



IN THE MATTER OF an application submitted by the Administration for Children’s Services and the Division of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 565 Morris Avenue (Block 2338, p/o Lot 3 and p/o lot 100) for use as an early childhood education center, Borough of the Bronx, Community District 1.

This application (C 170145 PCX) for the site selection and acquisition of property located at 565 Morris Avenue (Block 2338, p/o Lot 3 and p/o lot 100) for use as an early childhood education center, was filed by the Administration for Children’s Services (ACS) and the Division of Citywide Administrative Services (DCAS) on November 10, 2016.

BACKGROUND

ACS and DCAS are seeking approval of an application for the site selection and acquisition of privately owned property located at 565 Morris Avenue (Block 2338, p/o Lot 3 and p/o lot 100) for use as an early childhood education center.

The proposed new early child care facility is located on a block bounded by East 151st Street to the north, Morris Avenue to the East, East 149th Street to the south, and Park Avenue to the west. The proposed acquisition site is zoned R7-2/C1-4, which permits day care centers as-of-right. The surrounding area has a mix of residential, commercial and community facility uses, including Lincoln Hospital immediately south of the site and The Bronx “Hub” retail center located two blocks to the east. The site is well-served by transit, accessible by the Bx6 and Bx41 bus lines.

The building is privately owned and currently occupied by ACS for use as a child care center under a license agreement. The site, part of the Melrose Urban Renewal Area, was sold to the New York State Urban Development Corporation in 1973 and subsequently transferred to the present owner. The child care facility is located on the first and second floors of a two-story wing of an existing 25-story building located at 565 Morris Avenue, which is also listed as 2862 Park Avenue and 245 East 149th Street. The existing mixed-use building has approximately 500 dwelling units and 20 storefront retail spaces, as well as the community facility space currently occupied by the child care center. The space currently occupied by the child care center was recently renovated specifically for use as a child care center.

The child care center occupies two stories in an approximately 300-foot-long building segment located at the back of the main structure. The child care center has approximately 32,683 square feet of interior space and 5,000 square feet of exterior play space. It includes 12 classrooms, supporting offices, conference rooms, a parent's room, a commercial kitchen, a 6,000-square-foot public assembly/multipurpose room, and an elevator. The facility has no interior connection to the rest of the structure. The ground floor includes three classrooms for preschoolers, one classroom for the after school program, administrative offices, and a kitchen. The second story has six classrooms, which are used by one toddler group and five preschooler groups.

Access to the facility is located at a gated entryway on Morris Avenue through Lot 100, a 36-foot-wide paved through lot. The eastern most portion of the lot is used as a fire lane and for pedestrian access. To the west of the fire lane is a 5,000-square-foot area used as a playground/outdoor recreation resource for the children.

The Sheltering Arms Child Care Center serves up to 120 preschoolers and 20 toddlers. Children may attend from 8:30 am to 6:00 pm, Monday through Friday. The center provides daily meal service (breakfast, lunch, and a snack), supervised playtime (indoor and outdoor), and education focused on developmentally appropriate practices yearlong to enhance children's physical, cognitive, social, and emotional development using the Early Learn curriculum. Family and health services are also offered. The center is currently served by 42 professional, para-professional, and support staff. The majority of the clients live within walking distance of the program.

The site selection and acquisition process has been reviewed under the "Fair Share" criteria for the location of the City Facilities Statement of Needs for FY 2014-2015.

ENVIRONMENTAL REVIEW

The application (C 170145 PCX) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and 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 designated CEQR number is 13ACS002X. The lead agency is the Administration for Children's Services (ACS).

After a study of the potential impacts of the proposed action, a Negative Declaration was issued on June 13, 2017.

UNIFORM LAND USE REVIEW

This application (C 170145 PCX) was certified as complete by the Department of City Planning on June 19, 2017 and was duly referred to Community Board 1 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

Bronx Community Board 1 held a public hearing on this application (C 170145 PCX) on August 10, 2017 and, on that date, by a vote of 23 in favor, none opposed, and with no abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application (C 170145 PCX) was considered by the Borough President, who issued a recommendation approving the application on September 25, 2017.

