

200 Eleventh Avenue
New York, NY

EXECUTIVE SUMMARY

The proposed project is an 18-story, 16-unit, as-of-right residential building located at the corner of West 24th Street and Eleventh Avenue (the “Project”). The Project is entitled to 3 parking spaces as-of-right (20% x 16 units). YoungWoo & Assoc., LLC, the developer, has applied for a special permit for 12 additional accessory parking spaces pursuant to ZR Section 13-561. If the special permit application is granted, 14 spaces would be located at dwelling unit levels, adjacent to living space, and one space would be located at grade.

To get this special permit, an applicant must meet the findings set forth in ZR Section 13-561. On August 8, 2007, the City Planning Commission concluded that the Project met each of the requisite findings. Below is a bullet point summary of the findings and the reasons why the project meets each finding.¹

- (a) **“such parking spaces are needed for, and will be used by the occupants, visitors, customers or employees of the use to which they are accessory”**

Given the large size (three bedrooms) of the Project’s units, the income level of the families and its location away from mass transit, it is reasonable to expect that 100% of the families will own a car; and therefore, that the additional parking spaces are “needed”. Further, the location of the parking spaces (adjacent to living space) ensures that only residents will use the spaces.

- (b) **“within the vicinity of the site, there are insufficient parking spaces available”**

Current on-street and off-street utilization rates in West Chelsea are estimated to be 87% and 99%, respectively. In 2009, both on-street and off-street utilization rates are projected to be over 100%. Further, by 2013 it is estimated that 16 of the 33 off-street parking facilities in West Chelsea will be displaced by future development projects, resulting in a loss of approx. 1,925 parking spaces. It is clear that there are insufficient parking spaces available in West Chelsea.²

- (c) **“the facility will not create or contribute to serious traffic congestion nor will unduly inhibit vehicular and pedestrian movement”**

It is clear that 12 additional parking spaces will not contribute to serious traffic congestion or vehicular movement. Further, the neighborhood’s low pedestrian volume and the facility’s audible and visual alerts as well as its separate entrance and exit will mitigate any adverse effect on pedestrian movement.

¹ This executive summary is intended for summary purposes only. For a full and complete analysis as to why the project meets each of the requisite findings, please see the Memorandum prepared by Phillip Habib & Associates annexed hereto.

² Data in this paragraph is based on the Special West Chelsea District Rezoning and Highline Open Space EIS, 2005 (CEQR #03DCP069M).

- (d) **“the facility is so located as to draw a minimum of vehicular traffic through residential streets.”**

The Project’s size (15 total spaces), corner location and separate entrance and exit ensures that the facility will draw a minimum of vehicular traffic through residential streets.

- (e) **“adequate reservoir space is provided at the vehicular entrance to accommodate vehicles equivalent in number to 20 percent of the total number of parking spaces, up to 50 parking spaces”**

The project will provide four reservoir spaces, which is one more than required.

200 Eleventh Avenue FAQ

- ❖ **What is 200 Eleventh Avenue?** 200 Eleventh Avenue is a 16-unit, as-of-right, residential building located on the corner of W. 24th Street and Eleventh Avenue that features the innovative en-suite sky garage system.
- ❖ **Why is the Project before the Council?** The developer has applied for a Special Permit for 12 additional parking spaces (3 are permitted as-of-right based on 20% of the 16 units in the Building).
- ❖ **Has construction commenced?** Yes, construction commenced in January 2007 and is expected to be complete by January '09.
- ❖ **Has the NYC Department of Buildings approved the en suite sky garage system?** Yes. The en-suite sky garage is completely as-of-right and will be built in accordance with the New York City Building Code. The Special Permit Application is for 12 additional parking spaces only.
- ❖ **How many total parking spaces will the building have if the Application is approved?** 15.
- ❖ **Has the Special Permit Application been approved by City Planning?** Yes, the City Planning Commission approved the Application on August 8, 2007.
- ❖ **Why does the Building need parking?** Most new residents of Chelsea have one car per family. Accordingly, due to the family orientated design of the Building, the Building is expected to have a parking demand of nearly one space per unit, based on census data and car ownership rates for Chelsea - Our parking plan meets this demand. Also, according to the Special West Chelsea District Rezoning FEIS, Off-street parking utilization is expected to be 144% by 2013 while on-street parking utilization will be at capacity; therefore, additional spaces are needed to accommodate the growing demand.
- ❖ **What factors contributed to the idea for the en-suite sky garage?** Due to the high water table at the project site, parking below grade would not be feasible. Additionally, the small footprint of the site does not allow us enough space for a self-parking garage with ramps above ground. Also, any attempt to consolidate the parking on one or two levels near the ground would necessitate an ugly parking structure at street-level. Therefore, the proposed vertical arrangement is the only feasible option to provide parking for the building's units.
- ❖ **How will these additional spaces affect the neighborhood?** The requisite findings show that the proposed 12 additional parking spaces will have virtually no impact on Eleventh Avenue and West 24th Street and the Chelsea street network
- ❖ **How does the parking system benefit the community?** Parking in the building would be safer and more environmentally responsible, eliminating the need for families to park in front of the building with the engine running while loading and off-loading. Also, the system eliminates the need to drive back and forth to a parking garage in the area. Further, this building replaces a set of buildings that congested Eleventh Avenue: the sidewalks were always blocked with cars requiring urgent repair, often with engines running, for over 12 hours a day, 7 days a week. The level of noise, congestion and pollution is sharply reduced with a building that contains only 15 cars used mostly on the weekends.

- ❖ **How does the en-suite sky garage parking system work?** Residents (and their vehicles) enter the building on Eleventh Avenue, driving into a freight elevator, which brings the resident and their car up to the parking space located adjacent to the resident's respective unit. Residents exit the building on West 24th Street.
- ❖ **What type of freight elevator is used?** The elevator is a conventional garage elevator that is equipped with additional safety and operational features.
- ❖ **What is the risk that the freight elevator will get "stuck"?** Entrapments in elevators of comparable usage rarely occur, and a safety plan is in-place in the event of mishaps just like any other elevator in the NYC.
- ❖ **Will the building also have passenger elevators?** Yes, the Building will have two conventional passenger elevators in addition to the freight.
- ❖ **What safety features have been incorporated into the system's design?** The elevator and each garage will be equipped with advanced fire detection and alarm systems, including smoke, fire and carbon monoxide detectors and alerts, mechanical and natural ventilation systems and a comprehensive sprinkler system. Additionally, each garage will be separated from each unit's living space by a 3-hour fire rated wall, which will be clad with fire-retardant ceramic tile. All residents and service personnel will be trained in the use of the elevator and the safety features.
- ❖ **Has this parking system ever been used before?** The car elevator system has been used for decades in commercial parking garage set amongst high-density residential buildings. The system has been extremely safe and effective. A similar application can be found two blocks away at the Starrett-Lehigh Building, where commercial tenants can drive in and ride an elevator to their respective office floors.
- ❖ **What is the building made of?** The exterior of the tower will be a clad in formed stainless steel panels, while the base of the building at the street will be a terra cotta. The scale and shape of the window bays and the forms and textures of the materials pay homage to the historic buildings of the neighborhood, while making use of 21st century construction knowledge.
- ❖ **Does the building code allow garages to be adjacent to residential living spaces?** Yes, as long as there is the required fire-related construction separating the two. This is why typical houses can have attached garages. The 200 Eleventh Avenue project isolates the parking garages and elevators with a concrete-walled tower attached to the East face of the building, effectively creating two independent buildings next to each other, one for cars and one for the people. The concrete walls of the parking structure as designed will actually exceed the fire-rating requirements of the building code.
- ❖ **Why hasn't this been done before in a residential building?** With individual houses on suburban lots, it is actually the norm to have your garage immediately adjacent to your living quarters. The reason it has not been done before in a condo building is probably because it is very expensive, given the limited amount of floor area you can build above ground on a given urban site. The parking spaces (when 23' or more above ground) and required elevator count toward this amount, which could otherwise be developed at a greater profit as living space. Therefore, few developers would entertain the idea of building the system.



Philip Habib & Associates

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MEMORANDUM

200 11th Avenue Parking Special Permit

Introduction

The proposed new building is an 18-story, 16-unit as-of-right residential building that will be located on the southeastern corner of West 24th Street and Eleventh Avenue. The design features a total of 15 parking spaces – one at grade and 14 spaces at 14 dwelling unit levels. These above-grade parking spaces would be accessible through a vehicle elevator located on the ground floor. Each of the 14 spaces would be located adjacent to the living space for these units (separated by a 3-hour fire rated enclosure). The Department of Buildings has approved the parking system.

According to ZR Section 13-12(a), off-street parking is permitted for 20% of units in a new building (or 200 spaces, whichever is less). This requirement is independent of size of dwelling unit (a studio apartment of 400 square feet has the same permitted parking as an apartment approximately 10 times the size). Accordingly, this 16-unit building would be permitted only 3 accessory parking spaces as-of-right. As a result, the Developer has filed a Special Permit Application for twelve additional parking spaces pursuant to ZR Section 13-561.

Special Permit Findings

“(a) such parking spaces are needed for, and will be used by the occupants, visitors, customers or employees of the use to which they are accessory;”

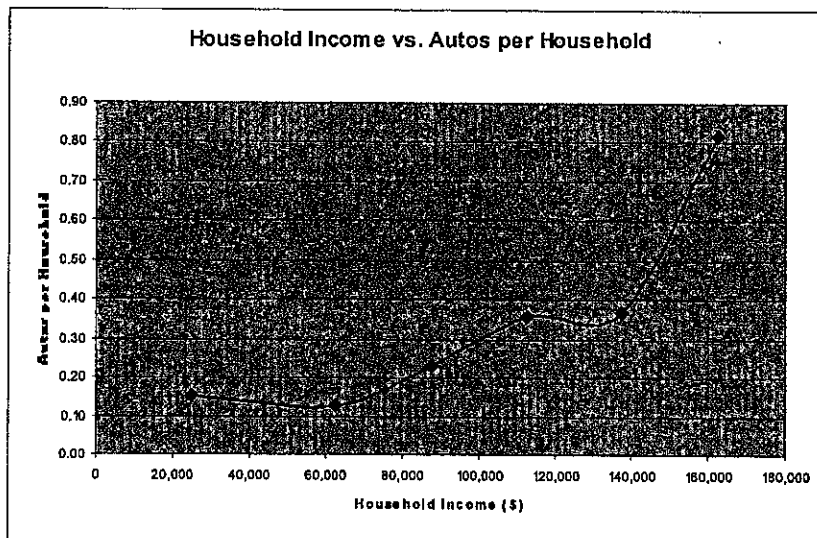
The site is located within census tract 99¹ According to the 2000 census data, the overall auto ownership rate within census tract 99 is approximately 0.26 autos per household. However, as shown below, when the auto ownership rates are broken down by household income, auto ownership rises to .81 per household when the total household income is above \$150,000 (year 2000 \$). As the proposed condominium residential building will attract families with incomes well in excess of \$150,000/year, it is reasonable to assume that the overwhelming majority of residents will own a vehicle and, therefore, need parking.

¹ Census Tract 99 is bounded by 10th Avenue to the east, W. 14th Street to the south, W. 38th Street to the north and Route 9A to the west.

200 11th Avenue Census Tract Car Ownership Data			
	Vehicles	Households	Ownership
All Incomes Car Ownership =	978	3830	0.26
Income > \$150k Car Ownership =	330	405	0.81
Income > \$125k Car Ownership =	400	595	0.67
Income > \$100k Car Ownership =	525	945	0.56
Income > \$75k Car Ownership =	610	1315	0.46
Income > \$60k Car Ownership =	650	1630	0.40
Income < \$60k Car Ownership =	328	2200	0.15

source CTPP 2000 Census Tract 99

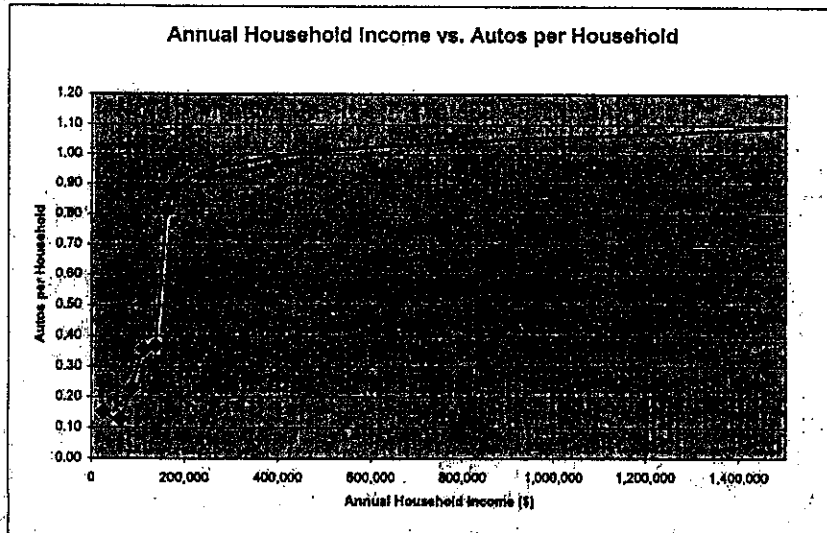
Using the 2000 census tract 99 data, a graph modeling household income vs. autos per household was developed and is shown below. As household income generally increases, autos per household also generally increases. For example if the annual household income is \$60,000, the corresponding approximate auto ownership per household is 0.12. However, for an annual household income of \$160,000, the corresponding auto ownership per household increases to approximately 0.81. As discussed in more detail below, this trend is expected to continue when household income increases above \$160,000.



