

Port Morris Harlem Riverfront Brownfield Opportunity Area

-

Step 2 NOMINATION REPORT

New York City, Bronx County

Grantor: New York State Department of State (NYS DOS)

Grantee: South Bronx Overall Economic Development
Corporation (SoBRO)

July 2010

Table of Contents

Executive Summary	S-1
Chapter 1: Project Description and Boundary.....	1-1
A. Introduction	1-1
B. Description of the Brownfield Opportunity Area (BOA) Program	1-1
C. Port Morris BOA Program Intent and Purpose	1-3
D. Lead Project Sponsors.....	1-4
Organizational Background.....	1-4
Relevant Community Revitalization and Brownfield Development Experience	1-5
Relationship to Local Government and Civic Organizations.....	1-6
E. Community Vision, Goals and Objectives	1-7
Identification of Community Vision in Relation to the BOA Program.....	1-8
Community Visioning Findings.....	1-9
SoBRO's Goals.....	1-10
E. Project Background, Overview, and Description	1-10
Project Background and History	1-10
Greater Port Morris BOA	1-10
Subdivision Into Individual Zones	1-11
F. Brownfield Opportunity Area Boundary Description and Justification	1-12
Boundary Description	1-12
Boundary Justification	1-12
Chapter 2: Public Participation Plan and Techniques to Enlist Partners.....	2-1
A. Introduction	2-1
B. Public Participation Plan	2-1
BOA Community Coalition and Public Visioning Meetings.....	2-2
Community Board 1	2-3
BOA Steering Committee	2-3
C. Techniques to Enlist Partners	2-4
D. Next Steps: Area-Wide Planning and Specific Site Development.....	2-5
Chapter 3: Analysis of the Proposed Brownfield Opportunity Area.....	3-1
A. Introduction	3-1
B. Community and Regional Setting	3-1

Table of Contents

Port Morris.....	3-2
Mott Haven.....	3-3
C. Existing Conditions Inventory and Analysis	3-6
Part I: Land Use, Zoning, and Strategic Sites	3-6
Land Use.....	3-6
Zoning.....	3-7
Brownfield, Abandoned, and Vacant Sites	3-12
Strategic Sites.....	3-12
Strategic Site 1:	
Gas Station AtRider Avenue/East 138th Street	3-15
Strategic Site 2:	
Gas Station At Third Avenue/Major Deegan Expressway.....	3-16
Strategic Sites 3 & 4:	
Vista 1 Warehouse and Vista 2 Verizon Parking Lot.....	3-18
Strategic Site 5:	
2568 Park Avenue Between East 138th and East 140th Streets	3-20
Strategic Site 6:	
Bronx Recycling	3-21
Special District Waterfront Development Parcels.....	3-22
Part II: Existing Conditions & Area Resources	3-22
Land Ownership	3-22
Parks and Open Space.....	3-22
Building Inventory	3-26
Historic and Culturally Significant Areas	3-27
Transportation Systems	3-29
Infrastructure	3-30
Natural Resources and Environmental Features	3-31
Economic and Market Trends Analysis.....	3-33
D. Summary Analysis: Findings, Recommendations, and Next Steps	3-33
Key Findings for the Port Morris Zone 1 Study Area	3-33
Environmental Constraints	3-33
Land Use and Zoning.....	3-34
Waterfront Development	3-35
Transportation and Infrastructure.....	3-35
Business and Employment.....	3-35
Recommendations: Advancing to Step 3	3-35
The Four- Step Strategic Site Planning Process	3-36
Higher-Level Assessments	3-39
Partnerships	3-40
Community Participation	3-41
Potential Step 3 Challenges	3-41

List of Appendices

Appendix	Title
Appendix A:	Economic Development Zones
Appendix B:	Community Participation and Outreach Materials
Appendix C:	Brownfield Opportunity Area (BOA) Steering Committee Documents
Appendix D:	Strategic Site Profile Tool and Site Profiles (x5)
Appendix E:	SOBRO Strategic Site Case Study: Gas Station at Bruckner Blvd and East 138 th Street
Appendix F:	Summary Findings of Viable Business / Employment and Land Use Survey for LC Rezoning Area (2008)
Appendix G:	Lower Concourse Rezoning Text Amendments
Appendix H:	Preliminary Development Materials for Projects at Strategic Sites # 1, 3, 4, and 5
Appendix I:	Phase I ESA Reports - Executive Summaries: Strategic Sites # 2, 3, and 4

List of Images and Figures

Image #	Title	Page #
Image 1	General Neighborhood Boundaries - Port Morris & Mott Haven.....	3-5
Image 2	Special Harlem River Waterfront District.....	3-11
Image 3	Parks and Open Space in the Greater South Bronx area.....	3-24
Image 4	New Open Space Under Development Near Yankees Stadium.....	3-25
Figure #	Title	Following Page #
Figure S-1	Strategic Site Locations	S-2
Figure S-2	Harlem Riverfront BOA Study Area.....	S-5
Figure 1-1	Community Context	1-11
Figure 1-2	Greater Port Morris BOA and Three Subzones.....	1-11
Figure 1-3	Harlem Riverfront BOA Study Area.....	1-13
Figure 1-4	Potential Brownfield, Vacant, and Underutilized Sites	1-13
Figure 3-1	Existing Land Use	3-6
Figure 3-2	Existing Zoning	3-7
Figure 3-3	Port Morris Industrial Business Area	3-8
Figure 3-4	Lower Concourse Rezoning Boundary	3-10
Figure 3-5	Locations of Brownfield Underutilized and Vacant Sites.....	3-12
Figure 3-6	Strategic Site Locations	3-14
Figure 3-7	Land Ownership	3-22
Figure 3-8	Parks and Open Space.....	3-23
Figure 3-9	Building Inventory	3-26
Figure 3-10	Historic or Archaeologically Significant Areas	3-28
Figure 3-11	South Bronx Cultural Corridor	3-29
Figure 3-12	Transportation Systems	3-30
Figure 3-13	Infrastructure and Utilities.....	3-30
Figure 3-14	Natural Features	3-31

List of Tables

Table #	Title	Page #
Table 3-1	Zoning Districts In Harlem Riverfront BOA Study Area	3-7
Table 3-2	New Zoning Districts in Lower Concourse Rezoning Area	3-10
Table 3-3	Key Buildings	3-26

INTRODUCTION

This Nomination Report, presented by the South Bronx Overall Economic Development Corporation (SoBRO), is intended to provide a comprehensive framework for advancing Brownfield remediation as a means to stimulate community and economic revitalization throughout the proposed Harlem Riverfront BOA study area presented in this report, as well as to complete Step 2 of the Brownfield Opportunity Area (BOA) Program. The BOA Program is an initiative of the New York State Department of State (NYS DOS) that facilitates community-based planning and revitalization of underutilized, potential brownfield-impacted properties in targeted communities. The BOA Program delivers financial assistance and expertise to drive the formation of redevelopment and implementation strategies that transform brownfields from liabilities into community assets that generate businesses, jobs and revenues for local economies, as well as provide new housing and recreational opportunities. Since 2007, NYS DOS has awarded BOA funding of more than \$17 million for 74 projects throughout New York State. Collectively, communities are addressing over 50,000 acres impacted by more than 4,700 brownfield sites located in former industrial areas, downtowns, waterfronts, and commercial and residential areas.¹

The area of the South Bronx being examined by the SoBRO in this report is known as the proposed Port Morris Harlem Riverfront BOA (i.e., “the study area”). In addition to this Executive Summary, this report has been divided into four sections, as follows: Chapter 1, “Project Description and Boundary;” Chapter 2, “Public Participation Plan and Techniques to Enlist Partners;” Chapter 3, “Analysis of the Proposed Brownfield Opportunity Area;” and finally a comprehensive set of Appendices containing supplemental information. The highlights of Chapters 1 through 3 are presented in this Executive Summary.

When SoBRO originally applied for the BOA Program in 2004, a much larger area of the South Bronx was selected to be included in the application. This original larger area included most of the South Bronx, and was composed of four community board districts (Community Boards 1, 3, 4, and 5). Later, SoBRO scaled back the project area to include only Port Morris, a loosely defined industrial neighborhood comprising the “U-shaped” waterfront perimeter of the southern-most section of the Bronx that lies below the Bruckner Expressway. The Port Morris area was subsequently sub-divided into three distinct zones for individual BOA study and designation. These subzones became known as: The Harlem Riverfront BOA, the Bronx Kills

¹ *Brownfield Opportunity Areas Program Accomplishment Report*, April 2010. New York State Department of State.

BOA, and the East River BOA. The focus of SoBRO's Step 2 Nomination study ultimately narrowed to the first of the subzones, officially titled the "Port Morris Harlem Riverfront BOA."

This Nomination Report documents the recently completed analysis that was conducted for both the study area and specific "Strategic Sites." This document also provides recommendations on how to implement the area-wide and site-specific strategy for the proposed Port Morris Harlem Riverfront BOA, which was developed in cooperation and consultation with the local community. SoBRO has prepared this report with the goal of completing the Step 2 process, and advancing to Step 3 of the BOA Program, which will encompass in-depth environmental site assessments and re-use planning for the Strategic Sites identified in this report.

SOBRO - ORGANIZATIONAL BACKGROUND AND QUALIFICATION

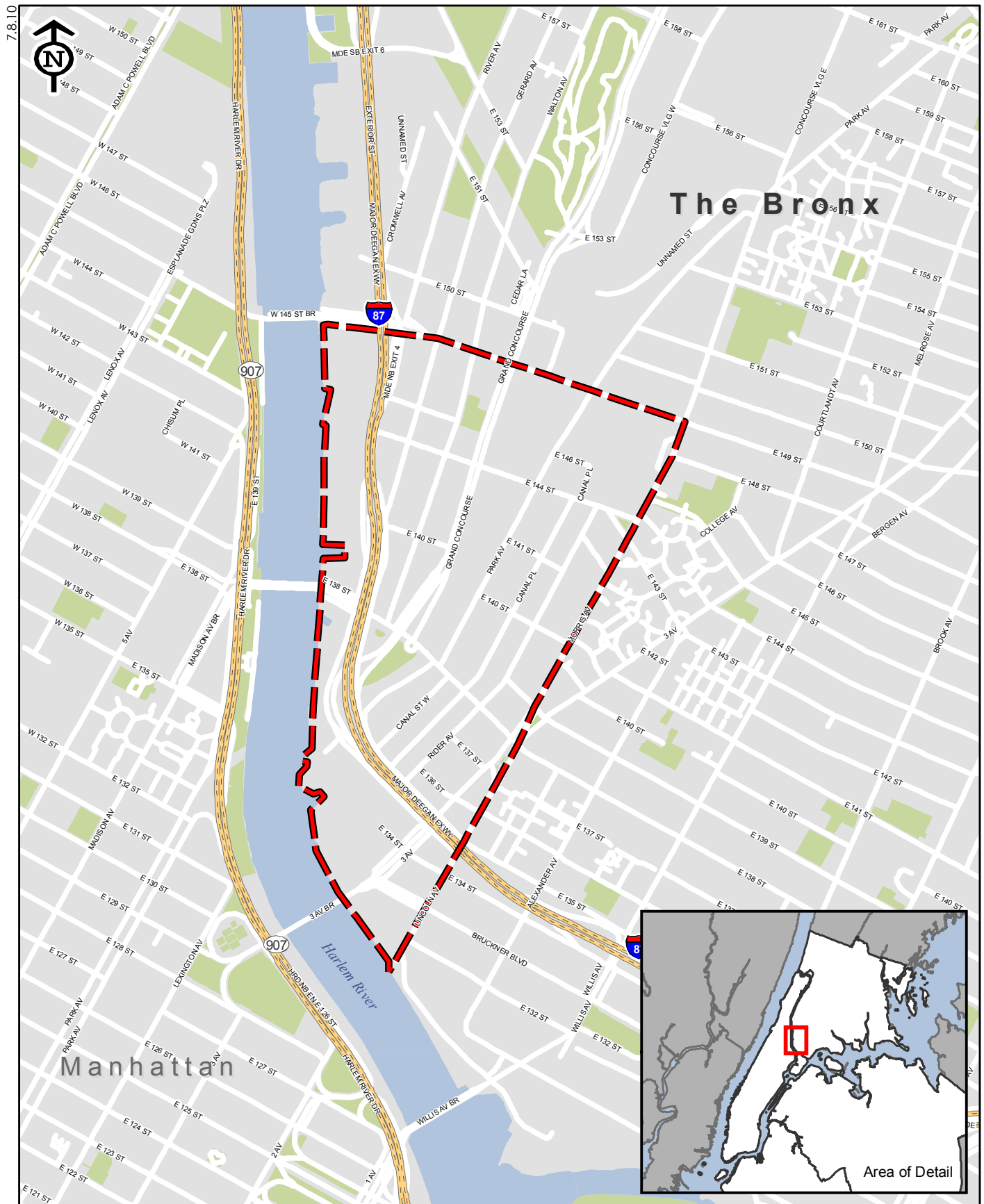
SoBRO is uniquely qualified to administer the BOA Program in Port Morris due to its long-standing 36-year history as a local community development organization and agent of community revitalization in the South Bronx. SoBRO has successfully transformed numerous blighted properties into productive use, namely affordable housing, commercial, and community space. Prior to its involvement in the BOA Program, SoBRO became familiar with the environmental cleanup process as a crucial component of responsible development. SoBRO came to realize the prevalence of environmental issues in the South Bronx, the significant role these issues can play in development, as well as the need to emphasize these issues in any community planning and/or development effort. This relevant experience, coupled with SoBRO's established partnerships with key stakeholders (such as elected officials, government agencies, local community groups, residents, and business owners), positioned the organization extremely well as a lead agency for the BOA Program in the Port Morris area, which at its core aims to create and implement community-driven revitalization. Additionally, the general goals of the BOA Program align directly with SoBRO's grand mission to "Build a Better Bronx."

COMMUNITY ENGAGEMENT

Through its public participation initiative, detailed in Chapter 2 of this report, SoBRO has gleaned from the local community that major needs include housing, community space, workforce training and job creation. These needs, which form the backbone of a community-derived vision and broader plan for neighborhood revitalization, guide all of SoBRO's work within the BOA Program. Through its development-based approach to BOA, SoBRO targets under-utilized properties for development that is consistent this vision.

PORT MORRIS HARLEM RIVERFRONT BOA BOUNDARY

The proposed Port Morris Harlem Riverfront BOA comprises a 168-acre area that has been delineated as the area bounded by East 149th Street to the north, the Harlem River to the south and west, and Lincoln/Morris Avenues to the east, as shown in **Figure S-1**. This boundary generally coincides with the recently adopted Lower Concourse Rezoning area, a re-zoning initiative conducted under the aegis of the Bronx office of the New York City Department of City Planning (DCP). The new mixed-use designation (referred to as "MX") of this area has



 Proposed Port Morris Harlem Riverfront BOA Boundary

0 1,500 Feet

played a significant role in shaping SoBRO's BOA work, and is discussed in detail in Chapter 1 of this report. SoBRO, in cooperation with the DCP, found that the area contains a significant number of vacant or under-utilized lots that hold promise as potential redevelopment sites that can strengthen the area and spur additional investment.

EXISTING CONDITIONS AND STRATEGIC SITES

The existing conditions analysis evaluates land use and zoning, the presence of brownfield, abandoned, vacant and underutilized sites, ownership characteristics, parks and open space, significant buildings, cultural resources, major transportation and infrastructure systems and elements, and natural features of the Port Morris Harlem Riverfront BOA. The analysis also identifies existing brownfield properties characterized as "high impact" Strategic Sites, and involves preliminary assessment of environmental issues as well as reuse potential should these properties be redeveloped. The analysis is based on visual assessments and a review of information from Geographic Information Systems, aerials, tax maps, topographic maps, agency databases, and past reports completed by SoBRO for the study area, as well as Phase I assessments and the use of a site profile tool developed specifically for evaluation of properties as BOA Strategic Sites.

LAND USE

The proposed Port Morris Harlem Riverfront BOA is an area composed primarily of industrial land uses interspersed with small pockets of commercial and residential uses, where environmental issues are likely to exist. The area is experiencing an increase in development pressure, which demands that new approaches be examined that promote redevelopment and economic growth that are compatible with the changing area.

The study area is largely composed of underutilized industrial and manufacturing properties. The prevailing industries in the communities of Port Morris and adjacent Mott Haven are wholesale distributors, apparel, food, sheet metal and other manufacturing, waste transfer and recycling, newspaper printing, parcel service distribution, automotive related uses, and intermodal rail yards. Transportation and utility uses are also prevalent in the proposed Harlem Riverfront BOA, including a substantial number of parking facilities.

