



## CITY PLANNING COMMISSION

---

October 22, 2003/Calendar No. 22

N 000618 NPX

---

**IN THE MATTER OF** a plan concerning Community District 8 in the Bronx, submitted by Community Board 8, for consideration under the rules for processing of plans pursuant to Section 197-a of the New York City Charter. The proposed plan is called “**CD 8 2000: A River to Reservoir Preservation Strategy, A 197-a Community Plan for Bronx Community District 8.**”

---

### **BACKGROUND**

In 1997 Bronx Community Board 8 began an extensive public outreach process with the goal of developing a community-wide comprehensive plan. After numerous meetings with consultants, community residents and institutions, the Board submitted *CD8 2000: A River to Reservoir Preservation Strategy, A 197-a Community Plan for Bronx Community District 8* to the New York City Department of City Planning on June 1, 2000.

### **Neighborhood Characteristics**

*CD 8 2000: A River to Reservoir Preservation Strategy*, the proposed 197-a Plan for Bronx Community District 8, covers the entire community district, including the neighborhoods of Fieldston, Kingsbridge, Kingsbridge Heights, Marble Hill, Riverdale, Spuyten Duyvil, and Van Cortlandt Village. The area is home to a diverse population of about 100,000. Neighborhoods range from older mid-rise apartment districts to lower density sections. Natural features such as wooded areas, rock outcroppings and sloping terrain characterize much of the western portion of the district.

Zoning ranges from R1-2 in Riverdale and Fieldston in the western parts of the district, to R7-1 in areas surrounding Van Cortlandt Village to the northeast. Housing types reflect the wide variety permitted by zoning, and range from both large and simple single-family houses, to row houses, walk-up apartments, elevator rental or coop apartments, and public housing developments. A Special Natural Area District (SNAD-2), designated in the Riverdale area in 1975, guides development in areas of outstanding natural beauty to protect, maintain and enhance their natural features. The district was expanded in

1981 and 1986.

Commercial uses, including some existing and proposed retail in areas zoned M1-1, are located in the vicinity of Broadway, which runs north/south through the community. Numerous institutions, including religious schools, preparatory schools, colleges and nursing facilities, are located in the western portion of the community.

The area includes Riverdale Park, a long strip of waterfront parkland along the Hudson River, the district's western boundary, and is bordered on the east by Van Cortlandt Park, a major regional park of well over 1,000 acres.

### **Goals**

The plan is viewed by its community sponsors as a means of protecting the area's unique character and natural assets. The plan also seeks to enhance economic, cultural and social opportunities for area residents. Its stated goals are to:

- Preserve the scale and character of area neighborhoods;
- Strengthen protections for sensitive natural features including steep slope areas, mature trees, water features, and the surrounding contexts of these features;
- Improve the appearance and economic vitality of local commercial districts;
- Foster economic opportunities and improve access for all segments of the population to cultural and educational facilities;
- Create additional recreational resources, enhance existing parks, and promote the greening of major corridors; and
- Preserve and educate the public about historical resources.

### **Summary of the 197-a Plan's Recommendations**

To attain these goals, the plan originally presented 70 recommendations addressing issues ranging from zoning and land use to housing, parks, education and economic development. Highlights of these recommendations are as follows:

