

December 13, 2017 / Calendar No. 18

C 150223 PQK

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 36 Ford Street (Block 1420, Lot 51) for continued use as a child care center, Borough of Brooklyn, Community District 9.

This application was filed on January 14, 2015 by the New York City Administration for Children's Services (ACS) and the Department of Citywide Administrative Services (DCAS) to facilitate the continued use of property located at 36 Ford Street (Block 1420, Lot 51) as a child care center.

BACKGROUND

ACS and DCAS are seeking the acquisition of property to facilitate the continued operation of a child care center, currently known as All My Children Daycare 13 and 15, in the Wingate neighborhood of Brooklyn. This site has been used to provide child care since 1973, and was the subject of a previous acquisition action approved by the Commission on August 18, 1993 (C 920382 PQK, Cal. No. 19). The previous lease expired on September 1, 2014, and the facility has operated since under a month-to-month license agreement. The proposed action would allow for a new lease to be negotiated for the continued use of the property as a child care center.

The project site is located in an R7-1 zoning district, which allows day care centers as-of-right. The surrounding area is generally developed with one- and two-family homes and multi-family apartment buildings, as well as mixed-use buildings along Utica Avenue. Many public facilities are nearby, including the P.S. 398 Walter Weaver elementary school located directly southeast of the project site and a house of worship one block west of the project site. Lincoln Terrace/Arthur S. Somers Park, a 16-acre park, is located one block northeast. The area is well served by transit, including the B12, B17, B46, B14, and B47 bus lines and the 3 and 4 subway trains, which stop at the Utica Avenue Station, six blocks northwest of the site.

The facility is located on a 12,400-square-foot privately-owned lot (Block 1420, Lot 51) on Ford Street, at its intersection with East New York Avenue. All My Children Daycare 13 and 15 has three sets of doors on Ford Street; the door closest to East New York Avenue serves as the primary entrance while the remaining doors serve as secondary exit points. The center occupies the entire one-story building, including a cellar level and rooftop play area. It comprises a total of approximately 28,845 square feet, including 23,045 square feet of interior space and approximately 5,800 square feet of rooftop play area. In the cellar, there are several school-age classrooms, a library, a multi-purpose room, dance room, a photo room, and miscellaneous ancillary spaces. The first floor contains the main entrance and reception area, six classrooms, a commercial-grade kitchen and utility rooms, along with a dumbwaiter that can transfer food between floors. Fire control sprinklers have been installed in the building. The rooftop is used as a play area for the children.

All My Children Daycare 13 and 15 serves up to 126 children. Children may attend from 8 am to 6 pm, Monday through Friday. The center provides daily meal service (breakfast, lunch, and a snack), supervised playtime (indoor and outdoor), and education using the Creative Curriculum and Early Learning programs, focused on developmentally appropriate practices yearlong to enhance children's physical, cognitive, social, and emotional development. The center is staffed by 37 professional, para-professional, and support staff.

ENVIRONMENTAL REVIEW

This application (C 150223 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 ACS. This application was determined to be a Type II action, which requires no further environmental review.

UNIFORM LAND USE REVIEW

This application (C 150223 PQK) was certified as complete by the Department of City Planning on August 7, 2017, and was duly referred to Brooklyn Community Board 9 and the Brooklyn

Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Brooklyn Community Board 9 waived its right to hold a public hearing on this application (C 150223 PQK). On September 26, 2017, by a vote of 27 in favor, none opposed, and with two abstentions, the board adopted a resolution recommending approval of the application.

Borough President Recommendation

On October 12, 2017, the Brooklyn Borough President held a public hearing on this application (C 150223 PQK). On October 18, 2017, the Brooklyn Borough President submitted a recommendation approving the application.

City Planning Commission Public Hearing

On November 1, 2017 (Calendar No. 5), the City Planning Commission scheduled November 15, 2017 for a public hearing on this application (C 150223 PQK). The hearing was duly held on November 15, 2017 (Calendar No. 19). Three speakers testified in favor of the application and none in opposition.

Two representatives from ACS testified in favor of the application. The first speaker provided information on the day care center's services and described its role as an affordable day care provider to low-income families in the community. Another representative of ACS described the current scope of work for the facility. A representative of DCAS spoke in favor of the application. She provided an overview of the lease terms and described lease renewal and building purchase options.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the acquisition of City-owned property located at 36 Ford Street (Block 1420, Lot 51) for continued use as a day care center is appropriate.