The study area is also dotted with commercial uses, mainly east of Grand Concourse. There are a few significant public facilities and institutions in the study area, including Lincoln Hospital, Hostos Community College, Deeper Life Bible Church, and the Community School for Social Justice. There are only limited amounts of vacant land, public open space, and residential uses to be found within the proposed Harlem Riverfront BOA.

ZONING

In June of 2009, the New York City Council adopted the Lower Concourse Rezoning, which rezoned the designated area from a manufacturing to a mixed-use district (MX), in order to introduce residential development opportunity and waterfront access. The zoning map and text changes, essential to implementation of the BOA vision, are now in effect. The rezoning affects a 30-block area surrounding the lower end of the Grand Concourse and is generally coterminous with the boundaries of the Port Morris Harlem Riverfront BOA area. As part of the

rezoning plan, the DCP mapped the Special Harlem River Waterfront District and established a Waterfront Access Plan which provides for a publicly accessible, continuous walkway along the waterfront between E 135th and E 149th Streets, as well as a new waterfront park located along the Bronx side of the Harlem River just below the intersection of East 149th Street and Exterior Street. The site, currently a parking area for buses, will when developed, provide excellent waterfront access for the surrounding local community as well create a facility that will complement new riverfront residential uses being planned in the wake of the Lower Concourse re-zoning. The rezoning also made the provisions of Inclusionary Zoning applicable in the area, and approved other related actions to promote new investment opportunities in the underutilized, but transit-rich, Lower Concourse area. These actions combine to transform a waning industrial waterfront area and the lower Grand Concourse into a vibrant, mixed-use and mixed-income community with new housing, waterfront open space, and an array of retail services.¹

The Lower Concourse Rezoning will effectively preserve a significant portion of the area's manufacturing base and the jobs associated with these businesses, while simultaneously creating new residential, commercial and open space development opportunities that will serve to enhance the surrounding area. SoBRO's involvement in helping to refine this zoning initiative is described in detail in Chapter 3 of this report.

The southern portion of the Harlem Riverfront BOA study area which is *not* within the newly designated Lower Concourse mixed-use district is already zoned MX, allowing for manufacturing, residential, community facility, and/or certain commercial uses.

OTHER

In addition to an analysis of land use and zoning discussed above, information was collected relative to existing community characteristics found within the proposed Port Morris Harlem Riverfront BOA. This information includes: land ownership, building inventory, parks and open space, historic and cultural resources, transportation systems, infrastructure, natural resources and environmental features. This information was collected in order to further contextualize SoBRO's work in the Harlem Riverfront BOA, particularly as it relates to Strategic Sites. This background information and analysis is described in detail in Chapter 3 of this report.

STRATEGIC SITES

Within the context described above, SoBRO views the BOA Program as a resource intended to target troubled, often underutilized sites within the study area, and develops strategies to develop them into viable, tax paying real estate that will spur overall community revitalization. Because redevelopment of these sites is expected to have a high-impact on the Port Morris Harlem Riverfront BOA, they were selected to be BOA Strategic Sites. The BOA Program defines Strategic Sites as brownfield or suspected brownfield properties located within the proposed BOA boundaries, which if cleaned up and redeveloped, could act as catalysts for further revitalization of the area. SoBRO has identified six Strategic Sites within the Harlem Riverfront

¹NYC DCP website, Lower Concourse Rezoning—Overview, accessed on August 26, 2009 at: http://www.nyc.gov/html/dcp/html/lower_concourse/index.shtml

study area (see **Figure S-2**), and has conducted preliminary environmental and reuse assessment at each of them. Full narratives for each site can be found in Chapter 3. The six sites are:

1. Rider: Former gasoline station at the intersection of Rider Avenue and East 138th Street.
2. Deegan: Former gasoline station at the intersection of Third Avenue and East 135th Street, plus the five adjacent lots (comprising a full city block).
3. 2401 Third: Large waterfront property at the intersection of Third Avenue and East 132nd Street that currently houses a family-owned construction shoring company.
4. 101 Lincoln: Large waterfront property across from #3 on Lincoln Avenue that currently houses a parking lot and several low-rise warehouse buildings.
5. 2568 Park: Former auto- and rail-use facility that is currently vacant.
6. Bronx County Recycling: Waterfront recycling and concrete processing plant at the intersection of Exterior Street and East 149th Street.

FINDINGS AND RECOMMENDATIONS

KEY FINDINGS

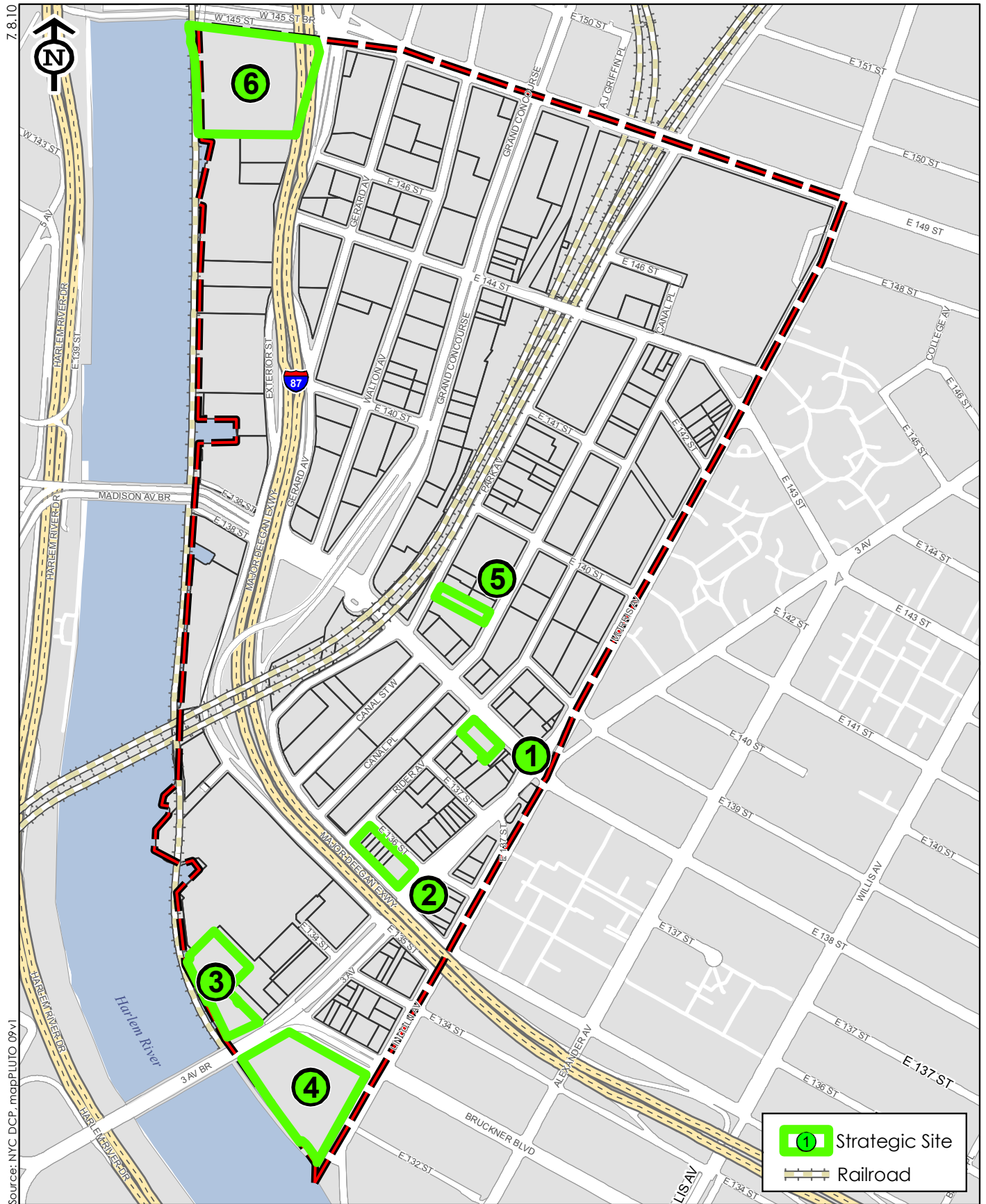
Environmental Constraints

For the past century, the Harlem Riverfront BOA study area has been characterized by industrial and manufacturing businesses. Heavy manufacturers, waste transfer stations, and auto-related businesses have left a mark on the area, and contamination resulting from historical uses can be found on the majority of properties. Data from DEC and other sources indicate that petroleum spills are widespread in the South Bronx. Based on a review of available data, most of the land in the study area—developed or undeveloped—likely has varying degrees of contamination. As a result of this wide-spread potential for contamination, many of the properties within the study area have been given an E-Designation by DCP, which requires that further environmental investigation (and potential mitigation) be undertaken before any redevelopment can occur at a site.

More specifically, the assessment of SoBRO's six Strategic Sites has identified some common characteristics. For each of the Strategic Sites, the potential for sub-surface contamination exists from one or more of the following: past on- and off-site industrial and/or automotive/petroleum-related operations; on-site gasoline tank(s); and/or uncontrolled fill on-site. The discussion of the Strategic Sites exemplifies the environmental issues found in the study area, which upon further analysis could possibly reveal harmful levels of substances such as petroleum, solvents, and metals.

Land Use and Zoning

- The recently adopted Lower Concourse Rezoning (which affected much of the BOA study area) is expected to bring about much needed housing and employment to the area, while simultaneously accommodating existing manufacturing uses in the area. This new zoning



will serve to directly support and encourage redevelopment in the study area, particularly at several of the Strategic Sites, which would not have been possible or likely without the new MX zoning in place.

- The new zoning permits a variety of residential and commercial uses. Densities under the highest allowable Floor Area Ratio (FAR) could be increased on approximately 150 properties.
- The new zoning is expected to promote a substantial increase in residential use. New residential construction could include a range of both small townhouses and multi-family residential developments.
- The development of new affordable housing should be encouraged in the study area. To encourage the development of affordable housing, inclusionary zoning allowances could be utilized. Under the Inclusionary Zoning program, developers are able to exceed the maximum allowable as-of-right residential FAR if they provide permanent affordable housing as part of their redevelopment program.
- An increase in commercial uses in the study area would bring in a larger variety of activities and attract more spending to the area. New uses could include neighborhood retail stores (e.g. restaurants, delis, beauty salons, or repair services) or larger commercial users such as warehouses, hotels, or entertainment facilities. Grocery stores should be especially encouraged since the study area is currently underserved by such uses. Grocery stores are now allowed as-of-right within the Lower Concourse MX district.
- The portions of the study area most prone to new development are the Harlem River waterfront and the area between 138th Street and the Major Deegan Expressway, due to the desirability and accessibility of these locations coupled with the Lower Concourse up-zoning to allow for residential uses.
- New residential uses in the study area should be located in a manner that limits conflict with industrial uses.

Waterfront and Open Space Development

Opportunities exist for creating attractive new gateways to the Bronx, especially on the Harlem River waterfront parcels that comprise the Special Harlem River Waterfront District mentioned above. Waterfront development would also begin to connect surrounding neighborhoods along the Harlem River. New public waterfront open space should be provided to a community currently underserved by parks and open space resources and historically cut off from the waterfront by industry and infrastructure. The new rezoning encourages waterfront development with required publicly-accessible waterfront open space. As each lot redevelops, new waterfront open space will create a continuous promenade along the Harlem River below E 149th Street, and link with the parks and public open space currently being developed north of E 149th Street, thus increasing connectivity and overall vitality of these communities.

Transportation and Infrastructure

The proposed Harlem Riverfront BOA is advantageously located, with excellent access to the region's transit infrastructure network, which includes various subway and bus routes, as well

as major bridges and highways that connect the area with Manhattan, New Jersey, Westchester County, and other key destinations. Strategic location of the area is anticipated to attract and benefit a larger residential population commuting to employment centers as well as commercial businesses that need to be close to their customer base.

Business and Employment

The distribution within the study area of existing commercial businesses and employment indicates an increasing influx of non-industrial uses (i.e. large share of professional service businesses and employment).

RECOMMENDATIONS: ADVANCING TO STEP 3

It is SoBRO's main goal to advance the proposed Port Morris Harlem Riverfront BOA to Step 3 of the BOA Program ("Implementation"), to achieve an official BOA designation, and to bring Strategic Sites closer to the point of remediation and redevelopment. SoBRO's next steps will focus on eligible actions under BOA Step 3 for the Strategic Sites identified in this Nomination Report, including: advanced environmental site assessments (Phase II ESAs), development of remedial investigation and remedial action plans, and concrete redevelopment planning activities such as market and feasibility analysis and architectural design. SoBRO has conceptualized a four-step process to advance Strategic Sites through Steps 2 and 3 of the BOA Program, thus mobilizing their transformation into productive reuse:

Activity 1. Identifying and engaging property owners;

Activity 2. Defining brownfield remediation issues at a site;

Activity 3. Identifying financial and related barriers to redevelopment; and

Activity 4. Creating site-specific redevelopment plans.

A more in-depth description of each of the activities in SoBRO's site-specific planning process, highlighting some of the challenges that are inherent in each stage of the process, is provided in Chapter 3 of this report.

As the Port Morris Harlem Riverfront BOA advances from Step 2 to Step 3 of the BOA Program, SoBRO will be able to undertake higher level environmental assessments at certain Strategic Sites. These assessments will give a much clearer picture of the properties' environmental conditions, and thus enable accurate determination of cleanup actions needed, and associated cleanup costs. These components help in calculating overall feasibility of development, and advance the property along the path towards viable reuse.

In Step 3 of the BOA Program, SoBRO will continue to reach out to property owners to educate them about brownfield-related issues and relevant regulatory processes, available solutions and potential development opportunities, and work together with them on subsequent environmental analysis and site development. BOA-supported activities at Strategic Sites headed towards development will include architectural design, site accessibility and transportation analysis, and also market analysis to help determine end use. Other activities under a Step 3 BOA Program in this study area will include ongoing cultivation of strategic partnerships with regulatory agencies, elected officials, and the local community, to ensure

Port Morris Harlem Riverfront BOA — Step 2 Nomination Report

that redevelopment efforts are compatible with community needs in the proposed Port Morris Harlem Riverfront BOA. *

A. INTRODUCTION

This Nomination Report is intended to fulfill the requirements of the New York State Department of State (NYS DOS) with respect to Step 2 of the Brownfield Opportunity Area (BOA) Program. The area of the South Bronx being examined and proposed for BOA designation by the South Bronx Overall Economic Development Corporation (SoBRO) in this report is known as the Port Morris Harlem Riverfront BOA (i.e., “the Harlem Riverfront BOA” or “the study area”). The extent and character of the Harlem Riverfront BOA study area, as well as an outline of the BOA Program’s elements and requirements, are detailed in subsequent sections.

Chapter 1 of this Nomination Report starts with a description of the BOA Program and process, followed by a description of SoBRO as the lead project sponsor, including its role within the community; highlighting its achievements both as a community organization and as a developer. This description is followed by an outline of the goals and vision developed by SoBRO in collaboration with the community for the proposed BOA, including the background and history of the project, and the refinements that have been made to the project limits since SoBRO first began its participation in the BOA Program in this area. The study area for the Port Morris Harlem Riverfront BOA is then described, including a discussion of its delineation.

Chapter 2 describes SoBRO’s efforts to reach out to the local community, stakeholders, and government agencies to involve them in the creation of a planning and development vision for the area. The chapter also provides an overview of the techniques used to enlist partners in the BOA process and SoBRO’s approach to redeveloping brownfield sites.

Chapter 3 of this Nomination Report provides a thorough inventory and analysis of existing conditions in the study area, including a discussion about land use, abandoned, vacant, or underutilized potential brownfield sites, land ownership, parks and open space, and significant buildings. The discussion in this chapter introduces and describes the “Strategic Sites” within the Port Morris Harlem Riverfront BOA selected for individual study. This chapter of the report also highlights the study area’s historic and natural resources, supporting infrastructure and transportation systems and elements, and underlying economic conditions. Chapter 3 concludes with a summary of findings and recommendations for progressing to Step 3 in the BOA Program. This chapter also presents potential Step 3 challenges associated with brownfield redevelopment in the study area.

