



## **CITY PLANNING COMMISSION**

September 29, 2014/Calendar No. 4

C 140365 PQK

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**IN THE MATTER OF** an application submitted by the Department for the Aging 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 10315 Farragut Road (Block 8152, lot 201) for continued use as a senior center, Borough of Brooklyn, Community District 18.

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The application for acquisition of property was filed on April 30, 2014 by the Department for the Aging (DFTA) and the Department of Citywide Administrative Services (DCAS) to facilitate the continued use of 10315 Farragut Road (Block 8152, Lot 201) as a senior citizens center located in Canarsie, Community District 18, Brooklyn.

### **BACKGROUND**

The Abe Stark Senior Center has been located at 10315 Farragut Road (Block 8152, lot 201) since 1971. On July 21, 1993 (C910030 PQK, Cal. No. 29), an application to acquire the site was approved by the City Planning Commission for a term of 20-years, and subsequently approved by the City Council on August 23, 1993 (Reso. No. 1607). That 20-year term has expired and the proposed acquisition would allow a new lease to be negotiated and the continued use of the property as a senior center.

The project site is located in an M1-1 zoning district and is generally bounded by the NYCTA Canarsie “L” to the north, East 104<sup>th</sup> Street to the east, Farragut Road to the south and East 103<sup>rd</sup> Street to the west. To the immediate east is a vacant city-owned parcel and further northeast is the Staten Island University Multi-Service Medical Center and parking lot. Further east is a NYCHA development, Brueklyn Houses, in an R5 district. To the immediate south is a Nursing Home/Rehabilitative Center and a former nursing home currently operating as a NYC Homeless Shelter, and further south are two- to three story residences in an R5 district. To the west is a NYCTA substation in an M1-1 district and further west is the end of line “L” railyards in a C8-1 district.

The site is developed with a two-story building originally constructed as both a senior center and a day care center. The senior center is located on the ground floor/basement of the building, utilizing approximately 10,122 square feet of floor area. The JFK Child Care Center is located on the 2nd floor of the building, which is not subject to this application, as their sponsor,

Catholic Charities, independently and privately funds that facility. However, the two centers participate in a cross-generational program with includes joint activities, child concerts and shows, and the celebrating of holiday events.

The senior center is accessible from the “L” subway line and has a station located one block away on 105<sup>th</sup> Street and Trumbull Avenue. There are several bus lines operating within a block of the facility including the B6, B42, B60, and B82.

The Abe Stark Senior Center provides services for senior citizens 60 years of age or older and is open daily from 8:30 am to 4:30 pm, Monday through Friday. The facility provides nutritionally balanced meals at low, or no cost, serving approximately 200 meals daily. The center also provides a variety of social, recreational activities geared towards improving the social and physical health of the center’s clientele. There is a gym/computer room, pool table room and lunch room/multi-use room. Additionally, the center provides social service application assistance and advocacy for various entitlement programs (Social Security, Supplemental Security Income, Food Stamps, Pension benefits) both in a group and individual setting. The entrance to the center is partially below grade, and is accessed from a stairway in the front of the building on Farragut Road, and a ramp at the rear of the building, adjacent to an unstripped parking area for approximately five vehicles.

## **ENVIRONMENTAL REVIEW**

The application (C 140365 POK) was reviewed pursuant to the New York State Environmental Quality Review (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 lead agency is the Department for the Aging (DFTA). This application was determined to be a Type II action which requires no further environmental review.

## **UNIFORM LAND USE REVIEW**

The application (C 140365 PQQ) was certified as complete by the Department of City Planning on June 23, 2014, and was duly referred to Community Board 18 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 18 held a public hearing on June 18, 2014 and on that date, by a vote of 29 in favor, 0 opposed and 1 abstention, adopted a resolution recommending approval of this application without conditions.

### **Borough President Public Hearing**

The Borough President held a public hearing on this application and on August 20, 2014 issued a recommendation to approve this application, with the following conditions:

“That prior to the City Council public hearing, the Department of the Aging advises what steps it has taken towards having access to the existing facility become more welcoming as well as reporting on the status of its investigation of Lady of Miracles and any other facility that might surface as a potential future home for such services.”

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

On August 20, 2014 (Calendar No. 2), the City Planning Commission scheduled September 3, 2014 for a public hearing for this application (C 140365 PQQ). The hearing was duly held on September 3, 2014 (Calendar No. 10). Two speakers testified in favor of the application and there were no speakers in opposition.

A representative from the Department for the Aging (DFTA) testified about the programmatic services provided by the senior center (meals, recreation, and application assistance) and the physical layout of the facility. She stated that the facility is underutilized by 25%, but that is not uncommon and a decline in participation at senior centers, in general, is a generational phenomenon. She also spoke of DFTA’s efforts to increase outreach. She advocated for the approval of the acquisition to continue occupancy at the site, since the possibility of relocating to another site, such as Our Lady of Miracles Church, is not feasible at this time.