### ***Zoning***

- 1) Study thirteen areas identified for potential zoning map changes to contextual and lower density zones. (*See Attachment A*)
  - Area 1: Six blocks in Kingsbridge Heights/Van Cortlandt Village
  - Area 2: Three blocks in Kingsbridge Heights/Van Cortlandt Village
  - Area 3: Three blocks in Kingsbridge Heights
  - Area 4: Three blocks in Van Cortlandt Village
  - Area 5: One block in Van Cortlandt Village
  - Area 6: Nine blocks in Kingsbridge
  - Area 7: Three blocks in Kingsbridge
  - Area 8: Thirteen blocks in Fieldston
  - Area 9: Twenty-eight blocks in North Riverdale
  - Area 10: Seventeen blocks in North Riverdale
  - Area 11: Eighteen blocks in Riverdale
  - Area 12: Eleven blocks in Riverdale
  - Area 13: Eleven blocks in Spuyten Duyvil
- 2) Revise Special Natural Area District (SNAD-2) text to strengthen regulations regarding topographic modifications, botanic features and steep slopes
- 3) Revise SNAD-2 to limit visual impacts, such as on walls, roads, vistas and historic structures
- 4) Consider lowering FAR in SNAD-2 from 0.5 to 0.4
- 5) Establish a procedure under which community facilities in SNAD-2 must file a statement of anticipated unused development rights with City Planning. These rights could be used by the owner upon meeting a finding of no adverse impact; anyone not registering these rights as of a certain date would require a special permit.
- 6) Prohibit air rights transfers/zoning lot mergers for residential developments in SNAD-2
- 7) Modify SNAD-2 review timetables for authorizations
- 8) Lower or eliminate lot size threshold for site alteration reviews in SNAD-2
- 9) Extend SNAD-2 to include five new areas:

- a) Vinmont area
  - b) Tibbett Avenue area (including the Horace Mann-Barnard School)
  - c) Manhattan College Parkway area (including the Fieldston School)
  - d) Ewen Park area
  - e) Edgehill Avenue area
- 10) Map three new Hillside Preservation Districts
- a) Riverdale/Spuyten Duyvil
  - b) Marble Hill
  - c) Kingsbridge Heights
- 11) Study locations for mapping Scenic View Districts
- a) Riverdale/Spuyten Duyvil Parks and surrounding areas
  - b) Marble Hill
  - c) Jerome Park Reservoir

***Historic Resources***

- 1) Designate Jerome Park Reservoir and Van Cortlandt Lake as New York City Scenic Landmarks
- 2) Extend Riverdale Historic District with concurrence of eligible owners
- 3) Compile inventory of historic resources to determine buildings or areas for new designations
- 4) Conduct study to develop historic roads program

***Housing***

- 1) Re-establish local Neighborhood Preservation Office of HPD for Marble Hill and Kingsbridge Heights
- 2) Continue funding for loan programs and increase staff support for tenants
- 3) Create small property owners advocacy unit for southern portion of district
- 4) Identify commercial structures for residential re-use and investigate possible mixed use zoning
- 5) Improve grounds and streets in the vicinity of the Marble Hill Houses

***Parks and Recreation***

- 1) Add and improve facilities in Van Cortlandt Park including new comfort stations, signage and restoration of Van Cortlandt Lake

- 2) Link historic resources in Van Cortlandt Park in a Heritage Trail and designate as Historic District
- 3) Involve area schools in cooperative efforts in Van Cortlandt Park and other district open spaces
- 4) Create new multi-use linear open space using the former Putnam Division rail line right-of-way
- 5) Create greenway linkages between Van Cortlandt Park and other greenway routes including roadway markings, pavement treatment and traffic calming measures
- 6) Improve/add bicycle paths on the Broadway and Henry Hudson bridges
- 7) Designate a pedestrian route along Palisade Avenue as part of the Hudson River Valley Greenway
- 8) Designate various streets as bicycle safety zones with roadway markings and signage; provide bicycle parking facilities
- 9) Create waterfront access adjacent to Metro-North Riverdale Station on a trial basis
- 10) Map Jerome Park Reservoir as New York City Parkland; remove fences; develop gardens and passive recreational facilities
- 11) Identify sites, particularly in Kingsbridge Heights, for “vest pocket” parks

### ***Economic Development***

- 1) Form Business Improvement Districts or merchants’ associations for commercial parts of the district
- 2) Improve appearance of district’s commercial areas
- 3) Work with local groups to create new economic engines for improved employment opportunities; identify incubator space with support services and infrastructure for start-up firms

### ***Schools, Education and Employment***

- 1) Create Kingsbridge Riverdale Academy at MS 141
- 2) Establish satellite schools to replace JFK High School

