

**Brooklyn Borough President Recommendation**

CITY PLANNING COMMISSION  
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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 representatives as indicated on the Notice of Certification.

**APPLICATION #:** CONEY ISLAND HEAD START #1 – 150262 PQK

In the matter of the application, submitted by the Administration for Children's Services (ACS) and Department of Citywide Administrative Services (DCAS), requesting the acquisition of property located at 2960 West 27<sup>th</sup> Street, the Coney Island section of Brooklyn Community District 13. Approval will facilitate a lease renewal, for a five year term, to ensure continued provision of childcare services.

COMMUNITY DISTRICT NO. 13

BOROUGH OF BROOKLYN

**RECOMMENDATION**

APPROVE  
 APPROVE WITH  
MODIFICATIONS/CONDITIONS

DISAPPROVE  
 DISAPPROVE WITH  
MODIFICATIONS/CONDITIONS

SEE ATTACHED

*En. AL*

\_\_\_\_\_  
BOROUGH PRESIDENT

December 15, 2015

\_\_\_\_\_  
DATE

## **RECOMMENDATION FOR CONEY ISLAND HEAD START #1 – 150262 PQK**

The Administration for Children's Services (ACS) and Department of Citywide Administrative Services (DCAS), request the acquisition of property at 2960 West 27<sup>th</sup> Street within the Coney Island section of Brooklyn Community District 13. Approval will facilitate a lease renewal, for a five year term, to ensure continued provision of childcare services at this location.

On November 5<sup>th</sup>, 2015, the Borough President held a public hearing on the acquisition request. There were no speakers on this item.

The representative for ACS stated that there are 74 contracted preschool seats, serving children three to five years old. The four year olds at this program are all part of PreK for All. As of last week the program is at 89% and there are eight seats available.

The Borough President is concerned that city lease terms are not as long as they have been in the past, placing much needed neighborhood facilities like this one at risk for displacement. In response, the representative for ACS stated that this is a five year lease, a term that has been put in place by the prior administration in order to match the length of existing contracts at the time. Since this lease has been in place, the agreement is moving forward as both ACS and DCAS have not been able to change the term for some time. However, the new administration is moving towards longer lease terms and moving forward both ACS and DCAS expect longer lease terms for these types of neighborhood facilities. The DCAS representative stated that their focus at this time is to move forward with the five year term for the diligent purposes of securing a stabilized real estate situation with this landlord. Taking into consideration this building's location within a primarily residential neighborhood, the services provided and the landlord's interest in continued provision of such services, DCAS believes that there is opportunity in the very near future to continue under an extended lease term. DCAS assures that before the five year term is up, they will begin dialogue with the landlord in order to secure a longer lease term. The representative for DCAS will report back to the Borough President with any updates on such efforts.

In response to the Borough President's interest in promoting locally-based hiring, the ACS representative stated that the day care center reaches out to local education programs of nearby colleges and institutes. ACS encourages that day care centers reach out to the Day Care Council of New York and similar entities. All positions within the center are also advertised through local community outreach.

### **Considerations**

Community Board 13 (CB 13) unanimously voted to approve this application without conditions.

The facilities on this site have been operated by ACS since the early 1970s. The childcare facilities are housed on the first floor of a 22-story privately-owned apartment complex, encompassing approximately 7,100 sf, with an at-grade play area of approximately 5,100 sf. The center is conveniently accessible by multiple modes of public transportation, located only a block from the B36 and B74 bus stops and the Coney Island-Stillwell Avenue station on the B, D, F, N, and Q lines is about three quarter of a mile away. Through this acquisition and lease renewal, up to 88 preschoolers are expected to continue receiving services that promote education, social wellbeing and physical health.

This building was specifically design for childcare services. The center includes four classrooms, three offices, one staff room, two pantries, and a large kitchen. The floors above the center contain residential apartments. The center provides a variety of activities, programs, and services such as meal service, group interaction and socializing activities, and education. The childcare program staff consists of approximately 19 professional, para-professional and support staff.

The Borough President generally supports land use actions that seek to support the continuation of businesses and community facilities that provide services to all Brooklynites. Through this land acquisition and lease renewal, up to 88 children will be able to continue receiving full-time educational and social programs.

In addition, this center serves an important role in the local economy by generating 19 local jobs. The continuation of this center will not only secure its current workforce, it will continue to enable the parents of the enrolled children to maintain their own employment with the understanding that their children are being provided for during the workday.

The Borough President believes it is vital for households to have easy access to community amenities such as daycare services to take advantage of their locally-based facilities. He suggests that, as part of its outreach process, the Coney Island Family Head Start #1 consult with CB 13 and local elected officials to reach as many locally-based families as possible.

Though the Borough President is generally supportive of the proposed acquisition and lease renewal, he has concerns regarding the duration of the lease.

### **Lease Duration**

The Borough President is adamant about protecting and preserving critical community space for the Brooklyn's young and young at heart, and is concerned about the short term leases for such facilities. As more areas of Brooklyn become magnets for real estate development, the Borough President is concerned that landlords might elect to pursue potentially more lucrative uses resulting in discontinuing use as child care and senior centers. The Borough President has already witnessed this profit-seeking practice in other parts of Brooklyn. Examples of such cases include the Swinging Sixties Senior Center and the Bushwick United Learning Center, both located in Williamsburg. The new property owner of the Swinging Sixties Senior Center has recently attempted to displace the center – which has served the community for decades – for redevelopment opportunities that would without a doubt prove more lucrative. While the long-standing Bushwick United Learning Center, which served on average 110 children of low income families, was recently shut down after an overdrawn eviction battle with the landlord when their most recent 10 year lease ran out and the City failed to complete proper lease renewal paperwork in a timely manner.

It is the Borough President's policy for the City to secure fair lease-renewal terms which allow the City the ability to secure terms no less than ten years, inclusive of multiple shorter term leases and the right for renewal of the lease for an additional ten year term. Such term with multiple shorter term renewals allow landlords to facilitate building improvements while providing ACS with a check and balance that the facility remains in good working order. It is imperative that the City take actions through its land use process to adequately demonstrate, to the community, that the City is truly the community's partner, through securing facilities for such much needed programming. Whether provided directly through

the City or through non-profits, the Coney Island community has a legitimate need for supportive services that work to enhance the lives of area residents.

The Borough President remains disappointed that nearly two years into the mayoral Administration actions taken by the previous Administration remain in place to dictate shorter term leases. He supports the efforts of ACS and DCAS to renegotiate for a longer term once the lease renewal is secured. He believes that a long-term lease guarantees that Friends of Crown Heights 26 Child Care Center would not fall victim to discretionary profit-seeking actions by the landlord and ensure the facility remain a community benefit for decades to come. Should DCAS be unsuccessful in negotiating a longer lease renewal provision, it should seek the inclusion of a provision for the right of first refusal within the lease if the property is marketed for sale.

**Recommendation**

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

Be it further resolved that soon after the execution of the lease, the Department of Citywide Administrative Services commence negotiate with the landlord in order to:

- a. secure a right for renewal of the lease for an additional 10 year term, with two five year renewal terms and;
- b. include a provision of the right of first refusal within the lease if the property is marketed for sale.