say Not Yet," *Newsday*, December 14, 1992.
 19. See, for example, "A Hoax and A Sell-Out!" and "Statement of State Assemblyman Jerrold L. Nadler" (*Coalition for a Livable West Side*, Vol. 5, No. 3, May, 1991); "Leichter Report Reveals City Sewage Figures 'All Wet'; Shows New Trump Proposal and Other West Side Development Too Much for Sewage Plant" (*News From State Senator Franz S. Leichter*, March 14, 1991).
 20. The requested actions included: alteration of the city map to include at least nine new streets and highways as well as eight public access easements; zoning map changes to create eight separate zoning lots having among them five different zoning designations; extending eight special permits, including one to build over an active railroad right-of-way (and a relaxation of the vesting period from two to ten years), one to permit 3,500 parking spaces, and six to allow the project to be treated as a large scale development even though separate zoning lots are specified. (The latter are one to distribute the floor area and dwelling units across zoning lots; one to waive rear yard and side lot yard requirements; one to reduce the required distance between buildings related to the pedestrian access easements; and another to reduce the distance between two towers on a single building; one to modify the height and location of streetwalls on specific zoning lots; and one to allow buildings to penetrate the sky exposure plan, a legislated angle that sets the placement and height of towers.) Last, the applicant sought an authorization to permit several curb cuts on mapped streets and through the public access easements, to gain entry to the parking garages (Department of City Planning, "Briefing Sheet, Riverside South Project," May 18, 1992).
 21. Buckhurst Fish Hutton Katz & Jacquemart, Inc., *Report on the Riverside South Project*, New York, July, 1992; "Memorandum, Preliminary Review of FEIS Documents for the Riverside South Proposal," October 16, 1992.
 22. Community Board 7, "Recommendation on Applications Nos. C 920358 ZSM, C920357 ZMM, 920230 MMM, and N 930002 ZCM," July 23, 1992.
 23. Land Use Subcommittee, Manhattan Borough Board, "Resolution Regarding Riverside South Planning Corporation ULURP proposal," September, 1992.
 24. Ruth W. Messinger, "Borough President Recommendation," August, 1992.
 25. City Planning Commission, "Report C920358 ZSM," Calendar No. 3, October 26, 1992.
 26. In 1982 the City Planning Commission tied its permissions for Lincoln West, a 4,300-dwelling-unit project on this site, to contributions of \$32 million to the Metropolitan Transportation Authority for rebuilding the West 72nd Street station and \$7 million dedicated to the Harlem River Rail Yards improvement (American Institute of Architects, NY Chapter, American Planning Association, Metro Chapter; City Club of New York,

- Statement on the Riverside South Proposal*, October 14, 1992; Fernando Ferrer, Borough President of the Bronx, letter to Richard Schaffer, Chairman, NYC Planning Commission, February 13, 1990).
27. Jon Gertner, in "Down by the Riverside, Is Donald Trump's Riverside South Project a Disastrous Sell-Out, an Artful Compromise or Some Mixture of the Two?" *City Limits*, December 1992, 8-10, called Riverside South the largest private development project in the city's history.
 28. The negotiation for this segment was difficult, for a number of reasons. The MTA wanted Trump to contribute more to the 72nd Street station renovation, since the earlier permission had covered the complete cost. Consequently, it dragged its collective feet before finally agreeing to put the renovation into its capital budget, a measure that the community badly wanted. Susan Fine, director of Real Estate, MTA wrote on October 6, 1992 to Richard Schaffer, chairman of the city planning commission: "We estimate the cost of the proposed mitigation at the 72nd Street station . . . to be \$35 million. If we were to receive developer funding in this amount as a result of the Riverside South project, we would . . . contribute approximately \$9 million for new lighting, flooring and other improvements for a total expenditure of \$44 million. . . . The MTA is also not holding the Riverside South project 'hostage.' . . . The Riverside South project's 'amenities' practically ignore the transit facilities which will serve it. The MTA is being asked to participate in a . . . funding formula based on the project's proportional contribution to station overcrowding. In contrast the developer is fully funding, contributing land for, and paying half the maintenance of a park that will enhance the value of the development and lifestyle of the development's community." Two weeks later the problem was ironed out, with The Deputy Mayor for Planning and Development, Barbara Fife, writing to Richard Schaffer that the city would continue to push for the station's inclusion in the MTA capital budget; MTA chairman Peter Stangl promised Deputy Mayor Fife in a letter dated the same day, October 23, to include the station in the MTA capital budget, as long as the city contributed "a fair share to our capital and operating funds."
 29. The city consistently maintained that it should take responsibility for all sewage treatment. In a presentation to the city planning commission on September 14, 1992, the Commissioner of the Department of Environmental Protection, Albert Appleton, presented material about the city's water conservation program and the \$40 million odor abatement program for the architecturally notable North River water pollution control plant, completed in 1991 but infamous for its surrounding unpleasant aroma. See also Al Appleton, "Memorandum to Richard Schaffer," October 1, 1992.
 30. On the Friday before the commission vote, Donald Trump sent letters to the appropriate city agencies and local officials with these pledges. See Donald Trump to William F. Squadron, Commissioner of Telecommunications and Energy; to Wallace L. Ford, II, Commissioner of Business Services; to Rudolph Rinaldi, Commissioner of Buildings, and to Richard L. Schaffer, City Planning Commission, October 23, 1992.
 31. City Planning Commission, "Reports, C 920230 MMM, C920357 ZMM, C 920358 ZSM, N 930002 ZCM," Calendar Nos. 1-4, October 26, 1992; Penn Yards Associates with the City of New York Acting By and Through the New York City Department of Parks and Recreation, "Maintenance and Operation Agreement, October, 1992"; Penn Yards Associates, "Restrictive Declaration," New York, October 26, 1992.
 32. John de Angeli, Land Use Division, The Council of the City of New York to Richard L. Schaffer, Chairman, City Planning Commission, December 1, 1992; James C. McKinley, Jr., "Trump Development Plan to Drop Giant TV Studio," November 24, 1992.
 33. "Trump's Plan OKd," *Newsday*, December 18, 1992; Ronald Sullivan, "Council Approves Trump's Plan For Apartments on the West Side," *New York Times*, December 18, 1992; Henry, "Are Things Looking Up?" *Newsday*, December 14, 1992.
 34. *Coalition Against Lincoln West et als., v. City of New York et als., and Penn Yard Associates*, Supreme Court of the State of New York (K09349/93), January 27, 1994; Charles V. Bagli, "Is it Blastoff Time for Trump's \$2 Billion Riverside South Riviera?" *The New York Observer*, June 15, 1995, 1.
 35. Commission on the Homeless, *The Way Home, A New Direction in Social Policy*, Report of the New York City Commission on the Homeless (New York, 1992), 6-10, 19-30.
 36. City Planning Commission, "Report, C930107 PCM," Calendar No. 21, April 14, 1993, 13; Commission on the Homeless, *The Way Home*, 21-26 and Appendix C. Self-reporting by women in the shelter system indicated that 42 percent of women reported treatment for mental or emotional problems and 20 percent reported using drugs. In a similar questioning of men, only 43 percent said they used drugs; however, urinalysis of a representative sample of men in the general shelter system demonstrated substance addiction in 80 percent of the cases.
 37. Celia W. Dugger, "Placing Emphasis on Treatment, Dinkins Plans to Revamp Shelters," *New York Times*, September 22, 1992; Alan Finder, "Shelter and Services: A Radical Shift in Aiding New York's Homeless," *New York Times*, September 22, 1993.
 38. Charles Millard, Council Member, 5th District, "Statement by City Councilman Charles Millard Before the City Planning Commission Regarding the Relocation of the Women's Shelter at 931 First Avenue to 225 East 45th Street," March 3, 1993.
 39. Millard, "Statement," March 3, 1993.
 40. Catherine Bridge, "Fight Brewing Over Proposed Shelter Site," *Our Town*, November 26, 1992.
 41. Community Board 6, "Recommendation and Resolution on #C930107 PCM," January 13, 1993.