B. DESCRIPTION OF THE BROWNFIELD OPPORTUNITY AREA (BOA) PROGRAM

In 2003, New York State created the BOA Program, which was “designed to assist communities foster redevelopment, and return dormant and blighted land into productive and catalytic

areas while restoring environmental quality.”¹ The program, administered by the NYS DOS, provides funding and resources to organizations involved in the revitalization and redevelopment of communities affected by the presence of brownfield sites. A “brownfield” or “brownfield site” is defined in New York State Environmental Conservation Law Article 27, Title 14, as any real property, the redevelopment or reuse of which may be complicated by the presence or potential presence of a contaminant. The BOA Program provides a flexible planning framework for communities to catalyze the redevelopment of multiple brownfields and affected areas through a locally-driven process. The program promotes a strong involvement of the local community and provides assistance to:

- Facilitate the creation of a **community-wide vision** around brownfield issues and brownfield redevelopment planning;
- Establish **sustainable development goals and objectives**;
- Coordinate **and collaborate with government agencies** and **community groups**;
- Initiate **public-private partnerships** essential for successful redevelopment of specific brownfield sites; and
- Analyze site-specific **brownfield issues** and develop **mitigation strategies**.

The BOA Program consists of three major steps:

1) Step 1 - Pre-Nomination Study

The study includes a preliminary, area-wide analysis of the BOA study area, including: a description and justification of the study area and associated boundaries, current land use and zoning; descriptions of existing brownfield sites and other underutilized properties; and a description of the area’s potential for revitalization. In this stage, the applicant engages existing partners and begins to establish a community network to initiate the public participation process.

2) Step 2 - Nomination Study

The Nomination Study involves detailed analysis of the BOA study area, identification and assessment of individual “BOA Strategic Sites,” and diligent community outreach. Area-wide analysis includes existing conditions (assets and challenges, land use, zoning, infrastructure, etc.) and potential for revitalization. Site specific analysis involves general due diligence, Phase I environmental assessment, and possible re-use options of potential brownfield sites that could act as catalysts for revitalization of the area. Step 2 activities are documented in a final Nomination Report, which is meant to function as a new area-wide plan. The report must include key findings and recommendations for revitalizing strategic brownfield sites in concert with the expressed needs and wishes of the local community. (This document is intended to satisfy Step 2 requirements for the subject Port Morris Harlem Riverfront BOA.)

¹ NYS DOS Division of Coastal Resources: http://www.nyswaterfronts.org/grantopps_BOA.asp, accessed September 22, 2009

3) Step 3 - Implementation Strategy

The Implementation Strategy describes the techniques and actions necessary to implement the area-wide plan developed in Step 2, and documents compliance with New York State Environmental Quality Review Act (SEQRA) regulations. Implementation activities focus on the individual Strategic Sites, including additional assessments such as Phase IIs, feasibility analysis, design, marketing, and other reuse planning activities that set Strategic Sites on an active path towards environmental cleanup and sustainable redevelopment. Successful completion of this final step of the BOA Program results in NYS DOS officially designating the study area as a Brownfield Opportunity Area (BOA).

When SoBRO originally applied for the BOA Program in 2004, a much larger area of the South Bronx was selected to be included in the application. This original larger area included most of the South Bronx, and was composed of four community board districts (Community Boards 1, 3, 4, and 5). Later, SoBRO scaled back the project study area to Port Morris, a loosely defined, 500-acre (est.) neighborhood comprising the southern-most “U-shaped” waterfront perimeter of the Bronx. The Port Morris area was subsequently sub-divided into three distinct subzones, or study areas, each to be studied independently under their own respective BOA Nominations. In June 2008 SoBRO’s Port Morris BOA Program came to focus in on the western-most subzone that fronts on the Harlem River, taking on the official new title “Port Morris Harlem Riverfront BOA.” (An in-depth explanation of this process and its rationale is presented in Section E.)

An official Step 1 Pre-Nomination Study was not prepared for the originally proposed larger area or the Port Morris Harlem Riverfront BOA. However, because of SoBRO’s 36-year presence in the South Bronx, and its extensive familiarity with the area, it was able to develop and submit the information necessary to comply with the NYS DOS Step 1 BOA Program requirements. The acceptance of these materials, fulfilling the Step 1 requirements, has allowed SoBRO to proceed through Step 2 of the BOA process, and prepare this Nomination Report for the Port Morris Harlem Riverfront BOA.

This Nomination Report documents the thorough analysis of the study area that was conducted, and provides recommendations on how to implement the area-wide strategy for the Harlem Riverfront BOA, which has been developed in cooperation and consultation with the local community and its various stakeholders. SoBRO has prepared this report with the goal of completing the Step 2 process, and advancing to Step 3 of the BOA Program, which would include more in-depth environmental site assessments, and ultimately re-use plans for the Strategic Sites identified in this report.

C. PORT MORRIS BOA PROGRAM INTENT & PURPOSE

From the outset, the intent of SoBRO’s Port Morris BOA Program was to take a comprehensive look at the South Bronx as an inter-connected system of communities, neighborhoods, land uses, and infrastructure networks, and identify catchment areas that presented challenges and/or opportunities for development that could serve to strengthen the overall South Bronx region, which SoBRO considers to be the emergent gateway of the Borough of the Bronx. SoBRO understood at the time of its original BOA application that most lots in the Bronx would likely face some level of environmental contamination (due to former industrial uses), and

believed that conducting these broader planning analyses with a brownfield-centered approach would facilitate a new and much needed type of local community engagement and awareness around environmental issues, as well as help guide local development in a safe, responsible, and sustainable manner.

As the Port Morris BOA study area refined and narrowed to ultimately focus on the Harlem Riverfront subzone, BOA funds were used to hone in on specific “Strategic Sites” (detailed in Chapter 3), and to work with property owners to better understand the environmental problems hindering optimal use, as well as implement strategies to assist owners in moving towards site remediation and redevelopment. This due diligence work under the BOA program involved preliminary evaluation of the type, extent and cost of remediation, as well as identifying development opportunities for these sites and advocating for their development. Facilitating socially and environmentally responsible cleanup and development of Strategic Sites became the fundamental purpose of SoBRO’s BOA program in the Harlem Riverfront study area.

D. LEAD PROJECT SPONSORS

This section describes the organizational structure of SoBRO (as the local community-based organization sponsoring the Port Morris Harlem Riverfront BOA), its relevant experience and achievements in the area, and its relationship to other local entities and government agencies.

Through its systematic process of identifying high-priority brownfield sites, assessing their remediation issues, and developing suitable redevelopment scenarios, SoBRO not only strives to remediate existing and former industrial properties but to spur the revitalization of entire neighborhoods. Because of its longstanding efforts to revitalize portions of the Bronx, SoBRO recognizes that the BOA Program has the potential to serve as an important revitalization tool.

SoBRO’s ongoing efforts of transforming vacant and abandoned properties into productive uses (as described in detail below), coupled with an ability to bring together private and public stakeholders, makes SoBRO uniquely qualified to successfully implement the BOA Program in the South Bronx in a development- and transaction-oriented way. The BOA Program marries area-wide brownfield planning and community vision with specific site development, which works in harmony with SoBRO’s grand mission to “Build a Better Bronx.”

ORGANIZATIONAL BACKGROUND

SoBRO was established in 1972 to reverse the flight of businesses and jobs from the South Bronx. A dynamic not-for-profit organization whose mission is to improve the quality of life in the South Bronx, SoBRO works to achieve its goal by supporting local businesses, planning and developing affordable and mixed-income housing, and by providing educational and workforce programs for youths and adults.

Recognizing that rebuilding a community must be a multifaceted effort, SoBRO has expanded its programming over the years to satisfy the growing needs of the South Bronx community. Following are a few examples of services SoBRO currently offers to the community:

- Programs for youth that combine academic skills and work readiness training with leadership development activities, while exposing participants to new ideas and possibilities;
- Job training, basic education, and job placement services that prepare low-income, unemployed, and underemployed individuals for the workplace;
- Financial literacy training programs to foster self-sufficiency within the community;
- Development and management of high quality and affordable housing for low- and moderate-income families as well as supportive housing for individuals with special needs;
- Small businesses assistance programs, which help entrepreneurs to grow, create jobs, and increase their investment in the community; and
- Commercial revitalization programs, designed to attract new and retain existing businesses to the commercial corridors in the South Bronx.

In 36 years of service to the South Bronx, SoBRO has:

- Created a climate in the South Bronx that helped to attract more than \$350 million in capital investment;
- Helped to create and retain more than 36,000 jobs for area residents;
- Assisted more than 30,000 South Bronx residents in entering the New York City workforce through education and career development programs;
- Developed 483 units of affordable and special needs housing, with an additional 600 units currently in various stages of development;
- Served over 10,000 youth through its Youth Center (opened in 1997) and supporting programs; and
- Encouraged and managed the investment of over \$22 million, used to rebuild and upgrade commercial districts.

SoBRO's excellence has been recognized with awards at the City, State, and federal level. Rewards received include:

- 2008 "Serving Youth Award" New York City Employment Training Coalition;
- 2004 "New York State Small Business Not-for-Profit of the Year" Award;
- 2003 U.S. Department Of Labor PepNET Award for the SoBRO Youth Center;
- 2002 Met Life Foundation Community Police Partnership Award;
- 2001 Lucy G. Moses Historic Preservation Award for the Brook Avenue Gardens building; and
- 2000 NYC Department of Business Services Barbara Wolff Award for Excellence.

RELEVANT COMMUNITY REVITALIZATION AND BROWNFIELD DEVELOPMENT EXPERIENCE

SoBRO realized early on that in order to revitalize communities, vacant lots needed to be re-inhabited by businesses and homes, poverty had to be fought by creating new jobs and providing training for job applicants, and young people needed to be given new opportunities for a bright future.

SoBRO's strong relationships with local communities and its comprehensive approach to economic development planning makes it an ideal applicant and partner for the BOA Program. As an experienced commercial and residential real estate developer and development consultant, SoBRO has helped to substantially increase economic opportunities in the region and boost the overall revitalization of the Bronx.

As part of realizing its mission to revitalize neighborhoods and communities, SoBRO has gained extensive experience in transforming abandoned lots and vacant buildings into new productive uses. Some relevant examples are included below:

Phillips Jones Building. A formerly vacant 120,000-square-foot factory building in the heart of Port Morris, SoBRO renovated this key building and in doing so reversed the further abandonment of the area. Today the Philips Jones building provides jobs for nearly 125 employees and serves as a major anchor in the Port Morris Economic Development Zone.

Brook Avenue Gardens. Formerly a casket factory, SoBRO renovated this building into 79 units of high quality housing for low-income families. This project won a Lucy Moses Historic Preservation Award for exceptional design. Issues of contamination in the foundation and rear yard were successfully remediated. This development illustrates that a brownfield designation on a property can have a positive influence on its redevelopment.

Taino Plaza. Taino Plaza, a 104-unit multi-family residential building, occupies a once vacant lot in the Morrisania neighborhood of the South Bronx. The reclamation and redevelopment of this vacant lot, which suffered from soil contamination issues, into an attractive and efficient affordable housing project that incorporates commercial space and green building features, has rendered it a catalyst for community revitalization.

SoBRO Center. The upper floors of the former Hearn's Department Store, located in the "Hub" in the Mott Haven neighborhood of the South Bronx, were vacant for over two decades. In an undertaking that serves as a citywide example for the renovation and reuse of abandoned second floors, SoBRO redeveloped 32,000 square feet of space and created the SoBRO Center, which now houses all of its programmatic and administrative functions.

Wendy's at Keltch Park. SoBRO, in partnership with a Wendy's franchisee, converted a long vacant New York City Department of Parks and Recreation (DPR) comfort station into a restaurant serving the East 170th Street retail corridor.

The Gateway Building. Located along the Major Deegan Expressway at the intersection of Willis Avenue, this former hotel is one of the most visible buildings as one first enters the Bronx from Manhattan via East River Drive. In 2009, SoBRO renovated this vacant building and converted the 23 units into affordable housing.

RELATIONSHIP TO LOCAL GOVERNMENT AND CIVIC ORGANIZATIONS

Having served the Bronx community for over 36 years, SoBRO has developed strong relationships with local government agencies and community leaders, who continue to provide crucial support to planning projects in the Port Morris Harlem Riverfront BOA. Since 2004, when SoBRO began working on the development of a BOA proposal for the Port Morris area, SoBRO has collaborated with local entities and representatives in the South Bronx to solicit input and develop a better understanding of the community's concerns, so that the

development and advancement of the Harlem Riverfront BOA would proceed from a position of community consensus.

As SoBRO has proceeded through the BOA Program it has continued its ongoing collaboration with the following elected officials, government agencies, and local community partners in the South Bronx:

Elected Officials:

- Jose E. Serrano - United States Congress, 16th District
- Carmen E. Arroyo - New York State Assembly, 84th District
- Maria del Carmen Arroyo - New York City Council, District 17
- Helen D. Foster - New York City Council, District 16
- Joel Rivera - New York City Council, District 15

Government Agencies:

- New York State Department of State (DOS)
- New York State Department of Environmental Conservation (DEC)
- New York City Department of City Planning (DCP), Bronx Office
- The Office of the Bronx Borough President
- NYC Mayor's Office of Environmental Remediation (OER)
- New York City Housing Preservation and Development (HPD)
- New York City Economic Development Corporation (EDC)
- NYC Mayor's Office of Industrial & Manufacturing Businesses (IMB)
- The Bronx Overall Economic Development Corporation (BOEDC)

Community Partners:

- Bronx Community Board 1 (CB1)
- Nos Quedamos / We Stay
- Senda Church
- Hub Third Avenue BID

E. COMMUNITY VISION, GOALS AND OBJECTIVES

The central objective of the BOA Program is to encourage the development of abandoned, vacant, or underutilized brownfield sites in a manner that is compatible with the needs and desires of the local community. Through its long-standing relationships with the community and local knowledge of the area, SoBRO has been working with the public and our community partners mentioned above to include their vision for the Harlem Riverfront BOA study area. In 2008, SoBRO solicited the involvement of Nos Quedamos, a South Bronx based environmental justice organization who assisted SoBRO in creating the BOA Community Coalition (discussed further in Chapter 2) to organize and facilitate several open planning forums. Attendance at

these meetings included local Church members, business people from the area, and community residents, all of whom contributed to the conversation about community needs and how they could tie into area-wide and site-specific brownfield revitalization planning and BOA project design. Additionally, SoBRO organized and presented the activities of the BOA program to the Steering Committee whose membership includes an array of SoBRO's community-based and city/state agency representatives that support SoBRO's site-driven approach to brownfield redevelopment planning in the South Bronx. Steering Committee members include elected officials, CB1, Nos Quedamos, the DEC Region 2 Office, the Bronx Office of the DCP, the Office of the Bronx Borough President, and the Mayor's Office of Environmental Remediation (OER), among others. Chapter 2 further details SoBRO's community outreach process. Refer to Appendices B and C for materials related to community and Steering Committee outreach.

The following section describes SoBRO's assessment of the community's vision, needs, and priorities. The section is followed by a description of SoBRO's concept of how resources provided through the BOA Program can be used to support these community goals.

IDENTIFICATION OF COMMUNITY VISION IN RELATION TO THE BOA PROGRAM

To better understand the needs and desires of the local community, which lies within Bronx Community Board District 1, SoBRO conducted public meetings and met with members of the Community Board (CB1). SoBRO's outreach activities are ongoing, and are detailed in Chapter 2, "Public Participation Plan and Techniques to Enlist Partners." In addition, SoBRO reviewed each of the Statement of Community District Needs (District Needs Report) compiled by the community board for FY 2006 and FY 2007. The District Needs Report recorded a wide range of issues important to the local community. The majority of the issues identified tie in directly with BOA Program objectives and many are addressed through SoBRO's unique development-oriented approach to the BOA process (discussed in more detail in Chapter 3, "Analysis of the Proposed Brownfield Opportunity Area"). Among the issues with the highest priority were the presence of vacant lots and environmental degradation, the need for commercial revitalization and job creation, and the lack of affordable housing.

Of all topics discussed in the District Needs Report, economic development was the most prevalent. The section dedicated to economic development issues cited the need to create and retain local businesses and jobs as the most important task. However, the report also recognized the direct impact the loss of jobs has on the physical environment. It stated that the "empty, unused and underutilized commercial and industrial properties are a result of the loss of retail and manufacturing jobs in the district."

Acknowledging the fact that many of the vacant properties face environmental issues because of past industrial uses, the District Needs Report also expressed the need to address brownfields and the remediation of contaminated properties. Bronx CB1 explicitly endorses the "enactment of a corrective action plan for these parcels."

Because of the community's desire to retain local industry and employment, the District Needs Report expresses CB1's support for the Federal Empowerment Zone program and the New York State Empire Zone program in the South Bronx (both administered locally by SoBRO). See

Appendix A for detailed information about these programs. The incentives offered under these programs may also be brought to bear in this area in coordination with the BOA Program.