A day care center has occupied this space continuously since 1973, serving the community by providing needed services. The center provides daily meal service, supervised play time, and educates the children using the Creative Curriculum and Early Learning programs 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. The Commission notes that there are fire sprinklers installed in this facility. The use is permitted as-of-right in an R7-1 zoning district. The site is well-served by transit, accessible by the B12, B17, B46, B14, and B47 buses and the 3 and 4 subway trains, which stop at Utica Avenue and Eastern Parkway.

The Commission notes the critical importance of ensuring that the exterior appearance of these facilities is welcoming and inviting in light of their role as critical neighborhood resources. Here, the Commission notes that the façade does not contribute to a welcoming environment for its clients or neighborhood residents. The Commission encourages DCAS and ACS to pursue streetscape and façade improvements to enhance the center's appearance, making it a more welcoming and attractive neighborhood asset that better engages and activates the streetscape.

It should be noted that the Commission previously imposed restrictions on the use of this and other day care facilities through previous land uses approvals in the 1990s, 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 helping to ensure 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 maintenance issues and the Commission will continue to have an oversight role in direct lease of day care facilities.

RESOLUTION

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

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c of the New York City Charter, that this application submitted by the Administration for Children's Services and the Department of Citywide Administrative Services, pursuant to 197-c of the New York City Charter, for the acquisition of property located at 36 Ford Street (Block 1420, Lot 51) for continued use as a child care center, is approved for a period of up to ten years, or without time limitation if the site is acquired in fee.

The above resolution (C 150223 PQK), duly adopted by the City Planning Commission on December 13, 2017 (Calendar No. 18), 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 RAYANN BESSER, MICHELLE DE LA UZ, RICHARD W. EADDY, CHERYL COHEN EFFRON, HOPE KNIGHT, ANNA HAYES LEVIN, ORLANDO MARIN, LARISA ORTIZ, Commissioners



Community/Borough Board Recommendation

Pursuant to the Uniform Land Use Review Procedure

Application #: C150223 PQK

Project Name: All My Children DCC 13/15

CEQR Number: Type II

Borough(s): Brooklyn Community District Number(s): 9

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, 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 36 Ford Street (Block 1420, Lot 51) for continued use as a child care center.

Applicant(s):	Applicant's Representative:		
Administration for Children's Services 150 William Street, 14th Floor New York, NY 10038	Ana Corales (ACS) 212-341-2746		
Recommendation submitted by:			
Michael Liburd, Chair, ULURA Land use Comm.			
Date of public hearing: NA Location:			
Was a quorum present? YES NO A public hearing requires a que but in no event fewer than seve	orum of 20% of the appointed members of the board, on such members.		
Date of Vote: September 26, 2017 Location: M. S. 61, 400 Empire Blvd, Bly			
RECOMMENDATION /	1.0.		
Approve Approve With Modif	ications/Conditions		
Disapprove Disapprove With Mo	odifications/Conditions		
Please attach any further explanation of the recommendation on additional sheets, as necessary.			
Voting			
# In Favor: 27 # Against: O # Abstaining: 2 Total members appointed to the board: 45			
Name of CB/BB officer completing this form	Date		
Michael Libera Com	nittee 9/28/17		

Brooklyn Borough President Recommendation

CITY PLANNING COMMISSION 120 Broadway, 31st Floor, New York, NY 10271 CalendarOffice@planning.nyc.gov



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

ALL MY CHILDREN DCC 13/15 - 150223 PQK

An application submitted by the New York City Administration for Children's Services (ACS) and the New York City Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the acquisition of a child care center located at 36 Ford Street within the Crown Heights section of Brooklyn Community District 9 (CD 9). Approval will facilitate continued provision of child care services at the site.

BROOKLYN COMMU	TTY I	DISTRICT	NO 9
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BOROUGH OF BROOKLYN

RECOMMENDATION

☑ APPROVE
☐ APPROVE WITH
MODIFICATIONS/CONDITIONS

□ DISAPPROVE

☐ DISAPPROVE WITH

MODIFICATIONS/CONDITIONS

SEE ATTACHED

Epi L. Alun

October 18, 2017

BROOKLYN BOROUGH PRESIDENT

DATE

RECOMMENDATION FOR: ALL MY CHILDREN DCC 13/15 - 150223 PQK

An application was submitted by the New York City Administration for Children's Services (ACS) and the New York City Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the acquisition of a child care center located at 36 Ford Street within the Crown Heights section of Brooklyn Community District 9 (CD 9).

