

**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**

ST. ANDREW'S COMMUNITY DAY CARE CENTER – 150253 PQK

In the matter of an application submitted by the New York City Administration for Children's Services (ACS) and the New York City Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the acquisition of a child care center located at 4917 Fourth Avenue in Brooklyn Community District 7 (CD 7). Such actions would facilitate the continued provision of child care services at this site according to a lease.

BROOKLYN COMMUNITY DISTRICT NO. 7

BOROUGH OF BROOKLYN

**RECOMMENDATION**

APPROVE  
 APPROVE WITH  
MODIFICATIONS/CONDITIONS

DISAPPROVE  
 DISAPPROVE WITH  
MODIFICATIONS/CONDITIONS

SEE ATTACHED

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

February 9, 2018

\_\_\_\_\_  
DATE

**RECOMMENDATION FOR: ST. ANDREW'S COMMUNITY DAY CARE CENTER – 150253 POK**

An application was submitted by the New York City Administration for Children's Services (ACS) and the New York City Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the acquisition of a child care center located at 4917 Fourth Avenue in Brooklyn Community District 7 (CD 7). Such action would facilitate the continued provision of child care services at this site according to a lease.

On January 22, 2018, Brooklyn Borough President Eric L. Adams held a public hearing on the acquisition request. There were no speakers on the item.

In response to Borough President Adams' inquiry regarding the number of contracted seats at St. Andrew's Community Day Care Center and the criteria for selecting children to fill such seats when vacancies arise, the ACS representative confirmed that the center is contracted for 35 seats, which are all currently filled. The representative clarified eligibility criteria as a parent or guardian having income no more than 200 percent of the federal poverty level and having a reason for care, which includes working, being in school or at a job training program, seeking work for up to six months, or not having a permanent home.

In response to Borough President Adams' inquiry regarding the process for filling hiring opportunities at the child care center, the ACS representative stated that St. Andrew's Community Day Care Center advertises openings on the New York Day Care Council website. The representative also noted that some early education programs have job boards that are accessible to community residents.

In response to Borough President Adams' inquiry regarding the terms of the proposed acquisition, the DCAS representative clarified that ACS is seeking a five-year lease for the portion of church space used by the child care center, which is limited to the building's cellar and ground floor. The church has expressed interest in re-occupying this space for its own use. In addition, St. Andrew's Community Church may be interested in conveying the outdoor play area portion of its current tax lot to a developer.

In response to Borough President Adams' inquiry as to what consideration would be given to memorializing the City's intent to resume child care services within the redeveloped site according to a legal mechanism, the DCAS representative expressed that the City may be able to secure community facility space for a child care center in the redeveloped property.

In response to Borough President Adams' inquiry as to what consideration would be given to relocating the child care center to a nearby site for the duration of construction, the DCAS representative stated that once the agencies secure approval for this ULURP application, they will begin work to identify potential long-term sites for the child care center.

**Consideration**

Brooklyn Community Board 7 (CB 7) approved this application on January 17, 2018 with the condition that the allowable use of the site be limited to child care only and that such limitation be reflected in the lease terms.

The facility is leased to NYU Langone Hospital – Brooklyn, which operates the site as St. Andrew's Community Day Care Center, under a contract with ACS. The facility occupies a two-story religious building owned by St. Andrew's Episcopal Church, a congregation of the Episcopal Diocese of Long Island (the diocese).



The property is located within an R7A/C2-4 zoning district that was mapped along Fourth Avenue as part of the 2009 Sunset Park Rezoning. The building is situated on a portion of a 10,000 square-foot (sq. ft.) corner lot on Fourth Avenue and 50<sup>th</sup> Street. The church occupies 38 feet of frontage on Fourth Avenue, with the remaining portion reserved for an outdoor play area that also has substantial frontage on 50<sup>th</sup> Street.

The St. Andrew's Community Day Care Center is part of EarlyLearn NYC, a program administered by ACS that offers subsidized quality child care for qualifying families. The facility is licensed for 35 children, three to four years of age. Qualification for Early Learn NYC requires a pre-enrollment certification process. However, new children may be approved to fill ACS-contracted seats on a rolling basis.

The ACS child care center leases approximately 8,970 sq. ft. of the facility, which includes 2,970 sq. ft. of interior space, comprising part of the cellar and ground floor, and 6,000 sq. ft. of at-grade outdoor play area adjacent to the building. The center has two fully-occupied classrooms for pre-school children ages three and four; the cellar is used for storage.

The St. Andrew's Community Day Care Center operation enables parents to work, attend school, or acquire vocational training while their children receive care. It operates from 8:00 AM to 6:00 PM, providing full-day services during school breaks and in the summertime. Child care services encompass a variety of activities and programs, which are determined by the child's age, developmental stage, and hours in child care. The child care center provides educational services, meal service, and supervised playtime, with nine professional, para-professional, and support staff.

St. Andrews Community Day Care Center is accessible via public transportation, including the Queens Boulevard/Broadway/Fourth Avenue Local R train at the 53<sup>rd</sup> Street station. The child care center is also served by the B11 and B63 buses.

Borough President Adams supports the continuation of the St. Andrew's Community Day Care Center, a valuable community asset at 4917 Fourth Avenue. Whether provided directly through the City or through non-profits, the Sunset Park community has a legitimate need for supportive services that work to enhance the lives of area residents. Moving forward, Borough President Adams believes that St. Andrew's Community Church should engage with his office, as well as ACS and DCAS, to ensure that its development intentions provide sufficient opportunity to secure ongoing child care services at this location in the Sunset Park community.