The average price for a dwelling unit at 200 Eleventh Avenue is approximately \$6 million, which results in an annual mortgage payment of approximately \$383,000 per year². Based

² The annual mortgage is based on a 20% down payment and 6% interest per year for a 30-year fixed-mortgage. Additional monthly common charges and real estate taxes total approximately \$3,000 per month. The annual mortgage for a \$6,000,000 unit is estimated to be \$383,000 per year.

on the foregoing, we can estimate that the average unit purchaser will have an annual income of approximately \$1.5 million per year, or 3.5 to 4 times the annual mortgage. The 2000 census does not report data for this specific income level; however, using linear regression analysis, one can use the 2000 Census data to project what the vehicle ownership ratio would be at this income level with reasonable statistical certainty³. Please see the graph below.



As you can see, when applying the high-income “trend-line” to a household income of \$1.5 million the corresponding ratio of vehicle ownership is approximately 1.1 autos per household. With approximately 1.1 autos per household, the demand generated by the building would be about 17-18 vehicles. The proposed parking facility at 200 Eleventh Avenue would accommodate 15 of these vehicles, helping to alleviate some of the estimated demand.⁴

In light of these facts, it is clear that additional parking spaces will be needed at the building. Additionally, the units at 200 11th Avenue will be family-oriented. The average size per household in this 16-unit building is about 2,400 sf, further increasing the likelihood that unit owners will own an auto. Further, unlike many other residential developments, the design of this building (i.e., 14 garages adjacent to individual dwelling units), all but assures that these additional parking spaces will be used exclusively by the “occupants...of the use to which the [spaces] are accessory” (i.e., the residents of the building). The location of these spaces (i.e., adjacent to residential living space) would preclude the use of the space by anyone besides the occupant of the unit.

³ A regression analysis model was generated for high-income households using data from the 2000 census tract 99.

⁴ Note that while the number of autos per household increases sharply once the household income exceeds \$140,000 per year, it is expected that this increase would eventually level off; otherwise, the number of autos per household would reach unrealistic numbers for households with very high annual income.

“(b) within the vicinity of the site, there are insufficient parking spaces available;”

The project site is located on the southeast corner of 11th Avenue and West 24th Street in the West Chelsea neighborhood.

According to the 2004 Special West Chelsea FEIS, the then-existing off-street public parking midday utilization was approximately 86%, while the on-street parking midday utilization was approximately 98%.⁵

It is estimated that the current (2007) off-street utilization rate has increased to approximately 87% during the weekday midday peak hour while the on-street weekday midday increased to a utilization rate of approximately 99%. It is projected that in 2009, the off-street utilization rate will reach approximately 107% while the on-street utilization rate will reach capacity.

The parking utilization calculations contained in the Special West Chelsea FEIS took into account the anticipated developments and the parking needs and requirements of the Hudson Yards Rezoning.

Similarly, the FEIS also considered anticipated residential developments within the West Chelsea study area. It was understood that these residential developments would likely provide their own accessory parking. At the same time, these new developments may, in some instances, replace off-street parking facilities resulting in a reduction of the number of off-street parking spaces available. In sum, the utilization rates for the FEIS take into account any accessory parking that may be provided as a result of future developments.

According to the West Chelsea EIS, under the West Chelsea build-out conditions in 2013, 16 of 33 off-street parking facilities in West Chelsea would be displaced by development projects (see Figure 1). By 2013, this will cause a reduction of approximately 1,925 off-street parking spaces being eliminated, resulting in a midday off-street parking utilization of 144% and an overnight utilization rate of 121%. Further, on-street parking in 2013 would continue to be fully utilized. Lastly, the neighborhood's high water table (4'-5' below grade) resulting from its proximity to the Hudson River limits the possibility for future construction of below-grade parking facilities or other building maintenance/support spaces. Therefore, there is no reason to believe that the utilization rates in the area will decrease.

“(c) the facility will not create or contribute to serious traffic congestion nor will unduly inhibit vehicular and pedestrian movement;”

Due to the small amount of spaces (15 in total), which is currently estimated to result in approximately 8 vehicle trips per weekday⁶, the proposed action would not cause significant adverse traffic impacts at the surrounding intersections. Further, the separation of entry for

⁵ Data from the Special West Chelsea District Rezoning and Highline Open Space EIS, 2005, (CEQR #03DCP069M) as well as field surveys conducted in 2006

⁶ Residential trip generation from West Chelsea EIS was used to generate weekday residential auto trips for 200 Eleventh Avenue

the proposed parking and exit further allocates the already low traffic volume between to two different sidewalks. These sidewalks, on 11th Avenue and on West 24th Street, have low pedestrian volumes and the garage will be designed to have audible and visual devices at the West 24th Street exit to further reduce any vehicle pedestrian conflicts.

The proposed project is an accessory garage with 15 parking spaces. This obviously falls well below the CEQR threshold for a detailed traffic analysis. Further, as the proposed project would generate less than 50 peak hour vehicle trips, it would not contribute to serious traffic congestion. Additionally, using the trip generation from the West Chelsea FEIS, the residential building will generate 8 total trips per day, far below the 50 peak hour vehicle trip threshold detailed by CEQR.

“(d) the facility is so located as to draw a minimum of vehicular traffic to and through local residential streets;”

The entrance curb cut to the proposed parking will be located on 11th Avenue, approximately 90 feet south of West 24th Street. The exit curb cut will be located on West 24th Street approximately 68 feet east of 11th Avenue. All vehicles arriving to park will travel northbound on 11th Avenue and turn right into the parking. All vehicles exiting the parking will turn right onto one-way eastbound West 24th Street. Vehicles traveling on West 24th Street would then have the option to turn left onto 10th Avenue, right onto 9th Avenue, or continue eastbound on West 24th Street. The building will, therefore, have a separate entrance and exit, leading to less traffic at access points.

As a residential street with generally one lane of eastbound traffic and parking permitted on both sides, West 24th Street will only accommodate vehicles leaving the parking. Since there will be only 15 parking spaces, it is estimated that West 24th Street will experience approximately 4 vehicle trip per day, half of the 8 total auto trips generated per day from the residential building. This is compared to the former use on the site, which included three taxi repair garages that generated approximately 30 trips per day.

11th Avenue is not a residential street. It is a major thoroughfare, with a mixed-use character including commercial, residential, light industrial, regional recreational and open space uses.

“(e) adequate reservoir space is provided at the vehicular entrance to accommodate vehicles equivalent in number to 20 percent of the total number of parking spaces, up to 50 parking spaces, and five percent of any spaces in excess of 200 parking spaces, but in no event shall such reservoir spaces be required for more than 50 vehicles. However, in the case of a facility with a capacity of ten vehicles or less, the Commission may waive this finding;”

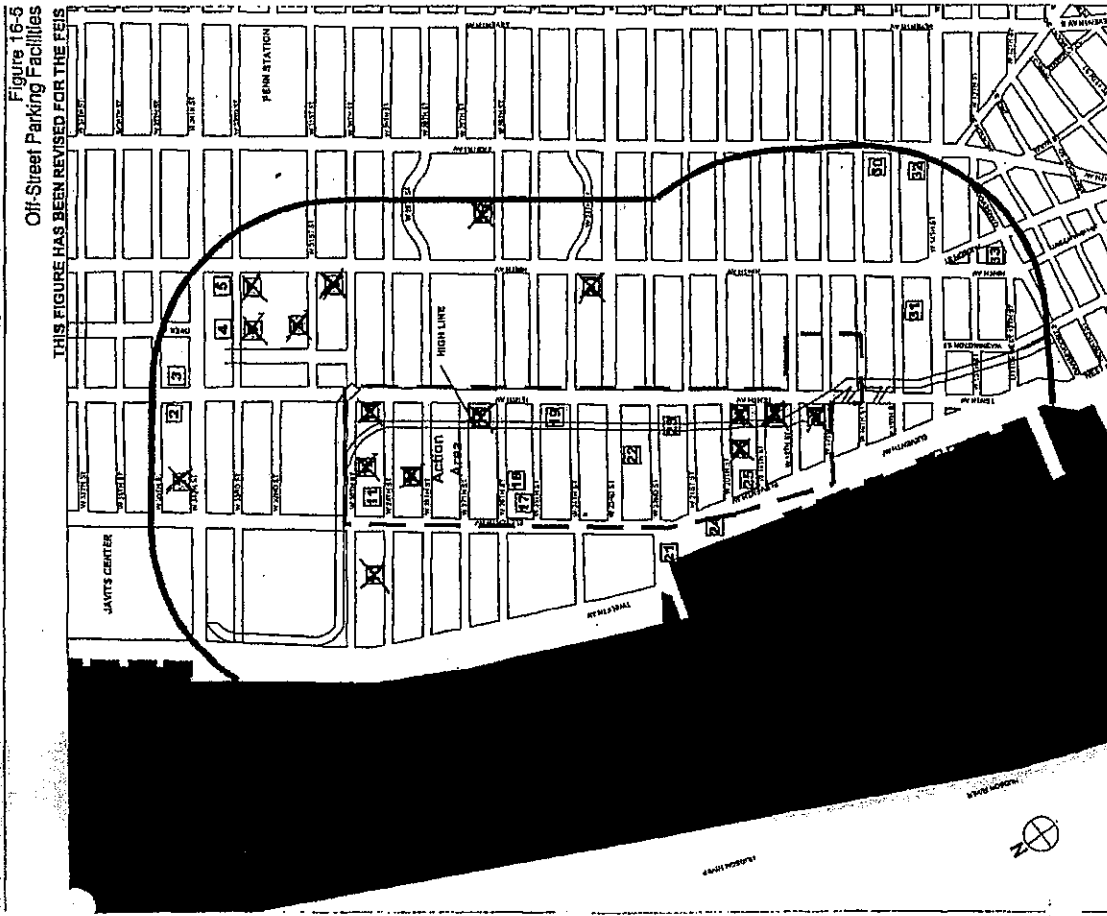
Parking with a capacity of 15 spaces requires a total of 3 reservoir spaces in order to satisfy the requirements of the ZR Section 13-561. The parking will provide the required reservoir spaces and one additional reservoir space for a total of 4 reservoir spaces in a single lane between 11th Avenue and the vehicle-parking elevator, as shown in Figure 2.

Summary

It is clear that the proposed development meets all of the requisite findings delineated in ZR 13-561. The special permit is seeking an additional 12 accessory parking spaces (total of 15 spaces) for the as-of-right residential building. Given the projected household size and income level, a very high percentage, if not all, of the households will own a car. This fact combined with the obvious shortage of off-street parking spaces in the Chelsea neighborhood necessitates the need for these additional spaces. Further, the parking condition in West Chelsea will only get worse as a result of planned development that will be in place by 2013. Further, it is clear that an additional 12 residential spaces would not result in any traffic congestion to the local street network and that the parking is located so as to draw a minimum of vehicular traffic to and through local residential streets.

