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**Gale A. Brewer, Borough President**

March 10, 2015

**Recommendation on ULURP Application Nos. Early Life Center 11 – 150121 PQM /A. Phillip Randolph Senior Center - 150122 PQM  
By Administration for Children’s Services, Department for the Aging, and the Department of Citywide Administrative Services**

**PROPOSED ACTION**

The Administration for Children’s Services, Department for the Aging, and the Department of Citywide Administrative Services (“the applicants”) seek the acquisition of property located at 108-110 West 146<sup>th</sup> Street in order to secure privately owned space for an operating day care center and senior center currently located within an existing building. The programs are currently housed on four floors within a privately-owned commercial building on Block 2014, Lot 36, in a C8-3 zoning district in Community District 10, Manhattan.

**PROJECT DESCRIPTION**

The NYC Department of Citywide Administrative Services (DCAS), the NYC Administration for Children’s Services (ACS) and the NYC Department for the Aging (DFTA) are proposing to continue to occupy 40,915 square feet of space in a privately owned building located at 108-110 West 146<sup>th</sup> Street for the use of a senior center and child care center. The senior center is located on the first floor of the building and uses approximately 14,116 square feet. The child care facility uses a portion of the first floor and the entire second floor. When combined with a rooftop playground, the child care facility uses approximately 26,799 square feet of space.

The building is privately owned, and was built in 1970. It was occupied shortly thereafter by the NYC Human Resource Administration (HRA) and used in the provision of child care services. The lease start date coincides with, at the time, a sudden citywide demand for space that would accommodate many new Head Start facilities in response to newly available federal funding. The lease was renewed once before in 1995 after more than 20 years of occupancy. The current proposal would allow the City of New York to enter into a new legal agreement with the land owner for another three years after which the site may be redeveloped.

Both of the programs that are housed in 108-110 West 146<sup>th</sup> Street serve a well-defined need in the Harlem Community. The area is dominated by multi-family residential buildings and major transportation infrastructure. The building itself is across the street from the recently completed Mother Clara Hale New York City Transit Bus Depot that stores and maintains Metropolitan Transportation Authority buses. The new facility replaced an antiquated trolley barn with a modern facility that features environmental

controls and a great deal more capacity to keep laid-over buses inside of the depot as opposed to parked on West 146<sup>th</sup> and 147<sup>th</sup> streets directly to the north and south. The 108-110 West 146<sup>th</sup> Street facility is also less than four blocks away from the Harlem Rail Yard, which is also the terminal station for the 3 Train.

The closest 3 Train station is less than a block away on West 145<sup>th</sup> Street and Lenox Avenue. The facility's close proximity to the bus depot and major avenues provides excellent connections to the east and west sides of Manhattan via the M1, M2, M7 and M102 buses. The Bx19 runs along West 145<sup>th</sup> Street to the Botanical Garden in the Bronx via West 145<sup>th</sup> Street and Southern Boulevard.

## **Background**

In 1995, after the first two decades in operation, the city sought to renew the day care and senior center lease for another 20 year term to continue the existing services of that time. The application to enter into another 20 year lease was met with conditions from the Manhattan Borough President, Ruth Messinger. She recommended approval with the following condition: "the implementation of an asbestos remediation plan prior to the initiation of any renovation work in the center and on the introduction of worker training to ensure that building staff avoid disturbing any of the in-place asbestos containing material before remediation commences." Community Board 10 did not comment.

Over the length of the proposed lease, the repairs and building upgrades that are agreed upon by New York City and the landowner are listed in document called a "Scope of Work" (Exhibit "B"). Upon executing the previous lease, the landlord was given a short period of time to organize the repairs and upgrades into a schedule that detailed the long-term schedule for completion of the work. This is known as the "Phasing Schedule" and each agency must approve the schedule according to its programmatic and scheduling needs. DCAS, ACS, and DTFA reported to this office that all repairs and upgrades from the 1994 lease agreement's scope were made and that there are no outstanding items from the work phasing schedule. The Scope Of Work of the lease that was signed in 1995 shows that the land owner was required to "Provide recognized Certificate that leased premises is free of asbestos."