### **Securing Child Care Services in Tandem with Faith-Based Development**

Borough President Adams is adamant about preserving and protecting critical community space for Brooklyn's young people, and has expressed concerns about the short-term leases associated with prior child care center site acquisition applications. As more areas of Brooklyn become magnets for real estate development, Borough President Adams remains concerned that landlords might elect to pursue more lucrative uses for their properties, potentially discontinuing child care services.

Borough President Adams has already witnessed this profit-seeking practice in other parts of Brooklyn; examples of such cases include the Bushwick United Learning Center and the Swinging Sixties Senior Center, both located in Williamsburg. The prior property owner of the Swinging Sixties Senior Center had been attempting to displace the center — which had served the community for decades — for more lucrative redevelopment opportunities. Fortunately, after five years of uncertainty for the home of Small World Child Care and the Swinging Sixties Senior Center, neighborhood non-profit St. Nicks Alliance, along with the Conselyea Street Block Association, closed on acquisition of the building, thereby avoiding the fate of the former Bushwick United Learning Center, which served, on average, 110 children of low-income families. The center

was recently shut down after an extended eviction battle with the landlord when the center's most recent 10-year lease ran out, and the City failed to complete proper lease renewal paperwork in a timely manner.

Borough President Adams understands that the diocese is interested in conveying the play area to a developer via a Request for Proposals (RFP) in order to generate financial benefits while advancing its socially-based mission. The site's R7A zoning, together with its voluntary affordable housing floor area bonus, allows for the development of a nine-story, primarily residential building. To date, the diocese has made no decision regarding the inclusion of child care services in the new development versus the current church building. However, the diocese is interested in retaining the child care services operation as an income-producing tenant.

Borough President Adams recognizes that faith-based organizations across Brooklyn possess real estate assets with excess development rights. Many of these institutions have the social vision to advance affordable and supportive housing but often lack the financial or technical capacity to advance these development rights. For this reason, Borough President Adams has pursued partnerships with Brooklyn's faith-based institutions, in accordance with Mayor Bill de Blasio's goal to achieve 300,000 affordable housing units over the next decade. Therefore, Borough President Adams believes that St. Andrew's Episcopal Church should engage with the Office of the Brooklyn Borough President's Faith-Based Development Initiative in order to maximize the potential benefits of redevelopment on this site.

Development of the play area portion could be achieved either by subdividing the property into two zoning lots or retaining it as one zoning lot that might be split into separate tax lots containing the church and the play area, respectively. In the tax lot scenario, it might be practical to realize the available zoning floor area in order to maximize the financial and social benefits, while removing incentives to demolish the church at a later date.

Though it is unlikely that the site would enter redevelopment during the initial five-year lease, there is a possibility that the child care center would lose access to the playground, as the at-grade play area would eventually be displaced by building construction. In that scenario, the child care center would have to utilize the closest publicly-accessible open space, which would be Pena Herrera Park, located on Third Avenue between 46<sup>th</sup> and 47<sup>th</sup> streets.

There is also a possibility that the church may want to make upgrades to its current building using funds generated through the disposition and development of the outdoor play area. To the extent that child care services would be interrupted or displaced in order to allow improvements to the church structure, it would be beneficial for the church RFP to address a possible need for accommodating the child care center in a temporary location.

Finally, the diocese may find it in its best interest to continue child care services within a newly-constructed primarily-residential building on the site of the existing outdoor play area. The diocese could retain condominium ownership interest of the floor space designated for child care use to secure the center as an income-producing tenant while reprogramming the space used as the existing outdoor play area through an alternative, socially-based initiative.

Borough President Adams seeks for St. Andrew's Episcopal Church to take steps through the development of its intended RFP to secure a permanent home for the child care center beyond the lease as an amenity for the Sunset Park community.

Therefore, Borough President Adams believes that St. Andrew's Episcopal Church should engage his office as well as those of ACS and DCAS in drafting its RFP to prioritize continuation of child

care services at this location (in either the current facility or a future redevelopment at the site). Furthermore, Borough President Adams calls on ACS and DCAS to provide input into the RFP terms so as to advance the City's interest in maintaining a permanent child care center at this location.

**Recommendation**

Be it resolved that the Brooklyn borough president, pursuant to section 201 of the New York City Charter, recommends that the City Planning Commission (CPC) and City Council approve this application.

Be it further resolved that:

1. St. Andrew's Episcopal Church take the following steps prior to the disposition and redevelopment of the church property:
  - a. Engage with the Office of the Brooklyn Borough President's Faith-Based Development Initiative in order to maximize the potential benefits of redevelopment on this site
  - b. Engage with the New York City Department of Children's Services (ACS) and the New York City Department of Citywide Administrative Services (DCAS) in drafting a Request for Proposals (RFP) for the church property that:
    - i. Prioritizes continuation of child care services at this location in either the current facility or a future redevelopment at the site
    - ii. Addresses the possible need to accommodate the child care center in a temporary location should the property's redevelopment result in in the center's displacement
2. ACS and DCAS provide input into the RFP terms so as to advance the City's interest in maintaining a permanent child care center at this location