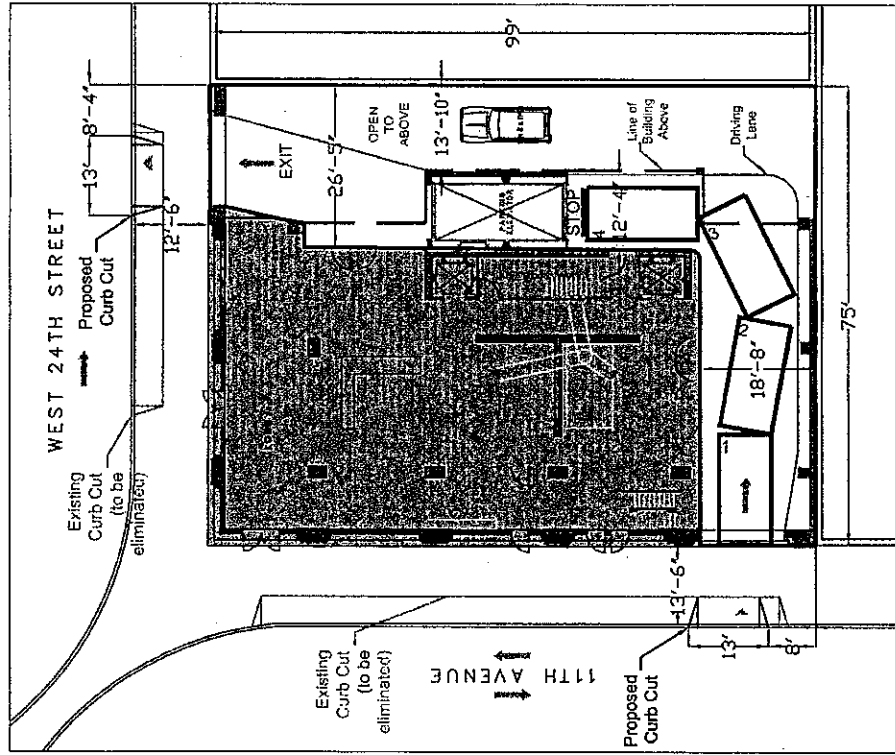
For the reasons stated above, this project clearly satisfies the requisite findings of ZR 13-561, and, therefore, the special permit application for 12 additional residential accessory spaces should be approved.

SPECIAL WEST CHELSEA DISTRICT REZONING AND HIGH LINE OPEN SPACE EB

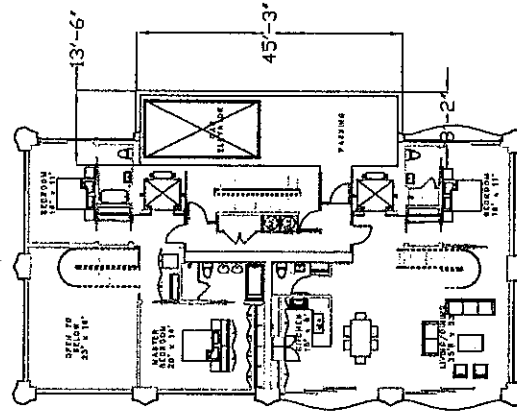


SPECIAL WEST CHELSEA REZONING AND HIGH LINE OPEN SPACE EIS
 Table 16-11, 2013 With-Action Public Off-Street Parking Utilization

	Midday Period			Overnight Period		
	Capacity	Net Excess Demand	Utilization	Capacity	Net Excess Demand	Utilization
2013 No-Action Conditions	4,740	4,593	97%	3,321	2,328	70%
2013 With-Action Condition	-1,287	389	n/a	-723	808	n/a
	3,453	4,982	144%	2,598	3,136	121%



GROUND LEVEL



TYPICAL UNIT LEVEL

#signs#, or requirements for shielding of floodlights and for locations of entrances and exits.

10/25/95

13-553

Curb cuts

The City Planning Commission may authorize, subject to the applicable zoning district regulations, curb cuts located on a #wide street# provided the Commission finds that such a location:

- (a) is not hazardous to traffic safety;
- (b) will not create or contribute to serious traffic congestion or unduly inhibit vehicular and pedestrian movement; and
- (c) will not interfere with the efficient functioning of bus lanes, specially designated #streets# and public transit facilities.

10/25/95

13-56

Special Permits

10/25/95

13-561

Accessory off-street parking spaces

The City Planning Commission may, by special permit, subject to the otherwise applicable zoning district regulations, allow on-site or off-site, open or enclosed, #accessory# off-street parking facilities with any capacity not otherwise allowed under Section 13-10 (PERMITTED ACCESSORY OFF-STREET PARKING SPACES) provided the Commission finds that:

- (a) such parking spaces are needed for, and will be used by,

the occupants, visitors, customers or employees of the #use# to which they are #accessory#;

- (b) within the vicinity of the site, there are insufficient parking spaces available;
- (c) the facility will not create or contribute to serious traffic congestion nor will unduly inhibit vehicular and pedestrian movement;
- (d) the facility is so located as to draw a minimum of vehicular traffic to and through local #residential streets#; and
- (e) adequate reservoir space is provided at the vehicular entrance to accommodate vehicles equivalent in number to 20 percent of the total number of parking spaces, up to 50 parking spaces, and five percent of any spaces in excess of 200 parking spaces, but in no event shall such reservoir spaces be required for more than 50 vehicles. However, in the case of a facility with a capacity of 10 vehicles or less, the Commission may waive this finding.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including traffic improvements, if necessary, and limitations on #signs# or requirements for shielding or floodlights or for locations of entrances and exits.

10/25/95

13-562

Public parking garages and public parking lots

The City Planning Commission may, by special permit, allow #public parking garages# and #public parking lots# not otherwise permitted pursuant to the applicable provisions of Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas).

**COUNCIL of the CITY OF NEW YORK
Zoning and Franchises Subcommittee**

September 17, 2007

STATEMENT OF GERALD SCHOENFELD

In opposition to the application by 1650 Broadway Associates for a proposed small sidewalk café adjacent to the Winter Garden Theatre between Fiftieth and Fifty-First Streets on Broadway

I am the Chairman on the Shubert Organization, Inc, the owner and operator of the Winter Garden Theatre located at 1634 Broadway between Fiftieth and Fifty-First Streets in the Borough of Manhattan, the City of New York. I make this statement in opposition to a proposed small sidewalk café located immediately north of the entrance to the Winter Garden Theatre on Broadway.

The Winter Garden Theatre is a landmarked legitimate theatre which customarily presents large scale musical attractions such as CATS and the present musical MAMMA MIA! It contains 1,526 seats and presents eight performances a week consisting of Wednesday matinee at 2pm, evening performances Wednesday through Friday at 8pm, Saturday matinee and evening performances at 2pm and 8pm and Sunday matinee and evening performance at 2pm and 7pm, subject to change. The Winter Garden Theatre is one of the vital components of the thirty-five legitimate theatres that comprise the Broadway theatre district.

Continued....

COUNCIL of the CITY OF NEW YORK
Zoning and Franchises Subcommittee
September 17, 2007

STATEMENT OF GERALD SCHOENFELD
Continued, page 2 of 4 total

In determining whether to approve a small sidewalk café, “several factors should be considered that effect the utilization of small sidewalks and character of the streets. These include:

- Type and concentration of certain land use,
- Curbside activities,
- Small sidewalk dimensions and
- Pedestrian volumes.

Certain areas such as transit hubs and areas with concentration of cultural and entertainment related activities draw a large number of people with high volumes of pedestrians...” (City Planning Commission March 24, 2004/Calendar N 040197 ZRY)

ULURP N 040197 ZRY states that ...”small sidewalk cafes would not be permitted along Sixth Avenue from 48th to 50th Streets as it fronts the Radio City Complex...” an implicit recognition that a small sidewalk café would be inappropriate on another avenue in midtown next to a theatre.

ULURP N 040197 ZRY states that...”the small sidewalk café regulations as established in this resolution are city-wide regulations, designed to encourage small sidewalk cafes in locations where they are appropriate, discourage them in locations where they are inappropriate, and promote and protect public health, safety, general welfare and amenities. These general goals include, among others, the following specific purposes:

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STATEMENT OF GERALD SCHOENFELD
Continued, page 3 of 4 total

- a) To ensure adequate space for pedestrians on the small sidewalk adjacent to small sidewalk cafes.
- b) To promote small sidewalk cafes as visual amenities that better relate to the streetscape.
- c) To preserve and enhance the character of neighborhoods throughout the city.
- d) To simplify administrative regulations and strengthen enforcement proceedings for small sidewalk cafes and ensure that such requirements are effective, efficient, and enforceable.
- e) To promote the most desirable use of land and thus to conserve the value of land and buildings and thereby protect the city's tax revenues."

The more than 1,500 member audience entering and exiting the Winter Garden Theatre at each performance presently causes severe pedestrian congestion on the entire street on Broadway between Fiftieth and Fifty-First Streets and particularly its entrances and exits. Furthermore, any need for emergency vehicles such as fire trucks, ambulances and police vehicles will be severely impaired by the crowded street and the taxis, private cars and limousines adjacent to the curb on the entire block front.

Historically, the importance of Broadway's legitimate theatres is evidenced by all of them having been landmarked or subject to a special demolition permit in the Zoning Resolution to preserve their continued existence. The Winter Garden in particular, as

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September 17, 2007

STATEMENT OF GERALD SCHOENFELD
Continued, page 4 of 4 total

well as all of Broadway's legitimate theatres, are substantial contributors to the City's tax revenues. Historically, there has been no exterior dining space adjacent to a legitimate theatre.

The primary consideration in the determination of whether a small sidewalk café permit should be issued in this instance should depend upon the foregoing provisions of ULURP N 040197 ZRY, the established need to preserve and protect the Broadway theatres and the safety of their patrons, recognition of the primacy of the economic and cultural importance of legitimate theatres, together with the responses of Community Board Five and the Times Square Alliance's (a business improvement district) unanimous opposition to the instant application.

Upon due consideration, these factors should mandate the denial of the instant application. Such a denial would establish a precedent for denying any future applications for a small sidewalk café permit adjacent to a legitimate theatre. To do otherwise would effectively ignore the provisions of ULURP N 040197 ZRY and the facts and circumstances set forth hereinabove.



GERALD SCHOENFELD

GS/hhm

**TESTIMONY BY TIM TOMPKINS, PRESIDENT, TIMES SQUARE ALLIANCE
BEFORE THE LAND USE AND ZONING COMMITTEE, SUBCOMMITTEE ON
ZONING AND FRANCHISES, SEPTEMBER 17, 2007, REGARDING THE
SIDEWALK CAFÉ APPLICATION FOR THE STARLIGHT CAFE**

Times Square continues to attract New Yorkers and visitors from around the world. As this unique area of the City has become an increasingly popular destination—thanks in part to the variety of small businesses that have invested in the area—pedestrian movement and safety have become a top concern for community members and policymakers helping to shape the future of Times Square.

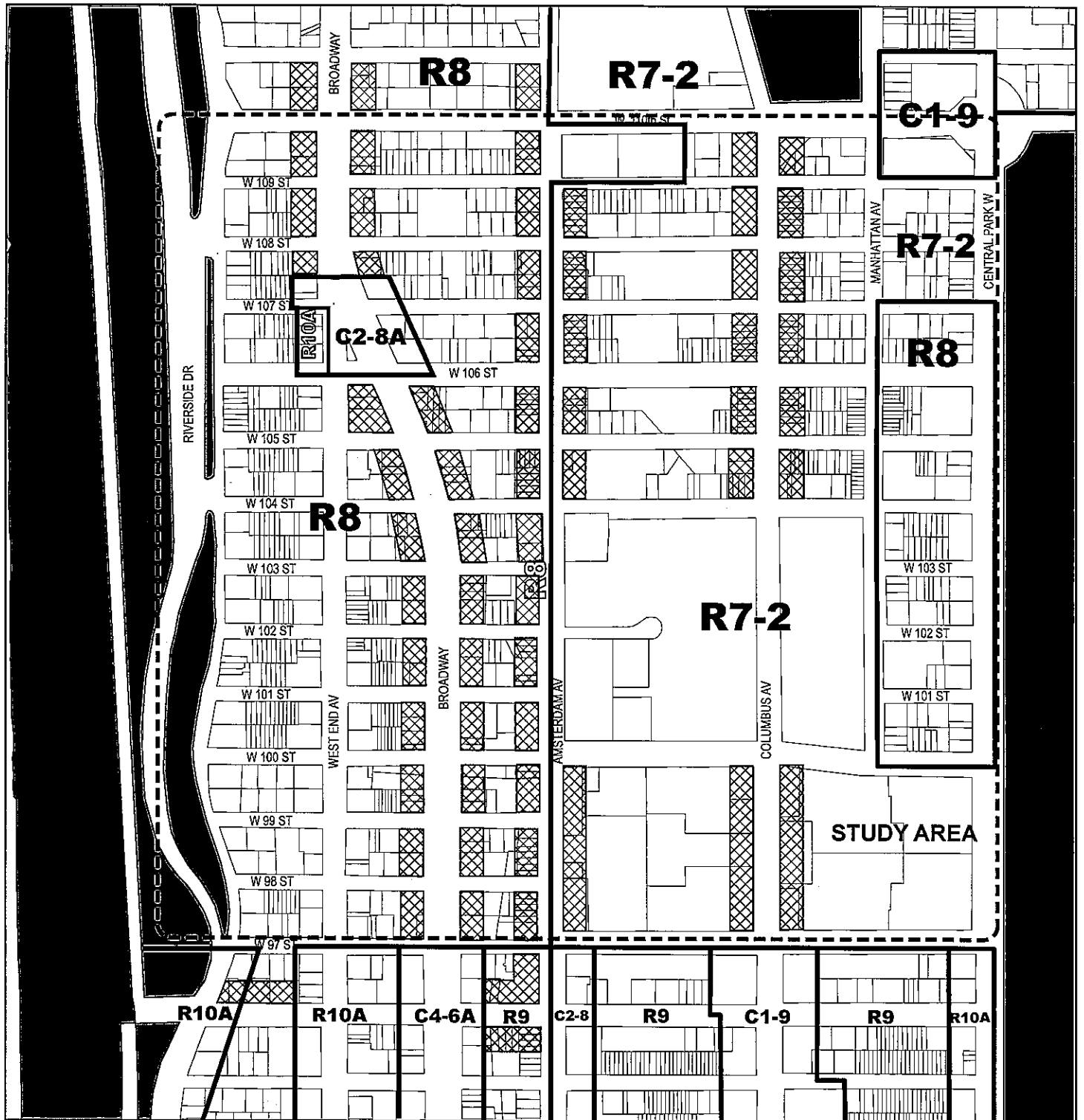
The Starlight Café hopes to extend their business into the public right of way at the corner of 51st and Broadway. The Times Square Alliance is generally supportive of activities that enliven street life in our area, which can in certain cases include sidewalk cafes on select non-critically congested streets. In this case, however, we have concerns about approving a café in this location for the following reasons:

- Over 40,000 pedestrians walk along this sidewalk every day - considering this volume of people, we have reservations about removing pedestrian space;
- The historic Winter Garden Theatre—located just south of the Starlight— hosts eight performances a week, with each performance requiring egress of 1,500 theatre patrons before and after performances;
- A sidewalk café has never been allowed adjacent to a legitimate theatre; the theatre community is concerned that this precedent not be reversed and lead to greater crowding problem for theatregoers throughout our district;
- Community Board Five unanimously rejected the application for a sidewalk café at this location due to concern over already overcrowded conditions.

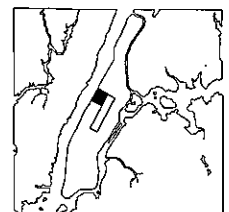
For these reasons, the Times Square Alliance respectfully asks that the City Council reject the Starlight Café's application for a sidewalk café on Broadway between 50th and 51st Streets.

UPPER WEST SIDE REZONING

EXISTING ZONING

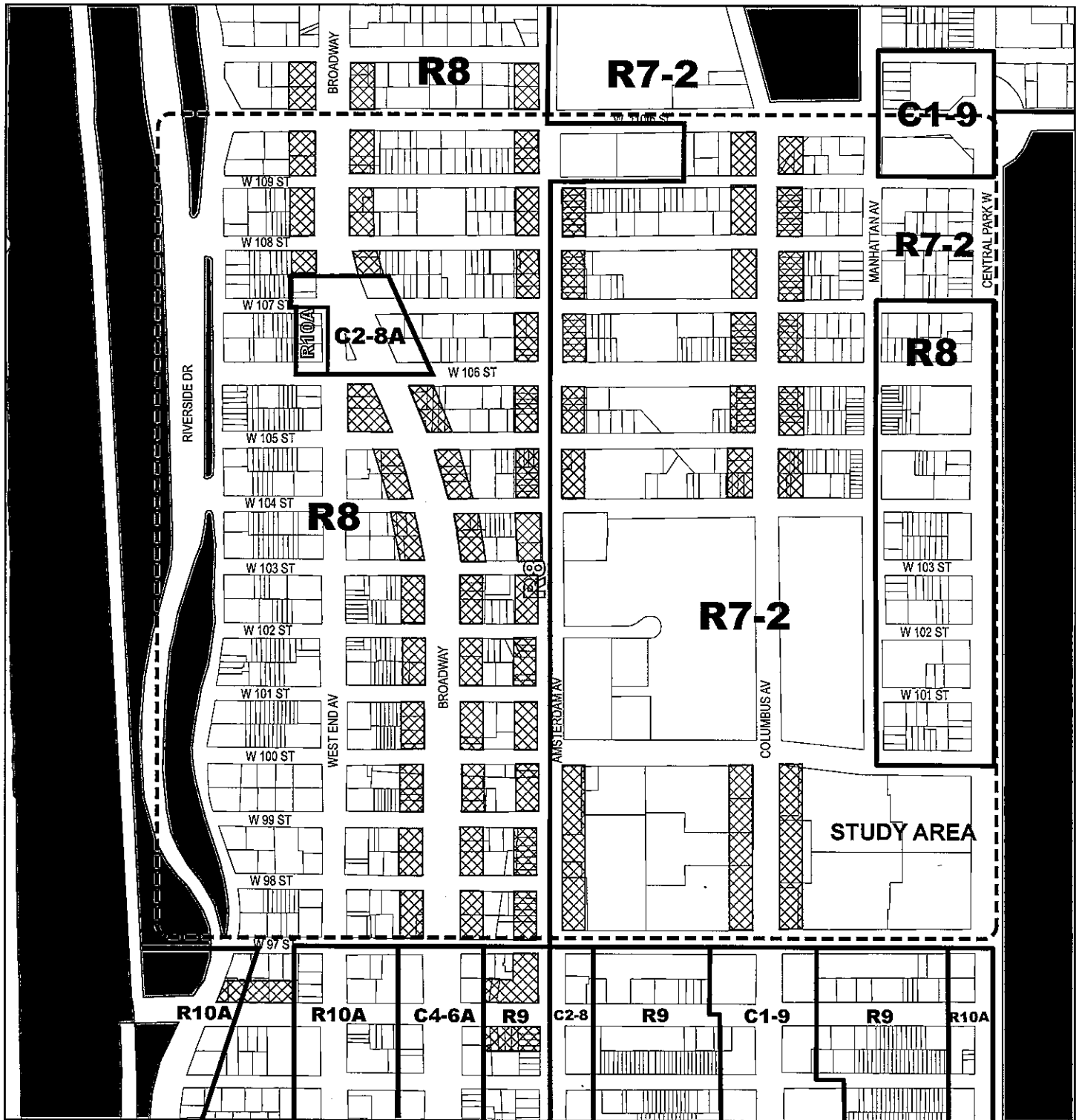


- EXISTING ZONING
- COMMERCIAL OVERLAY

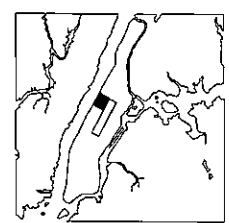


UPPER WEST SIDE REZONING

EXISTING ZONING



- EXISTING ZONING
- COMMERCIAL OVERLAY



Resolution of Land Use Committee, Community Board 7, Manhattan,

September 16, 2007

Resolution Carried: Land Use Committee members: 9, in favor; 0 against; 0 abstaining.

Other board members: 11, in favor; 0 against; 0 abstaining.

An emergency meeting of the Land Use Committee of Community Board 7 Manhattan was convened on September 16, 2007 to consider a request by the Jewish Home and Hospital for exemption from the rezoning proposal of the City Planning Commission for the area from 97th to 110th streets, Central Park West to Riverside Drive. The requested exemption was accompanied by a draft "Declaration of Development Covenants and Restrictions."

The rezoning proposal, which was approved unanimously by Community Board 7 and by the City Planning Commission, is the result of two years of intensive study by CPC staff, the Community Board and members of the affected community. The rezoning project was commenced in direct response to the construction of two "as of right" buildings on Broadway between 99th and 100th streets, as to which there was massive community protest. Hundreds of residents of the area north of 97th street attended several public meetings (some of which were in the auditorium of JHH), demanding that no such out-of-context buildings be constructed ever again in the area.

The rezoning proposal as approved was the process of considerable give and take among commission staff, Community Board and leaders of the affected community. The process was hailed by the community and CPC alike as a triumph of participatory democracy and sensible, rational planning.

Late in the ULURP process, JHH advised the Community Board that the rezoning would affect plans it had developed to rebuild its hospital and sell private development rights. However, JHH assured the community that it would not interfere with the ongoing ULURP process. Following the Community Board vote approving the rezoning, the Borough President immediately waived his 30 day right of review.

At the City Planning Commission Public hearing on the rezoning, after representatives of Community Board 7 had already testified, three elected officials for the first time requested that the City Planning Commission exempt the JHH site from the rezoning. City Planning unanimously rejected the suggestion and approved the rezoning as drafted and as previously approved by the Community, the Community Board and the Borough President.

Subsequently, a member of the City Council requested that Community Board 7 meet with representatives of JHH to see if a compromise could be crafted which would allow JHH to rebuild its hospital but which would not grossly violate the proposed rezoning. In accordance with this request a working group of the community board met with JHH and others. The principal, but not the only concern of the Community Board, is the size and massing of the proposed nursing home building. As envisioned by JHH, the building would be erected at the crest of a hill on the south side of 106th street between Amsterdam and Columbus Avenues. The building would set back from the lot line 10' at the ground floor, but would rise without further set back to a roof garden with a zoning height of 175' (not including mechanical tower which would add another 20', plus or minus). (We understand that JHH has reduced the "zoning" height of its tower to 164' by eliminating half of a proposed roof garden. This "reduction" would not result in any change in the shape of the building but would reduce the garden area available for patients of the nursing home).

The proposed nursing home tower would stick out like a sore thumb on the block. It would create precisely the kind of disparity in building height and configuration which the 99th street buildings

created and which generated the rezoning resolution currently before the council. The nursing home would not represent a minor departure from the technical strictures of the proposed rezoning but a radical breach, an insult to good planning and specifically to the painstaking process which led to the current zoning proposal.

Under the current zoning proposal there could be no setback at the ground floor but there would be a required setback at 85' and a maximum floor height of 120'. The requirement of a set back would reduce the visual impact of the building's height, and be in harmony with the character of the neighborhood. The building proposed by JHH would be an eyesore.

Community Board 7 recognizes that there might be programmatic needs of a nursing home and fiscal realities which could justify a departure from the letter of the new zoning restrictions. We have frequently reviewed so-called hardship applications by non-profit landowners in the context of variance applications to the Board of Standards and Appeals. Where a specific site is involved a BSA application is the time-honored and most rational way of bending the zoning rules to fashion the least radical way of solving a zoning problem. Community Board 7 was and is prepared to examine the JHH site in the context of such an application.

JHH claims that BSA is unlikely to grant a variance. It has advanced various reasons for this, none of which appear to constitute legal impediments: first, JHH claims that the BSA will not grant a variance where a non-profit owner seeks to raise funds by selling to a private developer. However, BSA has recently approved such a variance for Touro College, over the objection of the community board. Second, JHH claims that BSA is reluctant to approve variances for recently enacted zoning amendments. However, it is unlikely that this policy (if it exists) would be an impediment if the Community Board consents to the variance. Although we have requested evidence in the form of BSA opinions or

regulations to support JHH's claim, none has been provided. Curiously, although JHH has land use counsel, no attorney representing JHH has ever appeared at a meeting with the Community Board.

The advantages of a BSA variance application over a zoning exemption are obvious. First, there is a strong public policy in New York against so-called "spot zoning" by which specific parcels are given zoning exemptions. Second, the variance application allows for a rational process of evaluation in which the claims of the applicant are put to the proof. JHH has repeatedly claimed impossibility in response to suggestions by the Community Board for altering the massing of the nursing home or the staging of construction. These proposals which would accomplish JHH's programmatic goals have been rejected on financial grounds. In a BSA application, JHH would have to lay its cards on the table and justify its financial claims, something it has not done to date. JHH has made a number of claims as to what its funding sources will or will not agree to. A BSA application would allow professionals to review these claims.

Third, a BSA zoning variance must be the least radical necessary to relieve the hardship. We have no way of knowing whether the JHH proposal meets that criterion, but we strongly doubt that it does.

Fourth, a BSA variance comes with conditions which are enforceable. Here, JHH has invented a "Declaration of Development Covenants and Restrictions" which expressly provides that "it is not intended to, nor shall it be construed to, confer any right, remedy or claim upon any person other than" landowners and tenants within 200' of the JHH site. Even as to such persons it is highly doubtful that a real remedy exists should JHH or a private developer build a structure which violates the "Declaration." In any event, it is simply bad public policy to entrust enforcement of a zoning issue to immediate neighbors and to no one else.

Furthermore, the Declaration does not purport to restrict the use of the building to a nursing home. Under the Declaration, JHH could sell all of its development rights to a private developer who could construct any community facility it wishes (including profit-making community facilities).