CB1's District Needs Reports also discussed the increasing need for affordable housing. The report described that housing has become less affordable in the district, citing the high poverty rate and high percentage of household income spent on rent. In a telephone interview in December 2008, Mr. Cedric Lofton, CB1's District Manager, explained that after the population declined significantly about 35 years ago, the area has witnessed the demolition of many multi-story buildings and development of lower density single- and two-family homes. This came about in direct response to a lower demand for multi-family units, but was also done to encourage home ownership. Today, with the influx of new population, the demand has shifted again and the board focuses on creating denser multi-family housing opportunities.

As subsequent sections of this report will explain, brownfield properties can be strong candidates for housing development for a wide range of incomes, and can help to satisfy the growing need for diverse housing options.

It is clear from these reports and the discourse at public meetings that the community feels it lacks in several arenas; in addition to housing, employment and job readiness issues were raised frequently. Key contributors to these overarching issues, expressed by community members, included poor quality of childhood and high school education, and a general lack of practical information (e.g., how to join labor unions, where to obtain worker training, how to navigate the higher education system). Community members also expressed concern about gentrification -- that new "trendier" development occurring in their neighborhoods on vacant lots could conceivably raise the cost of living and displace current residents.

COMMUNITY VISIONING FINDINGS

Through the process of compiling all of the above information, a collective community vision emerges: to improve social and economic conditions by improving access to housing, professional, and educational opportunities for existing residents. Such opportunity empowers a community to preserve its geographic presence as well as advocate for and attract new investment, development and other services and amenities that boost overall quality of life.

Specifically relative to the redevelopment of brownfield sites in the study area, the following goals were found to be important to the community:

- Protect the public from potentially dangerous contamination emitted by current or former industrial sites;
- Increase affordable housing and more diverse housing options;
- Retain and attract local industry and employment; and
- Ensure that a significant portion of new jobs created by brownfield redevelopment are reserved for community residents and workers.

In addition to general housing and commercial development, some specific uses suggested by the community for vacant brownfield-impacted sites included: open/recreational space, job centers, and Head Start and daycare centers.

SOBRO'S GOALS

While some industrial businesses in the Port Morris area generate substantial economic activity, a general decline in manufacturing—in New York City and in cities around the country—left behind many underutilized properties that contribute to the visual and economic blight of this area. In addition, the industrial legacy of manufacturing and auto-related operations in Port Morris and the South Bronx has left significant subsurface contamination. While much of the contamination occurred decades ago, the majority of the issues remain unaddressed today. Identifying these brownfield sites, developing a reuse plan that is compatible with needs of the community and all stakeholders, and ultimately redeveloping the sites into productive uses is what SoBRO envisions for the Port Morris Harlem Riverfront BOA and for the greater South Bronx area.

SoBRO believes that by improving environmental quality and restoring brownfield properties according to the needs of the community, new jobs will be created, much needed affordable housing will be developed, and abandoned properties will once again contribute to the City's tax rolls. Overall, the strategic redevelopment of brownfield sites within the Harlem Riverfront BOA study area will serve to anchor economic and strengthen the social and economic framework of the historically underserved South Bronx area.

F. PROJECT BACKGROUND, OVERVIEW, AND DESCRIPTION

PROJECT BACKGROUND AND HISTORY

GREATER PORT MORRIS BOA

When SoBRO originally applied for the BOA Program in 2004, a much larger area of the South Bronx was selected to be included in the application. This original larger area included a major portion of the South Bronx, and was composed of four community board districts (Community Boards 1, 3, 4, and 5).

SoBRO first scaled back the project study area in 2006 to include only the Port Morris neighborhood of the South Bronx, a 550-acre area generally coincident with CB1's boundaries referred to henceforth as the "Greater Port Morris BOA." The Greater Port Morris BOA study area shares a large portion of the Port Morris Empire Zone and is coterminous with the Industrial Business Area, its formal boundary creating a "U-shaped" corridor along the southernmost coastline of the South Bronx. The description of the boundaries for the formerly proposed Greater Port Morris BOA was as follows:

The 149th Street Bridge and Harlem River constituted the northwestern boundary and commencement point of the "U-shaped" area. From that point, the outer boundary followed the coastline of the Harlem and East River to the point where it meets the east terminus of East 149th Street. Moving inland, the interior boundary followed East 149th Street westward until it intersected with Jackson Avenue, at which point it turned south to the point of intersection with East 134th Street. Following a westward direction to the intersection at Lincoln Avenue, East 134th Street comprised the northern interior boundary of the U-shaped area. The interior boundary then followed Lincoln and Morris Avenues northward to the point where Morris Avenue intersects with East 149th Street. The boundary then turned westward to meet the

commencement point at East 149th Street and the Harlem River. The boundaries of the Greater Port Morris BOA are illustrated in **Figure 1-1**, which also depicts its location in the context of its surrounding neighborhood and City.

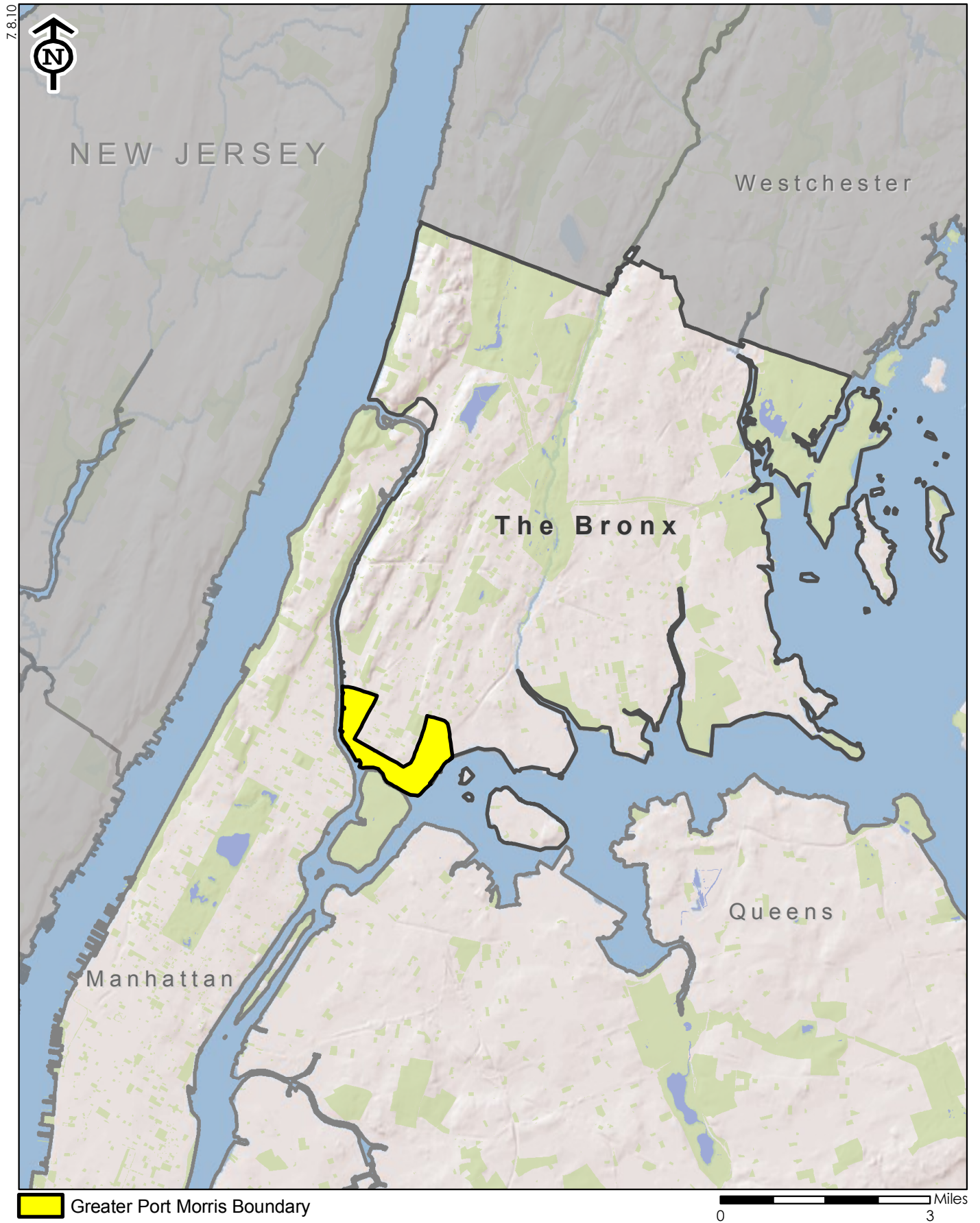
Earlier in the process, it seemed reasonable to include this Greater Port Morris area in the BOA Program, as the majority of the area is characterized by industrial uses, and would therefore be well suited for brownfield planning facilitated by the BOA Program. Another reason was that the same area had joint designation as a Federal Empowerment Zone, a New York State Empire Zone, and a New York City Industrial Business Zone (see Appendix A for more information about these programs). SoBro anticipated that the various grants and tax incentives offered by these programs could provide additional resources and help induce owners to participate in the revitalization efforts.

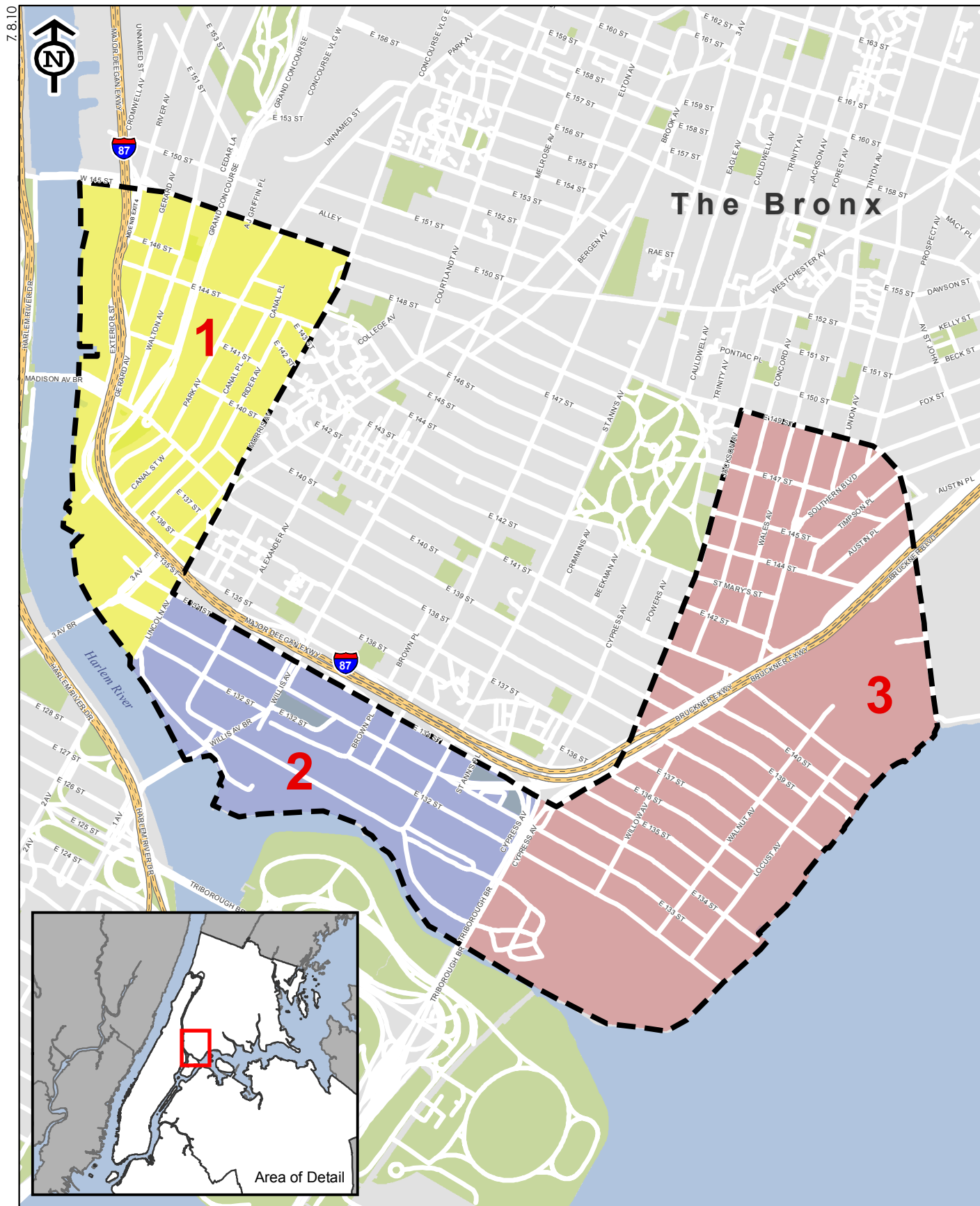
SUBDIVISION INTO INDIVIDUAL ZONES

Upon further examination, SoBro came to recognize the smaller, distinct neighborhoods or catchment areas contained within the Greater Port Morris BOA area, each of which having unique characteristics and development needs. Furthermore, the sheer size of this planning area-- approximately five square miles with a total population of approximately 400,000-- made analysis under one BOA Nomination study unwieldy and too difficult to focus effectively. For these reasons, the Greater Port Morris BOA was subdivided into three smaller, distinctive, more manageable zones. This decision was supported by a number of discussions about the project area boundary with NYS DOS, community members, and consultants, who believed that centering on smaller subzones would help ensure a more targeted, efficient, implementation process. In that regard, focusing on individual planning zones would allow SoBro to design a development driven program that focuses on the delivery of site-specific projects. These BOA subzones would help create an immediate, more localized impact, within reasonable timeframes, while providing more flexibility in terms of funding.

As a result of the process described above, the Greater Port Morris BOA was sub-divided into three distinct subzones with corresponding study areas that follow distinct neighborhood boundaries, shown in **Figure 1-2**. The study area of zone #1 became known as the Harlem Riverfront BOA, and is the focus of the Nomination study contained herein. Zone #2 shall be called the Bronx Kills BOA study area, and zone #3 shall be called the East River BOA study area. It is SoBro's intention to advance separate, independent Step 2 BOA Nomination studies in the latter two subzones, applications for which are currently under review by NYS DOS.

The Harlem Riverfront BOA study area, subject of this Nomination Report, houses a mix of retail, residential, and industrial uses, and is described in detail in the following section. The Bronx Kills subzone is home to the mixed-use Bruckner Arts & Antique District, and would be suitable for additional residential and commercial development. The East River subzone is a concentrated industrial hub, integral for Bronx employment and New York City's overall economic vitality.





- Greater Port Morris BOA Boundary
- Zone 1: Harlem Riverfront BOA
- Zone 2: Bronx Kill BOA
- Zone 3: East Riverfront BOA

SoBRO PORT MORRIS HARLEM RIVERFRONT BOA NOMINATION

Greater Port Morris BOA - Individual Zones
Figure 1-2

G. BROWNFIELD OPPORTUNITY AREA BOUNDARY DESCRIPTION AND JUSTIFICATION

This section describes the physical limits of the Port Morris Harlem Riverfront BOA and provides the justification for the selection of this area for examination in this Step 2 Nomination Report.

BOUNDARY DESCRIPTION

The proposed Port Morris Harlem Riverfront BOA is the area bounded by East 149th Street to the north, the Harlem River to the south and west, and Lincoln/Morris Avenues to the east, as shown in **Figure 1-3**.

Figure 1-4 depicts the location of potential brownfields and underutilized, vacant, or abandoned properties within this area, including parking facilities, vacant land and buildings, and properties with a Floor Area Ratio (FAR) of 0-1.0 (generally properties that are less than 50 percent built-out in accordance with current zoning). These properties are generally concentrated along the Grand Concourse central corridor, along the Harlem River waterfront, and in the area bounded by East 138th Street to the north, the Major Deegan to the south, Third Avenue to the east, and Canal Street to the west.

