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Gale A. Brewer, Borough President

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**Recommendation on ULURP Application C 150263 PQM United Federation of Black Community Organizations – Child Day Care
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 operating a child-care center located within a privately owned commercial building located at 474 West 159th Street (Block 2108, Lot 23) in an R7-2 zoning district in Washington Heights, Community District 12, 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 28,654 square feet, including a rooftop play area, in a privately owned building located at 474 West 159th Street for United Federation of Black Community Organizations (UFBCO) Child Development Center. The child-care center is the sole tenant of the four-story building.

The UFBCO Child Development Center serves 113 toddlers and preschoolers. Preschoolers may attend the program full time Monday through Friday from 8:00 AM to 6:00 PM. The children are taken to and from the center by their parents. The child-care services include breakfast, lunch, a snack, supervised playtime, and education guided by the Early Learning Program.

BACKGROUND

The City has operated a child-care center in the building since 1974. In 1994, an acquisition ULURP application was filed for continued use as the UFBCO Child Day Care Center. Manhattan Community Board Twelve (CB12)’s Executive Committee and the Manhattan Borough President recommended approval of the application. On July 27, 1994 the City Planning Commission (CPC) approved the application for an unlimited period “if the site is

acquired in fee” or for a period of twenty years if it is not; a twenty year lease was agreed upon. At the time of the 1994 approval, CPC raised concerns regarding the physical condition and continued maintenance and security of the day care center. HRA submitted a summary of the work required to upgrade the building which the landlord had to comply with as part of the Mayor’s Lease Renewal Upgrade Program.

The facility has maintained good standing with the Department of Health and Mental Hygiene (DOH). This year the DOH conducted three inspections. There were no violations observed in the initial inspection conducted on February 23, 2018. A subsequent inspection was conducted on May 24, 2018. During that inspection five violations were observed, but they were immediately remedied. On the last inspection no violations were observed.

In preparation for 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 ceilings in several classrooms. We were also informed that the building’s elevator was routinely in need of repair. The need for elevator repair 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 elevator and the roof are 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 twenty 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 as the current 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.

Area Context

The site is within an R7-2 zoning district. The blocks immediately surrounding the facility do not contain ground floor commercial uses although the lots fronting Amsterdam Avenue fall within a C1-4 commercial overlay. Ground floor commercial use is prevalent, however, one block west on Amsterdam Avenue. Most of the surrounding buildings range between five and six stories in height.

The UFBCO site is in close proximity to open space and some of the city’s most revered historical sites. The southern portion of Highbridge Park is located less than one block east from the site. That portion of the park contains the famed Coogan’s Bluff, known for its use as a grandstand for on-lookers watching New York Giant’s baseball games, and the John T. Brush Stairway, a pedestrian pathway that once connected Giants fans to the Polo Grounds’ ticket booths. Two blocks north lies the Morris-Jumel Mansion where George Washington planned for the Battle of Harlem Heights, the Continental Army’s first victory during the Revolutionary War.

The site is located within close proximity to several modes of transportation. It is less than two blocks from the C subway line 155th Street station and four blocks from the 1 subway line 157th Street station. The M2 bus line route begins one block north, and there are M3 and M101 bus line stops less than one block west on Amsterdam Avenue. The 1 subway line at the 145th Street station is located half a block west of the site on Broadway.

COMMUNITY BOARD RECOMMENDATION

At its Land Use Committee meeting on June 26, 2018, CB12 voted to approve the application under the condition that the lease obligates the landlord to make improvements to the facility, and that DCAS and ACS consult with UFBCO to create the scope of work for the facility improvements.

BOROUGH PRESIDENT'S COMMENTS

Child-care centers are an essential resource to the communities they serve; they are especially essential in communities where demand is outpacing availability like in Washington Heights. UFBCO needs to find a permanent location in which to operate. The proliferation of residential development in Northern Manhattan due to the increasing demand for housing places centers like UFBCO in jeopardy of displacement. The site has less floor area and height than permitted under the current zoning, and it can potentially be converted into a residential or mixed use development once the new lease expires. As a result, concrete action should be taken to provide a permanent location for day care services in this neighborhood over the next twenty years.

UFBCO should also receive the support necessary to ensure it provides services at the highest standard. The physical defects observed during the walk-through of the facility need to be addressed immediately and continual maintenance of the building should be a priority. The children who are cared for and the staff who 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. It is good to see that a new sprinkler system and fire system have been incorporated into the scope of work. I am requesting that DCAS and ACS follow up with my office and CPC regarding these improvements and repairs, 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 150263 PQM.