On October 12, 2017, Brooklyn Borough President Eric L. Adams held a public hearing on the acquisition request. There were no speakers on the item.

In response to Deputy Brooklyn Borough President Diana Reyna's inquiry regarding the number of contracted seats at All My Children 13 and 15 and the criteria for selecting children to fill such seats when vacancies arise, the ACS representative clarified that ACS contracts 126 of the center's seats with eight reserved for infants, 20 for toddlers, and 98 for preschoolers. The current enrollment for such seats is 72 percent and ACS expects this to increase.

In response to Deputy Borough President Reyna's inquiry regarding the number of uncontracted seats available at All My Children 13 and 15, the ACS representative expressed that ACS does not track private, uncontracted seats at All My Children 13 and 15, but stated intent to follow up with the program for this information.

In response to Deputy Borough President Reyna's inquiry regarding the anticipated duration of the proposed lease and the City's rights to renew, the DCAS representative expressed that the property will be encumbered for a period of 10 years, and the City will have a preferential opportunity to purchase with terms, conditions, and qualifications to be negotiated and subsequently memorialized in the lease. The representative clarified that the lease term will commence following the completion of repairs, according to a scope of work to be determined and overseen by ACS.

In response to Deputy Borough President Reyna's inquiry regarding the child care center's location near Lincoln Terrace Park, and potential measures to improve pedestrian safety at the intersection of East New York Avenue and Montgomery Street, the ACS representative expressed that the agency looks forward to collaboration with the Office of the Brooklyn Borough President and the New York City Department of Transportation (DOT) to ensure safer streets.

In response to Deputy Borough President Reyna's inquiry regarding the incorporation of streetscape improvements such as a mural or street seating at the property, the DCAS representative expressed that ACS partners with Publicolor, a citywide arts organization that beautifies its child care centers, and that All My Children 13 and 15 may be an appropriate candidate for a Publicolor arts project.

In response to Deputy Borough President Reyna's inquiry regarding the integration of stormwater management best practices, including rain gardens, the DCAS representative stated intent to follow up with the New York City Department of Environmental Protection (DEP) on the possibility of installing rain gardens at the site.

In response to Deputy Borough President Reyna's inquiry regarding the process for filling hiring opportunities at All My Children 13 and 15, the ACS representative clarified that ACS does not administer the hiring process for All My Children 13 and 15, and referred to the Day Care Council of New York (DCCNY), which posts openings for the City's child care centers on its website.

Consideration

Brooklyn Community Board 9 (CB 9) approved this application on September 26, 2017.

The facility is leased to Friends of Crown Heights, which operates the site as All My Children 13 and 15, under a contract with ACS. Friends of Crown Heights is ACS's largest operator of child care centers. The facility is the sole occupant of a two-story privately-owned building, located within an R7-1 zoning district and designed specifically for the provision of child care services. Friends of Crown Heights leases approximately 28,850 square feet (sq. ft.), which includes approximately 23,050 sq. ft. of interior space and 5,800 sq. ft. of outside play area. The facility is subdivided into various activity spaces, including classrooms, libraries, and offices.

All My Children 13 and 15 is an EarlyLearn NYC program provider. This program is administered by ACS and offers subsidized quality child care for qualifying families. The facility serves up to 138 babies, toddlers, and preschoolers, and currently has 126 such seats. It contains two classrooms for two-year olds, two classrooms for three-year olds, and two classrooms for four-year olds. There are three additional classrooms for school-age children. The facility currently has available seats in classrooms for toddlers and school-aged children.

Child care services encompass a variety of activities and programs, which are determined by the child's age, developmental stage, and hours in child care. All My Children 13 and 15 provides educational services, meal services, and supervised playtime, with approximately 37 professional, para-professional, and support staff. The child care center's operation enables parents to work, attend school, or acquire vocational training, while their children receive care. It operates from 8:00 AM to 6:00 PM, providing full-day services during school breaks and in the summertime.