Additionally, the Declaration provides that it can be amended by agreement with an unnamed government agency. This would allow JHH to come back to the table with a sympathetic agency and amend the declaration without any input from—indeed without any notice to—the community or the community board.

We recognize that JHH has made cosmetic concessions to certain immediate neighbors in response to specific requests. These concessions have not resulted in any change in the configuration of the nursing home building.

In meeting with JHH, the community and elected officials, the officials—but not JHH—have raised the specter of JHH leaving the community, resulting in the loss to the community of a large number of jobs. Community Board 7 has no reason to believe that JHH is considering or would consider leaving the site. Location and acquisition of a suitable alternative site would be time-consuming and costly and would jeopardize funding already in place. In order to keep servicing its population the nursing home would have to remain in full operation while the new site is being acquired and built; and, of course, the value of development rights at its current site would be diminished because a purchaser would have to conform to the new zoning and could not take advantage of a community facility increase in allowable FAR. Moreover, any move would require multiple regulatory approvals. Further, JHH claims that it draws its patients in large measure from the community surrounding its existing facility. Its ability to service its existing and target population would be severely impaired by any move from the community.

In any event, even if JHH moves (the likelihood of which in our view approaches the vanishing point), those residents of our community who work there would presumably continue to work at any new site. (These workers are protected by a very strong union). In short, we see the move issue as a red herring.

Community Board 7 attempted to negotiate in good faith with JHH and made numerous suggestions for modifying the massing and height of its nursing home building, all of which were met with the ipse dixit that they would be too expensive. JHH has not been willing to discuss any of these proposals in detail or explore in detail ways and means of overcoming obstacles. We believe that there are ways that this project can get done within JHH's programmatic strictures by reconfiguring the building and/or changing the staging. These changes may involve increased cost, but in a project which is projected to cost more than \$230 million, any possible increased expense cannot exceed a miniscule percentage of the total. (We understand that a city council person is proposing to donate a substantial amount of discretionary funds to JHH in order to bring about a modest change in height of the private development, which is already significantly shorter than the nursing home. These funds could as easily be dedicated to finding a reasonable solution to the zoning issues posed by the nursing home building).

We appreciate that we are on a ULURP clock and that time is running out. But the context is this: JHH has had two years' notice that the area would be rezoned, and chose to stonewall the process until beyond the eleventh hour. It is still stonewalling the community, refusing to make any meaningful changes, while apparently making empty threats in private meetings with elected officials to move from the councilmanic district if its demands are not met. To our knowledge no one, not even the elected officials, have been allowed to examine JHH's claims in detail, or to question its assumptions. If it is too late to do so now, the burden should rest where the fault lies-- with JHH, not the community.

Upon adoption by the City Council of the rezoning unanimously approved by City Planning and the Community Board, JHH will not be without remedy. It should follow the traditional path of a BSA variance application. Community Board 7 has and will continue to have an open mind with respect to such an application and we are certain that—if provided with access to necessary information heretofore withheld—an appropriate resolution can be arrived at. For the foregoing reasons, it is

RESOLVED, that the Land Use Committee of Community Board 7, at an emergency meeting called in response to a proposal by the Jewish Home and Hospital to be exempted from a rezoning proposal for the 97th-110th street area on the West Side of Manhattan, disapproves the JHH proposal, without prejudice to an Application to the Board of Standards and Appeals should JHH be so advised.

Testimony of Gary R. Tarnoff
to
New York City Council
Zoning and Franchises Subcommittee
on September 17, 2007

Good morning Chairman Avella and members of the Subcommittee. My name is Gary Tarnoff of the law firm of Kramer Levin Naftalis & Frankel. We are land use counsel to the Jewish Home and Hospital, whose Manhattan Campus occupies most of the block between West 105th and 106th Streets, Amsterdam and Columbus Avenues in Manhattan. As described by Dr. Weiner, the Jewish Home's Manhattan Campus is comprised of a number of antiquated buildings (the earliest dating from the 19th Century), and the Campus is fast approaching its physical obsolescence. Simply put, the Jewish Home must rebuild its Campus in order to continue to serve its mission and clients. The current rebuilding program includes a new 386-bed skilled nursing facility that meets modern standards and the attendant sale of a portion of the Campus to a developer for a new residential building. Proceeds from the sale of the residential parcel are an important component of the financing for the nursing home. Toward this end, the Jewish Home negotiated for a number of years with the NY State Department of Health to define a rebuilding program. Having finally reached a tentative agreement for rebuilding the Campus with the NYS DOH in November 2006, the Project is now jeopardized by the Proposed Upper West Side Rezoning that you are considering this morning.

Although the Jewish Home has been both publicly and privately supportive of the overall goals of the Rezoning, the reality is that the proposed split-lot R8A/R8B zoning pattern would not allow the rebuilding of our properties as a unified Campus. Therefore, our request is that the City Council maintain the existing R7-2 designation for the Jewish Home's Manhattan Campus.

R7-2 districts and the other high density “height factor zones” are widely mapped on the Upper West Side and other areas of New York City, and the regulations of these districts are particularly advantageous when planning and developing community facilities. The “contextual zones” that have been proposed (R8A on West 106th Street and R8B on West 105th Street) impose a split-lot condition that effectively establishes two sets of bulk regulations for our two-plus acre property, which has historically functioned as a campus.

In reviewing our request to retain the existing R7-2 zoning designation, I would like to point out that more than 70% of the study area between Amsterdam Avenue and Central Park West will actually retain its existing “height factor” zoning, with R7-2 being the most prevalent zone.

During the weeks and months leading up to this hearing, the Jewish Home, with the assistance of Council Member Viverito and other elected officials, has reached out to its immediate neighbors and the broader community and has not only agreed to a number of significant revisions to its rebuilding program but has also established a continuing process for resolving issues related to construction activities as well as the future operation of the Manhattan Campus. The agreed upon development restrictions, which include height, floor area and use limitations, will be imposed through a restrictive declaration on our property. In addition, a Memorandum of Understanding has been drafted that addresses our neighbors’ concerns with respect to both construction activities and the future operation of the Manhattan Campus.

A favorable vote by the Zoning and Franchises Subcommittee to retain the R7-2 zoning district for the Jewish Home’s properties is a critical step in advancing the rebuilding of its

Manhattan Campus and ensuring that these critical services for seniors and over 900 jobs remain at this Upper West Side location.

**TESTIMONY OF AUDREY WEINER TO THE ZONING SUBCOMMITTEE
OF THE NEW YORK CITY COUNCIL**

Monday, September 17th, 2007

Good morning, Chair Avella and members of the City Council Zoning Subcommittee. My name is Audrey Weiner and I am CEO of the Jewish Home and Hospital Lifecare System, a not-for-profit health care system serving 9,000 elders annually through campuses in the Bronx, Manhattan and Westchester. We appear today to seek your support to rebuild our Manhattan campus on West 106th Street between Columbus and Amsterdam Avenues. Importantly, it is our intention to remain open and not displace our residents or our workforce during construction.

We have operated at our present location on the Upper West Side of Manhattan since 1883. We are one of the largest skilled nursing facilities in Manhattan, serving over 2,000 elders annually. This includes our nursing home residents, elders enrolled in adult day programs, and seniors who receive care in their own home. 63% are Medicaid eligible. The population we serve includes a diversity of ethnic and religious backgrounds, and many Upper West Side residents. We employ 919 staff, including 684 members of SEIU Local 1199, and we contribute significantly to the local economy, spending over \$50 million annually, including millions of dollars with small businesses on the Upper West Side.

While our staff works hard to provide top-quality geriatric care to our residents and patients, our facility has reached the end of its useful life. It is painfully clear that our physical plant is inefficient and outmoded. Simply stated, if it is not rebuilt, we will be forced to close...and that is something that no one finds acceptable.

A new nursing home will cost \$232 million to build; the state will provide a mortgage for \$122 million, leaving a shortfall of \$110 million. Although we have an aggressive fundraising campaign for this project, it is clear that we could not meet this shortfall through fundraising alone. We need to sell a portion of our property to a developer.

As our plans to rebuild were becoming viable, we learned that the Upper West Side rezoning was being finalized. We realized that our ability to construct a new nursing home and to sell a portion of our property for development would be jeopardized by the height limits imposed by the rezoning, and thus our request to you today to allow the Jewish Home & Hospital to retain its current zoning.

As a result of discussions with Community Board 7 and with our neighbors, we have significantly reduced the planned heights of both the nursing home and the developer's building to conform more closely to the proposed rezoning. We arrived at an agreement with our immediate neighbors to minimize the impacts of construction on the surrounding area. We likewise committed ourselves to a sweeping restrictive declaration to restrict the height and bulk of the nursing

home and developer buildings and to restrict the use of the nursing home parcel to long-term care facility use or other non-profit community-based facility use. And we have committed to an ongoing collaboration with the community by establishing a permanent Community Advisory Board.

I respectfully ask that the Zoning Subcommittee grant our request to retain our current zoning on West 106th Street, so that we might rebuild our Manhattan campus and remain on the Upper West Side to continue serving older adults for many years to come.

Thank you.

**TESTIMONY TO THE ZONING SUBCOMMITTEE
OF THE NEW YORK CITY COUNCIL**

Monday, September 17th, 2007

Good morning/afternoon. My name is Ron Soloway and I am the Managing Director of UJA-Federation of New York's Government and External Relations Department.

UJA-Federation of New York is a network of more than 100 agencies committed to caring for persons in need, providing services to vulnerable populations, and strengthening the Jewish community in New York and throughout the world.

UJA-Federation considers caring for the elderly a critical part of our organization's mission. We work to ensure that older adults have access to the services they need to maintain their health, their mental well-being, and their quality of life.

When UJA-Federation was founded in 1917, Jewish Home and Hospital was a founding partner of the organization. In fact, JHH had already been operating at its present location on the West Side for 34 years, since 1883. In the 90 years since UJA-Federation's inception, our organization has continued to work closely with JHH to provide vital social services to elders in New York. UJA-Federation's lay leaders volunteer at JHH on a regular basis and participate in social programs for elders served by JHH, and UJA-Federation is a financial supporter of JHH.

JHH has a long history of serving the elderly from all backgrounds. In fact, of the elders served by JHH in Manhattan, 60% are not Jewish. UJA-Federation is pleased to work with an organization that is both attentive to the specific needs of the Jewish elderly, as well as responsive to New York's diverse community.

UJA-Federation feels strongly that JHH's presence in Manhattan and on the Upper West Side is of great value to the Jewish community and to all its neighbors. However, we are deeply concerned that JHH's excellent quality of care is constrained by its outdated physical plant and we are highly supportive of its efforts to rebuild its campus.

On behalf of UJA-Federation, I would like to respectfully ask that the City Council approve JHH's proposal to modify the zoning plan before you, in order that it may rebuild its campus and continue serving the Jewish community and the community at large for many years to come.

Thank you for your time and consideration.

TESTIMONY TO THE ZONING SUBCOMMITTEE
OF THE NEW YORK CITY COUNCIL
Monday, September 17th, 2007

Good morning. My name is Lori Kolinsky and I am the Director of Youth and Family Programs in the Emerging Leaders and Philanthropists' Division of the UJA Federation of New York. In this capacity, I work to bring UJA volunteers to the Jewish Home and Hospital (JHH) to interact with the residents and participate in a number of elder care programs.

Through my work with JHH, I have developed a great respect for the care that JHH provides to residents and their families. I am here today to express my strong support for JHH's proposal to rebuild its Manhattan campus, and to respectfully ask the City Council to allow JHH to implement this plan by retaining its current zoning.

In 2005-2006, UJA Federation organized more than 118 volunteer opportunities for New Yorkers to roll up their sleeves and make a real difference in the lives of their neighbors. Some of these New Yorkers chose to dedicate their time and effort to volunteer programs at JHH. UJA volunteers came to JHH to celebrate holidays with elderly residents, some of whom have no family in the area. Other volunteers participated in intergenerational programs that pair young people with elder residents, such as the "Moms and Tots" program and the After School Arts and Crafts Program. These intergenerational programs can be truly

transformative for the young people, who learn much from the life experiences of the older adults, and for the elders themselves, who benefit from their interaction with energetic young people, full of life and vitality.

These volunteer programs are simply one way in which JHH serves the community and the borough. JHH also provides outstanding patient care to the nursing home residents, support services for the families of its nursing home residents, and home health care for elders that allows them to continue functioning daily in the comfort of their own homes.

I respectfully ask that the City Council approve JHH's proposal to retain its current zoning, in order that it might rebuild its campus and continue serving people – both young and old – in this community.

Thank you.