The second speaker was a representative of DCAS's Real Estate Transactions Division who testified that approval of the acquisition was required before formal lease negotiations which would address improvements to the buildings, could begin. However, he stated that, while outside of his technical expertise, he believed that the ramp at the rear of the building may not be ADA compliant, though due to its age, it could be subject to a waiver. He discussed and committed to a more thorough inspection by DCAS's architectural group to provide a definitive assessment of the existing rear ramp and the potential feasibility of providing either an ADA compliant ramp, or a mechanical lift at the front of the building. He stated that DCAS would not enter into a new lease without appropriate ADA compliance at the senior center.

There were no other speakers and the hearing was closed.

## **CONSIDERATION**

The Commission believes that the acquisition of property, as modified, for continued use as a senior citizens center is appropriate.

The Commission notes that the Abe Stark Senior Center has continually occupied this site since 1971. The facility serves 200 daily nutritionally balanced meals at low, or no cost; provides a variety of social, recreational activities geared towards improving the social and physical health of the center's clientele; and provides social service application assistance and advocacy for various entitlement programs.

The Commission notes that it was reported that generally the building is in good condition with regular repairs made and painting on a three-year cycle. More extensive renovations occurred in 2001, including new double glazed windows, new bathrooms and kitchen facilities and flooring which all continue to be in good condition.

While the Commission is supportive of the continued use of the site as a senior center, it does not believe it acceptable that there is not an ADA-compliant means for seniors to enter the building.

The Commission believes that the current ramp, located at the rear of the building, provides

substandard access. Furthermore, the location of the ramp, adjacent to the building's open storage area for trash containers, makes for an unpleasant experience for seniors with mobility issues. The Commission strongly believes that DFTA and DCAS should not enter into a lease renewal without assurances that new building access from either an ADA-compliant ramp, or mechanical lift at the front of the building would be provided. The Commission modifies this application to ensure that legal, safe and dignified access for seniors entering the center is a condition of any forthcoming lease renewal. It is further noted that the JFK Child Care Center, the other tenant in the building, may not have ADA access to its elevated first floor space. While the child care center is not the subject of this report, is a privately funded facility under the jurisdiction of Catholic Charities, and that the City is not party to their lease, the Commission encourages the property owner to take appropriate action to ensure current, legal ADA access be provided.

The Commission believes that greater attention should be given to safety, security and cleanliness around the site and at the adjacent city-owned vacant lot. Toward that end, the Commission is pleased that after the public hearing, DCAS submitted correspondence dated September 12, 2014 that committed both DCAS and DFTA to not only providing ADA compliant access, but to taking a more aggressive role in consulting with the local precinct for safety concerns and contacting EDC to see that the vacant lot is consistently cleaned on a regular schedule.

The Commission believes that the acquisition of this property, as modified, would allow the existing senior center to continue to provide much needed nutritional, recreational, social and entitlement program assistance to senior citizens of this community.

## **RESOLUTION**

**RESOLVED**, that this application (C 1403565 PQQ) submitted by the Department for the Aging (DFTA) and the Department of Citywide Administrative Services (DCAS), pursuant to Sections 197-c of the New York Charter, for the acquisition of property located at 10315 Farragut Road

(Block 8152, Lot 201), for continued use as a senior citizens center, Borough of Brooklyn, Community District 18, is approved, as modified, with the condition that the DFTA and DCAS will not finalize a new lease until there is an agreement between the parties for a new American Disabilities Act (ADA) compliant ramp or mechanical lift providing improved accessibility to the building from Farragut Road, the adjacent street fronting the building.

The above resolution is duly adopted by the City Planning Commission on September 29, 2014 (Calendar No. 4), is filed with the Office of 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, IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III,  
MICHELLE R. DE LA UZ, JOSEPH I. DOUEK, RICHARD W. EADDY  
CHERYL COHEN EFFRON, BOMEI JUNG, ANNA HAYES LEVIN,  
ORLANDO MARIN, LARISA ORTIZ**, *Commissioners*



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

Application #: <b>140365 PQK</b>	Project Name: <b>Abe Stark Neighborhood Sr Center</b>
CEQR Number:	Borough(s): <b>Brooklyn</b> Community District Number(s): <b>18</b>

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

<p><b>SUBMISSION INSTRUCTIONS</b></p> <p>1. Complete this form and return to the Department of City Planning by one of the following options:</p> <ul style="list-style-type: none"> <li><b>EMAIL (recommended):</b> Send email to <a href="mailto:CalendarOffice@planning.nyc.gov">CalendarOffice@planning.nyc.gov</a> and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C10000ZSQ"</li> <li><b>MAIL:</b> Calendar Information Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007</li> <li><b>FAX:</b> (212) 720-3356 and note "Attention of the Calendar Office"</li> </ul> <p>2. Send one copy of the completed form with any attachments to the <u>applicant's representative</u> at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.</p>
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*Docket Description:*

**IN THE MATTER OF** Application #140365 PQK. An application submitted by the Department for the Aging 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 103-15 Farragut Road, Block 8152, Lot 201, for continued use as a senior center.

