



## **CITY PLANNING COMMISSION**

December 12, 2011/ Calendar No. 3

C 110259 PQK

IN THE MATTER OF an application submitted by the Administration of Children's Services and the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter for acquisition of property located at 33 Somers Street (Block 1538, Lot 46) for continued use as a child care center, Community District 16, Borough of Brooklyn.

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This application for acquisition of property was filed on March 21, 2011 by the Administration of Children's Services (ACS) and the Department of Citywide Administrative Services (DCAS) to facilitate the continued operation of a child care center at 33 Somers Street, in Brooklyn Community District 16.

### **BACKGROUND**

The Administration of Children's Services (ACS) and the Department of Citywide Administrative Services (DCAS) seek to continue use of approximately 28,860 square feet of privately-owned property at 33 Somers Street (Block 1538, Lot 46) for continued use as a child care center. The space is currently occupied by the Shirley Chisholm Day Care Center.

The subject site is a two-story building, with a roof-top play area, located on Somers Street between Thomas S. Boyland Street (aka Hopkinson Avenue) and Rockaway Avenue. The property is located in an R6/C2-3 zoning district which permits the use as-of-right. The child care center occupies the entire building. The building has approximately 28,860 square feet of floor area and a roof-top play area. The center currently has a staff of 40 and is open from 8:00 am to 6:00 pm Monday through Friday serving 143 infant through pre-K children from the neighborhood. A day care center has operated at this location since 1973. On July 7, 1993 (Cal. No. 34), the City Planning Commission approved an application (C 920242 PQK) to acquire the property for up to 20 years. On September 8, 1993, the City Council adopted a resolution

approving the application with the modification that improvements be made to the building. In 2005 and 2006, the building received a major upgrade, including new bathrooms, resurfacing of the roof-top play area and upgrade of the building systems.

The areas to the north, west and east are generally medium density residential in character with apartment buildings and one- and two-family townhouses in an R6 district, with a C2-3 overlay along Somers and Fulton streets. Along Fulton Street to the south are three to four-story mixed-use buildings with ground floor retail. Across the street from the site, between Somers and Fulton Streets, is the Phoenix Community Garden. To the south, between Herkimer Street and Atlantic Avenue, are row houses in an R5 district. One block to the west, west of Saratoga Avenue, is the area of the Bedford-Stuyvesant South rezoning, which was completed in 2007 (C 07447 ZMK). The area is well served by transit, with the C train's Rockaway Avenue Station one block to the south, the B25 bus along Fulton Street and the B60 and B7 buses on Rockaway Avenue and Thomas S. Boyland Street, respectively.

## **ENVIRONMENTAL REVIEW**

This application (C 110259 PQK) 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 of Children's Services. This application was determined to be a Type II action which requires no further environmental review.

## **UNIFORM LAND USE REVIEW**

This application (C 110259 PQQ) was certified as complete by the Department of City Planning on August 22, 2011, and was duly referred to Community Board 16 and the 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 16 held a public hearing on this application on September 27, 2011, and on that date, by a vote of 26 to 0 with no abstentions, adopted a resolution recommending approval of the application.

### **Borough President Recommendation**

This application (C 110259 PQQ) was considered by the Brooklyn Borough President, who issued a recommendation approving this application on October 25, 2011.

### **City Planning Commission Public Hearing**

On November 2, 2011 (Calendar No. 2), the City Planning Commission scheduled November 16, 2011, for a public hearing on this application (C 110259 PQQ). The hearing was duly held on November 16, 2011 (Calendar No. 16). There was one speaker in favor and none opposed. A representative from the Agency for Children Services (ACS) appeared in favor of the proposal.

There were no other speakers and the hearing was closed.

## **CONSIDERATION**

The Commission believes that the acquisition of property located at 33 Somers Street (Block 1538, Lot 46) (C 110259 PQQ) by the Administration of Children's Services is appropriate.

The City Planning Commission notes that the site has operated as a day care center since 1973, serving 143 infant through pre-K children from the Ocean Hill and Brownsville neighborhoods of Community District 16. The Commission believes that the facility is well located to serve the needs of the Ocean Hill and Brownsville communities and notes that the facility is well served by public transportation.