TESTIMONY TO THE ZONING SUBCOMMITTEE
OF THE NEW YORK CITY COUNCIL

FOR THE RECORD

Monday September 17th, 2007

Allan Glick

Good morning/afternoon. My name is Allan Glick and I am a member of the Board of the UJA-Federation of New York. I also serve as the Chair of the UJA Network Commission, a funding institution for over one hundred UJA-affiliated social service agencies. As you may know, UJA-Federation is the largest domestic local philanthropy. In our fiscal year ending June 30, 2007, we raised almost \$300 million, which is distributed to social service agencies throughout New York City, Westchester and Long Island, as well as overseas. These funds are used to support health, human and social services to a broad variety of communities.

Jewish Home and Hospital (JHH) is the only nursing home in Manhattan that is part of the UJA Federation Agency Network. UJA strongly supports JHH's mission of service to elders and its commitment to quality care for its patients in need of rehabilitation, home care, skilled nursing care, care management, caregiver support, and public health education. JHH's work in Alzheimer's disease, Parkinson's disease, elder abuse identification and telemedicine builds on core expertise in the field of geriatrics that has been developed in the nursing home.

JHH has a long and distinguished history of service to the Upper West Side community, having operated at its present location as a nursing home since 1883. But with this long history comes an ailing physical plant desperately in need of repair, and an aging infrastructure that limits JHH's ability to provide cutting-edge medical care to its residents.

UJA Federation supports JHH's endeavor to improve its facilities by rebuilding its campus, and has pledged to contribute financially to JHH in order to help make this happen. We made this pledge with the knowledge that JHH would be a full partner in raising as much money for this project as it possibly could. But this plan to rebuild JHH's campus cannot be realized through fundraising or philanthropic efforts alone. It can only be realized by the sale of property – not for financial gain, but to aid the mission of a worthy not-for-profit institution in caring for its patients.

On behalf of UJA-Federation and its strong support for JHH, I would like to respectfully ask that the City Council approve JHH's proposal to retain its present zoning in order that it might rebuild its campus and continue to fulfill its mission of high quality health care for its residents and the community.

Thank you for your time and consideration.

TESTIMONY TO THE ZONING SUBCOMMITTEE

OF THE NEW YORK CITY COUNCIL

Monday, September 17th, 2007

Good morning. My name is Dr. Fred Sherman, and I am here today to testify in favor of the proposal by Jewish Home and Hospital to retain its current zoning and rebuild its campus.

I serve as the Medical Director for Senior Health Partners, an organization created by a collaboration of the Jewish Home and Hospital, Mount Sinai Hospital, and the Metropolitan Council on Jewish Poverty. Senior Health Partners is pioneering a new concept in health care that allows frail older adults to remain in their own homes longer by providing them complete medical, social, nutritional and rehabilitation services. At some point, these elders may be admitted to a skilled nursing facility such as JHH for more intensive care. But for a time, the services provided by Senior Health Partners allows them to stay in the comfort of their own homes – a choice that is, predictably, preferred by an overwhelming number of older adults.

Other seniors who participate in Senior Health Partners are those who are admitted to a short-term rehabilitation program at JHH, and upon completion of the program, choose to go back to their homes in the community rather than

enter a long-term residence at a nursing home. Senior Health Partners provides the care and assistance they need to make that transition back into their homes.

Senior Health Partners is one of the more recent advances sponsored by JHH, but the Jewish Home has always been an innovator in health care services. In 1883, the same year that JHH opened the doors to its present campus on the Upper West Side, JHH became the first nursing home to offer private and semi-private rooms. In 1938, JHH assigned the first on-site social worker to assist its nursing home residents. In 1986, JHH opened the first day program for visually impaired elders. And in 1996, JHH became the first nursing home to establish a center to provide special rehabilitation therapies for elders with swallowing and speech conditions.

I would like to respectfully ask the City Council to approve the request by Jewish Home to maintain its present zoning so that it can rebuild its nursing home facility. JHH is too great an institution for this community to lose, for the sake of the elders who depend on its services now, and for those who will benefit from JHH's current and future innovations in nursing home care.

Thank you.

TESTIMONY TO THE ZONING SUBCOMMITTEE
OF THE NEW YORK CITY COUNCIL
Monday, September 17th, 2007

Good morning. My name is Noel Auld. I have worked at the Jewish Home and Hospital for 21 years as a Certified Nursing Assistant, and I represent JHH staff as a union delegate with SEIU Local 1199. I would like to respectfully ask that the City Council approve the Jewish Home's zoning request, so that our nursing home can be rebuilt into a modern, 21st-Century facility.

JHH is a wonderful place to work. Our staff is like a family, and we really bond with the residents. We work hard to make our residents comfortable and provide them with the care that they need. However, our nursing home buildings are outdated and institutional. They do not support the privacy that could greatly enhance the quality of life for our residents. The corridors are long and hospital-like. The buildings on campus were built at different times, during different decades, and the connections between them are a hindrance to staff and resident mobility. Because the buildings are so old, they were not designed for a wheelchair-bound population – which is a huge drawback, considering that most of our residents operate from wheelchairs. Finally, the antiquated lifts – mechanical equipment used to move patients to and from their beds – are inefficient and are prone to cause staff injury. Newer nursing facilities, such as

the one planned by JHH, provide a lift-free environment, which allows residents to move themselves and reduces physical stress on the staff.

The staff at JHH would benefit greatly from a new nursing facility, nearly as much as the residents. Please vote to approve this request by JHH to keep its zoning and rebuild its facility into a better and more modern environment for the people it serves.

Thank you for your time and consideration.

Testimony at ZONING SUB COMMITTEE PUBLIC HEARING

Monday September 17th, 2007

Good Morning. My name is Ilene Marcus and I have lived on the Upper West Side for the past 24 years, the past 12 on West 84th Street. I have raised my daughter here. She is entering 7th grade and attends DELTA at BTW which is between 107th and 108th Street immediately in the neighborhood of Jewish Home.

In addition to my commitment to our Upper West Side community, in my professional life I am the Chief of Staff at the Metropolitan Council on Jewish Poverty, an organization focused on the needs of poor, older adults in the greater New York metropolitan area including housing, food, health needs, and safety. Our mission also includes advocacy for this population group. It is in this context that I speak to you tonight, both as a resident of the UWS and a professional passionately committed to the needs of the elders in our community.

As all of you know, very soon, baby boomers will be aging in. This means that in every community around the country and particularly in NYC, and definitely on the Upper West Side more and more seniors will need resources to remain in their community.

The Jewish Home and Hospital has been a part of the Upper West Side community since 1884. They began as an organization committed to providing housing for poor older women who had neither families nor the economic means to live independently. From that, they have grown and developed over the past 160 years to become an organization serving almost 10,000 elders a year. But their mission remains the same. To help the seniors enter their twilight years in dignity. Overwhelming, the JHHA continues to support those without financial means. In the nursing home, 63% of clients are supported by Medicaid. In home care, this number is 100%. Without the home care provided to these elders in the community, it is highly likely they would no longer be able to reside in their homes, in this UWS that they call home.

The plans for rebuilding of the Jewish Home will provide additional resources for rehabilitation to allow individuals to get better so that they can return to the community after a fractured hip, stroke or bout of cancer. This plan will increase the Jewish Home's ability to serve over 700 needy individuals in their homes on any given day in Manhattan. I am proud to live in a community with an institution like the Jewish Home.

The Jewish Home needs to grow to remain in the fabric of our community. Last week, after months of construction, a new bank opened on the corner of 85th street and Broadway. As I was preparing for tonight I thought about when I attended Columbia University School of Social Work and was lucky to have my internship at the Jewish Home. Today more than 650 University and College students do their internship at Jewish Home getting ready to be the leaders and doctors and caregivers for all of us as we age. Clearly there is a greater benefit to the community from the Jewish Home building than a bank on every corner.

In summary, I come here today to strongly support Jewish Home's efforts and urge this community to embrace this wonderful resource. I know that when my time comes to receive help, I hope I am fortunate enough to have the resource of the Jewish Home.

**TESTIMONY TO THE ZONING SUBCOMMITTEE
OF THE NEW YORK CITY COUNCIL**

Monday, September 17th, 2007

Good morning. My name is Lucille Gerard. For over 5 years, my very best friend – my mom – has lived at the Jewish Home and Hospital (JHH). As a victim of Alzheimer's disease, my mother's health had deteriorated to the point where she could no longer live on her own, and needed daily professional health care. I chose JHH because I thought it would provide my mom the best care, and I have not been disappointed. I am grateful to the staff at JHH, who do a phenomenal job and provide top-notch care for my mother. Without JHH in Manhattan, and the services it provides, I don't know what she or I would do.

I would really like to see JHH stay in Manhattan, for moms like mine and for older adults who need a good place to live and high-quality care during their elder years. That's why I am here today – to ask the City Council to support JHH's request to keep its present zoning so that it can rebuild its nursing home, and stay in Manhattan.

Thank you for your time and consideration.

**TESTIMONY TO THE ZONING SUBCOMMITTEE
OF THE NEW YORK CITY COUNCIL**

Monday, September 17th, 2007

Good morning. My name is Jerry Schiller, and I am here in several capacities to testify on behalf of Jewish Home and Hospital's request to retain its current zoning and rebuild its Manhattan campus.

I serve as the President of the Health Care Consulting Group of the National Executive Senior Corps (NESC). NESC is a nonprofit volunteer organization dedicated to helping fellow nonprofits in the tri-state area address managerial and operational challenges by offering the expertise of retired executives and professionals. In this role, I work closely with the Jewish Home and Hospital to implement leadership development programs that facilitate internal expertise and training on an administrative level. I am consistently impressed by the enthusiasm and passion exhibited by JHH staff for their mission of caring for the elderly.

But I am also speaking today as an Upper West Sider. I have lived on the Upper West Side for ___ years and believe that Jewish Home and Hospital is truly a community treasure. In fact, when my family and I faced the decision to place my mother in a nursing home, I knew that JHH was the best place for her. My mother lived there for ___ years and always received excellent care. I would

highly recommend JHH to any of my friends or neighbors facing the tough decision of where to place a family member in need of care.

I am proud to be associated in so many ways with Jewish Home and Hospital. This historic institution is an irreplaceable part of the fabric of this community. I strongly urge the City Council to support the needs of elders and their families on the Upper West Side by voting to allow JHH to retain its current zoning. Doing so will enable a truly invaluable community institution to rebuild its campus and continue its worthy mission of serving the elders of our neighborhood and our city.

Thank you for your time.

TESTIMONY TO THE ZONING SUBCOMMITTEE

OF THE NEW YORK CITY COUNCIL

Monday September 17th, 2007

Tami Schneider

Good afternoon. My name is Tami Schneider, and I am here to testify today in several capacities on behalf of Jewish Home and Hospital's plan to rebuild its campus. I am a caregiver to a parent who resides at the JHH nursing facility; I am a resident of the Upper West Side; and am a member of the Board of Trustees of Jewish Home and Hospital (JHH).

I have lived on West 83rd Street for ___ years, and I fully support the effort of my neighbors and my elected officials to preserve the character of the Upper West Side by rezoning it. However, I also support JHH's effort to preserve itself as an integral part of the fabric of our community, and in so doing, preserve a part of our neighborhood for future generations.

When it was clear that my mother-in-law needed care over a year ago, we knew that JHH was the only choice for us. I know first-hand how important it is to have JHH as a part of the community. My husband, children and I can visit my mother-in-law every day because JHH is in our neighborhood. Our story is only one of the hundreds of families whose lives remain intact because of the supports the Home provides.

As a member of the board of the Manhattan Division of Jewish Home for the past two years, I have actively participated in the formation of the Jewish Home's plan to rebuild its nursing home. The Board has carefully developed these plans over the last five years, and has analyzed all possible alternative options for improving the JHH nursing home without rebuilding it completely. After close examination, none of these alternatives were deemed viable; rebuilding was the only option that made sense. Rebuilding while remaining open and operational is the only choice for elders like my mother in law and families like ours.

JHH's proposal to rebuild its campus is modest and contextual, and will keep with the spirit of the Upper West Side rezoning. I therefore urge the City Council to allow JHH to retain its present zoning and rebuild its campus, so that families like mine have the comfort of knowing their elderly loved one is near.

Thank you for your time and consideration.

TESTIMONY TO THE ZONING SUBCOMMITTEE
OF THE NEW YORK CITY COUNCIL
Monday, September 17th, 2007

Good morning. My name is Alison Jarvis. My family and I are long-time residents of the Upper West Side. My husband, Larry, has been a resident at JHH since last spring. I would like to express my deep appreciation to JHH for the tremendous care they have provided to him during his stay there, and to communicate my hope that the City Council will approve JHH's request to rebuild its Manhattan campus, in recognition of the great work that they do for our community.