BOUNDARY JUSTIFICATION

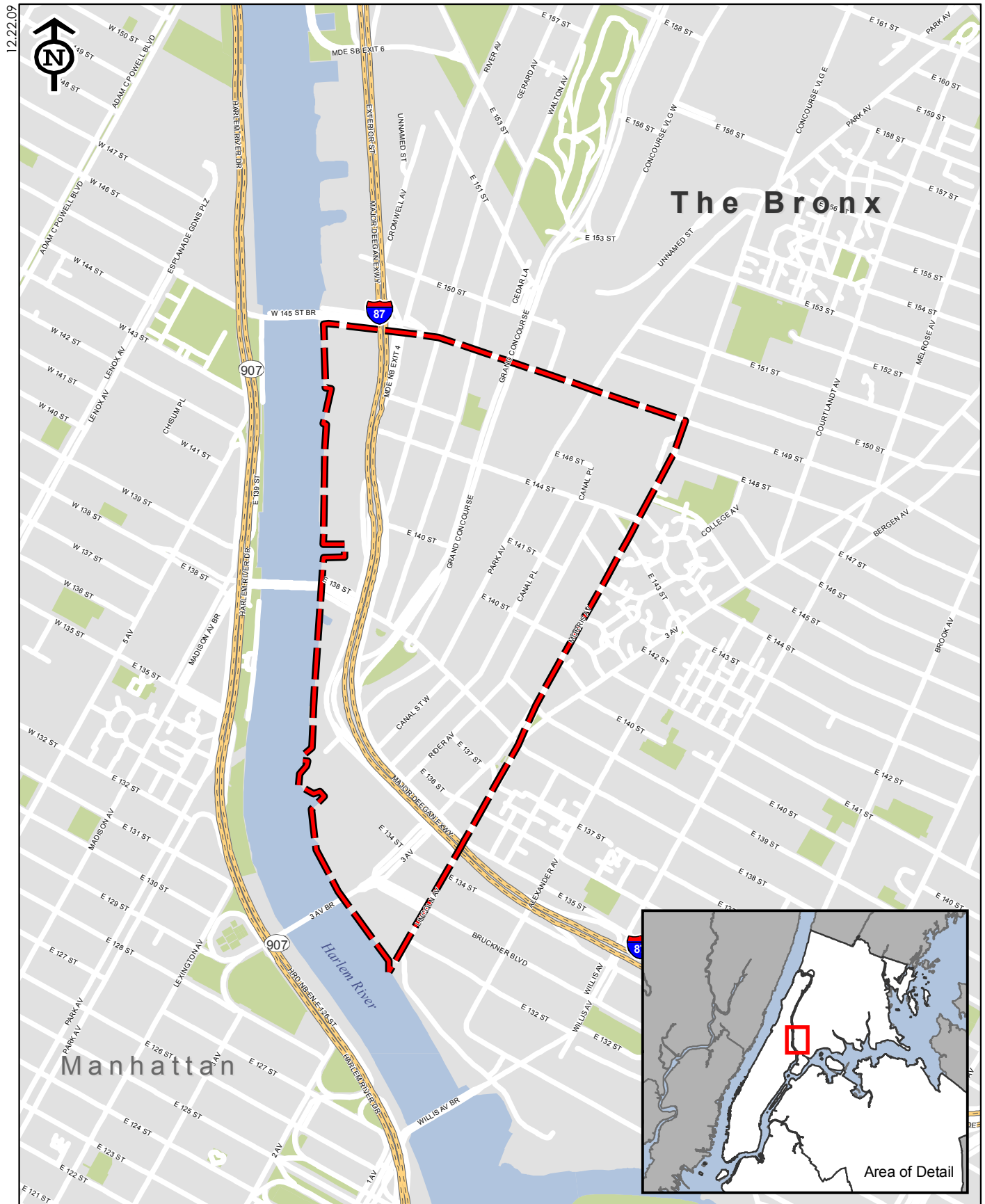
Most of the preliminary work undertaken by SoBRO in the formerly envisioned Greater Port Morris BOA area was concentrated on the area of the Harlem Riverfront / Lower Concourse, and so was therefore selected as the first of the three smaller zones for which a full-scale Nomination study is prepared.

A number of recently certified rezoning actions and developments contribute to the revitalization opportunities in the Harlem Riverfront BOA area. Among these are the following notable key efforts that have recently been put in place or are in the process of being realized:

- Rezoning of Special MX district along 134th Street (1997);
- 11-Block Expansion of the MX Zone boundaries (2005);
- Lower Concourse Rezoning (2009);
- Special Harlem River Waterfront District (part of Lower Concourse Rezoning);
- Gateway Center Project (completed 2009);
- New Yankees Stadium (opened in 2009); and
- Willis Avenue Bridge Replacement Project (projected completion date 2012).

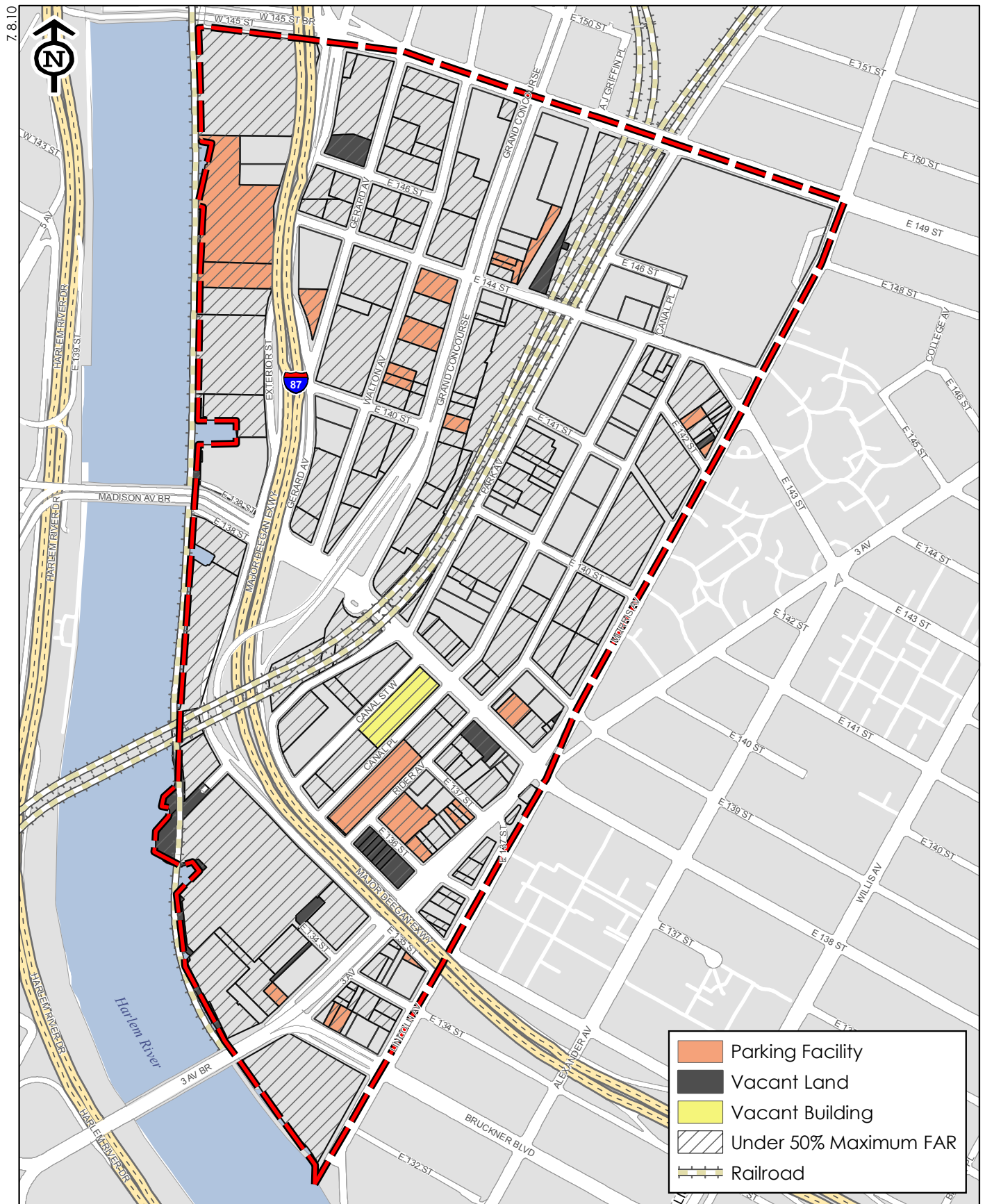
Of these, the most notable is the recently certified Lower Concourse Rezoning, which allows for a mix of uses in the heavily industrial area. Adopted in June 2009, the rezoning area largely coincides with the boundaries of the Port Morris Harlem Riverfront BOA. The Lower Concourse Rezoning is expected to spur residential, commercial, and additional industrial development over the next decade within the study area in particular, as well as in nearby surrounding areas. The Harlem Riverfront BOA Program will not only support these rezoning efforts, but will provide a development vision that is consistent with the community's needs, and will assesses

the environmental impacts of developing the identified Strategic Sites and development sites targeted by the City within the rezoned area. SoBRO, through the BOA Program, is well positioned to help guide some of the development that is likely to occur because of this recently enacted zoning change. The Lower Concourse Rezoning is discussed in detail in Chapter 3. *



 Proposed Port Morris Harlem Riverfront BOA Boundary

0 1,500 Feet



 Proposed Port Morris Harlem Riverfront BOA Boundary

0 1,000 Feet

**Study Area Potential Brownfield,
Vacant, and Underutilized Sites**
Figure 1-4

Chapter 2: Public Participation Plan and Techniques to Enlist Partners

A. INTRODUCTION

In the proposed Port Morris Harlem Riverfront Brownfield Opportunity Area (BOA), the large number of potential brownfield sites contributes to the underutilized character of the neighborhood. Since the redevelopment of these sites will ultimately alter the character of the area, redevelopment planning will need to consider the community's needs and preferences and must be guided by a broader community-derived vision and plan. An essential element in ensuring that the community's voice is heard is the development and implementation of an effective Public Participation Plan.

This chapter of the Step 2 Nomination report describes the public outreach methods used to ensure community participation in SoBRO's planning activities in the proposed Port Morris Harlem Riverfront BOA. These outreach and engagement activities, detailed below, comprise SoBRO's Public Participation Plan for the Harlem Riverfront BOA. This chapter also describes the techniques that SoBRO is employing in its ongoing efforts to engage partners in the BOA process. Examples of partners include local, county, state, or federal government agencies; property owners; private sector parties; not-for-profit organizations; academic institutions; and other stakeholders. The chapter concludes with a summary of how the outreach input will be utilized to help refine and move forward with redevelopment in the study area under the BOA process.

B. PUBLIC PARTICIPATION PLAN

SoBRO's 36-year history of spearheading economic development in the South Bronx demonstrates its ability to design and implement community-supported and community-driven development plans. By forming partnerships with governmental and civic groups, SoBRO has leveraged a diverse range of resources for BOA projects and activities that aim to serve the community of the South Bronx.

SoBRO recognizes the importance of providing the community with ongoing opportunities to participate in the planning process for the Harlem Riverfront BOA, making effective community participation one of its central goals. To achieve this goal, SoBRO has consistently presented the BOA Program, its opportunities, and project ideas to the public (through community visioning events), the local Community Board, and the BOA Steering Committee (composed of various community representatives including city and state agencies and elected officials) for feedback and guidance.

On January 18, 2008, SoBRO hosted a community visioning event, where Neil Pariser, Senior Vice President of SoBRO, introduced the BOA Program and shared SoBRO's goals and approach with the community. The goal of the event was to solicit ideas, encourage feedback from the

public, and to build consensus around SoBRO's brownfield redevelopment initiative. A major outcome of the event was the formation of a BOA Community Coalition, which has since become an integral element of SoBRO's ongoing public participation strategy. The Coalition, comprised of SoBRO and other local community leaders, helps to organize and facilitate meetings and outreach events, and is discussed further below. (Refer to Appendix B for meeting flyers and minutes from the January 2008 visioning event.)

SOBRO's general community outreach and participation strategy has employed three principal elements to foster public involvement in the Harlem Riverfront BOA process: Public Visioning Meetings; Community Board Meetings; and Steering Committee Meetings. Adherence to this Public Participation Plan, supported by the Community Coalition, has resulted in a collaborative effort to identify community-wide issues and also determine the highest and best use(s) for each of the identified Strategic Sites within the study area that SoBRO is considering for potential cleanup and redevelopment.

BOA COMMUNITY COALITION AND PUBLIC VISIONING MEETINGS

The leading community-based groups that form the BOA Community Coalition (the Coalition) are: SoBRO, Nos Quedamos/We Stay, and the Senda Church Congregation. Nos Quedamos has an established reputation as a grassroots planning and advocacy group in the South Bronx. The not-for-profit organization develops green affordable housing and has a history of environmental justice activism. Senda is a small local church located on East 134th Street known for its active support of community-wide issues and needs. Senda is led by Reverend Mario Olivero, a resident of Community District 1.

In addition to these groups, two particularly interested and vocal individuals who reside in the Port Morris area—Hector Castillos and Alvarado Miguel—have become active members of the Coalition. They have consistently attended visioning meetings, have a solid understanding of local community planning issues, and act as effective liaisons between community development agencies and the community.

Several local businesses have also supported the efforts of the Coalition. These include Transcon International, a mover and shipper of fine arts; The Gallery, a local restaurant that provides catering and sit-down service in the heart of Port Morris; Richard C. Mugler Co., Inc., a family-owned shoring company that has been on the Harlem River waterfront for over 50 years; and Bridge Building Supply, a building materials company with a store on 135th Street and Third Avenue.

The Coalition is mainly charged with the task of planning, facilitating, and/or attending an ongoing series of public visioning events, the first of which took place on January 7, 2009 (see Appendix B for copies of the meeting flyer). At these events, the Coalition updates the community on SoBRO's BOA-related work, and encourages attendees to share opinions and ideas related to BOA, as well as express general concerns associated with the community living and working within the Greater Port Morris BOA area. Meetings provide an important opportunity for community members to voice these general concerns (e.g. related to employment, job training, education, etc.) to groups such as SoBRO and Nos Quedamos that provide an array of relevant services and resources. Although issues that come up can at times

be ancillary to the BOA Program, SoBRO believes them to be relevant in any planning effort, and thus important for consideration in BOA work.

Visioning meetings are meant to raise awareness of area-wide issues that need to be addressed during the planning process, as well as to help the Coalition identify additional potential redevelopment sites and end uses. The visioning process and associated dialogues and workshops are used as a foundation to create a larger community development vision that can serve as a guideline for all future brownfield redevelopment projects in the Harlem Riverfront BOA. The community development vision also supports planning efforts in the Bronx Kills and East River future BOA study areas that lie within the Greater Port Morris BOA. The most recent meeting of the Coalition occurred on December 16, 2009 (see Appendix B for meeting related materials). To advance the BOA visioning process and to inform the community about the program, the Coalition regularly communicates with the public, and participates in meetings and presentations before the Community Board and the BOA Steering Committee.

COMMUNITY BOARD 1

Since the beginning of the BOA process in Port Morris, Community Board 1 (CB1) has been very supportive of SoBRO and its initiatives. The Board recognizes that brownfield issues have long precluded development on vacant and underutilized sites. On April 2, 2008, SoBRO presented an overview of the former Greater Port Morris BOA project to CB1. SoBRO gave a follow-up presentation on the narrowed study area of the Harlem Riverfront BOA at a CB1 joint committee meeting on January 14, 2009, which included updates on the status of several potential Strategic Sites. SoBRO obtained feedback related to the proposed BOA, and responded to questions from board members. Minutes of the April 2008 and January 2009 meetings with CB1 can be found in Appendix B.

Board members are enthusiastic about SoBRO's site-specific, development-oriented approach, and continue to welcome SoBRO's project updates, which are anticipated to be delivered approximately every six months to the community board. In addition to soliciting feedback on the different potential Strategic Sites, next steps, such as activities associated with advancement to BOA Step 3 (Implementation), are discussed at meetings with the community board. Interested members of CB1 have been invited to join the BOA Steering Committee and attend Steering Committee meetings.

Engaging the community board early on in the planning stage will also prove important when Strategic Sites approach development, especially if a project must go through NYC's Uniform Land Use Review Process (ULURP). ULURP is a layered review process for proposed zoning or land use changes, whereby a project is voted on by several city agencies and ultimately the New York City Council; a project's first approval must be obtained by the local community board. Therefore, if CB1 participates in project planning during the BOA process, it can be expected that they will offer support during the formal review stage and help advance the project through the ULURP process.

BOA STEERING COMMITTEE

The third important element of SoBRO's outreach and engagement strategy is the BOA Steering Committee. Membership on the Port Morris BOA Steering Committee includes elected officials,

city and state agency representatives, community board members, and other community advocates and stakeholders. The BOA Steering Committee met in late 2005, October 2006, November 2007, and most recently on December 1, 2009 (see Appendix B for materials from these meetings). Since BOA activity accelerated in the Spring of 2008, several new participants have been engaged. Going forward, Steering Committee meetings will be scheduled semi-annually, in addition to the visioning events and community board meetings. During these meetings, SoBRO updates committee participants on the status of ongoing projects as well as the content and outcomes of the public meetings, solicits feedback and input, and informs the Steering Committee about potential programmatic changes or new developments. Appendix C contains a list of the original BOA Steering Committee participants as well as a list of new participants invited to the most recent meeting.