The facility is situated at the intersection of East New York Avenue and Ford and Montgomery streets. All My Children 13 and 15 is accessible via public transportation, including the Seventh Avenue Express 3 and Lexington Avenue Express 4 lines at the Utica Avenue train station and the B12, B17, and B46 buses.

Borough President Adams supports the continuation of All My Children 13 and 15, which is a valuable community asset. Moving forward, Borough President Adams believes that ACS and DCAS should take steps to secure the ability to lease the site for a 20-year term, inclusive of two 5-year renewals and an opportunity to purchase in the future. The agencies and the landlord should also investigate opportunities that advance Vision Zero strategies, stormwater management practices and streetscape enhancements, in consultation with CB 9 and local elected officials.

Lease Duration

Borough President Adams is adamant about preserving and protecting critical community space for Brooklyn's young people, and has expressed concerns about the short-term leases associated with prior child care center site acquisition applications. As more areas of Brooklyn become magnets for real estate development, Borough President Adams remains concerned that landlords might elect to pursue potentially more lucrative uses resulting in discontinuing use as child care. Borough President Adams has already witnessed this profit-seeking practice in other parts of Brooklyn; examples of such cases include the Bushwick United Learning Center and the Swinging Sixties Senior Center, both located in Williamsburg. The prior property owner of the Swinging Sixties Senior Center had been attempting to displace the center — which had served the community for decades — for more lucrative redevelopment opportunities. Fortunately, after five years of uncertainty for the home of the Swinging Sixties Senior Center and Small World Child Care, neighborhood non-profit St. Nicks Alliance, along with the Conselyea Street Block Association, closed on acquisition of the building, thereby avoiding the fate of the former Bushwick United

Learning Center, which served, on average, 110 children of low-income families. The center was recently shut down after an extended eviction battle with the landlord when the center's most recent 10-year lease ran out, and the City failed to complete proper lease renewal paperwork in a timely manner.

It is Borough President Adams' policy for the City to secure lease renewal terms that allow the City the ability to secure initial terms of no fewer than 10 years, exclusive of multiple shorter term leases, and include the right for renewal of the lease to secure the child care center use for up to 20 years. Such terms, inclusive of multiple shorter term renewals, allow landlords to facilitate building improvements, when needed, while providing ACS with a check and balance that the facility remains in good working order. It is imperative that the City take actions through its land use process to adequately demonstrate to the community that the City is truly their partner, through securing facilities for such much-needed services. Whether provided directly through the City or through non-profits, the Crown Heights community has a legitimate need for supportive services that work to enhance the lives of area residents.

Borough President Adams applauds the latest efforts of ACS and DCAS to negotiate for longer lease terms with a preferential opportunity to purchase with terms, conditions, and qualifications to be negotiated and subsequently memorialized in the lease. He believes that an initial long-term lease with a built-in right to renew to achieve 20 years of duration would adequately guarantee that All My Children 13 and 15 remains a community asset for decades to come. Borough President Adams believes that the DCAS-negotiated lease should also include two five-year renewal terms. Additionally, he believes that the DCAS-negotiated lease terms should include a provision that would ensure the City has an opportunity to purchase the property if it is marketed for sale.

In order to afford the City the greatest flexibility in securing the site for continued provision of child care services, Borough President Adams calls on the City Planning Commission (CPC) to approve the application without a specific duration of time.

Advancing Vision Zero Policies

Borough President Adams is a supporter of Vision Zero, one component of which is to extend sidewalks into the roadway as a means of shortening the path where pedestrians cross in front of traffic lanes. These sidewalk extensions, also known as bulbouts or neckdowns, make drivers more aware of pedestrian crossings and encourage them to slow down.

In 2015, Borough President Adams also launched his own initiative, Connecting Residents On Safer Streets (CROSS Brooklyn). This program supports the creation of bulbouts or curb extensions at dangerous intersections in Brooklyn. During the program's first year, \$1 million was allocated to fund five dangerous intersections in Brooklyn. By installing more curb extensions, seniors will benefit because more of their commute will be spent on sidewalks, especially near dangerous intersections. At the same time, all users of the roadway will benefit from a safer street.

