



IN THE MATTER OF an application submitted by the Administration for Children’s Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 1638 Anthony Avenue (Block 2888, Lot 21) for continued use as a child care center, in the Borough of the Bronx, Community District 4.

This application was submitted by the Administration for Children’s Services (ACS) and the Department of Citywide Administrative Services (DCAS) on August 18, 2015. Approval of this application would facilitate the continued use of the Labor Bathgate Community Child Care Center.

BACKGROUND

The Administration for Children’s Services (ACS), in conjunction with the Department of Citywide Administrative Services (DCAS), are proposing to acquire an 18,800 square-foot, two-story, privately-owned building, for continued occupancy by the Labor Bathgate Child Care Center. This facility has been in operation since 1973. The continued use of this child care center had been previously approved by the City Planning Commission on September 9, 1992 (Calendar No. 21, ULURP No. C 920391 PQX). The lease expired on October 31, 2015 and the facility is currently operating under a month-to-month agreement. The proposed action would facilitate a ten-year renewal of the lease.

The Labor Bathgate Community Child Care Center is located in the Claremont section of Bronx Community District 4. It is located within an R7-1 zoning district, which allows day care centers as-of-right. The surrounding area is generally developed with residential buildings ranging in height from six to eight stories.

The Labor Bathgate Child Care Center is a two-story building with a basement and two rooftop play areas. It comprises approximately 13,800 square feet of interior floor space and 5,000 square feet of rooftop outdoor play areas. The child care center has two classrooms located on the first floor and two classrooms located on the second floor. The

first floor also contains a reception area, offices, and a kitchen. The basement contains offices, lounge, and a warming pantry. The center provides a variety of activities and programs, which are determined by the child's age, developmental stage, and hours in day care, including:

1. Meal service: Provides preschool children with a nutritionally balanced breakfast, lunch, and snack daily.
2. Supervised playtime: Under the supervision of a child care worker, children are encouraged to become active in indoor and outdoor play activities that are appropriate to their age and stage of development, including music and motor skills.
3. Education: The center uses the Creative Curriculum as a guide. It promotes developmentally appropriate practices yearlong to enhance children's physical, cognitive, social and emotional development. It has an open policy of ongoing communication and collaborative partnership with parents and the community.
4. The center is licensed and subject to the established standards of ACS as well as federal, state, and city regulations.

The Labor Bathgate Child Care Center serves up to 67 preschoolers from ages 6 months to five years old under a license from the New York City Department of Health. Pre-school children may attend the program full time from 8:00 A.M. to 6:00 P.M., Monday through Friday. The children are taken to and from the center by their parents, enabling the parents to work, attend school, or acquire vocational training. The program staff consists of approximately 28 professional, paraprofessional and support staff.

The center is accessible by public transportation: the B and D subway lines stop at the East 170th Street station nine blocks away and at the East 174th – 175th Street station 10 blocks away; and the Bx11, Bx15, Bx32, and Bx41 busses all stop within five blocks of this child care center.

ENVIRONMENTAL REVIEW

This application (C 160038 PQX) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead agency is the Administration for Children's Services. On May 29, 2015, this application was determined to be a Type II action which required no further environmental review.

UNIFORM LAND USE REVIEW PROCEDURE

This application (C 160038 PQX) was certified as complete by the Department of City Planning on June 6, 2016, and was duly referred to Bronx Community Board 4 and the Bronx Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 4's Executive Committee adopted a resolution recommending approval of the application by a vote of 9 in favor, none opposed with no abstentions, at a meeting which was held on July 20, 2016.

Borough President Recommendation

The Borough President held a public hearing on this application on July 26, 2016, and on September 12, 2016, issued a recommendation approving the application.

City Planning Commission Public Hearing

On September 7, 2016, (Calendar No. 1), the City Planning Commission scheduled September 21, 2016 for a public hearing on this application (C 160038 PQX). The hearing was duly held on September 21, 2016 (Calendar No. 23). Three speakers testified in favor of the application and none in opposition.

Two representatives from the Agency for Children’s Services (ACS) spoke in favor of the application.

A representative from DCAS spoke in favor of the application, describing the project to the Commission and stating a willingness to initiate discussions regarding external improvements to the facility. She also stated that the center is currently at 82% of capacity, and that this is one of multiple day care programs ACS operates in this area.

CONSIDERATION

The Commission believes that the application for acquisition of City-owned property (C 160038 PQX) located at 1638 Anthony Avenue (Block 2888, Lot 21) is appropriate.