The Commission is pleased to note that, in 2005 and 2006, the building received a major upgrade, including new bathrooms, resurfacing of the roof-top play area and upgrade of the building systems and believes that these improvements have created an improved environment for the education of the youngest residents of the neighborhood.

The Commission believes that the acquisition of this property will allow the existing day care facility to continue to provide much needed educational, recreational, social and nutritional programs for the children in this community.

## **RESOLUTION**

**RESOLVED**, that this application submitted by the Administration of Children's Services and

the Department of Citywide Administrative Services, pursuant to Sections 197-c of the New York City Charter, for the acquisition of property located at 33 Somers Street (Block 1538, Lot 46), for continued use as a child care center, is approved.

The above resolution (C 110259 PQK), duly adopted by the City Planning Commission on December 12, 2011 (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.

**AMANDA M. BURDEN, *FAICP*, Chair**  
**ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.**  
**BETTY Y. CHEN, MARIA M. DEL TORO, RICHARD W. EADDY,**  
**ANNA HAYES LEVIN, ORLANDO MARIN, Commissioners**

**KENNETH J. KNUCKLES, ESQ., Vice Chairman, abstaining**

# Community/Borough Board Recommendation

Pursuant to the Uniform Land Use Review Procedure

Application #: **110259PQK**

Project Name: **Shirley Chisholm Day Care**

CEQR Number:

Borough(s): Brooklyn

Community District Number(s): 16

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](mailto:CalendarOffice@planning.nyc.gov) and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C10000ZSQ"
  - 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 Administration Services, pursuant to section 197-c of the New York City Charter for the acquisition of property located at 33 Somers Street (Block 1538, lot 46) for continued use as a day care center.

<b>Applicant(s):</b> Administration for Children's Services 150 William Street NY, NY 10038 NYC Department of Citywide Admin Services 1 Centre Street NY, NY 10007		<b>Applicant's Representative:</b> Elizabeth Lauren 212-341-2675  Randy Fong 212-669-7150
<b>Recommendation submitted by:</b> Brooklyn Community Board 16		
<b>Date of public hearing:</b> September 27, 2011		<b>Location:</b> 444 Thomas S. Boyland Street Brooklyn, NY 11212
<b>Was a quorum present?</b> 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>		
<b>Date of Vote:</b> September 27, 2011		<b>Location:</b> 444 Thomas S. Boyland Street Brooklyn, NY 11212
<b>RECOMMENDATION</b> <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove <input type="checkbox"/> Disapprove With Modifications/Conditions <b>Please attach any further explanation of the recommendation on additional sheets, as necessary.</b>		
<b>Voting</b> # In Favor: 26 # Against: # Abstaining: Total members appointed to the board: 50		
<b>Name of CB/BB officer completing this form</b> Hazel A. Younger	<b>Title</b> Chairperson	<b>Date</b> 9/29/2011



# Brooklyn Borough President Recommendation

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

CITY PLANNING COMM. SIG.

2011 OCT 26 AM 9:36

DEPT. OF CITY PLANNING

## 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 #: 110259 PQK

Shirley Chisholm Day Care

In the matter of applications submitted by 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 33 Somers Street for continued use as a day care center.

COMMUNITY DISTRICT NO.

16

BOROUGH OF BROOKLYN

## RECOMMENDATION

☒ APPROVE

☐ APPROVE WITH

MODIFICATIONS/CONDITIONS

☐ DISAPPROVE

☐ DISAPPROVE WITH

MODIFICATIONS/CONDITIONS

### RECOMMENDATION

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 143 pre-schoolers will be able to continue receiving a full-time education program.

In addition, this child care center serves an important role in the local economy through the approximately 40 jobs that it generates. The continuation of this day care will not only secure its current workforce, it will continue to enable the parents of those children enrolled to maintain their own employment with the understanding that their children are being provided for during the workday.

The borough president is aware of this property's large exterior wall and its targeting for graffiti. Therefore, he urges ACS to utilize his "Graffiti Free Brooklyn" initiative as a way to combat the problem.

Therefore, 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 this site acquisition/lease renewal application.

  
BOROUGH PRESIDENT

October 25, 2011

DATE