Borough President Adams believes there are opportunities to implement protected painted sidewalk extensions, per his CROSS Brooklyn initiative, across the intersection of East New York Avenue and Montgomery Street. Such painted sidewalk extensions would facilitate safer pedestrian crossings to All My Children 13 and 15, while providing safer crossings to and from nearby Lincoln Terrace Park.

Given the challenging intersection geometry of East New York Avenue and Montgomery Street, Borough President Adams believes that there is an opportunity to go beyond merely installing sidewalk extensions — he envisions the travel lane of Montgomery Street being modified to

establish a right angle "T" intersection with East New York Avenue as part of the Vision Zero initiative. Such a roadway alignment would promote safety by improving the sight lines for drivers turning onto East New York Avenue while significantly reducing the roadway crossing areas for pedestrians. Such removed roadway area resulting from establishing the right angle intersection would enhance public safety while providing an amenity for the community. The former street bed space could be reconfigured as a plaza, consisting of benches, rain gardens, raised planters, and/or rubberized ground surfacing.

Therefore, ACS and/or DCAS should consult with DOT regarding the provision of, at minimum, curb extensions, either built or painted, across Montgomery Street at East New York Avenue, with preference for establishing intersection realignment. He recognizes that the cost associated with construction of sidewalk extensions can be high based on the need to modify infrastructure and/or utilities.

Borough President Adams urges DOT to explore the implementation of protected painted sidewalk extensions to facilitate a "T" intersection. Should implementation meet DOT criteria, ACS and DCAS should consult with CB 9 and local elected officials before undertaking such improvements. Such painted roadway modifications might require a maintenance agreement that indemnifies the City from liability, contains a requirement for insurance, and details the responsibilities of the maintenance partner (as would be the case for a standard sidewalk extension). Borough President Adams urges ACS and DCAS to incorporate the maintenance obligation in the lease terms. To facilitate implementation, Borough President Adams believes it would be appropriate to have either the landlord or the child care center operator enter into such a maintenance agreement as responsible parties.

Stormwater Management Policies

Borough President Adams' policy is to introduce best practices to manage stormwater runoff. He believes that sidewalks with nominal landscaping and/or adjacent roadway surfaces are potential resources that could be transformed through the incorporation of rain gardens. Rain gardens provide tangible environmental benefits through rainwater collection, improved air quality, and streetscape beautification. Tree plantings can be consolidated with rain gardens as part of a more comprehensive green infrastructure strategy.

Such modification would reduce the development's carbon footprint and mitigate energy costs. In addition, blue/green roofs, permeable pavers, and rain gardens would divert stormwater from the City's water pollution control plants. According to the "NYC Green Infrastructure 2015 Annual Report," green infrastructure plays a role in addressing water quality challenges and provides numerous economic, environmental, and social benefits. All My Children 13 and 15 is located in an area served by the 26th Ward Water Pollution Control Plant. DEP is developing its Jamaica Tributary and Bay Long Term Control Plan (LTCP), which is affected by this site's stormwater and wastewater. Therefore, incorporating blue/green roofs, permeable pavers, and rain gardens as stormwater management strategies would make this site consistent with the LTCP.

Borough President Adams believes that the extensive perimeter of sidewalk area fronting the center provides an opportunity for the construction of a rain garden. Such a rain garden might be integrated with street tree plantings, as there are no trees on the sidewalk surrounding the child care center. The planting of street trees would provide shade on days of excessive heat, as well as other aesthetic, air quality, and enhanced stormwater retention benefits. The rain garden could be integrated into the design of a Vision Zero improvement for the intersection of East New York Avenue and Montgomery Street. It should be noted that a rain garden would require maintenance attention and commitment from the landlord, and/or the center, as the tenant. Maintenance

includes cleaning out debris and litter that can clog the inlet/outlet and prevent proper water collection, regular inspection to prevent soil erosion, watering during hot and dry periods, and weeding to keep the plants healthy and uncongested for proper water absorption.

Borough President Adams believes that ACS and/or DCAS should consult with DEP and the New York City Department of Parks and Recreation (NYC Parks) for consideration regarding the inclusion of a rain garden with integration of street trees. ACS and DCAS should pursue lease provisions to clarify any maintenance obligation associated with such improvements as part of the lease agreement. Where the agencies have an interest in implementing an enhancement, consultation should be initiated with CB 9 and local elected officials prior to agreeing to take action.

