



September 5, 2018 / Calendar No. 4

C 160161 PQX

IN THE MATTER OF an application submitted by the Administration for Children’s Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 888 Westchester Avenue (Block 2696, Lot 30) for continued use as a child care facility, Borough of the Bronx, Community District 2.

This application for acquisition of property was filed on January 8, 2016 by the Administration for Children’s Services (ACS) and the Department of Citywide Administrative Services (DCAS) to facilitate the continued use of property located at 888 Westchester Avenue (Block 2696, Lot 30), in Bronx Community District 2, as a child care facility.

BACKGROUND

ACS and DCAS are seeking the acquisition of property to facilitate the continued operation of a child care center, known as the Lutheran Social Services of New York (LSSNY) Early Life Center 2, in the Longwood neighborhood of the Bronx. This site has been used to provide child care since 1971 and was the subject of a previous acquisition, approved by the Commission on December 5, 1990 (C 900684 PQX, Cal. No. 1). A 20-year lease was implemented after the 1990 ULURP approval. The lease was in effect from June 9, 1996 to June 8, 2016. Since the expiration of the lease, the facility has operated under a month-to-month license agreement. The proposed action would allow the negotiation of a new lease.

The project site is located in an R7-1/C1-4 zoning district, which allows day care centers as-of-right. The surrounding land use is predominantly residential, typified by six- to eight-story buildings, some with ground floor commercial uses. The project area is well-served by public transportation, including the BX 4 and BX 4A bus lines, which stop at the corner of the block at the intersection of Westchester and Reverend J. Polite avenues. The BX 6 stops one block away at the intersection of East 163rd Street and Westchester Avenue, and the BX 17 is accessible two blocks from the site at the intersection of Westchester and Prospect avenues. The center is also

served by the #2 and #5 trains, which run above Westchester Avenue with stations at Prospect and Intervale avenues, approximately three blocks away from the site.

The facility is located on a privately-owned lot on Westchester Avenue, at its intersection with Reverend James Polite Avenue. The one-story building, which is fully occupied by the day care center, sits on a 10,961-square-foot lot, and includes a total floor area of 26,058 square feet, consisting of approximately 18,978 square feet of interior space and approximately 7,080 square feet of rooftop play area. Fire control sprinklers have not been installed in this building.

The LSSNY Early Life Center 2 serves up to 137 preschool-aged children. Pre-schoolers may attend the program full-time, from 7:30 am to 6:00 pm, Monday through Friday. The center provides daily meal service (breakfast, lunch, and a snack), supervised playtime (indoor and outdoor), and education focused on developmentally appropriate practices to enhance children's physical, cognitive, social, and emotional development. The center is staffed by 32 professional, paraprofessional, and support staff.

ENVIRONMENTAL REVIEW

This application (C 160161 PQX) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the 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 Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead agency is ACS. This application was determined to be a Type II action, which requires no further environmental review.

UNIFORM LAND USE REVIEW

This application (C 160161 PQX) was certified as complete by the Department of City Planning on April 23, 2018, and was duly referred to Bronx Community Board 2 and the Bronx Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Bronx Community Board 2 did not hold a public hearing nor vote on this application (C 160161 PQX).

Borough President Recommendation

The Bronx Borough President held a public hearing on this application (C 160161 PQX) on July 17, 2018 and issued a recommendation approving the application on July 20, 2018.

City Planning Commission Public Hearing

On July 25, 2018 (Calendar No. 3), the City Planning Commission scheduled August 8, 2018 for a public hearing on this application (C 160161 PQX). The hearing was duly held on August 8, 2018 (Calendar No. 30). One speaker testified in favor of the application.

A representative from ACS spoke in favor of the application, providing information on the day care center's role as an affordable day care provider to low-income families in the community. The representative stated that the facility is permitted to serve up to 145 children but is currently budgeted for 137 children due to Head Start regulations requiring more space per child. The representative also stated that the site currently does not have sprinklers and that there are no plans, at this time, to install a sprinkler system.

There were no other speakers, and the hearing was closed.

CONSIDERATION

The Commission believes that the acquisition of City-owned property at 888 Westchester Avenue (Block 2696, Lot 30) for continued use as a day care center is appropriate.

A day care center has occupied this space continuously since the early 1970s, serving the community by providing needed services to low-income families. The center serves up to 137 pre-school aged children, providing daily meal service, supervised play time and education as part of the Early Learn and Universal Pre-K programs. It gives parents of enrolled children time to work, attend school or acquire vocational training. The use is permitted as-of-right in the R7-1/C1-4 zoning district. The site is well-served by transit, with stops for the BX4, BX4A, BX6, and BX 17 bus lines nearby. Train service is provided by the #2 and #5 trains, which run along Westchester Avenue with stations at Prospect and Intervale Avenues, approximately three blocks away from the site.

The Commission notes the importance of ensuring that the façades of these facilities are welcoming and inviting in light of their role as critical neighborhood resources. While outside the scope of the actions directly before it, the Commission encourages DCAS and ACS to pursue additional streetscape and façade improvements to improve the center’s appearance, including the Westchester Avenue and the Reverend James Polite Avenue frontages, making it a more welcoming and attractive neighborhood asset that better engages and activates the streetscape.

The Commission notes that this facility does not have a fire sprinkler system, and urges ACS to explore installing fire control sprinklers in its day care facilities as a proactive policy. The Commission also notes that the public review process for the continued use of this facility has been effective in highlighting any maintenance or repair issues that need to be addressed.