The Labor Bathgate Community Child Care Center has utilized the space continuously since 1973, serving the community by providing needed day care services for children, including educational, recreational and nutritional programs. The use is permitted as-of-right in an R7-1 district. It is well located within the community it serves and most parents walk their children to the facility at the beginning of the work day.

The center is accessible via public transportation: the B and D subway lines stop at the E. 170th Street station nine blocks away and at the E. 174th – E. 175th Street station ten blocks away. The Bx 11, Bx15, Bx 32, and Bx 41 buses all stop within five blocks of this child care center.

It should be noted that the Commission previously imposed restrictions on the use of this and other day care facilities as a result of continuing concerns expressed by local community boards, borough presidents and the Commission itself, over a general pattern of poor maintenance and repairs. The Commission and Department staff have played a significant role in ensuring that these important facilities remain in a state of good repair through Commission oversight and taking a ‘second look’ at the progress made on the outstanding repairs and maintenance issues raised during the public review process.

ULURP review has been effective in resolving such issues and the Commission believes it should continue to have an oversight role in direct lease day care facilities.

The Commission is also aware that no decision has yet been made concerning the long-term future of this facility. The Commission believes that its unique role in planning for the orderly growth and future development of the city will complement ACS's needs assessment in determining whether this facility is at an appropriate location given future population demographics and neighborhood land use patterns. The Commission has therefore determined that this use would be suitable for a period of ten years.

RESOLUTION

RESOLVED, by the City Planning Commission that based on the environmental determination and consideration described in this report, the application of the Administration for Children's Services (ACS) and the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 1638 Anthony Avenue (Block 2888, Lot 21) for continued use as a day care center, in the Borough of the Bronx, Community District 4, is approved for a period of ten years.

The above resolution (C 160038 PQX), duly adopted by the City Planning Commission on October 19, 2016 (Calendar No. 3), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

CARL WEISBROD, *Chairman*
KENNETH J. KNUCKLES, *Esq.*, *Vice Chairman*
RAYANN BESSER, ALFRED C. CERULLO, III,
MICHELLE R. DE LA UZ, JOSEPH I. DOUEK, RICHARD W. EADDY,
CHERYL COHEN EFFRON, HOPE KNIGHT, ANNA HAYES LEVIN,
ORLANDO MARIN, LARISA ORTIZ, *Commissioners*



The City of New York
COMMUNITY BOARD 4
1650 Selwyn Avenue, Suite 11A
The Bronx, New York 10457
TEL: 718-299-0800 FAX: 718-294-7870
Email: bx04@cb.nyc.gov

HONORABLE RUBEN DIAZ, JR.
Bronx Borough President

Ms. KATHLEEN SAUNDERS
Board Chair

MR. PAUL A. PHILPS
District Manager

August 10, 2016

Hon. Carl Weisbrod, Chairman
NYC Planning Commission
120 Broadway, 31st Floor
New York, NY 10271

RE: Labor Bathgate Community CCC
ULURP No: C 160038 PQX
Block 2888, Lots 21

Dear Chairman Weisbrod,

Please be advised that during the Executive Committee Meeting of July 20, 2016, the Community Board Four Executive Committee voted to approve the ACS application for acquisition (terms to be determined) of property on Block 2888, Lot 21 to ensure the continued provision of childcare services: (9) in favor (0) opposed and (0) abstentions.

We thank you for your time and consideration. Please do not hesitate to contact me if you have questions or need further clarification.

Sincerely,

Paul A. Philps
District Manager
Community Board 4

Cc: Kathleen Saunders, Board Chair

8/30/16



Community/Borough Board Recommendation
Pursuant to the Uniform Land Use Review Procedure

Application #: C160038PQX	Project Name: Labor Bathgate Community CCC
CEQR Number:	Borough(s): Bronx Community District Number(s): 4

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
 - MAIL:** Calendar Information Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007
 - FAX:** (212) 720-3356 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description

IN THE MATTER OF an application submitted by the Administration for Children's Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 1638 Anthony Avenue (Block 2888, Lot 21) for continued use as a child care center.

