



CITY PLANNING COMMISSION

November 16, 2005/Calendar No. 10

C 050481 PCK

IN THE MATTER OF an application submitted by the Department of Probation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for site selection and acquisition of property located at 2440 Fulton Street (Block 1554, p/o Lot 16), Borough of Brooklyn, Community District 16, for use as an alternative to detention program facility.

This application (C 050481 PCK) was filed on May 25, 2005, by the Department of Probation (DOP) and the Department of Citywide Administrative Services (DCAS) for site selection and acquisition of privately-owned property located at 2440 Fulton Street (Block 1554, p/o Lot 16), and for use as an alternative to detention program facility.

BACKGROUND

The Department of Probation (DOP) and Department of Citywide Administrative Services (DCAS) seek site selection and acquisition approval of approximately 12,500 square feet of space on the second floor at 2440 Fulton Street, an existing commercial/community facility building, for an Alternative-To-Detention (ATD) Program facility, located in Community District 16, Ocean Hill, Brooklyn.

DOP seeks to occupy the site on a permanent basis in order to house the combined Brooklyn and Queens branches of the ATD program. DOP entered into a temporary lease agreement, and in September 2004, occupied this privately-owned subject site. DOP had to vacate its site in Queens for the NY Unified Court System's expansion and vacate the Brooklyn site at the same time to accommodate the NYC Department of Parks and Recreation. The Brooklyn branch had moved into the Manhattan ATD site, which caused overcrowding. The site selection and

acquisition of the subject site would allow DOP to combine the Queens and Brooklyn branches into one single facility on a long-term basis.

2440 Fulton Street (Block 1554, Lot 16) is an existing commercial/community facility building located on the corner of Fulton Street and Van Sinderen Avenue in a M1-2 zoning district. DOP and DCAS request site selection/acquisition approval of a portion of this building to ensure the continued provision of a community-based alternative to detention services. The existing building consists of two floors, each approximately 77,500 square feet in area, and a basement. This building houses the NYC High School for Public Safety, the Puerto Rican Cultural Learning Center, Goodwill Industries of Prospect Plaza, Quick Start Placement Centers, New Style Construction, Inc., the Federation for the Mentally Disabled, the Ladies Committee for Puerto Rican Culture, RCC Electric Contractors, Builders, and Developers, and project field offices for NYC Transit. DOP did extensive outreach to all the occupants in the building.

There are seven separate entrances into the building with one entrance on Van Sinderen Avenue and Fulton Street to be used only by the staff and clients of the ATD program. DOP would employ a security guard service at the inner entrance. The ATD facility would utilize about 12,500 square feet of space on the second floor to provide classrooms, meeting rooms, offices, a kitchen and cafeteria, a computer room, and support/storage rooms.

DOP would utilize six spaces for staff and service vans in an off-street parking lot provided for the tenants of the building on the same block as the site.

About 15 ATD program staff plan, provide, and evaluate services for an average caseload of between 100-150 total registrants, between the ages of 11 to 16 who have been arrested on a variety of charges, from 8:00am to 8:00pm, Monday through Friday, although, not all registrants are present at all times. These services would include intake, scheduling, training, and case management. In a program approved by the Department of Education, registrants would be able to learn in a school-type setting as well as receive nutritious meals on-site, participate in supervised indoor recreation, and be taken to and from court appearances. Through a highly structured environment that provides educational, counseling and recreational services, program participants are guided to socially constructive, appropriate and responsible behavior. Otherwise, the juvenile would be sent to a secured detention facility operated by the Department of Juvenile Justice. The youngsters are paroled by Family Court judges to the ATD program as a condition of their parole to their parent/guardian. Staff works closely with the Court to monitor and report on the juveniles' activities and attendance. The juvenile's length of time in the program is largely a factor of the time it takes for the court to reach a conclusion on the pending case. On average, a juvenile is in the program approximately 70 days.