City Planning Commission Public Hearing

On September 19, 2017 (Calendar No. 1), the City Planning Commission scheduled October 4, 2017 for a public hearing on this application (C 170145 PCX). The hearing was held on October 4, 2017 (Calendar No. 19). Two speakers testified in support of the application and none in opposition.

The first speaker, a representative of ACS, provided an overview of the project and described the need for child care and educational services in this area. The speaker said that the facility was prototypical of the new early childcare centers being developed to accommodate the demand created by Pre-K, 3-K, and other initiatives. This program was established in 2016 and new facilities are

being designed with windowed walls in every classroom and may include such amenities as wide hallways, multiple elevators, and a community room/assembly hall.

The second speaker, a representative of DCAS, testified in favor of the project. The speaker stated that the facility did not require installation of sprinklers and met all New York City Building Code requirements.

There were no other speakers and the hearing was closed.

CONSIDERATION

The City Planning Commission believes that this application (C 170145 PCX) for the site selection and acquisition of property for use as an early childhood education center is appropriate.

A day care center has been operational for approximately 18 months under a license agreement with ACS. The approval of this site selection/acquisition will ensure that the site will be available for use as a child care center over the longer term. Unlike many older ACS facilities, the space was designed specifically for use as a child care center. The program is serving the community by providing daily meal service, supervised play time, and education, using the Early Learn program as a guide. It promotes developmentally appropriate practices yearlong to enhance children's physical, cognitive, social, and emotional development. The use is permitted as-of-right in R7-2/C1-4 zoning districts within which the facility is located. Although the majority of the clients live within walking distance of the center, the site is well-served by transit, accessible by the Bx6 and Bx41 bus lines.

Following the CPC's public hearing, a letter dated 10/23/17 was received from ACS, which clarified that, contrary to the DCAS representative's testimony, this facility is fully sprinklered in accordance with the building code which requires sprinklers be installed when there is a 6,000 square foot public assembly space. Therefore full sprinkler service had to be brought into this facility.

During the public review process, the absence of a dedicated pedestrian access way was identified. The fire lane and pedestrian access path share the same space, with no signage or street treatment

delineating a car free zone. In addition, the designated fire lane had signage that misidentified it as appropriate for parking. During site visits, Department staff observed parents and children walking in the fire lane and staff or client vehicles parked within the fire lane.

Subsequent to certification, the misleading signage was removed, a striped pedestrian zone boundary was installed, and project staff and clients were advised/reminded that the fire lane was off limits to non-emergency vehicles. The Commission agrees that these safety measures are appropriate, but would urge ACS to seek a stronger demarcation of the pedestrian access with the use of a raised curb, low fence, or other physical protection from the adjacent fire lane.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the proposed action described herein will have no significant impact on the environment; and be it further

RESOLVED, by the City Planning Commission, pursuant to 197-c of the New York City Charter, that the site selection and site selection and acquisition of property located at 565 Morris Avenue (Block 2338, p/o Lot 3 and p/o lot 100) for use as an early childhood education center, Borough of the Bronx, Community District 1, in an application submitted by the Administration for Children's Services and the Division of Citywide Administrative Services dated June 14, 2016, is approved.

The above resolution (C 170145 PCX), duly adopted by the City Planning Commission on November 1, 2017 (Calendar No. 6), 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.

MARISA LAGO, *Chair*

KENNETH J. KNUCKLES, Esq., *Vice Chair*

**ALFRED C. CERULLO, III, MICHELLE R. DE LA UZ, JOSEPH I. DOUEK,
RICHARD W. EADDY, CHERYL COHEN EFFRON, ANNA HAYES LEVIN,
ORLANDO MARIN, LARISA ORTIZ**, *Commissioners*

Application #: **C170145 PCX**

Project Name: **Sheltering Arms Child Care Ctr.**

CEQR Number: Type II

Borough(s): Bronx

Community District Number(s): 1

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 #C1000002SQ"
 - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - FAX:** to (212) 720-3488 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 565 Morris Avenue (Block 2338, part of Lots 3 and 100) for use as a child care center.