- 3) Establish community-based centers with on-line resources
- 4) Increase use of public schools for meeting space, recreation, and community activities for all ages during after school hours
- 5) Develop a community network to facilitate access to computer resources and provide technical support for computer users in public schools or other sites
- 6) Replace/double the size of the Kingsbridge Library; expand Van Cortlandt and Jerome Park branches
- 7) Increase hours of health care centers and provide additional preventive health and mental health services for children
- 8) Ensure adequate funding of mental health care centers
- 9) Extend meals assistance to needy elderly and ensure availability of adequate housing and support services for elderly, including assisted living

### ***Transportation***

- 1) Provide special transportation for seniors and health aides
- 2) Add additional east-west bus routes
- 3) Make improvements to facilitate bicycle safety; install bike racks on buses; require bike facilities in new developments
- 4) Improve pedestrian safety, particularly near schools
- 5) Rebuild Marble Hill Avenue from West 225<sup>th</sup> Street to Adrian Avenue
- 6) Improve sidewalks and intermodal connections at Marble Hill Metro-North Station and West 225<sup>th</sup> Street station
- 7) Improve maintenance of step streets
- 8) Increase on-street and off-street parking; provide new municipal garage at 235<sup>th</sup> Street and alternative parking for 50<sup>th</sup> Precinct; direct motorists to parking facilities at golf courses and stables in Van Cortlandt Park; prevent trucks from using parking spaces; identify more parking in vicinity of Knolls Crescent and on Major Deegan overpasses

- 9) Undertake station improvements on the Broadway elevated IRT
- 10) Consider moving Broadway elevated supports to sidewalks, at least at West 231<sup>st</sup> Street, or extend sidewalks at bus stops
- 11) Reconstruct Kappock Street; Independence, Tibbett, Marble Hill, Waldo, Netherland avenues; Manhattan College Parkway; and various step streets
- 12) Allow waivers for narrow, country-like streets

Community Board 8 has revised some of its original recommendations in response to concerns expressed by City Planning staff and the Commission during the public review process. Specifically, the Board modified or deleted those zoning recommendations that would have resulted in administrative, enforcement or implementation difficulties. The modifications and clarifications are described in a letter from Community Board 8, dated June 27, 2003 (Attachment B), and illustrated on the Planning Framework map.

The 197-a plan's primary goal is to maintain the context and character of the community's built environment. The modified recommendations call for rezoning certain areas to districts which reflect the character of the existing neighborhood rather than to a specific zoning district. The community has deleted its proposals to lower the permitted FAR in SNAD-2 establish new procedures for community facility development in SNAD-2, restrict zoning lot mergers, establish Hillside Preservation and Scenic View Districts, and seek protection for features such as stone walls and narrow roads. Instead, the community and the Department of City Planning will work to achieve many of these goals by pursuing appropriate contextual rezonings and by strengthening Special Natural Area District regulations to take into account goals such as increased protection of hillside features.

The Planning Framework proposes four areas (in Kingsbridge Heights, Van Cortlandt Village, Riverdale, and Kingsbridge) for rezoning to reduced density zoning districts. Four other areas (in North Riverdale, Central Riverdale, Kingsbride Heights/Van Cortlandt Village and Spuyten Duyvil) are

recommended for rezoning to contextual districts at a similar density. Five other areas (in North Riverdale, Fieldston, Kingsbridge, Kingsbridge Heights and Van Cortlandt Village) would be considered for future zoning study. Study of Special Natural Area District extensions is proposed for five areas (in Vinmont Park, portions of North Riverdale, the area including and surrounding the campuses of the Horace Mann and Fieldston schools, and an area north of Spuyten Duyvil in the vicinity of Edgehill Avenue).