The surrounding area consists of commercial, light manufacturing uses, three- and four-story homes, and multi-family buildings. The site is across from a major transportation hub known as Broadway Junction, in which the A/C, J/Z, and L trains connect. There are also numerous buses that service Brooklyn and Queens in the immediate vicinity including the B25 bus, which services Fulton Street and stops in front of the site.

The proposed use is not permitted in M1-2 zoning districts, and in this instance, the City is exercising its power not to be subject to its zoning requirements when performing a governmental function.

ENVIRONMENTAL REVIEW

This application (C 050481 PCK) 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 New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead agency is the Department of Probation. The designated CEQR number is 04DOP002K.

After a study of the potential environmental impact of the proposed action, a negative declaration was issued on May 10, 2004.

UNIFORM LAND USE REVIEW

This application (C 050481 PCK) was certified as complete by the Department of City Planning on July 11, 2005, and was duly referred to Community Board 16 and the Brooklyn Borough President in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP)

rules.

Community Board Public Hearing

Community Board 16 held a public hearing on this application on August 23, 2005, and on that date, by a vote of 17 in favor and 4 against with 1 abstention, adopted a resolution recommending approval of this application.

Borough President Recommendation

This application (C 050481 PCK) was considered by the Borough President of Brooklyn, who issued a recommendation approving the application on September 28, 2005, subject to the following conditions:

“Be it resolved that Borough President of the Borough of Brooklyn, pursuant to section 197-c of the New York City Charter, recommends that the City Planning Commission and City Council approve the site selection for the Brooklyn/Queens Alternative to detention facility, with the condition that the Brooklyn Facility be limited to 150 registrants.”

City Planning Commission Public Hearing

On September 28, 2005 (Calendar No. 2), the City Planning Commission scheduled October 19, 2005, for a public hearing on this application (C 050481 PCK). The hearing was duly held on October 19, 2005 (Calendar No. 38). There was one speaker in favor of the application and none

in opposition.

The Brooklyn Director of the ATD facility spoke in favor of the application. The speaker indicated how important this service is to the program's participants, who would otherwise be detained in a detention facility.

There were no other speakers and the hearing was closed.

CONSIDERATION

The City Planning Commission believes that this application by the Department of Probation and the Department of Citywide Administrative Services for site selection and acquisition of property located at 2440 Fulton Street (Block 1554, p/o Lots 16), in Community District 16, Borough of Brooklyn, for use as an alternative to detention program facility, is appropriate.

The facility would serve juveniles from Brooklyn and Queens in their rehabilitation and monitor their progress through the family court system. This facility is necessary to maintain this program, which has a successful track record as an alternative to detention program. This success is based on support from the Department of Education to specifically address the needs of these program participants. With respect to the Borough President's recommendation that the program be limited to 150 registrants, the Department of Probation has indicated that the program is limited to 150 participants, who will not be at the facility all at the same time. The

need for this facility was listed in the Citywide Statement of the Needs (1997-1998).

RESOLUTION

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

RESOLVED, by the City Planning Commission, pursuant to Section 197-c of the New York City Charter, that based on the environmental determination and consideration described in this report, the application (C 050481 PCK) of the Department of Probation (DOP) and the Department of Citywide Administrative Services (DCAS) for site selection and acquisition of property located at 2440 Fulton Street (Block 1554, p/o Lot 16), in Community District 16, Borough of Brooklyn for use as an alternative to detention program facility is approved.

The above resolution, duly adopted by the City Planning Commission on November 16, 2005 (Calendar No. 10), is filed with the Office of the Speaker, City Council, and the Borough President of Brooklyn in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, AICP, Chair

KENNETH J. KNUCKLES, ESQ., Vice-Chairman

ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,

ALFRED C. CERULLO,III, RICHARD W. EADDY, JANE D. GOL, LISA A. GOMEZ,

CHRISTOPHER KUI, JOHN MEROLO, KAREN A. PHILLIPS, DOLLY WILLIAMS,

Commissioners