<b>Applicant(s):</b> Department for the Aging 2 Lafayette Street, New York, New York 10007 Phone: 212 602 4122 Fax: 212 442 1096 Department of Citywide Administrative Services 1 Centre Street 20th floor South, NY, NY 10007	<b>Applicant's Representative:</b> Morton Davis 2 Lafayette Street, NY, NY 10007 Phone: 212 602 4122 Randal Fong 212 386 0618
<b>Recommendation submitted by:</b> Brooklyn Community Board 18	
<b>Date of public hearing:</b> June 18, 2014 <b>Location:</b> 2335 Bergen Avenue, Brooklyn, New York 11234	
<b>Was a quorum present?</b> YES <input checked="" 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>	
<b>Date of Vote:</b> June 18, 2014 <b>Location:</b> 2335 Bergen Avenue, Brooklyn, New York 11234	
<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: 28 # Against: # Abstaining: 1 Total members appointed to the board: 50	
<b>Name of CB/BB officer completing this form</b> Dorothy Turano	<b>Title</b> District Manager
<b>Date</b> 6/19/2014	

**Brooklyn 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 applicants representatives as indicated on the Notice of Certification.

APPLICATION # 140365 POK  
Abe Stark Senior Center

In the matter of an application submitted by the Department for the Aging and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for acquisition of property located at 10315 Farragut Road (Block 8152, Lot 201) and continued use as a senior center.

COMMUNITY DISTRICT NO. 18

BOROUGH OF BROOKLYN

**RECOMMENDATION**

- APPROVE
- APPROVE WITH MODIFICATIONS/CONDITIONS
- DISAPPROVE WITH MODIFICATIONS/CONDITIONS
- DISAPPROVE



\_\_\_\_\_  
BOROUGH PRESIDENT

August 20, 2014

\_\_\_\_\_  
DATE



## **RECOMMENDATION FOR THE PROPOSED ACQUISITION OF PROPERTY FOR THE ABE STARK SENIOR CENTER**

### **PUBLIC HEARING**

The applicant, the Department for the Aging (DFTA), is seeking approval to acquire property that would facilitate continued use as a senior center.

On August 18, 2014, the Borough President held a public hearing on the proposed land use action. The Deputy Borough President was joined by Council Member Inez Barron. The representative for the applicant noted that the center is contracted for 125 persons per day and is considered slightly underutilized as it serves typically more than 100 lunches daily. The lease renewal is intended for a 20-year term. Though ADA compliant, it was acknowledged that such access in the rear of the building to the level containing the senior center is not currently ideal.

In response to Council Member Barron, the representative characterized a suggested relocation site to be merely conceptual at this moment as DFTA has little information about that site and that even though the intent is to enter into a 20-year lease, there would be reasonable circumstances to provide for opting out of the lease subject to providing adequate notice. The Council Member also requested mapping of where the seniors live that are using the services of this facility.

In response to the Deputy Borough President noting the Borough President's policy to maximize job opportunities for Brooklynites, the representative noted that staff hiring is handled directly by the service provider.

The Deputy Borough President noted the Borough President's policy to promote the use of sustainable and renewable sources of energy and noted that lease negotiations are an ideal time to consider the possibility of utilizing parts of the roof structure. The agency representative expressed intent to convey the Borough President's policy internally, though believed that the Department of Citywide Administrative Services would need to address such considerations.

There were five speakers in favor of continuing the Abe Stark operation, including its executive director and director. The executive director noted that he first became aware of the lease status when the application was distributed to Community Board 18 (CB 18). He noted that the upper floor is occupied as a child care center by Catholic Charities that includes Pre-K and believes that this operation is pursuant to a City contract. Many speakers described the ADA compliant ramp which is needed because the front entrance is 11 steps from the street level. The ramp passage is not particularly desirable to navigate as it is behind the building and requires going past garbage bins. There are seniors reliant on this ramp for access that do not use the center because of the ramp. The vacant lot was also

noted as a concern as it is frequently subjected to illegal dumping and which gets cleaned out every few months only in response to calls to CB 18. Parking for the seniors was another concern as the center is limited to seven on site spaces restricted to staff and special guests. Street parking is primarily utilized by transit commuters aided by missing curb side parking signs that hamper enforcement of the actual parking regulations and therefore make it difficult for those seniors who prefer driving to the center to park nearby.