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 Sections 197-c of the New York City Charter, that this application submitted by the Administration for Children’s Services and the Department of Citywide Administrative Services, pursuant to 197-c of the New York City Charter, for the acquisition of property located at 888 Westchester Avenue (Block 2696, Lot 30) for continued use as a child care center, is approved for a period of ten years, with renewal options, or without time limitation if acquired in fee.

The above resolution (C 160161 PQX), duly adopted by the City Planning Commission on September 5, 2018 (Calendar No. 4), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

MARISA LAGO, *Chair*

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

ALLEN P. CAPPELLI, Esq., ALFRED C. CERULLO, III, JOSEPH I. DOUEK,

RICHARD W. EADDY, CHERYL COHEN EFFRON, HOPE KNIGHT,

ANNA HAYES LEVIN, ORLANDO MARIN, LARISA ORTIZ, *Commissioners*

**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 applicant's representative as indicated on the Notice of Certification.

APPLICATION # C 160161 PQX

DOCKET DESCRIPTION

PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION

COMMUNITY BOARD NO. 2

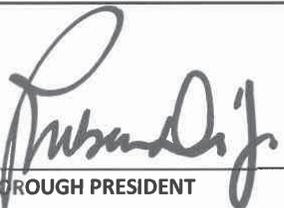
BOROUGH: BRONX

RECOMMENDATION

- APPROVE**
- APPROVE WITH MODIFICATIONS/CONDITIONS (List below)**
- DISAPPROVE**

EXPLANATION OF RECOMMENDATION-MODIFICATION/CONDITIONS (Attach additional sheets if necessary)

PLEASE SEE ATTACHMENT FOR THE BOROUGH PRESIDENT'S RECOMMENDATION



BOROUGH PRESIDENT



DATE

**BRONX BOROUGH PRESIDENT'S RECOMMENDATION
ULURP APPLICATION C160161 PQX
LSSNY-Early Life Child Center 2**

DOCKET DESCRIPTION

IN THE MATTER OF AN application submitted by the Administration for Children Services (ACS) and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 888 Westchester Avenue (block 2696, Lot 30) for continued use as a child care facility.

BACKGROUND

Approval of this application will facilitate a lease renewal for property located at 888 Westchester Avenue, (Block 2696, lot 30) This one story building occupies the southwest corner of Westchester Avenue and Rev. James A. Polite Avenue, in Bronx Community District #2, in an R7-1 zone. It includes 26,058 square feet and has been serving the surrounding community as a child day care center since 1971.

The child day care center is operated by the Administration for Children's Services (ACS) and provides daily activities for up to 135 children ages 3 to 4. The center's program commences at 7:30 a.m. and concludes at 6:00 p.m. Monday through Friday. Children are taken to and from the center by parents. A program staff includes 32 professional and paraprofessional employees, as well as a support staff supplemented by volunteers and interns. The day's programming includes:

- Breakfast, lunch and a mid-afternoon snack each day
- Supervised playtime composed of both indoor and outdoor recreational activities.
- Educational programming specifically designed to three and four year old toddlers.

The child care center occupies the entire one-story building, including a cellar level and rooftop, for a total of 18,978 square feet of interior space and approximately 7,080 square feet of rooftop play area. The cellar level includes three pre-school classrooms, one for 3 year old children and the remaining two for 4 year olds. It also has a multi-purpose room, a warming kitchen, a library, storage room, janitor's closet, several offices, a staff lounge, and bathroom facilities for children and staff. The first floor consists of five pre-school classrooms, three for 3 year old children, one for 4 year old children, and the fifth one for both 3 to 4 year olds. The first floor also includes a lobby, bathroom facilities, a commercial kitchen, several offices and storage closets.

The surrounding community is typified by mid-rise multifamily residential buildings. Retail activity can be found three blocks southwest of the child care center on Prospect Avenue and East 160th Street. An elementary school is located one block south of the center, along Rev. James A. Polite Avenue between Westchester Avenue and Dawson Street.

Subway service is available within a three block radius via the 2 and 5 train stations at Prospect Avenue and Intervale Avenue. It is also accessible by the Bx4, Bx4a, Bx17, and Bx6 buses with stops within three blocks of the facility.

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

The application has been reviewed and has been determined that it is a type II action pursuant to 6 NYCRR Part 617.5(c)(26) and as such does not require CEQR review. The City Planning Commission certified this application as complete on April 23, 2018.

COMMUNITY BOARD PUBLIC HEARING

Bronx Community District #2 waived its public hearing on this matter.

BOROUGH PRESIDENT'S PUBLIC HEARING

The Bronx Borough President convened a meeting on this application of July 17, 2018. A representative was present and spoke in favor of this application. There being no other members of the public present, the hearing was closed.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

Child day care facilities are an essential service every community requires. Such facilities are beneficial to children, parents and the extended community. For children, they provide a space for social, emotional, physical and cognitive growth. They also provide parents opportunities for personal growth, providing them with time to work, attend school and acquire vocational training.

As I review this application I am mindful of the fact that the building in which this facility is located provides space for the many functions it must satisfy as a daycare center. I am however increasingly aware that this facility, like so many others in The Bronx, is located in a building that lacks ample windows for light inside and therefore appear more like modified industrial buildings on the outside. Perhaps considered an advantage in years past, I believe today these buildings must let the sunshine in. How to rectify this challenge is a matter that warrants consideration between the building's private sector owner and the various city agencies that lease this building. So too is the inclusion of fire retardant sprinkler systems that may save the lives of those who work and attend programs in this building. Over time we have come to better appreciate the importance of building design, most notably how buildings can best safely serve those who use it.

I recommend approval of this application.