Streetscape Improvement Policies

Borough President Adams' policy is to make neighborhoods more welcoming for pedestrians through various beautification measures that make streets more aesthetically appealing. He believes that sidewalks with nominal landscaping are potential resources that should be transformed by planting additional trees, providing street planters, and incorporating rain gardens according to his stormwater management policies. In addition, he seeks opportunities to provide seating and artwork enhancements.

Borough President Adams supports DOT's CityBench program, which aims to increase the amount of public seating on New York City's streets, particularly in areas with high concentrations of senior citizens. These benches make streets more comfortable for pedestrians and transit riders, especially those who are disabled or elderly. Borough President Adams believes that the provision of street seating at child care centers through DOT programs is justified by the City's investment in leasing and improving such facilities. Furthermore, street seating is beneficial for congregation during drop-off and pick-up periods, when sidewalks outside child care centers become very crowded.

Borough President Adams believes that street furniture should be coordinated by ACS with DOT, utilizing the CityBench and Street Seats programs, which recently received additional funding to further their efforts throughout the city. Such furniture might be appropriate to be integrated into the community amenity space that might result from any upgrading of the intersection of East New York Avenue with Montgomery Street.

ACS should consult with DEP and NYC Parks for consideration of the placement of tree pits and street trees. Where appropriate, such placements could also be integrated with the construction of a rain garden.

Should a community amenity space be realized from any upgrading of the intersection of East New York Avenue and Montgomery Street, ACS should consult with DOT and NYC Parks to consider the incorporation of raised planters and the application of rubberized ground surfacing, in consultation with CB 9 and local elected officials.

ACS and DCAS should pursue lease provisions to clarify any maintenance obligation associated with such improvements as part of the lease agreement based on whether these enhancements might be best achieved and/or maintained by the landlord or the operator, Friends of Crown Heights. All such enhancements should be considered in consultation with CB 9 and local elected officials prior to agreeing to take action. Borough President Adams encourages ACS and DCAS to reach out to his office for help in opening and coordinating dialogue with DEP, DOT, and/or NYC Parks on this matter.

Borough President Adams believes there is an opportunity to enhance the All My Children 13 and 15 Ford Street façade via graffiti removal and a community arts project, such as a mural. Therefore, DCAS should encourage the landlord to engage with a local arts organization to facilitate the building's beautification through a mural in consultation with CB 9 and local elected officials, to help identify an appropriate community arts group to undertake such a project. If no such locally-based organization steps forward, ACS should pursue the City's Publicolor initiative.

Recommendation

Be it resolved that the Brooklyn borough president, pursuant to section 201 of the New York City Charter, recommends that the City Planning Commission (CPC) and City Council <u>approve this application</u>.

Be it further resolved that:

- 1. As part of the execution of the lease, the New York City Department of Citywide Administrative Services (DCAS) commence negotiations with the landlord in order to:
 - a. Secure a right for renewal of the lease with the addition of two five-year renewal terms
 - b. Include a provision that would ensure the City has an opportunity to purchase the property if it is marketed for sale on behalf of the New York City Administration for Children's Services (ACS)
 - c. Coordinate with the landlord to determine the maintenance obligation should painted sidewalk extensions/Vision Zero improvements, street tree plantings, and/or a rain garden be installed along the sidewalk and/or street bed in front of the building
- 2. The City Planning Commission (CPC) approve the application without a specific duration of time to ensure that ACS and DCAS will not need to file another ULURP application to sign a long-term lease
- 3. ACS and/or DCAS coordinate with the New York City Department of Transportation (DOT) to paint sidewalk extensions as Vision Zero enhancements for the intersection of East New York Avenue and Montgomery Street, in consultation with Brooklyn Community Board 9 (CB 9) and local elected officials
- 4. ACS and/or DCAS coordinate with the New York City Department of Environmental Protection (DEP), the New York City Department of Parks and Recreation (NYC Parks) and DOT, regarding the installation of City benches, rain gardens, and/or the planting of street trees, in consultation with CB 9 and local elected officials
- 5. ACS and/or DCAS coordinate with the property owner to encourage engagement with a local arts organization, for the creation of a mural on the Ford Street façade, in consultation with CB 9 and local elected officials. If no such locally-based organization steps forward, ACS should pursue the City's Publicolor initiative