### **THRESHOLD REVIEW AND DETERMINATION**

Pursuant to Section 3.010 of the 197-a rules, department staff conducted a threshold review of the plan's consistency with standards for form, content, and sound planning policy and on August 25, 2000, the department informed Community Board 8 of additional information needed to correct certain deficiencies. The department further informed the board that certain proposals in the plan related to citywide zoning text changes and were therefore beyond the scope of a community board 197-a plan. In response to these threshold issues, Community Board 8 submitted a revised plan on September 18, 2002 in which recommendations with citywide implications were deleted from the body of the plan placed in an appendix. On October 28, 2002 the City Planning Commission determined that *CD8 2000: A River to Reservoir Preservation Strategy, A 197-a Community Plan for Bronx Community District 8* met threshold standards for form, content and sound planning policy, and the plan was duly referred for environmental review.

### **ENVIRONMENTAL REVIEW**

This application (N 000618 NPX) 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 Procedures of 1991 and Executive Order 91 of 1977. The designated CEQR number is 03DCP054X. The lead is the City Planning Commission.



After a review of the potential environmental impact of the proposed action, a Negative Declaration was issued on April 21, 2003. It was determined that the 197-a plan would not, in itself, result in construction, funding, or approval of projects or changes in regulations by city agencies nor does the 197-a plan advance or effectuate any change or activity that would trigger environmental impacts.

On April 21, 2003, the 197-a plan was duly referred to Community Board 8 and the Borough President, in accordance with Article 6 of the rules for processing 197-a plans.

### **WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW**

This application (N 000618 NPX) was reviewed by the City Planning Commission in its role as Coastal Zone Commission for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), adopted by the Board of Estimate on September 30, 1982 (Calendar No. 17), pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 et. seq.). The designated WRP number is 02-072. On March 17, 2003, this action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

### **COMMUNITY BOARD PUBLIC HEARING**

As the sponsor of *CD8 2000: A River to Reservoir Preservation Strategy, A 197-a Community Plan for Bronx Community District 8*, Community Board 8 held a public hearing on this application on May 27, 2003, and on June 10, 2003, by a vote of 44 to 0 with 0 abstentions, adopted a resolution recommending approval of the application.

### **BOROUGH PRESIDENT RECOMMENDATION**

This application (N 000618 NPX) was considered by the Office of the President of the Borough of The Bronx, which held a public hearing on the application on August 18, 2003. On August 22, 2003, the Bronx Borough President recommended approval of the proposed 197-a plan.

As part of his recommendations, the Borough President:

- Urged Community Board 8 to prepare and submit ULURP applications for rezoning to contextual and lower density districts, and extension of the Special Natural Area District (SNAD-2) without delay.
- Suggested that the City Planning Commission further study the proposed expansion of SNAD-2 boundaries to cover the Horace Mann School, to ascertain whether inclusion of the school's entire property is necessary.
- Recommended that follow-up to many tactical recommendations such as the formation of a Small Business Support Center, the acquisition of the Putnam rail line right-of-way, and the establishment of a local Neighborhood Preservation Office to serve Marble Hill and Kingsbridge Heights should occur in the short term.
- Urged that issues related to recommendations with citywide implications, which were deleted or placed in the appendix of the plan, be addressed in the near future.
- Recommended that City Planning proceed, without delay, to evaluate a proposed lower lot size threshold for applicability to site alterations within the SNAD-2 district from the present 40,000 square feet.

### **CITY PLANNING COMMISSION PUBLIC HEARING**

On August 27, 2003, (Calendar No. 2), the Commission scheduled September 10, 2003 for a public hearing on this application (N 000618 NPX). The hearing was duly held on September 10, 2003 (Calendar No. 10). There were three speakers.

Two speakers, including the former chair of the Community Board and the Board's consultant spoke in favor of the plan, and provided an overview and history of the Community Board's involvement with the 197-a process.

A third speaker, representing the Horace Mann-Barnard School, spoke in opposition to the proposed

expansion of the SNAD-2 district to include the Horace Mann Campus. The speaker claimed that the school site does not possess sufficient natural features to qualify for inclusion in a Special Natural Area District.

In addition, the Commission received a letter from a representative of the Fieldston School, expressing concern that the special district zoning regulations and approval processes could slow its ability to provide needed facilities for its students.

