

**Borough President
Recommendation**

**City Planning Commission
120 Broadway, 31st Floor New York, NY 10271
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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.

Applications: C 150349 PQM - LSSNY Center 14

Docket Description:

C 150349 PQM

IN THE MATTER OF an application submitted by the Administration for Child Services and the Department of Citywide Administrative Services pursuant to Sections 197-c of the New York City Charter, for the acquisition of property located on 510 West 145th Street (Block 2076, Lot 41) for continued use as a child care center

In the Hamilton Heights neighborhood, Community District 09, Borough of Manhattan.

COMMUNITY BOARD NO: 09

BOROUGH: Manhattan

RECOMMENDATION

- APPROVE
- APPROVE WITH MODIFICATIONS/CONDITIONS (List below)
- DISAPPROVE
- DISAPPROVE WITH MODIFICATIONS/CONDITONS (Listed below)

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

See Attached



BOROUGH PRESIDENT

November 20, 2017
DATE



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BOROUGH OF MANHATTAN
THE CITY OF NEW YORK

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Gale A. Brewer, Borough President

November 9, 2017

**Recommendation on ULURP Application C 150349 PQM LSSNY – LSSNY Center 14
By Administration for Children’s Services and the Department of Citywide Administrative
Services**

PROPOSED ACTION

The City of New York Administration for Children’s Services (“ACS”) and the Department of Citywide Administrative Services (“DCAS”) (“the applicants”) seek the acquisition of property in order to continue a childcare center located within a privately owned commercial building located at 510 West 145th Street (Block 2076, Lot 41) in an R7D zoning district with a C2-4 commercial overlay in West Harlem, Community District 9, Borough of Manhattan.

PROJECT DESCRIPTION

The NYC Administration for Children’s Services and the NYC Department of Citywide Administrative Services are proposing their continued occupancy of approximately 32,000 square feet, including a rooftop play area, in a privately owned building located at 510 West 145th Street for Lutheran Social Services of Metropolitan New York, Inc. (“LSSNY”) Center 14, a child care center. The child care center is the sole tenant of the two-story building.

The LSSNY Center No. 14 serves 95 pre-school children ages 2 to 5 years old Monday through Friday from 8:00 AM to 6:00 PM. The services include breakfast, lunch, a snack, supervised playtime, supervised playtime, and education guided by the Creative Curriculum. LSSNY intends to increase the number of children they serve by adding 55 children in 5 classrooms located on the first floor of the building.

Background

ACS and its predecessor agency, Human Resources Administration (“HRA”), have operated a childcare center in the building since the building’s opening in 1972.

In 1991, an acquisition ULURP application was filed for continued use as a child care center. The application was certified in 1994. On September 13, 1994 the application was approved by the City Planning Commission (“CPC”) for an indefinite period, “if the site is acquired in fee” or for a period of 20 years if it is not; this lease expired in 2014. The City Council called the application up and approved it with restrictions on November 3, 1994.

A review of Department of Health and Mental Hygiene (“DOH”) inspections over the past three years reveals that the center has no observed violations since November 2014; that violation was corrected shortly after it was documented. The most recent inspection conducted by DOH took place on November 8, 2017. No violations were observed at that time. In preparation of my recommendation on the instant land use application, my staff conducted a walk-through of the facility. We found small physical defects in need of repair in addition to significant leaking from the roof to the second floor ceiling. The need for repair to address leaks to the second floor has also been noted by the Department of Buildings (“DOB”). A fine has been paid by the landlord, but the status of the violation will remain “active” until a Certificate of Correction is filed with the DOB Administrative Enforcement Unit (“AEU”). Repairs to the roof will be included in the new rental agreement if this Land Use Application is approved, and the lease term will not begin until the repairs are completed.

In a meeting with my office, the representatives from ACS and DCAS stated that they are requesting approval for continued use as a child care center in the building for a term of ten years. The lease term period is consistent with previous leases over the past four decades. The new lease will not contain an option to purchase. The owner of the building is not interested in selling the property. The lease term will begin upon completion of the repairs contained in the scope of work, a document listing the necessary repairs needed as part of the lease agreement.

The Department of Education (“DOE”) is expected to begin operating the child center in coordination with the city’s Universal Pre-K program. Migration from ACS to DOE will take place in March 2019. DOE assuming control of the programming will have no effect on the lease.

Area Context

The predominant surrounding land use is mixed commercial and residential buildings. The New York Public Library (“NYPL”) Hamilton Grange Branch is across the street from the LSSNY center on the north side of 145th Street. Most of the surrounding buildings range between three and six stories in height. The site block consists of two hotels, a laundromat, a deli, a hardware store, a locksmith, and a Banco Popular. Riverside State Park is located less than two blocks west from the site. The site is within a C2-4 commercial overlay which extends along the north and south sides of 145th St. between Amsterdam Avenue and Broadway. The commercial overlay permits the aforementioned businesses on the ground floor along the street.

The site is located within close proximity to several modes of transportation. It is less than 2 blocks from Riverside Drive and less than half a mile southeast of the nearest Henry Hudson Expressway entrance ramp. The Bx19 bus line route runs through 145th street and there are stops located on the east and west ends of the block. The M4 and M5 bus line routes run along Broadway and there is a stop located one block away between 145th St. and 146th St. The 1 subway line 145th St Station is located half a block west of the site on Broadway. The A, B, C, D 145th St Station is located two and a half blocks east of the site.

COMMUNITY BOARD RECOMMENDATION

At its Land Use Committee meeting on October 19, 2017, Manhattan Community Board 9 (“CB9”) voted to approve the application under the condition that the building be maintained for continued use as a childcare facility. The resolution further stated that the administration, DCAS and ACS not seek to use this property for residential development.

BOROUGH PRESIDENT’S COMMENTS

Childcare centers, like senior centers for the elderly, are an essential resource to the communities they serve; we have a responsibility to ensure they receive the support they need to provide their services. Spaces should be sought that offer long term stability. The proliferation of residential development in Harlem due to the increasing demand for housing places centers like LSSNY in jeopardy of displacement in the future. The site is under developed and sits between two lots that are also underdeveloped single use buildings. There is nothing preventing the owner of the LSSNY site or the owners of the adjacent sites from purchasing all three zoning lots and constructing a residential or mixed use building once the new lease expires. As a result, steps should be taken to provide a permanent location for day care services in this neighborhood during the new lease term.

LSSNY should also receive the support necessary to ensure it provides services at the highest standard. The physical defects observed during the walkthrough of the facility need to be addressed and continual maintenance of the building should be a priority. The children who are cared for and the staff that cares for them deserve a safe and healthy environment. I have been assured that the roof and plumbing in the building will be repaired prior to the execution of the new lease. I request that DCAS and ACS follow up with my office and the City Planning Commission (“CPC”) and send relevant certificates of completion as they become available.

BOROUGH PRESIDENT’S RECOMMENDATION

Therefore, the Manhattan Borough President recommends approval of ULURP Application No. C 150349 PQM.



Gale A. Brewer

Manhattan Borough President