The Council Member suggested that the adjacent city-owned lot might be paved as an interim measure to accommodate seniors that would prefer driving to the center.

**CONSIDERATION**

CB 18 approved the application with 28 in favor, 0 against and one abstention.

The site was built specifically for use as a senior center and day care center and has been operating in such capacity since 1971 and is fully handicapped accessible. The center provides a "home away from home." The facility is contracted to serves approximately 125 senior citizens to a broad range of services. Meal service typically includes 90 seniors for breakfast and 110 for lunch. Its social activities include recreation and physical activities geared towards improving the social and physical health of the clientele. Social service staff provides assistance on a group and individual basis that might include assistance with applications and appeals as well as interpreting correspondence received from government agencies. Assistance is provided in regards to entitlement programs such as Social Security, Supplemental Security Income, Food Stamps, pension applications, etc.

The majority of the senior citizens arrive either on foot or by public transit. Access by the seniors is supplemented by the B6, B42, B60 and B82 bus routes with nearby stops as well the L train stop one block away at 105<sup>th</sup> Street and Trumbull Avenue.

The Borough President supports development that is appropriate for the context of the neighborhood and supports the needs of the community.

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, an average of 140 seniors are expected to be able to continue receiving services that promote social wellbeing and physical health.

In addition, this senior center serves an important role in the local economy through the approximately 6 jobs that it generates. The

continuation of this center will not only secure its current workforce, it may allow other family members to pursue an optimum work week knowing their elderly family members are partaking in the services provided at this center.

The Borough President believes it is vital for senior members of the community in the vicinity of amenities such as senior centers to have maximum opportunity to take advantage of locally-based facilities. He suggests that as part of its outreach process, the Abe Stark Senior Center should consult with Community Board 18, the Housing Authority and local elected officials to reach the maximum number of locally-based senior citizens as possible.

Though the Borough President is generally supportive of the proposed development, he has concerns regarding the factors that make accessing the Abe Stark Center less welcoming. In addition, he believes the City should be proactive with its adjacent vacant land towards becoming a contributing development.

### **Improving Access for Area Seniors**

The Borough President is concerned that many seniors find accessing the Abe Stark Senior Center to be unwelcoming. As a result, some seniors might not be utilizing the facility or are utilizing it less often. He believes that DFTA should coordinate with the local police precinct to address conditions pertaining to unwanted loitering outside the bodegas and methadone clinic. DFTA should further coordinate with the Department of Transportation to address curb side parking regulations and the condition of signage that might now favor commuters over those seniors who would prefer to drive to the center. DFTA should also investigate the ADA compliant access to determine if anything can be done to make such access more inviting.

In addition to taking steps to make Abe Stark Senior Center more welcoming, it might merit further investigation to relocate the services to another location. One alternative suggested to the Borough President's Office is the nearby Lady of Miracles church, which has better ADA access and better public transit access. While this location is less convenient to the Housing Authority's Breukelen Houses, the Borough President understands that supplemental transportation services, as already provided by the center, can be implemented to offset the change of proximity. It is also possible that other facilities are equally suitable and should be explored to determine whether subsequent relocation of the services should be implemented.

Prior to the City Council's public hearing, DFTA should advise what steps it has taken towards having access to the existing facility become more welcoming as well as reporting on the status of its investigation of Lady of Miracles and any other facility that might surface as a potential future home for such services.

### **Adjacent City-Owned Property**

The Borough President believes that it is unfortunate that the adjacent city-owned land has been vacant given that there are many pressing needs it could serve. The site's existing M1-1 zoning has use restrictions that promote industrial use as well as retail, hotel and houses of worship on as-of-right basis. To date the Economic Development Corporation has not been successful in securing use of this property. The Borough President understands that there has been past interest in developing this site for supportive housing and affordable housing. In addition, there may be other community needs that can be addressed by not having these properties remain vacant. There may be an opportunity to address the Mayor's affordable housing initiative, address deficiencies in the amount of parkland, school seats, and more. Therefore, the City, in collaboration with Community Board 18 and its local-elected officials, should engage in a process to determine the best use of the adjacent city-owned properties and take steps such as rezoning, Capital Budget appropriation and/or disposition of City-owned property to achieve an agreed upon agenda.

### **RECOMMENDATION**

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, according to the following condition:

- That prior to the City Council's public hearing, the Department of the Aging advises what steps it has taken towards having access to the existing facility become more welcoming as well as reporting on the status of its investigation of Lady of Miracles and any other facility that might surface as a potential future home for such services.

Be it further resolved that the City, in collaboration with Community Board 18 and its local-elected officials, engage in a process to determine the best use of the adjacent city-owned properties and take steps such as rezoning, Capital Budget appropriation and/or disposition of city-owned property to achieve an agreed upon agenda.