

BRONX BOROUGH PRESIDENT'S RECOMMENDATION
ULURP APPLICATION NOS:
C180321 ZSX
Hebrew Home for the Aged

DOCKET DESCRIPTION

C180321 ZSX

IN THE MATTER OF AN APPLICATION submitted by Hebrew Home for the Aged at Riverdale, Inc., The Hebrew Home for the Aged at Riverdale Foundation, Hebrew Home Housing Development Fund Company, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-901 9a) of the Zoning Resolution to modify the use regulations of Section 22-13, to allow a long-term care facility (Use Group 3) in an R1-1 (Block 5933, Lot 55), on property located at 5701-5961 Palisade Avenue (Block 5933, Lot 55,210,224,225, and 230), in R1-1 and R-4 Districts, within the Special Natural Area District (NA-2), Borough of The Bronx, Community District #8.

SUMMARY OF REQUESTED ZONING ACTIONS

ULURP

- A special permit pursuant to ZR 74 – 901 to allow for the development of a Long-Term Care Facility in the R1-1 district on the south site.

NON-ULURP

- Authorization pursuant to ZR 105-42 to alter natural features
 - ZR 105-421 for modification of topographic features on Tier 1 sites.
 - ZR 105-422 for a development and site alteration on a steep slope.
 - ZR 105-424 for alteration of rock outcrops.
 - ZR 105-425 got modification of botanic environment and tree preservation and planting requirements.
- Height and Setback
 - An authorization pursuant to ZR 105-432 to modify height and setback regulations.
- Restoration Plan
 - A certification pursuant to ZR 105-45 for a restoration plan.

BACKGROUND

Approving the application would allow the conversion of the existing development into the first continuing care retirement community in New York City. The project site is located at 5701-5961 Palisade Avenue (Block 5933, Lot 55,210,224,225, and 230). The project site is bounded by Palisade Avenue to the east, the Metro-North Hudson Line rail tracks to the west, a line

approximately 380 feet south of West 261st Street to the north, and the southern boundary of Lot 55 to the south.

The applicant acquired the north site in December 1948, it is the location of the existing Hebrew Home development. It provides long term care, assisted living, rehabilitation services, housing, skilled nursing and specialized services including elder abuse prevention and an array of arts and cultural offerings.

The project site is split into a north and south site; the zoning district boundary between the R-4 district and the R1-1 district marks the boundary between the two sites. The project site constitutes a Tier 1 site under SNAD regulations with an average slope of 8.8%.

EXISTING NORTH SITE

The north site is zoned R-4 with a maximum Floor Area Ratio (FAR) of 1.29 for certain community uses. A maximum of 1,035,508 or 1,087,283 gross square footage is permitted.

- The North Campus contains:
 - 879 skilled nursing beds
 - 35 living assisted living units
 - 137 nonprofit residences for the elderly (NPREs)
 - 317 parking spaces

EXISTING SOUTH SITE

The South Site is 594,921 sf and zoned R1-1. South site currently contains five buildings including the Cardinal Spellman Retreat House, once a retreat destination for Catholic Church members (Use Group 4); an old home and connected chapel (Use Group 30, both currently vacant), as well as three utility buildings (see Table 1-1). Three driveways provide access to the south site from Palisade Avenue. To the north of the Cardinal Spellman Retreat House and accessible via northernmost driveway 107 surface parking spaces are located.

PROPOSED

The proposed CCRC will include (1) CCRC North, consisting of a new 12-story wing on the North Campus containing independent living dwelling units with parking below; (2) CCRC South, consisting of two new wings containing independent living dwelling units, one 6-stories and one 4-four stories, with parking below; (3) a connection to the existing Gilbert Pavilion, providing Assisted Living residences for residents of the CCRC who need these services; and (4) a connection to the existing buildings at the Hebrew Home, which will continue to provide skilled nursing beds for the residence of the CCRC who need these services. In total, the proposed CCRC will include 388 independent senior living units (271 units in the new North Campus wing and 117 units within these two South Campus wings). The Gilbert Pavilion, which

currently houses 144 skilled nursing beds, will be converted to house 70 new assisted living units. This conversion does not itself require any discretionary land use approvals. The Gilbane Pavilion, as renovated and converted, would ultimately be incorporated into the CCRC. The Goldfine Pavilion on the North Campus and the Retreat House and utility buildings on the South Campus will be demolished.

The CCRC North will contain 271 Independent Living units on floors 2 through 12. The units will include a mix of one- and two- bedroom apartments, some with balconies. Each floor includes 3 passenger elevators, a service elevator, trash rooms and exit stairs. Common areas for the Independent Living units, distributed between the first floor and terrace floor, will provide social, dining, cultural fitness, administrative and building support and infrastructure facilities and services to the CCRC North. Common areas will include the following: an arts and activity room where drawing, painting, and sculpture classes take place; a conference room; a lounge for informal meeting and conversation; a 90-seat bistro, for breakfast, lunch, dinner, and informal dining; an outdoor terrace for outdoor seating and dining; a multi-purpose room and chapel for cultural events, concerts and to serve as non-denominational chapel; a library with seating and reading tables; a main dining area with 280 seats; a small theater showing TV and movies; a juice bar; a wellness clinic for basic checkups and non-critical health consultations; a physical therapy area for treatment and rehabilitation; a fitness room with exercise equipment; and a hot tub and pool for laps and water aerobics.