Larry was diagnosed with Parkinson's disease 28 years ago. He lived at home until he needed more intensive care, which he now receives at JHH. The caring and dedicated staff in the Parkinson's Unit at JHH have given him superb medical attention, and while he cannot participate in the physical activities offered at JHH, he loves spending time in the garden. And as a former cellist in the New York Philharmonic for 42 years, he derives great pleasure from the concerts that are held in the JHH auditorium.

My family and I feel blessed that Larry has been able to stay in our community and close enough to home that a member of our family is able to be with him every day. Location is of great importance to us, as we regularly take Larry to

restaurants and shops in the area, to friends' homes and to Riverside Park. He is on his home turf, in his community!

To my mind the JHH has no equal in any of the services it offers, but is burdened by its outdated facility. We would love for Larry to have more room, more privacy within his room, a place to meet with his many guests and more attractive surroundings. We would like for him to benefit from the technological advances that are used in other newer facilities to improve resident-caregiver interactions. These improvements would make a dramatic difference in Larry's quality of life and in the lives of the other residents on the campus.

It is highly unlikely that Larry will be able to enjoy what a new facility will provide for residents and for staff, but he and we want others to have that chance.

Please approve the Jewish Home's request to maintain its zoning, so that it might rebuild its Manhattan campus and improve the lives of so many of its residents, families and staff.

Thank you for your consideration.

**TESTIMONY TO THE ZONING SUBCOMMITTEE
OF THE NEW YORK CITY COUNCIL
Monday, September 17th, 2007**

Good morning. My name is Catherine Merino. Since last summer, I have volunteered at the Jewish Home and Hospital as a member of the Ambassador Program. I am here today to speak in favor of the Jewish Home's zoning request and its plan to rebuild its Manhattan campus.

The JHH Ambassador Program provides an individual level of attention to newly-admitted residents. Ambassadors are assigned to new residents to help them settle into their new home and to ensure that they have the information they need to feel comfortable. During my time in this program, I have heard from many residents' families that JHH's location on the Upper West Side was a prime factor in the decision to place their loved one at this facility. Elders and their families choose JHH because it is located in their home neighborhood. I have had the opportunity to witness how vital it is for the Jewish Home to remain in its current location.

I respectfully ask the Council to approve the plan to allow this vital community resource to remain in the Upper West Side Community.

Thank you for your time.



**Testimony of Scott Amrhein
President, Continuing Care Leadership Coalition
Greater New York Hospital Association**

to the

Zoning Subcommittee of the New York City Council

September 17, 2007

Good day, Chairperson Avella, and members of the City Council Zoning Subcommittee. I am Scott Amrhein, President of the Continuing Care Leadership Coalition (CCLC) of the Greater New York Hospital Association (GNYHA), which represents nearly 300 not-for-profit hospitals and continuing care facilities, both voluntary and public, in the greater New York metropolitan area. I am here to today to express my support for the rebuilding of the Jewish Home & Hospital Lifecare System's facility on the Upper West Side of Manhattan.

The Jewish Home & Hospital has cataloged many reasons why the existing Manhattan facility is no longer viable, including: 1) sections of the facility date back to the 1880s; 2) it was not designed to accommodate wheelchair-bound residents and many bathrooms are not wheelchair accessible; and 3) its inefficient layout causes scarce resources to be diverted for plant operations rather than deployed fully for patient care. The fact that the physical plant is so old is a reflection of the general condition of health care facilities in New York State.

The principal reason why The Jewish Home & Hospital must build a new facility rather than renovate its current facility is that renovating the current facility would require taking beds out of service in stages over the next 10 years. Given the nursing home bed shortage in Manhattan, this is not feasible, nor is it acceptable to the New York State Department of Health. Three other very important reasons to build a new facility are: 1) to provide a safer patient environment, particularly with respect to the prevention of infections among the resident population; 2) to improve energy and operational efficiency; and 3) to offer a state-of-the-art residential long-term-care environment on the Upper West Side that is person-centered and home-like for the growing numbers of residents who will need long term care services in the coming years.

The Jewish Home and Hospital's plans to rebuild its campus are necessary steps to maintain the high standard of health care that it has provided for so many years and, more importantly, to bring that standard of care into the 21st Century. These renovations cannot be accomplished unless the proposed new design is allowed to move forward, and a portion of the Jewish Home's existing property is sold to a developer in order to generate funds to subsidize the redevelopment.

I am here to respectfully request that the City Council consider the great benefit that the Jewish Home and Hospital provides to its community, and approve the Jewish Home's request to retain its present zoning so that it might continue to serve the Upper West Side and all of Manhattan for many years to come.

Thank you for your time and the opportunity to speak before you today.

**TESTIMONY TO THE ZONING SUBCOMMITTEE
OF THE NEW YORK CITY COUNCIL**

Monday, September 17th, 2007

Good morning. My name is Jay Sackman and I am the Executive Vice President of 1199 SEIU New York Health & Human Services Union.

1199 SEIU is a proud partner with Jewish Home and Hospital (JHH) in providing quality health care to over 9,000 elders annually throughout New York City and Westchester County. Over 1,400 elders are served each year by the Manhattan campus. Of the 919 staff employed at JHH's Manhattan campus, 684 are 1199 SEIU members. Our union members work closely with JHH administration and staff to co-sponsor programs to benefit the staff and residents, including workforce training, summer youth employment, and improvements to nursing home care, known as 'Culture Change'. These joint efforts have forged a strong relationship between JHH and the employees who work there, all to the purpose of improving the lives of older adults and supporting their families.

The Manhattan campus of JHH is a large employer, with an annual payroll exceeding \$40 million. The jobs created by this organization are vitally important to our local work force in both their quantity and their quality. JHH consistently maintains a low nurse turnover rate compared with the state average; in 2006, JHH had a 12% turnover rate, compared with more than 70% turnover in some

facilities, and 100% turnover in others. This low turnover rate leads to better patient care and greater economic stability for the workers.

1199 SEIU wholeheartedly supports JHH's plan to redevelop its Manhattan campus. While JHH staff members work hard to provide a high quality of care to the nursing home's residents, staff is constrained by JHH's outdated and inefficient facilities. The buildings were not designed to accommodate a wheelchair-bound population and many areas of the nursing home are not ADA-accessible. These limitations hamper the ability of the nursing home staff to assist residents in gaining mobility. Mechanical equipment used in resident care has aged well past its estimated life span, making it more difficult for staff to perform their daily functions. The new nursing home facility will be lift-free, an improvement that will prevent worker injury and provide a safer form of movement for the elders. This facility will serve the elders in a more dignified manner, and it will improve the environment for JHH workers as well.

It is our hope that the City Council will support JHH's request to retain its current zoning in order to rebuild its campus without staff layoffs or campus closures that would be detrimental to the care of the residents.

As a partner with JHH, 1199 SEIU sincerely hopes that for all parties involved, such a positive outcome can be reached.

Thank you for your consideration.

**TESTIMONY TO THE ZONING SUBCOMMITTEE
OF THE NEW YORK CITY COUNCIL
Monday, September 17th, 2007**

Good morning. My name is Maria Rivera. I have been a client at the Adult Day Center of Jewish Home & Hospital in Manhattan for three and a half years.

I would like to ask the City Council to support the efforts of Jewish Home & Hospital to rebuild its new campus.

Jewish Home & Hospital Day Center is my second home.

Many people need this program. Rebuilding the campus

will allow Jewish Home & Hospital to continue to serve

many clients now and in the future. Many people are

getting older and many people will need a center like the

one that I go to. Their lives will be a lot better if they just

come to the program. It has certainly improved mine.

I am asking for your support on my behalf and on behalf of the many seniors who come to our Day Center of Jewish Home & Hospital.

Thank you very much.

TESTIMONY TO THE ZONING SUBCOMMITTEE
OF THE NEW YORK CITY COUNCIL
Monday, September 17th, 2007

Good morning. My name is Laurie Davidowitz. I am here today to ask for your support for the Jewish Home & Hospital Manhattan campus re-building project which will enable them to continue to provide healthcare services and jobs in their Upper West Side community.

My family and I have been very involved with the JHH for over 8 years. With the birth of our first child, we decided to make an annual volunteer commitment on Thanksgiving to the JHH. We join a group of volunteers who visit with residents on every floor each Thanksgiving. Our now family of five looks forward to this yearly tradition. In addition, we volunteer after school, doing art projects or playing bingo with residents. I have personally organized morning visits to JHH with groups of toddlers. The blossoming relationship between the seniors and toddlers is a joy to watch.

I must add that my 100 year old cousin spent last summer at JHH before passing away in late August. We were fortunate enough to have such a wonderful place take care of him in his last few months alive.

Since 1883, Jewish Home has made its home at 106th Street between Columbus and Amsterdam Avenues. JHH is committed to staying on the Upper West Side

but in order for this to happen, it is imperative that the Manhattan campus be rebuilt. Please vote to support JHH in this endeavor by allowing JHH to retain its current zoning. Your support for this project will help to ensure that elders in Manhattan, particularly on the Upper West Side, have access to the health care services they need to lead long, healthy, and fulfilling lives, and will help to continue steady employment for the dedicated Jewish Home staff who provide care for these residents every day.

Thank you for your consideration.

TESTIMONY TO THE ZONING SUBCOMMITTEE
OF THE NEW YORK CITY COUNCIL
Monday, September 17th, 2007

Good morning. My name is Antonette Mentor. I am the Program Director of the Jewish Home & Hospital Adult Day Health Care Program in Manhattan, and I am a resident of the Upper West Side. Thank you for the opportunity to express my support of the rebuilding of the Jewish Home & Hospital Manhattan campus.

The Adult Day Health Care Program at JHH provides health care to 225 older adults each year, many of whom live on the Upper West Side in the vicinity of the Jewish Home & Hospital. Participants are provided with safe, door-to-door round-trip transportation to and from our Day Center on West 106th Street. At the Center, they receive nursing supervision and medical monitoring with supplementary medical health services, as well as physical therapy, occupational therapy and speech therapy. Participants are provided with breakfast and a hot nutritious meal, and engage in a variety of social and recreational activities including exercise classes, music groups, crafts, singing and discussion groups. Our center provides all of these day care services five hours a day, seven days a week.

At the end of the day, participants return to their homes. For many older adults, receiving nursing home quality care and social interaction while continuing to live

in the comfort of their own home is a vastly preferable option to entering residence at a nursing home. At some point, they may need to enter a nursing home for more intensive care, but our program allows them to remain in their homes for as long as possible.

JHH is a great institution, but its physical structures are deteriorating. Rebuilding the JHH campus will enable our program to better serve our day center clients, both clinically and environmentally.

On a personal note, my family and I have lived on the Upper West Side for three years now. When I go to work each day at the JHH Day Center, I know that I am serving my elderly neighbors who live in this community. JHH's services are truly an important part of this neighborhood. As both a JHH staff member and a community member, I hope that JHH is able to remain in its present location for many years to come. I respectfully ask that the City Council allow JHH to retain its present zoning so that it can rebuild its nursing home and remain in our community.

Thank you for your consideration.

TESTIMONY TO THE ZONING SUBCOMMITTEE
OF THE NEW YORK CITY COUNCIL
Monday, September 17th, 2007

Good morning. My name is Pablo Perez and I am a local business owner on the Upper West Side. My business is a car service called Superior Cars, which is located at West 105th Street and Columbus Avenue. I am here today to support the Jewish Home and Hospital's request to keep its zoning so that it can rebuild its campus and remain on the Upper West Side.

Like any local business, my success depends on loyal customers in the neighborhood. For years, Jewish Home and Hospital has been an important customer of Superior Cars. They are the largest employer in this neighborhood, with over 900 staff employed on their campus. They serve over 1,400 older adults and their families each year. With such a large base of employees and clients, the Jewish Home represents a significant amount of business to Superior Cars, as well as to the other businesses in the area surrounding JHH. Most of the local businesses in this neighborhood are small delis, restaurants and locally owned shops. It would be a great economic loss to all of our local entrepreneurs if the Jewish Home had to close its doors on the Upper West Side.

I respectfully ask the City Council to consider the impact to our local businesses if JHH is unable to rebuild its campus, and is forced to leave Manhattan. Our local economy cannot afford to lose such an important customer and community partner.

Thank you for your time and consideration.