C. TECHNIQUES TO ENLIST PARTNERS

As an established partner of the local South Bronx community, SoBRO is committed to ensuring that BOA Program projects are accepted and supported by area residents and businesses. Enlisting interested, active partners in the BOA Program and its associated redevelopment efforts is key to the ultimate success of the Port Morris Harlem Riverfront BOA Program. To enlist partners in the BOA process, SoBRO has utilized a variety of techniques, including:

- Engaging community partner organizations, most notably Nos Quedamos, to form the BOA Community Coalition and hold public meetings, thus ensuring that the interests of local residents and businesses are represented in all BOA projects and activities;
- Reaching out to elected officials for support of BOA projects;
- Gradually building a network of brownfield practitioners such as the staff and affiliates of the Mayor's Office of Environmental Remediation (OER), the New York State Department of Environmental Conservation (DEC), and a number of environmental planning and engineering firms;
- Becoming educated on the New York State Brownfield Cleanup Program (BCP), so that SoBRO can advise property owners of contaminated Strategic Sites on how to implement cleanup and redevelopment in a responsible and economically viable manner;
- Engaging City agencies (e.g. New York City Economic Development Corporation [EDC], New York City Department of Housing Preservation and Development [HPD]) through SoBRO's real estate department to structure the financing of brownfield redevelopment projects after the BOA site assessment/predevelopment stage;
- Attending events hosted by advocacy group New Partners in Community Revitalization (NPCR) in order to stay abreast of policy issues related to BOA and brownfields development, and also participating in roundtable discussions with other BOA Program grantees;
- Attending roundtable events to share SoBRO's BOA approach and experience and to hear about the BOA Programs in other communities so that the participants could draw on one another's strengths and ideas;
- Inviting other BOA grantees (Newtown Creek, Gowanus Canal) to tour the Harlem Riverfront BOA area, to gain insight into SoBRO's BOA process, and share ideas; and

- Identifying property owners and potential developers that could participate and help effectuate the redevelopment of sites within the proposed Harlem Riverfront BOA.

D. NEXT STEPS: AREA-WIDE PLANNING AND SPECIFIC SITE DEVELOPMENT

As explained throughout this report, the dramatic Lower Concourse Rezoning is expected to spur tremendous residential, commercial and additional industrial development over the next decade. Implementation of a BOA Step 3 Program in the Harlem Riverfront BOA area will play a direct role in ensuring development is consistent with community needs, assessing the environmental impacts of development, and marketing the newly zoned area to prospective developers that propose community-enhancing projects. In addition, SoBRO will continue to investigate the highest and best uses for prospective parcels within the Harlem Riverfront BOA area and coordinate revitalization efforts with environmental partners in the community, the State and the City to insure safe and suitable development. SoBRO undertook a land-use survey (See Appendix F) in the Harlem Riverfront BOA area which helped to start identifying high-impact strategic sites and reuse potential that would serve the community's needs.

As part of refining and truly implementing the BOA area-wide planning effort, SoBRO intends to undertake further study of where needs and opportunities exist within Harlem Riverfront BOA communities, that will build on the information already obtained in the Step 2 Program. For example, as part of its funding application for a Step 3 Program, SoBRO included an accessibility study, which would address traffic and transportation, walkability, bike-ability, and/or public waterfront access. From a planning perspective, these factors are crucial to sustainable social and economic development.

In terms of addressing preliminary development of specific Strategic Sites under BOA, SoBRO has a general process whereby: 1) SoBRO staff undertake preliminary due diligence work to become more familiar with identified under-utilized sites; 2) SoBRO reaches out to property owners and offers assistance with facilitating environmental investigation, cleanup, and economically viable redevelopment; and 3) SoBRO and the BOA Community Coalition present potential development sites to residents in public meetings to facilitate discussion and determine the community's ideal redevelopment scenario. Depending on the case, SoBRO has the capacity to act as a development consultant for a property owner, market a site to potential developers, or acquire the site and develop the property itself. Under any of these scenarios, SoBRO looks forward to undertaking predevelopment work with the support of BOA Step 3 funding, such as site and building design.

SoBRO also intends to target Step 3 funds toward market analysis of proposed end-uses for particular Strategic Sites (detailed in Chapter 3). While the community or a property owner may envision one particular use, demographic and market data must demonstrate that sufficient local demand will support a project's bottom line. In fact, market study is another, more quantitative way of assessing the needs of an area.

Using the input and information gathered through the community outreach and participation activities described above, as well as the due diligence work, SoBRO has been active in identifying the highest and best uses for prospective parcels within the 30-block area of the Harlem Riverfront BOA. Moving forward, SoBRO will continue to coordinate planning and redevelopment efforts with partners in the local community, as well as at the State and City

levels to ensure safe and suitable, equitable development of potential brownfield sites in the BOA study area. These implementation and redevelopment recommendations are described in more detail in Chapter 3, “Analysis of the Proposed Brownfield Opportunity Area,” including more detail about the selection of Strategic Sites within the proposed Port Morris Harlem Riverfront BOA. *

A. INTRODUCTION

Chapter 3 provides a thorough analysis of the proposed Port Morris Harlem Riverfront Brownfield Opportunity Area (BOA) (i.e. the “study area”). The chapter includes a description of the community and regional setting, existing conditions, and selected Strategic Sites that could potentially catalyze revitalization in the area.

The Community and Regional Setting section of this chapter assesses demographic and housing trends, economic conditions, land use patterns, transportation and infrastructure systems, and natural features.

The Existing Conditions section of this chapter includes a description of existing land use and zoning, as well as an inventory of brownfield, abandoned, and vacant sites. Within this context, six Strategic Sites identified by SoBRO and the community were assessed for their redevelopment potential. This section of the chapter also describes the methodology employed to identify these Strategic Sites. Additional information relative to land ownership, and other relevant community characteristics (parks, historic resources, transportation systems, infrastructure, and natural resources), found within the proposed study area are also described.

Finally, a summary of the analysis findings, and recommendations for moving forward, are presented. These recommendations highlight the opportunities and the reuse potential of identified Strategic Sites within the study area.

B. COMMUNITY AND REGIONAL SETTING

The proposed Port Morris Harlem Riverfront BOA is part of the South Bronx, which is located at the southern tip of New York City’s northernmost borough. It is characterized by the many bridges that connect the Bronx, Westchester County, and Manhattan. The South Bronx, and the Harlem Riverfront BOA in particular, are home to many manufacturing and industrial businesses. A largely Hispanic population forms the demographic backbone of the study area.

The South Bronx experienced a significant economic decline in the late 1970s, induced by the construction of major highways such as the Cross Bronx Expressway and other infrastructure projects that cut through and broke apart once viable neighborhoods. The South Bronx became a symbol of urban decay after businesses and residents left the area, leaving abandoned buildings, empty storefronts, and vacant lots. Today, the South Bronx is still the least affluent urban Congressional District in the nation, where the median income is \$20,451 and where more than one-third of the households earn less than \$10,000 per year (6 percent of households earn less than \$10,000 per year nationally). Over 40 percent of all South Bronx residents live below the poverty level and rely on public assistance. Unemployment is pervasive

and reached nearly 20 percent in 2000 (compared to 5.2 percent nationally), according to the 2000 US Census. Close to half of residents in the South Bronx lack a high-school degree and one-fifth of the adult population has not attained a 9th grade education (compared to 6 percent nationally).¹

The proposed Port Morris Harlem Riverfront BOA covers an approximately 100-block area of the South Bronx and includes the largely industrial adjoining neighborhoods of Port Morris and Mott Haven. These overlapping neighborhoods have a shared history and many similar characteristics, in terms of land use and commercial and residential activities, as described in more detail below. The proposed BOA lies entirely within the southern perimeter of Community District 1. An important strength of the Harlem Riverfront BOA is its excellent transportation network and close proximity to direct rail, subway, bus and roadway bridge connections which allow easy access to other parts of the city and region.

PORT MORRIS

Port Morris is a peninsula in the southern-most portion of the Bronx, defined by East 149th Street to the north, the East River and Bronx Kill to the south and east, and the Harlem River to the west. Bruckner Boulevard, which runs under the elevated Bruckner Expressway, is the primary thoroughfare in Port Morris.

This Port Morris waterfront industrial area once had high hopes of competing with New York City as a seaport. Though the ambitious 19th century plan of Governor Morris II never came to fruition, Port Morris developed as an industrial community, and serves today as an important job creator for the residents of the South Bronx. Port Morris is home to over 450 businesses, many of which are wholesale distributors, as well as apparel, food, and sheet metal manufacturers. These industries collectively employ over 18,000 workers. The neighborhood is dominated by industrial firms set within a scattering of residential and commercial uses. Within this well-maintained industrial neighborhood, vacant and underutilized lots can be found. The surrounding neighborhood is dominated by New York City Housing Authority (NYCHA) and other low-income housing developments.

The Harlem River Yards, comprising the southern tip of Port Morris that fronts the Bronx Kill (a narrow straight that connects the East River and the Harlem River), are home to the new \$250 million New York Post color printing plant, a Waste Management railroad-serviced waste transfer facility, and a recently opened Federal Express distribution facility. A new intermodal rail facility allows entire truck trailers on flat cars to be delivered via train, eliminating a substantial amount of truck traffic. The western Port Morris area's recent new mixed-use zoning designation, the Lower Concourse Rezoning discussed below, allows for a diverse economy by providing opportunities for new residential development while striving to retain viable light industrial uses. Because Port Morris was primarily used as a rail yard and a manufacturing area, large sections are expected to have some level of residual environmental contamination.

¹ U.S. Census Bureau (2000): *American FactFinder*

The strategic location of Port Morris at the foot of the Third and Willis Avenue Bridges, adjacent to the Major Deegan Expressway, provides direct access to Manhattan, Connecticut, New Jersey, and Long Island. Locational advantages of Port Morris make it one of the City's true Gateway Communities, which is a positive factor supporting the potential redevelopment of sites within the Harlem Riverfront BOA.

MOTT HAVEN

Immediately east of Port Morris and also within Bronx Community District 1 is the neighborhood of Mott Haven. Generally, it is bounded by East 149th Street to the north, Morris and Lincoln Avenue to the west, East 134th Street to the south, and the Bruckner Expressway to the east. In fact, neither Port Morris nor Mott Haven bear official neighborhood boundary lines, and local maps vary in this regard. Some pockets even seem to overlap; for this reason, Mott Haven also warrants some description in this section in order to paint a fuller context for the Harlem Riverfront BOA program. **Image 1** below shows a map of general, though unofficial, boundaries of the Port Morris and Mott Haven neighborhoods.

Mott Haven was first settled and developed by Jordan Mott, who purchased the land west of Third Avenue in 1841 and founded Mott Iron Works. Inventor of the coal-burning stove, cupola furnace, and various kitchen and bathroom fixtures, Mott established an ironworks foundry at a location where present day Third Avenue meets the Harlem River. He developed the remainder of Mott Haven into a small suburban neighborhood for local industrial workers and their families, hence the remaining brownstones that can be seen along East 136th Street and other corridors. To encourage additional commercial growth, Mott also built a nearby canal and successfully advocated the extension of the Harlem River Railroad (later known as Metro-North's Harlem Line) which today runs directly through Mott Haven. During this same period, Mott Haven developed into a significant residential and industrial community, renowned for its thriving piano manufacturing businesses.

While the neighborhood has since declined, the area continues to represent a community rich in economic development opportunities. Urban renewal efforts in the 1970s and 1980s brought 17 low-income public housing projects to the community.

Since 2000, property values have increased substantially and residents are proud of these first signs of revitalization. Today, Mott Haven is home to three small landmarked historic districts along Alexander Avenue that feature elegant row houses in the Dutch and Flemish architectural styles.

Many of the area's vacant and deteriorated buildings have been rehabilitated to provide affordable housing, such as the \$4 million Brook Avenue Building developed by SoBRO. After successfully remediating existing contamination, this former vacant manufacturing building was rehabilitated, and contains 79 units of affordable housing.

The area is now also home to the single largest project ever built with private capital in the borough, the \$500 million Gateway Center developed by the Related Companies at East 149th Street and River Avenue, which opened in early 2009. The 1.1 million square foot Gateway Center at the former Bronx Terminal Market represents genuine revitalization of the South Bronx and the western Port Morris / Mott Haven area in particular. This project converted a

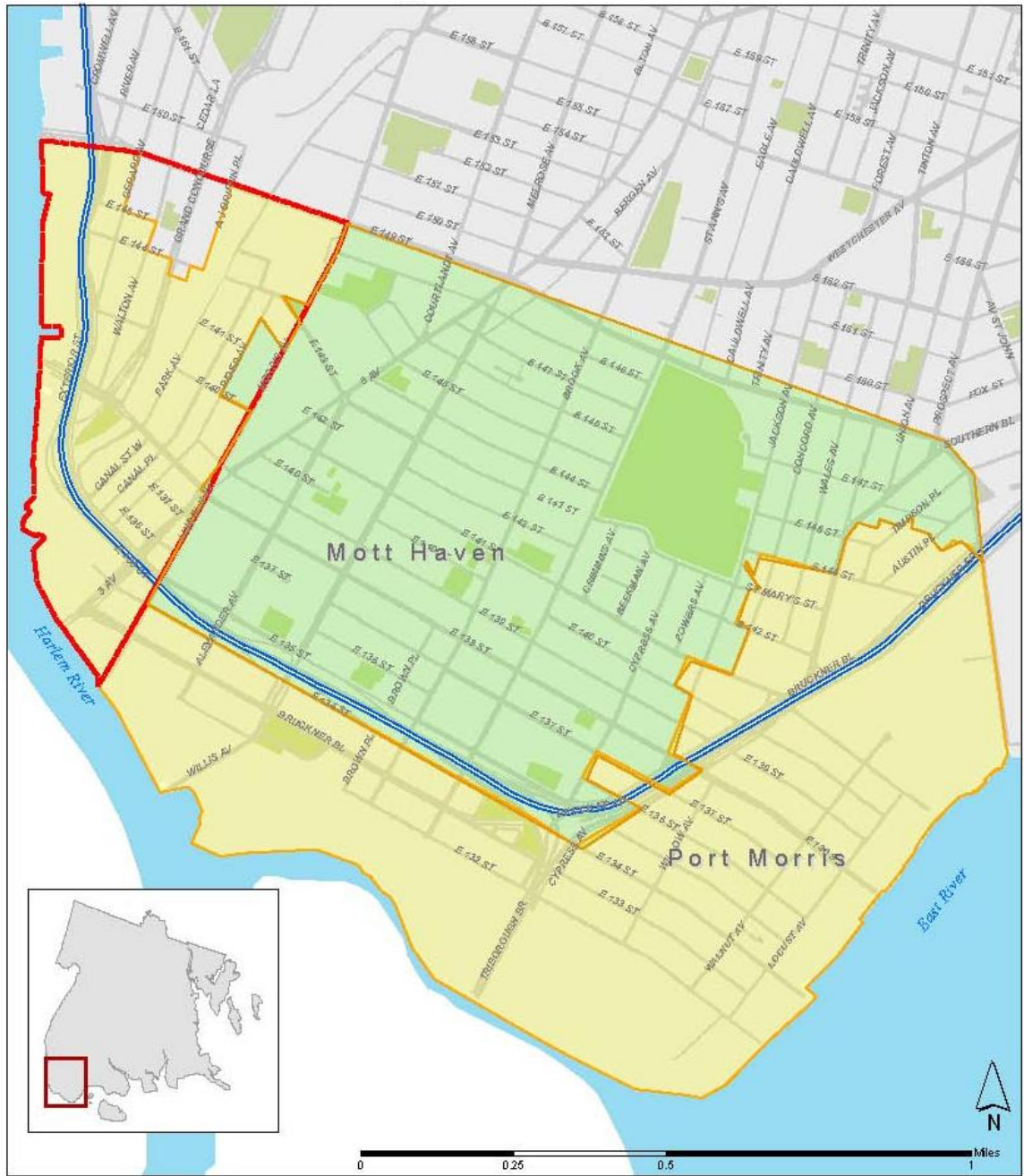
large formerly underutilized site into active retail use, and is currently in the process of restoring public access to the Harlem River waterfront.