42. Ruth W. Messinger, "Report of the Borough President of Manhattan, ULURP No. C 930107," February 24, 1993.
43. City Planning Commission, "Report," April 14, 1993; Richard Litman, Deputy Administrator, Land Use Review, Human Resources Administration, letter to Richard L. Schaffer, Chairman, City Planning Commission, March 3, 1993; Cesar Perales, Deputy Mayor, Health and Human Services, letter to Ruth Messinger, Manhattan Borough President, April 7, 1993.
44. USTA, "Proposal for the Expansion of the USTA National Tennis Center in Flushing Meadows-Corona Park," Spring, 1993; USTA, "Draft Environmental Impact Statement, USTA National Tennis Center Project," February 1993.
45. Curtis L. Taylor and Joseph W. Queen, "More Pollution, More Tennis, City USTA Expansion Study," *Newsday*, June 12, 1993; Beth Holland, "Tennis Park Deal Advances," *Newsday*, September 9, 1993.
46. "Queens Borough Board Resolution, ULURP # 930044 PCQ," May 24, 1993; Claire Shulman, Borough President of Queens, "Queens Borough President Recommendations, ULURP # 930044PCQ," June 9, 1993.
47. Larry Olmstead, "Expansion Plan for Tennis Center in Queens Wins Approval From Council Committee," *New York Times*, September 9, 1993.
48. William F. Flynn, Executive Director, Support Services Bureau, New York City Police Department, "Statement Before the New York City Planning Commission," August 4, 1993; Carl Weisbrod, President, Economic Development Corporation, "Proposed Erie Basin Evidence Vehicle Facility," August 4, 1993; Claire Shulman, Queens Borough President, "Testimony on the New York City Police Department Erie Basin Evidence Vehicle Facility," August 4, 1993.
49. This was the site of the murder of Patrick Daley, the beloved school principal caught in a drug-war crossfire. The New York City Housing Police Department crime statistics for the first ten months of 1993 reported 1 murder, 7 rapes, 44 robberies, 95 aggravated assaults, 10 grand larcenies and 17 reports of shots fired. ("Crime Report, Red Hook Houses," *New York Times*, December 5, 1993.
50. Howard Golden, President of the Borough of Brooklyn, "Testimony Before the New York City Planning Commission on the Erie Basin Towpound," August 3, 1993.
51. David N. Dinkins, Mayor of New York, letter to Howard Golden, Brooklyn Borough President, October 8, 1993; "Work to Begin on a Car Pound," *New York Times*, December 5, 1993; "Mayor Dinkins Signs Lease With New York Times for Printing Site," *Queens Chronicle*, December 23, 1993.
52. Liz Goff, "The Ins and Outs of Land Use Procedures," *Tribune*, April 21-27.
53. This city planning commission learned that lesson the hard way. For example, in the early seventies, two institutions, New York Hospital and the Hospital for Special Surgery, agreed to spend \$5 million on amenities in exchange for permission to build on air rights over the East River Drive. When the hospitals finally got around to beginning construction in 1994, the funds did not go as far as previous decision-makers had envisioned.

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