Ark of Refuge

213 Manhattan Avenue, Corner of West 109th Street
New York, New York 10025
Rev. Marcos Castillo, Pastor
212- 531-1640
917-501-7361

September 16th , 2007

RE: Zoning Changes

Rev. Marcos Castillo
Pastor

Elder Salvador Ramos
Co-Pastor

Hna. Iraida Castillo
Missionary

Hna. Anita Hernandez
Treasurer

Hno. Ramon Suarez
Sub-Treasurer

Hna. Karina Hidalgo
Sub-Secretary

Hna. Juanita Vega
Elder

Hna. Mercedes Arizmendiz
Elder

Hno. Dario Montalvo
Elder

To whom it may concern:

Recently, we found out that the zoning from West 97th Street to West 110th Street are being rezoned due to the new high rise building constructed in our community. Apparently, this has been consider for quite some time and we were not informed.

This zoning changes will affect our future project. In looking in to the future of our church, for quite sometime we have consider to expand our vision. In doing so, we have come to the conclusion that we want to construct an apartment building in our property to help finance our non-profit organization for the missions abroad. We have already met with contractors, architects, project managers towards this matter. Keeping in mind that in doing so our community will also benefit from our project.

Currently, our church sponsors missions in other countries such as Dominican Republic, Brazil and Haiti. The Pastors and the missions we sponsor are poor. Monthly we currently send love offerings to our pastors abroad, but these churches are growing and new temples at these countries need to be constructed so that our mission and vision expands. In the near future we will sponsor another pastor with a vision in Guerrero Mexico. The fund that will be obtain though this project will help us re-establish our missions in these countries.

In order for us, as a non-profit organization to bring these projects in to effect it has to be on our own terms and labor. We do not receive no money whatsoever from the government or any financial institution. Consequently, we come before you today as a united church in look of improvement and in desire of extending a helping hand to those in need. Our point is that you will reconsider the zoning changes that are soon to take place. We are currently, under the R-7 zone if any changes should take place should be to increase the zone to R-8 not decrease. If this decrease in zone takes place our project will be extremely affected, and our financial goal will not be met.

Why change the zone now when technically, we the church at West 109th Street and Manhattan Avenue are already surrounded by high rise buildings? The Verizon Building property next to ours is already 13 floors tall, the building across the street looking to West 109th Street that pertains to Columbia University is over 10 floors high. The one in the corner of 110th Street and Manhattan Avenue is 9 floors tall.

Because of these reasons, and many more our church and the community unanimously have come together to peacefully ask you to take our petition into consideration. Enclosed, you will find signatures of such the community and church members.

Sincerely yours, 

1. Antonio Moya 95th 120 West 17th
2. Ramon Nunez
109 West - 109 St. A 4 C.
3. Tomasina Nunez
4. Rev. Arturo Cordero 135 W 106 St
5. Herminda Montilla 165th Amsterdam Ave 10025
6. Angel Zambrano 826 Columbus Ave #18G NYC 10022
7. Isabel Rosano - 207 Amsterdam Ave #18E Bronx NY 104
8. Ana Hernandez - 845 Columbus Ave #12A New York, N.Y. 10025
9. Alcides Martinez 210 Broadway 97st.
10. Virginia Cordero 135 West 106 St #5B
11. Maria Morales 850 Columbus 103 St.
12. Pedro Hernandez 96th St #5 E 96 St
13. Carmen A. Montilla 2101 LEXINGTON AVE APT 7F
MANHATTAN NY 10035
14. Carmen A. Medina 179 E. 105 St #5W
New York NY 10029
15. Xiomara Medina
16. Alberto Medina
17. Emmanuel Medina
18. Luis A. Medina
19. Jasmin Medina
20. Juan Vazquez
21. Carmen Diaz 1018 E. 163 St. Apt. 2-R
BRONX, N.Y. 10454
22. Juan Diaz
23. Maria Aules - 2035 MARMINON AVE APT 2 E BR-NY 104160
24. Emily Salas Rio - 808 Amsterdam Ave. Apt 2C New York, NY 10025
25. Pedro Hernandez 845 Columbus Ave Apt 12A
26. Mercedes Arzobispo 870 COLUMBUS AVE APT 8H 10025

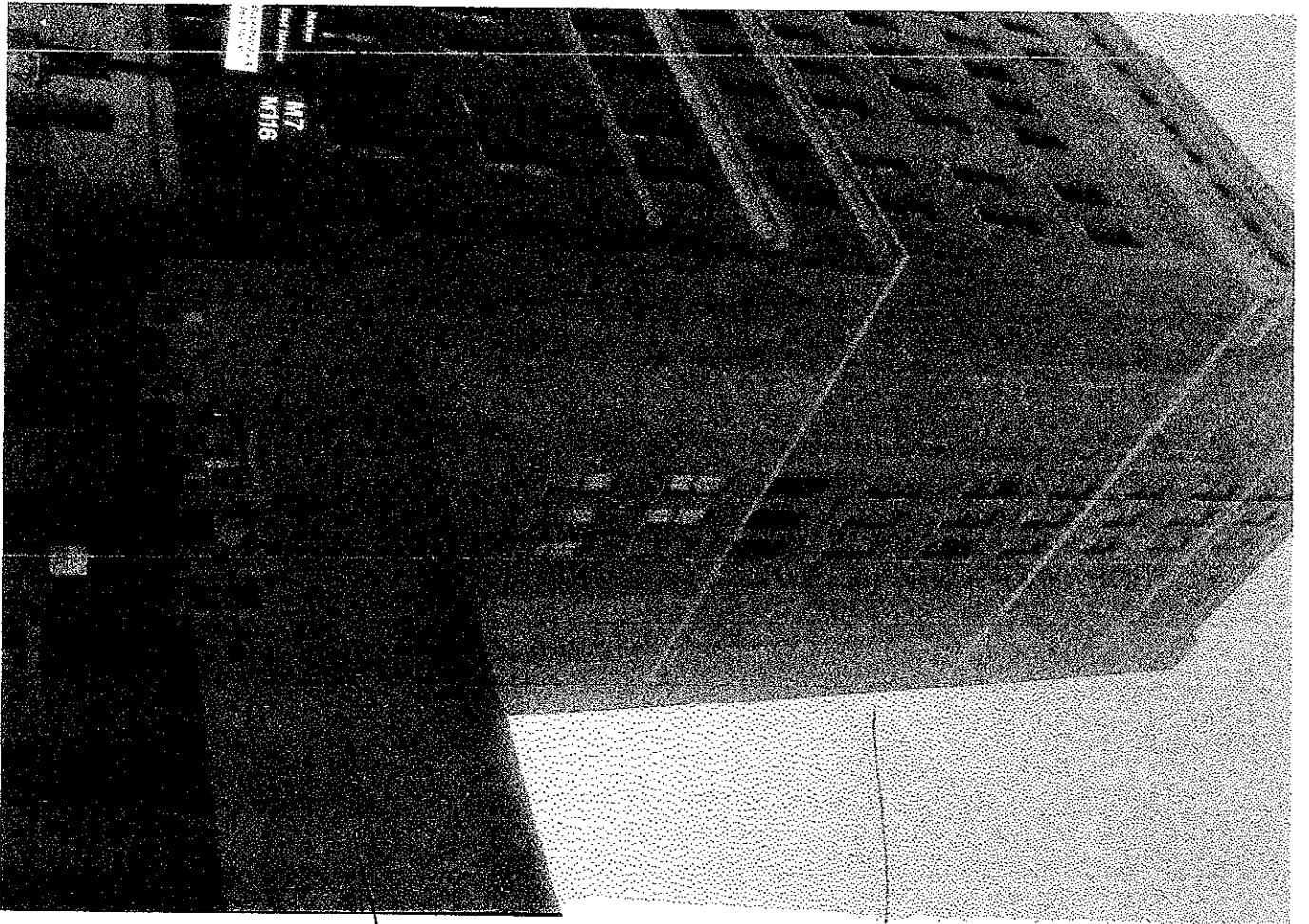
- 28 Anna Novaco 011 W 4th St Teaneck
- 29 Justo Segura 870 Columbus Ave. 10025
- 30 Altagracia Lora 865 Columbus Ave 10025
- 31 MARIA ARIAS 865 Columbus Ave. 10025
- 32 Rosa Rivera 830 Amsterdam Ave 10025 AL
- 32 Antonia Martinez 204 W 109th St NYC 10025 4L
- 33 Diana Rosario 377 Beech St. Teaneck, NJ 07666
- 34 Anyela Cagles 377 Beech St. Teaneck, NJ 07666
- 35 Maria Diaz 107 W 109 St 4G 10025
- 36 Justo Castro 107 W 109 St 4G 10025
- 37 Maria Morillo 785 Courtland Ave Apt #10-A Bronx NY 10451
- 38 Ramon Suarez 74 W 92 St. apt 3F NYC 10025
- 39 Salvador Ramos 242 W 62 St Apt 5A NYC NY 10023
- 40 Alicia Z. Morales 40-10 VERNON BLVD Queens NY 11101
- 41 Juana Ramos 242 W. 62 St. apt. 3A - 10023
- 42 Miquelina Castillo 410 W 110 St 3A 10025
- 43 Danielis Rosano 377 Beech St Teaneck NJ 07666
- 44 Juanita Vega 875 Amsterdam Ave ~~apt~~ 5 A
- 45 Jenni Vega 875 Amsterdam Ave apt 5 A
- 46 Fernando Salas 868 Amsterdam Ave Apt 2C 10025
- 47 Maria Montalvo
- 48 IYIS PEREZ 72 W 108 4G 10025
- 49 Juan Castillo 410 W 110 3A 10025
- 50 Juan Castillo

- 51 Miguel Santiago 40-10 Vernon Blvd Queens NY 11101
- 52 Manuel Santiago 40-10 Vernon Blvd Queens NY 11101
- 53 Luz Iglesia 40-10 Vernon Blvd Queens NY 11101
- 54 Mirna Martinez 106 Columbus av. 3B
New York NY 10025
- 55. Sury Jegasanon 410 W 110 ST NYC. 10025
- 56 Itai Jegasanon 107 W 109 ST New York 10025
- 57 Herminio Cruz 107 West 109 St NYC. 3A
- 58. REV. Yamp Costello 213 Manhattan av. 10025
- 59. Carmen Costello 213 Manhattan av. 10025
- 60. maria alvarez 104 Amsterdam N.Y.C. 2 Floor
- 61. Muzielina Melina 104 Amsterdam N.Y.C. 2FL.
- 62. Juan C. Ato 107 W 109th St NYC 10025
- 63. Adnery Ato 107 W 109th St NYC 10025
- 64. José Lajara 114th St NY NY 10025
- 65. Juan Almodovar 875 Amsterdam Ave 18 10025
- 66. Alma Almodovar 875 Amsterdam Ave 18 10025
- 67. Nercyda Moyet 91st 120 West Apt 17H
- 68. Martin Sorabina 204 Manhattan Ave. NY NY 10025
- 69. Rapela Sorabina 204 Manhattan Ave. NY NY 10025
- 70. Francisca Suarez 74 W 92 St Apt 3F
NYC 10025
- 71. Filomena Garcia 875 Amsterdam Ave 5th Flr NY 10025
- 72 Leonardo Maldonado 116 Lexington Ave NY
- 73. Tranquilina Maldonado
- 74. Bernardo Maldonado
- 75. Gilberto Maldonado
- 76. Le Ticia Maldonado



Columbia
University

BUSINESS
UNIVERSITY



→ ON THE SIDE OF CHURCH
VERIZON BUILDING

13FL

→ Church

**TESTIMONY TO THE ZONING SUBCOMMITTEE
OF THE NEW YORK CITY COUNCIL**

Monday, September 17th, 2007

Good morning. My name is Bradford Winston. I am the founder and managing director of T.U.C. Management Company which provides housing management services for many non-profit sponsors of senior affordable housing, including the Jewish Home and Hospital. I am here today to speak in favor of the Jewish Home's request to keep its zoning and rebuild the nursing facilities on West 106th Street.

I have been a resident of the Upper West Side my entire life. I am very familiar with the Jewish Home and Hospital and appreciate the wide variety of health care services they provide – not only for the frail elderly but for those of us who have been injured or hospitalized, or who need home care. Many community residents choose to remain in their homes and avail themselves of the Adult

Day Care Program offered by JHH, which is an immeasurable asset to those who benefit from socializing with others. Jewish Home's health care services promote wellness and healthy lifestyles, and their programs are designed to prolong independent living and preserve the individual's quality of life.

In short, my neighbors and I consider the Jewish Home a very valuable asset in our community. It MUST remain on the Upper West Side, and it must improve its facilities. A more modern environment will provide those in wheelchairs and those in need of assistance more comfortable and homelike surroundings, and will enhance the quality of life for residents and patients.

I urge the City Council to approve the request by the Jewish Home and Hospital to keep its zoning, rebuild its campus and remain in this neighborhood to improve the quality of life of its residents.

Thank you for your time.