Neighborhoods in Community District 1, including Port Morris and Mott Haven, have seen dramatic changes since 1990, when one fifth of all lots were vacant. The area now has the second lowest land vacancy rate in the Bronx (i.e. 2.2 percent). Property values have substantially increased since 1990 and the rate of homeownership has grown from 2.8 percent in 1990 to 7.3 percent in 2009.²

Clearly, significant economic revival has already taken root in the South Bronx. Much of this revitalization has been sparked by community development organizations like SoBRO which have developed affordable housing, and sponsored educational, workforce, and business assistance services that are critical elements in the process of urban economic revitalization. As was noted in SoBRO's original 2004 BOA Grant application: "Most of the once-decimated neighborhoods are now [more] inviting and populous; the sidewalks are safe enough to be crowded with baby strollers and elderly people and kids on roller-blades. The plywood is off the storefronts, and commercial traffic is back on the main streets." A number of redevelopment plans and projects initiated by government and local community entities have been initiated by the Department of City Planning, most notably the Lower Concourse Rezoning, and funding resources to implement the plans have been identified. Several of these plans and initiatives were listed in Chapter 1, and are also described in more detail in the following sections and in the discussion of the study area's zoning. Within this dynamic climate, the BOA Program provides a unique planning opportunity for the South Bronx.

² U.S. Census Bureau (2000): American FactFinder and ESRI, Inc (2009)

Image 1. General Neighborhood Boundaries - Port Morris and Mott Haven.



 Port Morris Harlem Riverfront BOA



Source: NYC Dept. of City Planning
Monetta Wilson 5.27.2010

C. EXISTING CONDITIONS INVENTORY AND ANALYSIS

The inventory and analysis section provides an in-depth analysis of the proposed Port Morris Harlem Riverfront BOA. The existing conditions analysis evaluates land use and zoning, the presence of brownfield, abandoned, vacant and underutilized sites, ownership characteristics, parks and open space, significant buildings, cultural resources, major transportation and infrastructure systems and elements, and natural features. The analysis assesses the reuse potential of existing brownfield properties, with an emphasis on identifying “high-impact” Strategic Sites, and associated potential redevelopment strategies for those Strategic Sites. The analysis is based on visual assessments and a review of information from Geographic Information Systems, aerials, tax maps, topographic maps, agency databases, and past reports completed by SoBRO for the study area, as well as Phase I assessments and the use of a site profile tool developed specifically for evaluation of properties as potential BOA Strategic Sites.

PART I: LAND USE, ZONING, AND STRATEGIC SITES

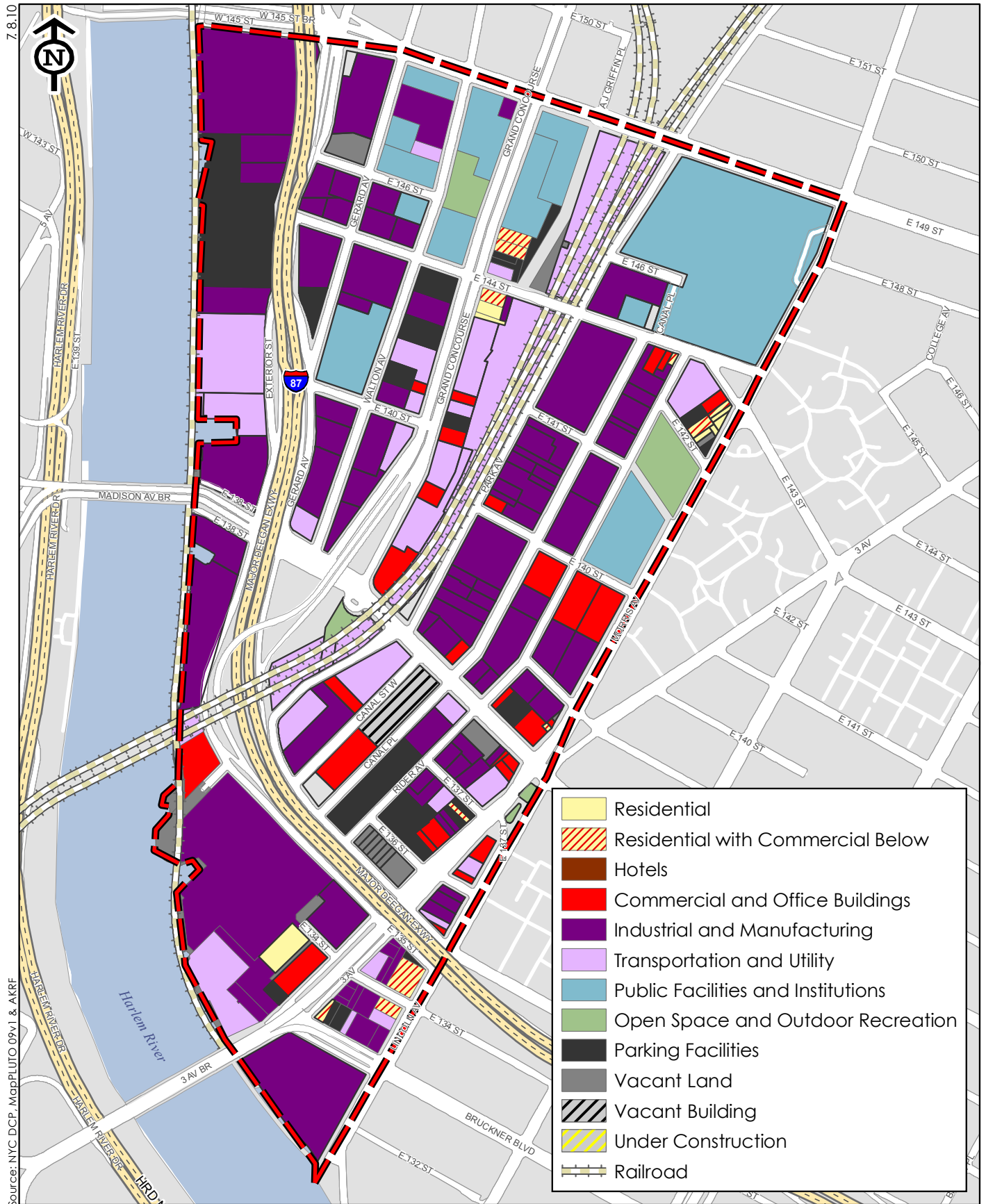
LAND USE

The proposed Port Morris Harlem Riverfront BOA is an area composed primarily of industrial land uses and small pockets of commercial and residential uses, where environmental issues are likely to exist. At the same time, development pressure is increasing and demanding that new approaches be examined that promote redevelopment and economic growth that are compatible with the changing area.

When SoBRO delineated the area to be included in the Harlem Riverfront BOA, it had the goal in mind to retain viable industrial and commercial activities, while concurrently attempting to promote and foster development of new uses in the area that would strengthen the community and quality of life for local residents and workers.

Figure 3-1 depicts the existing land uses found within the proposed Port Morris Harlem Riverfront BOA. As shown in the figure, the study area is largely composed of industrial and manufacturing properties. The prevailing industries in the communities of Port Morris and Mott Haven are wholesale distributors, apparel, food, sheet metal and other manufacturing industries, waste transfer and recycling, newspaper printing, parcel service distribution, automotive related uses, and intermodal rail yards. Transportation and utility uses are also prevalent in the Harlem Riverfront BOA, including a substantial number of parking facilities. It should be noted that industrial and transportation uses are often associated with a high potential for contamination of different types, including petroleum spills.

The study area is dotted with commercial uses, mainly east and south of Grand Concourse. There are a few significant public facilities and institutions in the study area, including Lincoln Hospital at the northeastern corner of East 149th Street and Morris Avenue, Hostos Community College at Grand Concourse and 149th Street, Deeper Life Bible Church at East 144th Street and Canal Place, and the Community School for Social Justice at East 140th Street between Gerard and Walton Avenues. There are limited amounts of vacant land, public open space, and residential uses to be found within the Harlem Riverfront BOA.



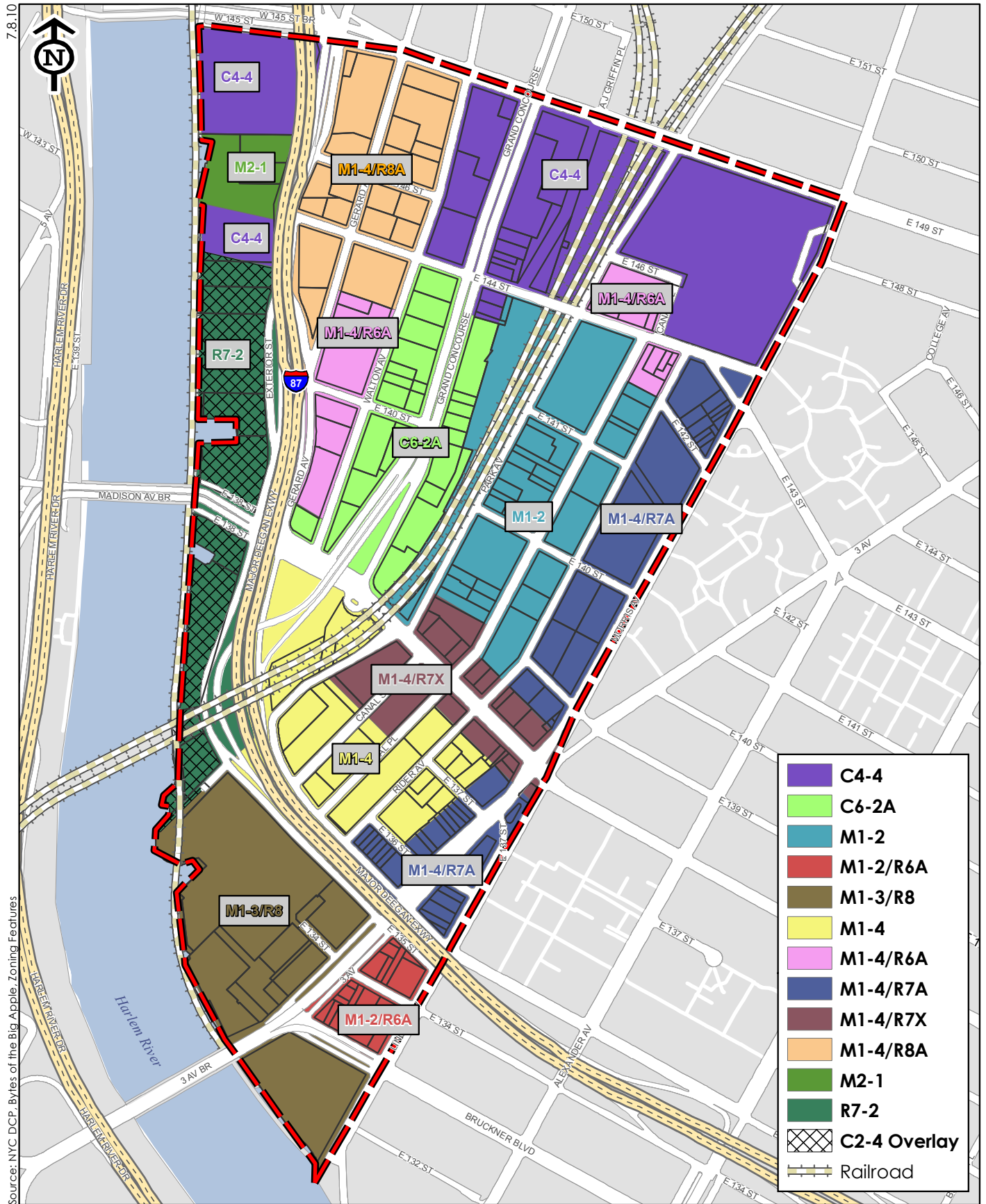
ZONING

Figure 3-2 depicts the existing zoning within the proposed Port Morris Harlem Riverfront BOA, including the newly adopted Lower Concourse Rezoning modifications discussed in more detail below. **Table 3-1** presents permitted uses, allowed maximum Floor Area Ratio (FAR), minimum to maximum base height, and maximum building height requirements for each of the study area's zoning districts. In 2006, the Bloomberg administration unveiled its new affordable housing initiative, which called for the development of 165,000 new affordable housing units by 2016. The lack of sites suitable for housing development caused City agencies to search for less conventional areas for housing development.

Table 3-1
Zoning Districts in Harlem Riverfront BOA Study Area

Zoning District	Use Groups Allowed ¹	Allowed Maximum FAR				Base Height	Maximum Building Height
		Residential	Commercial	Manufacturing	Community Facility	Min to Max	
M1-2	4-14, 16, 17	X	2.00	2.00	4.80	*	*
M1-4	4-14, 16, 17	X	2.00	2.00	6.50	*	*
M2-1	6-14, 16, 17	X	2.00	2.00	X	*	*
MX (R6A/ M1-2)	1-14, 16-17	3.00	2.00	2.00	3.00	40 to 60 ft	70 ft
MX (R6A/ M1-4)	1-14, 16-17	2.7 (3.6 with inclusionary housing)	2.00	2.00	3.00	40 to 60 ft	70 ft
MX (R7A/ M1-4)	1-14, 16-17	3.45 (4.6 with inclusionary housing)	2.00	2.00	4.00	40 to 65 ft	80 ft
MX (R7X/ M1-4)	1-14, 16-17	3.75 (5.0 with inclusionary housing)	2.00	2.00	5.00	60 to 85 ft	125 ft
MX (R8/ M1-3)	1-14, 16-17	6.02	5.00	5.00	6.50	*	*
MX (R8A/ M1-4)	1-14, 16-17	5.4 (7.2 with inclusionary housing)	2.00	2.00	6.50	60 to 85 ft	120 ft
R7-2/ C2-4	1-9, 14	3.0 (4.0 with inclusionary housing)	2.00	X	4.80	**	**
C4-4	1-6, 8-10, 12	3.0 (4.0 with inclusionary housing)	3.40	X	6.50	**	**
C6-2A	1-12	5.4 (7.2 with inclusionary housing)	6.00	X	6.50	60 to 85 ft	120 ft
Notes: The zoning districts in this table include those adopted in June, 2009 as part of the Lower Concourse Rezoning. The rezoning is discussed in detail in the following section. ¹ Uses that have similar functional characteristics and/or nuisance impacts and are generally compatible with each other are listed in one or more of 18 groups that are ranked from residential uses (Use Groups 1–2), community facility uses (Use Groups 3–4), retail and service uses (Use Groups 5–9), regional commercial centers/amusement uses (Use Groups 10–12), waterfront/recreation uses (Use Groups 13–15), heavy automotive uses (Use Group 16), to manufacturing uses (Use Groups 17–18). Use group charts can be found in Chapter 2 of Articles II, III and IV of the City's Zoning Resolution. *Governed by the Sky Exposure Plane. **Bulk controlled by Waterfront Access Plan.							
Sources: Department of City Planning, Bronx Borough Office, March 2008.							

One of the City's approaches to meet the Mayor's mandate has been to reassess the city's land use policy as it pertains to the utilization of industrial areas for residential uses. New policies had to consider two contrary trends: first, industrial areas had experienced a significant decline since the seventies and had left behind large underutilized and underdeveloped urban areas well suited for non-industrial development; second, the stable, viable portion of the industrial and manufacturing sector was forced to compete with residential and commercial uses throughout the city, and faced the danger of being displaced along with the jobs it provided.



The parallel need for both protection of industrial business and redevelopment of new uses led to the creation of 16 Industrial Business Areas throughout the five boroughs that had two geographic components: an Industrial Business Zone (IBZ) and an adjacent Industrial Ombudsman Area. While IBZs were created as safe havens for industrial and manufacturing businesses and are protected from being rezoned, Ombudsman Areas were created as transitional mixed-use zones where industrial uses could coexist with other use types.

Lower Concourse Rezoning

Figure 3-3 shows the Port Morris Industrial Business Area. In 2005, the New York City Office of Industrial and Manufacturing Businesses (IMB) designated a 34-block section, located within the proposed Port Morris Harlem Riverfront BOA as an Industrial Ombudsman Area. The designation was followed in 2008, by a proposal to rezone the area from M-1 and M-3 into a mixed-use district (also called “MX”) in order to introduce residential development opportunity pursuant to the Mayor’s housing plan. The rezoned area generally correlates with the boundaries of the Harlem Riverfront BOA, with the exception of the southernmost portion of the BOA below the Major Deegan Expressway, which is not included within the Lower Concourse Rezoning area (but already zoned MX).

Historically, the industrial area had a mix of 4- to 12-story loft buildings and lower-rise industrial and automotive uses. Today, several multi-story loft buildings stand completely or partially vacant, large waterfront lots are underutilized, and employment has declined over the past two decades. The former zoning in the Lower Concourse area did not allow residential development, limiting opportunities to redevelop this underutilized property.

