Community Board 12 - Manhattan
Washington Heights & Inwood
530 West 166th St. Room 6-A, New York, NY 10032
Phone: (212) 568-8500, Fax: (212) 740-8197
Website: www.nyc.gov/mcb12

Shahabuddeen A. Ally, Esq., Chairperson
Ebenezer Smith, District Manager

June 29, 2018

Hon. Marisa Lago, Chairperson
NYC Planning Commission
120 Broadway, 31st Floor
New York, NY 10271

Resolution Supporting The Land Use Review Application Submitted by The Administration For Children Services (ACS) and The Department Of Citywide Administrative Services (DCAS) to Enter Into a New Lease for The UFBCO Day Care Center at 474 West 159th Street.

Dear Chairperson Lago:

At the General Meeting, of Community Board 12 Manhattan held on Tuesday, June 26, 2018 the following resolution passed with a vote of 43 in favor, 0 opposed, 0 abstention.

Whereas: Pursuant to the New York City Charter, acquisition, including leasing, of property by the City of New York requires a Uniform Land Use Review Procedure ("ULURP") action. In February 2015 the Department of City Planning ("DCP") received a ULURP application ("Application C150263 PQM" or the "ULURP Application") filed by the Administration for Children's Services ("ACS") and the Department of Citywide Administrative Services ("DCAS") (collectively, the "Applicants") for the acquisition of property located at 474 West 159th Street, between St. Nicholas Avenue and Edgecombe Avenue, (Block 2108 / Lot 23) (the "Site") for continued use as a child care facility. The acquisition consists of a new lease of up to 20 years; terms of the lease are to be negotiated. On May 21, 2018 the Application was certified by DCP as complete. The period for Community Board 12, Manhattan ("CB12M") to review the ULURP Application began on May 30, 2018 and must be completed by July 30, 2018; and

Whereas: The Site is an approximately 7,300 square foot privately-owned zoning lot that is improved by a four-story 28,684 square foot building (the "Building"). The Site has been used as a child care center since 1974, when the City of New York first leased the Site. The child care center occupies the entire Site and Building and consists of approximately 22,300 square feet of interior space, 4,460 square feet of rooftop play area, and 1,870 square feet of a play area in a side yard (the "Child Care Center" or the "Center"); and

Whereas: The Center is operated by the United Federation of Black Community Organizations ("UFBCO"), which was founded in the 1960s around issues of social justice. Its founders were community-minded social workers, educators and activists who saw the value of educating children and supporting families. UFBCO submitted an application with the Human Resources Administration, ACS' predecessor agency, to establish a day care center serving Harlem and Washington Heights and has operated the Center since it opened in 1974; and

Whereas: The Center is licensed and subject to standards established by ACS as well as federal, state and city regulations. It provides comprehensive day-time programs to assist with family life and enable parents

the opportunity to work, attend school, and/or acquire job training. It is contracted to serve up to 117 pre-school children (two to five years old) and 100 school-age children (five to 12 years old). Pre-school age children may attend the program full-time from 8:00 AM to 6:00 PM. Services provided encompass a variety of age- and developmentally- appropriate programs in addition to meals (breakfast, lunch, and snacks). The Center is open on holidays when public schools are not in session in order to be of service to working parents; and

Whereas: On June 18, 2018 the Executive Committee of CB12M (the "Executive Committee") held a Public Hearing (the "Public Hearing") to obtain public comment on the ULURP Application. Presentations were made by representatives of DCAS, ACS, UFBCO and DCP. The Applicants seek to enter into a new lease of up to 20 years to permit continued use of the Site as a child care facility operated by UFBCO. DCAS and ACS will require the new lease to obligate the landlord to undertake a range of interior and exterior building improvements (the "Building Improvements"), including but not limited to reroofing, drainage issues in the at-grade play area, building mechanical systems, structural repairs, elevator upgrades, a new sprinkler system, and cosmetic improvements to the appearance of the Building. DCAS will also require that new lead and asbestos testing and reports be undertaken by qualified third parties. Building Improvements will be performed after hours and on weekends in order to have minimal impact on the Center's operations; and