### **CONSIDERATION**

The Commission applauds the efforts of Community Board 8 in undertaking a comprehensive and lengthy planning process, in producing a well-written and thoroughly analyzed plan, and in reaching consensus within the community on a wide-ranging set of goals and strategies. The Commission further commends the community board, its consultants and department staff with respect to their successful collaboration on a series of plan modifications and the Planning Framework map.

In its letter dated June 27, 2003 (Attachment B) Community Board 8 proposed certain clarifications and modifications of the plan's zoning recommendations in the interest of shaping a workable blueprint for implementation. The modifications address the board's desire for greater protection of the lower density and natural character in much of the district without applying inappropriate zoning tools.

Specifically:

- S** The department will work with the Community Board and its consultant to expedite rezoning actions in eight of the thirteen areas the community has proposed for rezoning (see Attachment B and Planning Framework map for specific proposals). The board will re-examine the five remaining areas to see if the proposals can be revised by adjusting boundaries or other means to better justify rezoning actions.

- S References to specific zoning districts are replaced by general rezoning recommendations such as “lower density district”.
- S The board has deleted the proposal for three new mapped Hillside Preservation Districts, which in many cases would have overlapped with the Special Natural Area District. While the department agrees with the intent of the proposal, it can be better implemented by incorporating many of the steep slope and tree protection measures found in the Hillside Zoning text into the Special Natural Area regulations. In addition, the board has deleted proposals for Scenic View Districts.
- S Miscellaneous text changes, although proposed only for Community District 8, would nevertheless have citywide implications (such as lowering FAR in SNAD-2 districts, banning zoning lot mergers, restricting community facility FAR) and have also been deleted.
- S The department has further agreed to undertake detailed study of the community’s proposed expansions of the Special Natural Area District (SNAD-2) to determine each area’s eligibility and suitability for inclusion within the SNAD-2. Special Natural Area Districts are mapped in areas that exhibit outstanding natural beauty, manifested by significant aquatic, biologic, geologic, and topographical features having ecological and conservation values and functions. Significant amounts of mature trees (especially of species native to the region), steeply sloping hillsides, and rock outcroppings are some of the natural features that must be present for an area to be considered for SNAD-2 designation.

The Department of City Planning will undertake additional analysis to see that areas proposed as SNAD-2 Districts meet the required criteria for such designation.

The Commission believes that, with these modifications, *CD8 2000: A River to Reservoir Preservation Strategy, A 197-a Community Plan for Bronx Community District 8* will serve as a useful guide to future policy actions in keeping with the purposes and intent of 197-a plans.

The Commission notes, however, that the Borough President and the Horace Mann-Barnard School have expressed concerns about the absence of significant natural features on the Horace Mann Campus. Further study of the area will have to demonstrate that significant numbers of natural features such as mature trees, hillsides and rock outcroppings are found on the site to warrant an expansion of the Special Natural Area District boundaries.

The Commission also notes the concerns expressed by the Fieldston School and welcomes its intent to preserve significant natural features as part of any campus redevelopment. If further study supports designation of the campus as a special natural area district, the Commission believes that designation would not place limits on the availability of floor area for development but, as is the intent of the school, would guide expansion to areas where disruption of the natural topography would be minimal.

Although the Commission paid particular attention to the land use-related proposals in its consideration of the plan, it takes note of the comprehensive scope of the plan, including recommendations for a variety of public investment and service improvements. The Commission urges other agencies to consider the plan as guidance for pertinent actions, but recognizes that many of the recommendations to enhance services, develop new infrastructure or to expand public access to recreational resources are subject to funding availability, competing citywide priorities, and city agency constraints.

During the course of its review of the plan, the department circulated the proposed plan to other city agencies affected by its recommendations. Highlights of those proposals and agency responses follow.

With respect to the preservation of places of historic value, the Community Board has recommended

that southwestern portions of Van Cortlandt Park be designated as a Scenic Landmark. The Department of Parks and Recreation (DPR) has expressed concern about the potential effect of such a designation on their ability to make capital improvements in this heavily used portion of the park. If the Landmarks Preservation Commission (LPC) supports historic designation, it will be essential to allow for necessary improvements while retaining the park's historic character. The LPC noted that it is considering an historic district designation in Fieldston and that it supports the recent designations of the Jerome Park reservoir to the State and National Registers of Historic Places.