The North Campus, in addition to the 271 Independent Living Unit in the CCRC North, will contain 607 skilled nursing beds (a 272 bed decrease from existing conditions as a result of the demolition of the Goldfine Pavilion and conversion of the Gilbert Pavilion); 105 assisted living units and skilled nurse associated services; and 137 non-profit residences for the elderly to be maintained at the Riverwalk building.

The CCRC South will contain 117 Independent Living units in the two wings, with 73 units in the six-story wing and 44 units in the four-story wing. The units will include a mix of one- and two- bedroom apartments, some with balconies. Each floor includes 2 passenger elevators, trash rooms and exit stairs. Common areas for the Independent Living units provide additional social and dining spaces for both the residents of CCRC South and CCRC North. CCRC areas will include activity areas for classes, games and other activities; and additional 140-seat dining area; and access to an outdoor roof terrace for activities and dining. The CCRC will also contain the Victorian Home and chapel, which will have accessory community facility uses and a tennis court.

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

The application was reviewed pursuant to SEQR and CEQR and received a negative declaration. The City Planning Commission certified this application as complete on April 23, 2018.

BRONX COMMUNITY BOARD HEARING

Bronx Community Board #8 held a public hearing on the application on June 18th, 2018 and rejected the application with 18 voting against, 10 in favor, and two abstaining.

Community Board Chair Rosemary Ginty submitted a letter to my office on July 17, 2018, to clearly state the position of Community Board #8 on the ULURP application.

BOROUGH PRESIDENT'S PUBLIC HEARING

The Borough President convened a public hearing on the application on July 12, 2018. Representatives of the applicant were present and spoke in favor of the application. Nineteen members of the public provided testimony at the hearing, with eight speaking for, and 11 against the proposal. The hearing was left open to written testimony. Thereafter, the office received 21 written testimonies opposing the project.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

In 2016, New York City passed a series of amendments to the zoning regulation to encourage the construction and expansion of senior housing and elder care facilities. As part of the Zoning for Quality and Affordability (ZQA) targeted changes a new category was created allowing developers to build Continuing Care Retirement Communities.

The application set forth by the Hebrew Home for the Aged at Riverdale, Inc., proposes to develop the first combined Continuing Care Retirement Community (CCRC)/ Long Term Care Facility (LTCF) in New York City. Located at 5701-5961 Palisade Avenue, the proposed development would supply a range of housing to meet the needs of seniors in The Bronx and New York City, by providing skilled nursing beds, assisted living units and independent care units. Today, New York City is home to more than one million people over the age of 65, and by the year 2040 one in every five New Yorkers will be 60 years or older. Housing that accommodates the accelerated growth of our diverse aging population is a critical component in ensuring the health and well-being of our residents and communities.

The process for the Hebrew Home development began in 2013. In the five years since, the Hebrew Home has evolved and changed the proposal to better address concerns of the Riverdale community. Prior to the community board vote on June 18, 2018 and throughout the ULURP proceedings, I met with community stakeholders, elected officials, the community board and the applicant. As presented, there are many issues with this certified application, particularly as it relates to community concerns regarding height, design, open space, traffic, and exceptions to the Special Natural Area District. It was unfortunate that many of these issues could not be addressed at the community board level. It is my understanding, since then, the Hebrew Home has worked towards a Memorandum of Understanding (MOU) with representative community groups but have not been able to achieve full signature prior to the submission of this ULURP recommendation.

It is my full belief, based on the most recent language in the draft MOU presented to me, that the Hebrew Home has acted in good faith towards a resolution to issues raised. The changes made over time address several of the community concerns. In absence of a signed MOU, I will offer approval of this application if, and only if, the Hebrew Home agrees to the following conditions, as have been identified in the most recent draft MOU:

1. Reduction of the proposed 12-story CCRC building on the North Campus to a roof elevation height lower than 248'9", and a mechanical elevation height of 261'8", which would make this structure shorter than the existing Resnick Building to the north.
2. Reduction of the proposed CCRC South Campus buildings from six-stories to five-stories (172' rooftop and 189' mechanical elevation) and from four-stories to three-stories (150'8" rooftop and 167'8" mechanical elevation), respectively.
3. The addition of 60 shade trees and 24 evergreen trees.
4. Limit the one-story CCRC connectors to 132' elevation.
5. Provide public access to assure completion of the Hudson River Greenway.
6. The South Campus will remain as permanent open space beyond the maximum footprint of the South Campus buildings proposed here, as per a restrictive declaration. If any development related to the CCRC occurs on the South Campus, including a reduction in square footage and/or footprint, this provision will still apply. If it is decided that construction of a CCRC will not take place on the South Campus, then these provisions would be rendered moot and the site would revert back to the requirements as per the designated R1-1 zoning district.
7. Move the north entrance west of Palisade Avenue to reduce traffic along West 261st Street and Palisade Avenue.
8. Planting of green roofs throughout the proposed CCRC buildings.
9. Establishment of an advisory committee during the construction period that will consist of at least one representative from the following groups: Hebrew Home for the Aged, Riverdale Nature Preservancy, Skyview Owners Corporation, Riverdale Community Coalition, West 261st Street Homeowners Association and Bronx Community Board Number #8. The committee will meet as necessary but not less than four times per year until construction of CCRC North and CCRC South are completed or the project is discontinued. My office would reserve the right to participate on this advisory committee. The Hebrew Home will consult with this committee regarding construction, design and environmental impacts during the course of construction.
10. No construction vehicles will park on public or private streets surrounding the site.

I recommend approval of the application with the above conditions.