Applicant(s): Administration for Children's Services 150 William Street 14th floor NY NY 10038 Department of Citywide Administrative Services 1 Centre Street 20th floor South NY, NY 10007	Applicant's Representative: Mitch Gipson 212-341-2746 Randy Fong 212-386-0618
Recommendation submitted by: <p style="text-align: center;">BRONX COMMUNITY BOARD 4</p>	
Date of public hearing:	Location: 1650 SELWYN AVENUE, STE 11A BX, NY 10457
Was a quorum present? YES <input type="checkbox"/> NO <input type="checkbox"/>	<i>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</i>
Date of Vote: JULY 20, 2016	Location: 1650 SELWYN AVENUE, STE 11A BX, NY 10457
RECOMMENDATION <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove <input type="checkbox"/> Disapprove With Modifications/Conditions <p><u>Please attach any further explanation of the recommendation on additional sheets, as necessary.</u></p>	
Voting # In Favor: 9 # Against: 0 # Abstaining: 0 Total members appointed to the board: 39	
Name of CB/PB officer completing this form 	Title District Manager
	Date August 9, 2016

**BOROUGH PRESIDENT
RECOMMENDATION**

**CITY PLANNING COMMISSION
22 Reade Street, New York, NY 10007
Fax # (212)720-3356**

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.

APPLICATION # C 160038 POX

DOCKET DESCRIPTION

PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION

COMMUNITY BOARD NO. 4

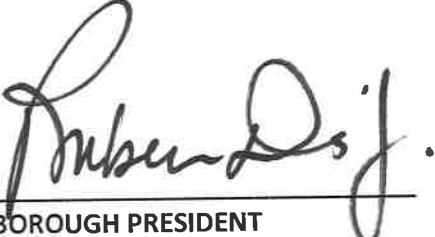
BOROUGH: BRONX

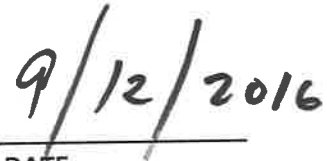
RECOMMENDATION

- APPROVE**
- APPROVE WITH MODIFICATIONS/CONDITIONS (List below)**
- DISAPPROVE**

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

PLEASE SEE ATTACHMENT FOR BOROUGH PRESIDENT'S RECOMMENDATION


BOROUGH PRESIDENT


DATE

**BRONX BOROUGH PRESIDENT'S RECOMMENDATION
ULURP APPLICATION NO: C 160038 PQX
Labor Bathgate Community CCC
September 15, 2016**

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by the Administration for Children Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 1638 Anthony Avenue (Block 2888, Lot 21) for continued use as a child care center.

BACKGROUND

Approving this application will facilitate a lease renewal by the Administration for Children Services and the Department of Citywide Administrative Services on behalf of the Labor Bathgate Community CCC, (LBC). This renewal pertains to a facility located in a privately owned building located at 1638 Anthony Avenue (Block 2888, Lot21). LBC has utilized this two-story building for their child daycare programs since 1973. It operates Monday-through-Friday from 8:00 a.m. to 6:00 p.m.

The facility where daycare services are provided includes 13,800 square feet of interior space, plus an additional 5,000 square feet of rooftop accommodations for outdoor programming and play areas. Located on the basement level is a reception area, four offices, a staff lounge and a warming pantry. Found on the street level (first floor) are two classrooms with bathrooms located in each, a fully equipped kitchen, locker room and two offices. The second floor offers space for an additional two classrooms. Youngsters attending daycare at this facility range in age from as young as six months to five years of age. LBC's total enrollment approximates 67 preschoolers.

Additional highlights of this center include:

- Breakfast, lunch and a snack each day.
- Supervised playtime featuring art, music computer skills.
- Programming designed to promote healthy emotional development, physical activity and communication skill enhancement.

A total of 28 professional and para professionals are employed at LBC.

Development of the surrounding community is typified by mid-rise residential buildings. Claremont Park, composed of 33 acres of property is located on the west side of Clay Avenue, approximately two blocks south of the daycare facility. Commercial activity and bus transportation are found on Webster Avenue, approximately two blocks east of the daycare site. There is no subway access within a four block radius of the Labor-Bathgate center.

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

This application has been reviewed pursuant to CEQR and SEQRA and received a Negative Declaration, meaning that this proposed use poses no threat to the environment. This application was certified as complete by the City Planning Commission on June 6, 2016.

BRONX COMMUNITY BOARD PUBLIC HEARING

Bronx Community Board #4 held a public hearing on this application on July 20, 2016. A unanimous vote recommending approval of this application was nine in favor, zero opposed and zero abstaining.

BOROUGH PRESIDENT'S PUBLIC HEARING

The Bronx Borough President convened a public hearing on this application on July 26, 2016. Representatives of the applicant were present and spoke in favor of this application. There being no other members of the public offering testimony on this matter and the hearing was closed.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

The provision of good quality child care is an absolute essential for nearly all young families. Labor Bathgate Community CCC has forty years of experience in offering daycare programs at this Anthony Avenue location. I am pleased to recommend approval of this application.