Although the Commission supports the board's goal of expanded public access to potential recreational facilities, it shares the concerns expressed by the Department of Environmental Protection (DEP) about increasing access to portions of the Jerome Park Reservoir. As long as it remains an active reservoir, increased access could invite vandalism or other acts that could imperil the safety and ready distribution of New York City's water supply. DEP is urged to work with the Parks Department and local groups to provide improved safeguards along the perimeter of the reservoir while maintaining scenic amenities, especially in the areas where park property adjoins the reservoir.

In response to the plan's recommendation to re-establish a local Neighborhood Preservation Office for Marble Hill and Kingsbridge Heights, the Department of Housing Preservation and Development (HPD) observes that the Neighborhood Preservation Program no longer exists but the Bronx Anti-Abandonment Office is available. HPD would be happy to work with City Planning and Community Board 8 to identify areas or sites where additional housing could be sensitively accommodated.

The Commission is pleased to note that several of the 197-a plan's open space recommendations are being implemented. DPR is planning to develop the Old Putnam Line right-of-way as a multi-use path and is preparing the ULURP application for its mapping as a park. With federal transportation funding for the development of the Old Croton Aqueduct Trail, DPR will design and install signage, trail markers and trailheads from the city's border to Bryant Park, a total of approximately 15 miles. The

creation of waterfront access adjacent to the Riverdale Metro-North Station is funded by New York State Department of Environmental Conservation and is to be constructed by the Metropolitan Transportation Authority in 2004 and maintained by the DPR.

The Commission supports the plan's economic development goals which include the formation of Business Improvement Districts or merchants associations, improvement of the appearance of the district's commercial areas and the encouragement of small businesses. The Commission urges the Board to contact the Department of Small Business Services and work with the Borough President's Office to implement these objectives.

Several of the 197-a plan's transportation recommendations have been or will be implemented soon. The reconstruction of Marble Hill Avenue was completed earlier in 2003. The 231<sup>st</sup> Street IRT station is currently under design for the installation of an ADA-compliant elevator, with construction anticipated to begin in late 2004. A contract has been awarded to repaint the elevated structure. However, the proposal to reconfigure the Broadway elevated structure would require extensive cost-benefit and planning analysis before a determination could be made regarding its feasibility and priority for public investment.

Finally, the Commission is pleased that the department has already begun to implement some of the plan's land use recommendations by initiating the analysis needed for strengthening the protections in the Special Natural Area District regulations. The department has also begun the field surveys to analyze selected rezonings, and will work with the Community Board 8 to finalize the proposals for 197-c applications. The Commission acknowledges the complexity of the effort, but nonetheless urges the department to complete the proposals, in close consultation with Community Board 8, and to present them for public review as expeditiously as possible.

## **RESOLUTION**

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

**RESOLVED**, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action will be consistent with WRP policies, and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Section 197-a of the New York City Charter, that the 197-a plan, *CD8 2000: A River to Reservoir Preservation Strategy, A 197-a Community Plan for Bronx Community District 8*, submitted by Bronx Community Board 8, is approved with the modifications as detailed in the Community Board's letter of June 27, 2003, and as illustrated on the map entitled Bronx Community Board 8 197-a Planning Framework

The above resolution (N 000618 NPX), duly adopted by the City Planning Commission on October 22, 2003 (Calendar No. 22), 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.

**AMANDA M. BURDEN, AICP, Chair**  
**KENNETH J. KNUCKLES, Esq., Vice Chairman**  
**ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E.,**  
**ANGELA R. CAVALUZZI, R.A., RICHARD W. EADDY, ALEXANDER GARVIN,**  
**JANE D. GOL, CHRISTOPHER KUI, JOHN MEROLO, KAREN A. PHILLIPS,**  
**DOLLY WILLIAMS, Commissioners**