Whereas: UFBCO's representatives stated that the Center has provided services to multiple generations of families and that parents and former students have gone on to play active roles at the Center. They expressed concern that DCAS and ACS failed to provide notice to UFBCO that the Application was filed, learning of the filing through CB12M's outreach, and has not conferred with it on the proposed Building Improvements; and

Whereas: DCP's representative stated that many leases for day-care facilities pre-date the implementation of ULURP in 1976, initially were approved by the Board of Estimate, and were routinely renewed by DCP with limited review. As of 2015 DCP changed its policies and now requires a thorough review of lease renewals for child care facilities with emphasis on the physical condition of facilities. This change in policy, and the number of transactions subject to the new policy, account for the delay between the filing of the ULURP Application in 2015 and its certification in 2018, and

Whereas: The Executive Committee and other CB12M Board members emphasized the importance of DCAS ensuring that the scope of the proposed Building Improvements be extensive and that particular attention be given to upgrading or replacing the elevator, mechanical and ventilation systems including the boiler, fire and life safety systems, and windows; and

Whereas: There is high demand for a variety of programs and services in Washington Heights and Inwood, including child care and pre-school programs. CB12M's 2018 Statement of District Needs cites the demand for Pre-K slots outpacing availability as well as the demand for child care services to assist working parents, and calls upon the City to focus on creating more Pre-K resources in the district. Maintaining existing child care services in the district is vital. The Center is one of approximately only eight publicly-supported child care centers serving Washington Heights and Inwood; now, therefore, be it

Resolved: Community Board 12, Manhattan supports the ULURP Application submitted by the Administration for Children's Services and the Department of Citywide Administrative Services for the acquisition of property located at 474 West 159th Street (Block 2108 / Lot 23), through a new lease of up to 20 years, for continued use as the UFBCO Child Care Center; and be it further

Resolved: Community Board 12, Manhattan urges the Department of Citywide Administrative Services to ensure that the lease renewal obligates the landlord to make various improvements to the facility, including but

not limited to the roof, the elevator, the boiler, HVAC system, windows, the exterior, sidewalks and sprinklers, and to install new equipment or items to the maximum degree possible; and be it further

Resolved: Community Board 12, Manhattan urges the Department of Citywide Administrative Services and the Administration for Children's Services to consult with the United Federation of Black Community Organizations on the scope of work for the Building Improvements and to keep the Executive Director and Board informed throughout the negotiation process and afterwards as arrangements are made for the Building Improvements; and be it further

Resolved: Community Board 12, Manhattan urges the Department of Citywide Administrative Services to ensure that the lease includes provisions to require the Building Improvements be undertaken in full compliance with all applicable laws, rules and regulations, using quality materials and workmanship, and additionally provides for all costs associated with the Building Improvements to be reviewed independent of the landlord or its agents, and obligates the landlord to provide satisfactory upkeep, repair and maintenance of the Site and the Building during the term of the lease.

Sincerely,

Shahabuddeen A. Ally, Esq.
Chairperson

cc:
Hon. Bill de Blasio, Mayor
Hon. Gale Brewer, Manhattan Borough President
Hon. Scott M. Stringer, Comptroller
Hon. Letitia James, Public Advocate
Hon. Adriano Espaillat, Congressman
Hon. Brian Benjamin, State Senator
Hon. Marisol Alcantara, State Senator
Hon. Alfred Taylor, Assembly Member
Hon. Carmen De La Rosa, Assembly Member
Hon. Ydanis Rodriguez, Council Member
Hon. Mark Levine, Council Member
Hon. Edith Hsuchen, Director NYC Planning
Aissatou Bey-Grecia, UFBCO Board Member
Dale Lazerson, Asst. Director, Leasing Real Estate, DCAS