## **Proposed Project**

DCAS is still in the process of negotiating a new legal agreement with the landowner. According to the Office of the City Register, the property was recently sold to a new owner in 2014. It is reported that the new property owner does not want to enter into a lease agreement that exceeds three years. This shorter lease agreement will make any major capital improvements unlikely as the lessor will not be able to amortize the cost over a long period of time. A representative from DCAS said that the agency will seek an agreement that provides the necessary tenant protections and day-to-day maintenance obligations that the facilities require for the duration of the lease agreement.

## **BOROUGH PRESIDENT’S COMMENTS**

DCAS is currently negotiating a significant number of renewals because the wave of senior citizen and child care center leases negotiated in the mid-1990s are up for renewal again. Their efforts along with those of ACS and DFTA should be applauded as these facilities are crucially important to our communities. The end-users of these efforts are the seniors and children. Because these centers are so critical for the communities they serve, it is our responsibility to ensure, when reviewing these applications, that the facilities are in the best of conditions and are maintained that way throughout the lease cycle.

This is the second lease renewal in the current fiscal year cycle for a facility that houses both a child care facility and a senior care facility. Our dealings with DCAS, ACS, and DFTA as a part of the review process were greatly improved as compared to the previous application. DCAS has largely taken the lead in this application in terms of coordinating between the three agencies. All requests for information from all agencies were attended to in a timely fashion.

The expected duration of the lease will be extremely short in comparison with the multiple 20 year leases that are *de rigueur* for similar facilities and were certainly the lease terms sought in the past for this site. The shortened period is troubling and more importantly, largely out of the hands of the City of New York at this point. If the currently projected lease period is any indicator of the future, property owners of under-built, single use facilities have a strategic interest to consider the redevelopment of their property as interest in market rate residential and commercial units continues to grow in Harlem. Earlier this year, the Borough President stated in a previous report for a similar facility located at 2322 Third Avenue (Block 1775, Lot 33) in Manhattan, that:

“As the City embarks on an aggressive campaign to increase the amount of affordable housing, it should consider the placement of similar critical social programs in new developments built on public land, rather than in leased space. In fact, many of the future potential development sites will likely be in mid-block lots that are not covered by a commercial overlay, reserving community facility floor area as the only alternative to dwelling units. On larger development sites, building community facility space for child care, senior care, or cultural programs would diversify the income stream to the building by having the city as a tenant and moving these programs away from commercial corridors could enhance their effectiveness as they would be embedded into the neighborhoods they serve.”<sup>1</sup>

Indeed, in markets where the pressure to redevelop parcels becomes more lucrative as the demand for market rate housing increases, even purpose-built structures may become potential development sites. Without the assistance of the Department of City Planning (DCP) as the lead agency for a citywide strategy to provide new leasing options for these neighborhood programs, DCAS, ACS, and DFTA can only hope to react to the changing preferences of property owners in the face of a lucrative development alternative. As DCP considers how to best construct and preserve 200,000 residential units, thought

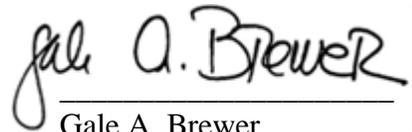
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<sup>1</sup> Borough President’s Recommendation on ULURP Application No. 140352 PQM – UBA Beatrice Lewis Senior Center/Addie Mae Collins 3 Child Care Center By Administration for Children’s Services, Department for the Aging, and the Department of Citywide Administrative Services.

should also be given to the effects of hot, developing, and emerging markets on vulnerable populations that inhabit the opposite ends of the age spectrum and the development pressures on these privately-owned buildings in which the city operates essential services for these populations. For this particular facility, the City should ensure that the appropriate steps are taken now to find a new home for both the day care and senior center facility and that a framework is put in place now to ensure community involvement in that process.

**BOROUGH PRESIDENT’S RECOMMENDATION**

**Therefore, the Manhattan Borough President recommends approval of ULURP Application Nos. 150121 PQM and 150122 PQM.**

A handwritten signature in black ink that reads "Gale A. Brewer". The signature is written in a cursive, flowing style. Below the signature is a solid horizontal line.

Gale A. Brewer  
Manhattan Borough President