Applicant(s): Administration for Children's Services 150 William Street, 14th Floor New York, NY 10038	Applicant's Representative: Mitch Gipson (ACS) 212-341-2746
Recommendation submitted by:	
Date of public hearing: AUGUST 10, 2017 Location: 3024 THIRD AVENUE BRONX, N.Y. 10455	
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> <small>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</small>	
Date of Vote: AUGUST 10, 2017 Location: 3024 THIRD AVENUE BRONX, N.Y. 10455	
RECOMMENDATION <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove <input type="checkbox"/> Disapprove With Modifications/Conditions	
Please attach any further explanation of the recommendation on additional sheets, as necessary.	
Voting # In Favor: 23 # Against: 0 # Abstaining: 0 Total members appointed to the board: 44	
Name of CB/BB officer completing this form Cedric L. Lofton	Title DISTRICT MANAGER
Date 8/10/17	

**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.

APPLICATIONS NOS: C 170145 PCX-Sheltering Arms Child Care Center

DOCKET DESCRIPTION-PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION

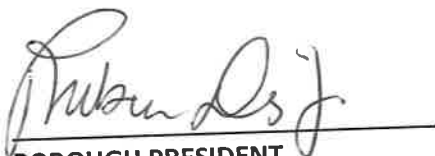
COMMUNITY BOARD NO. #1

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 THE BOROUGH PRESIDENT'S RECOMMENDATION


BOROUGH PRESIDENT

9/25/2017
DATE

BRONX BOROUGH PRESIDENT'S RECOMMENDATION
ULURP APPLICATION NO: C 170145 PCX
Sheltering Arms Child Care Center

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 565 Morris Avenue (Block 2338, part of Lots 3 and 100) for use as a child care center.

BACKGROUND

The Administration for Children's Services (ACS) and the Department of Citywide Administrative Services (DCAS) are soliciting approval for a site selection and acquisition of property located at 565 Morris Avenue (Block 2338, P/O Lots 3 and 100) for the continued use of this facility as a child care center. This child care center opened in 2016 and is known as the Sheltering Arms Child Care Center. The site is located in the Melrose community of The Bronx, on the west side of Morris Avenue, between East 149th Street on the south and East 150th Street on the north. This area is zoned R7-1/C1-4 zone, in Bronx Community District #1.

The building in which this center is located includes two stories, plus a basement. It offers 32,683 square feet of interior space, plus an exterior playground area consisting of 5,000 square feet. Additional highlights of this facility include:

- A program staff of 59 employees serving as professional, paraprofessional and support staff
- The facility offers an Early Learning Center and Non-early Learn health services
- Enrollment includes 20 toddlers and 120 pre-schoolers
- The center operates from 8:30 a.m. to 6 p.m. Monday-Friday
- Programs are designed to encourage socialization and communication and creativity skills.
- These programs uses the EarlyLearn, Head Start and Universal Pre-Kindergarten services.
- Family health services are offered.

Development of the surrounding community is typified by low and mid-rise residential buildings offering retail venues on street level. The area is well served by mass transit. This includes subway service to the 2, 4, and 5 trains, all of which are accessible within a two block radius of the site. Bus transportation operates on Morris Avenue and on East 149th Street.

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

This application has been reviewed pursuant to CEQR and SEQRA and received a Negative Declaration. The City Planning Commission certified this application as complete on June 19, 2017

BRONX COMMUNITY BOARD PUBLIC HEARING

Bronx Community Board #1 held a public hearing on this application on August 10, 2017. A unanimous vote recommending approval of this application was 23 in favor, zero opposed and zero abstaining.

BOROUGH PRESIDENT'S PUBLIC HEARING

The Bronx Borough President convened a public hearing on this application on September 19, 2017. No members of the public offered comment on this matter and application was closed.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

Providing daycare for toddlers and pre-school age children is proven to be one of the most important considerations parents of such children must make. We now know that well managed programming dramatically enhances the child's social abilities and learning skills, which in turn will serve that child well throughout his/her educational experiences. It also must be noted that given today's many demands on parents, knowing that their youngster is being well cared for is a critical part of what is necessary when both parents are at work. As the child is provided with nutritious meals, and if necessary medical attention, this relieves stress that accompanies being busy parents.

The Sheltering Arms Child Care Center is an essential part of the Melrose community. I am therefore pleased to recommend approval of this application.