The Statement of Community Needs (“District Needs Report”) for FY 2006 and 2007, prepared by Bronx Community Board 1 (CB1), documented that a zoning designation allowing for industrial as well as other uses in the area was preferred by residents, and would be considered beneficial for the area. Additionally, although the community recognizes that the role of manufacturing has diminished in today’s economy, the District Needs Report notes that industrial areas such as Port Morris still contain an impressive array of uses that continue to provide important jobs in communities where unemployment rates are high. The CB1 stated in 2007 that “the re-zoning of existing manufacturing zones to mixed-use zoning would promote new mixed uses for underutilized blocks of land and buildings while ensuring the retention of manufacturing uses.” Similar to the CB1, SoBRO supported City Planning’s zoning proposal to introduce new uses to the area, but had concerns that the initially proposed scope of the rezoning plan would not adequately preserve existing industries and the important jobs they provide.

To address these concerns, in collaboration with a number of City agencies (Department of City Planning—Bronx Office [DCP], New York City Department of Small Business Services [SBS], and New York City Economic Development Corporation [EDC]), SoBRO in 2008 conducted an intensive survey of businesses located in the proposed rezoning area to better understand the area’s business composition. The survey recorded the number of employees, asked if businesses intended to expand in the near future, identified development issues (including environmental concerns), and obtained other relevant employment and business location data. It was determined that two core pockets of viable industry existed within the study area that provided 750+ jobs.

In addition to the survey, SoBRO under the BOA Program retained AKRF, Inc., an environmental planning and consulting firm, to study potential environmental issues and related development barriers that may affect potential development throughout the proposed Port Morris Harlem Riverfront BOA. As a result of the survey and BOA-funded study that was well received by DCP, SoBRO helped DCP in its rezoning effort to strike a balance between providing new opportunities for residential and commercial development while retaining viable industry and its associated jobs. The survey's findings and the data collected by AKRF were compiled together in a powerpoint presentation that can be found in Appendix F.

The resulting "Lower Concourse Rezoning" was a modification of the original scope that reflects a better balance between these important interests. Adopted by the City Council on June 30, 2009, the rezoning affects a 30-block area surrounding the lower end of the Grand Concourse. DCP's stated goals in enacting the Lower Concourse Rezoning are to³:

- Provide opportunities for new residential development;
- Encourage the reuse of underutilized industrial land and lofts;
- Retain viable light industry;
- Create attractive new gateways into the Bronx;
- Better connect surrounding neighborhoods of Mott Haven and Port Morris;
- Provide new waterfront open space to an underserved community;
- Encourage the development of new affordable housing;
- Encourage grocery store access; and
- Identify best practices for limiting conflicts between residential and industrial uses within Mixed-use districts.

As part of the Lower Concourse plan, DCP established a Waterfront Access Plan (WAP), made the provisions of Inclusionary Zoning applicable in the area (to incentivize development of affordable housing), and approved other related actions to create community development and new investment opportunities in the underutilized but transit-rich Lower Concourse area. Please refer to Appendix G for the Lower Concourse Rezoning text amendments. **Table 3-2** below and **Figure 3-4** highlight each of the new zoning districts introduced, along with permitted uses and allowed maximum Floor Area Ratio (FAR).

Within the new MX context, it is important to highlight the Waterfront Access Plan (WAP). Officially named the "Special Harlem River Waterfront District," DCP has targeted nine underutilized waterfront parcels for development. These lots are located just south of the intersection of East 149th Street and Exterior Street along the Harlem River waterfront; eight of these parcels bear new MX designations, and are intended for mid- and high-rise housing development, with retail and community space components. One parcel, approximately 400 feet south of said intersection on a property currently used to park buses, has been earmarked to become a 2.26-acre public park. New zoning requires all development lots in the special district to include a 40-foot public walkway fronting the river, to be raised two feet above the railway that currently wraps around the shoreline. **Image 2** below depicts the waterfront plan.

³ Department of City Planning, Bronx Borough Office, March 2008.

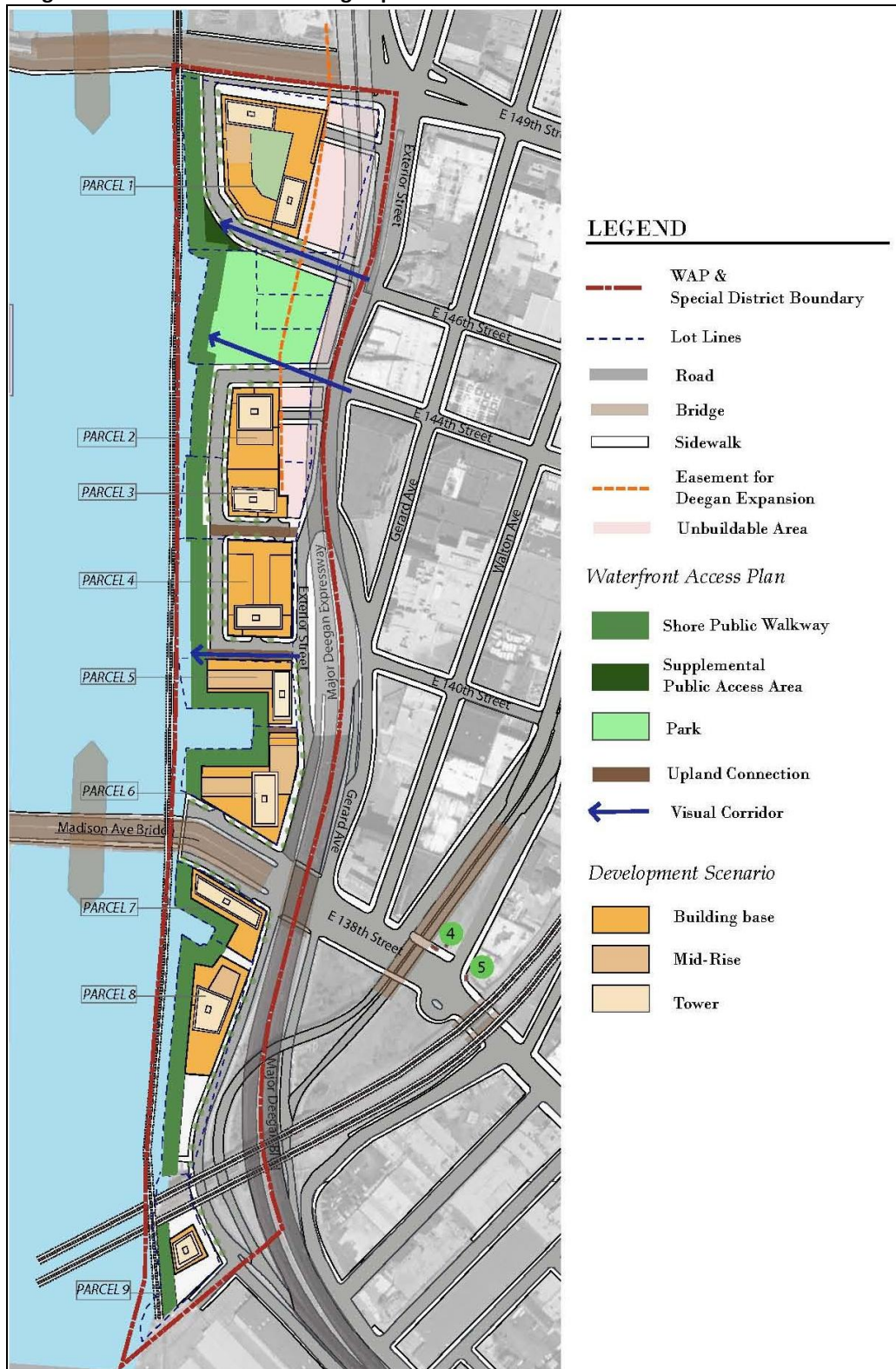
This waterfront special district will also help advance the City-wide Waterfront Comprehensive Plan, called “Vision 2020,” which is currently being updated by the DCP from the original 1992 version (discussed further in Part II of this chapter).

Overall, it is anticipated that the Lower Concourse Rezoning will help preserve a significant portion of the area’s manufacturing base and the jobs associated with these businesses, while simultaneously creating new residential, commercial and open space development opportunities within the rezoning area and along the Harlem River that will serve to enhance the surrounding manufacturing and residential community. These actions aim to transform the former heavy-industrial waterfront area into a vibrant, mixed-use, mixed-income community.

**Table 3-2:
New Zoning Districts in Lower Concourse Rezoning Area**

Zoning District	Allowed Maximum FAR			
	Residential	Commercial	Manufacturing	Community Facility
M1-2	X	2.00	2.00	4.80
M1-4	X	2.00	2.00	6.50
MX (R6A/ M1-4)	2.7 (3.6 with I.H.)	2.00	2.00	3.00
MX (R7A/ M1-4)	3.45 (4.6 with I.H.)	2.00	2.00	4.00
MX (R7X/ M1-4)	3.75 (5.0 with I.H.)	2.00	2.00	5.00
MX (R8A/ M1-4)	5.4 (7.2 with I.H.)	2.00	2.00	6.50
C6-2A	5.4 (7.2 with I.H.)	6.00	X	6.50
SPECIAL HARLEM RIVER WATERFRONT DISTRICT				
North: C4-4	3.0 (4.0 with I.H.)	3.40	X	6.50
South: R7-2/ C2-4	3.0 (4.0 with I.H.)	2.00	X	4.80
Sources: Department of City Planning, Bronx Borough Office, March 2008.				
* I.H. = Inclusionary Housing				

Image 2. Lower Concourse Rezoning - Special Harlem River Waterfront District.



BROWNFIELD, ABANDONED, AND VACANT SITES

Parcels with historic and/or current industrial uses are often associated with a high potential for environmental contamination— these are brownfield sites. For example, waste transfer stations, heavy manufacturing businesses, gas stations, and auto related businesses are often associated with underground storage tanks and spills. Because of the high concentration of such industrial uses, as well as the prevalence of historic urban fill sites, the potential for subsurface contamination exists throughout the entire Harlem Riverfront BOA study area.

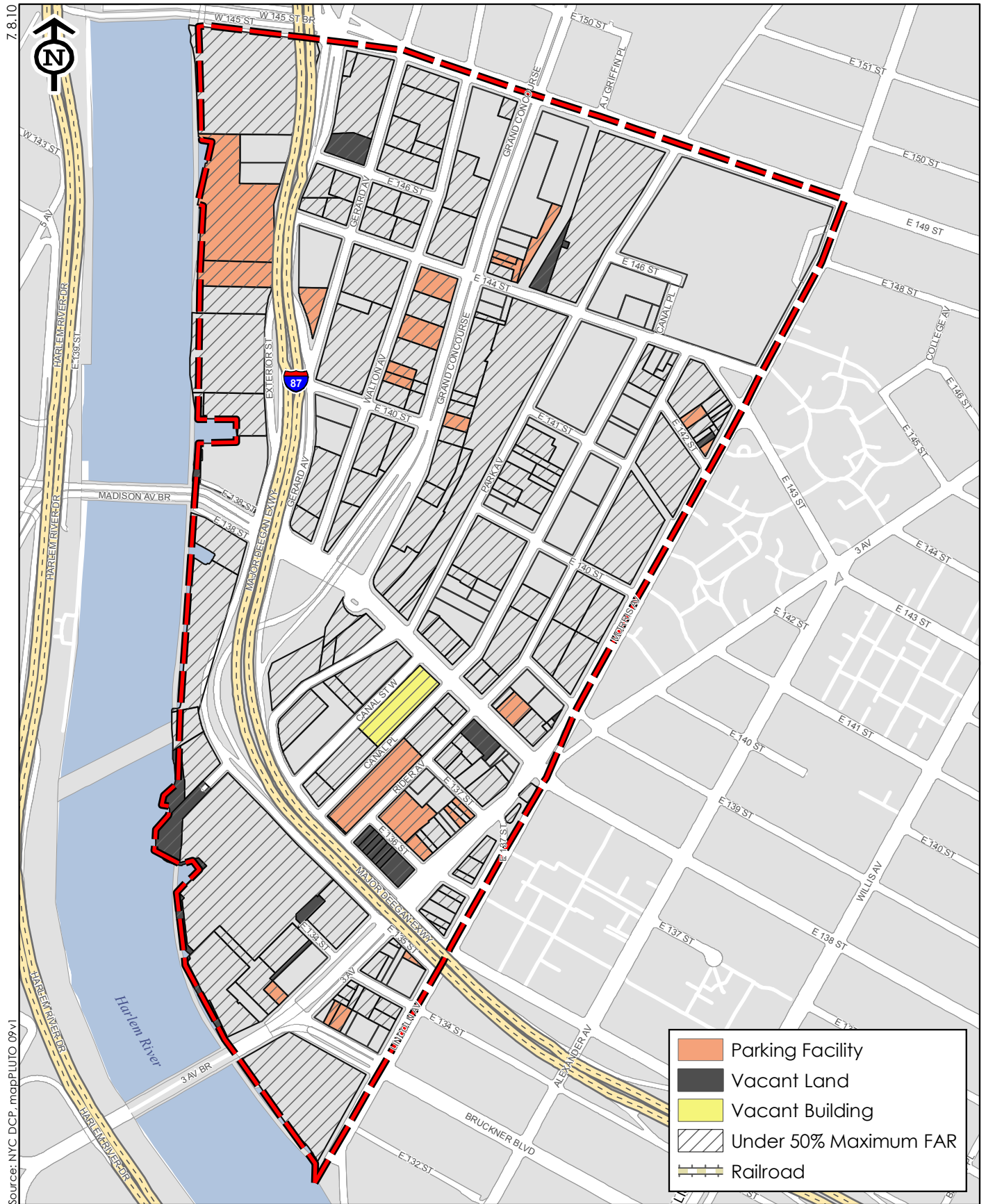
To identify brownfield sites within the BOA suitable for redevelopment, SoBRO conducted an inventory of vacant or underutilized lots, which were anticipated to have contamination issues resulting from on-site or nearby industrial, manufacturing, or auto-related uses. Using data from the New York State Department of Environmental Conservation (DEC) in conjunction with land use and other property information from Map Pluto, Dun & Bradstreet, ConEdison, DCP, and the New York City Department of Buildings, SoBRO mapped petroleum spill sites and discovered that spills potentially cover the entire borough of the Bronx. From this research and inventorying activity within the Harlem Riverfront BOA, SoBRO discovered that many sites within the study area could be characterized as potential brownfields, and could be suitable for further consideration under the BOA Program.

Underutilized or vacant lots are scattered throughout the Harlem Riverfront BOA, and are often located along major thoroughfares or important intersections (sites that SoBRO considers high-impact locations—where redevelopment would be particularly attractive to developers and the local community). Developing targeted sites within the Harlem Riverfront BOA would have a major positive impact on the surrounding neighborhoods, with the potential to transform the entire Harlem Riverfront BOA community.

Figure 3-5 depicts the location of potential brownfield sites and otherwise underutilized, abandoned, or vacant properties in the study area, that were identified by SoBRO through the various means described. Properties mapped include parking facilities, vacant land and buildings, and properties with a Floor Area Ratio (FAR) of 0-1.0 (generally properties that are less than 50 percent built-out in accordance with current zoning). As shown in the figure, properties that fall within one of the above categories cover the vast majority of the proposed Port Morris Harlem Riverfront BOA and are generally concentrated along the Grand Concourse central corridor, in the Harlem River waterfront area, and south of East 138th Street.

STRATEGIC SITES

SoBRO views the BOA Program as a resource intended to target some of the above-mentioned troubled, often underutilized, potential brownfield sites within the study area, and develops strategies to develop them into viable, tax paying real estate that will spur overall community revitalization. Six underutilized sites within the BOA study area were targeted by SoBRO for investigation as potential high-impact “Strategic Sites” under the BOA program; these particular sites were selected because their redevelopment is expected to bring needed economic growth to the Harlem Riverfront BOA area and surrounding communities. The BOA Program defines Strategic Sites as brownfield or suspected brownfield properties located within the proposed BOA boundaries, which if cleaned up and redeveloped, could act as



Proposed Port Morris Harlem Riverfront BOA Boundary

0 1,000 Feet

Locations of Brownfield, Underutilized, and Vacant Sites

catalysts for further area investment and realization of the community's vision for revitalization.

Since SoBRO's initial application covering the Greater Port Morris BOA, a total of six Strategic Sites specifically within the Harlem Riverfront BOA study area have been identified and assessed for potential environmental issues and potential redevelopment. In selecting these sites, SoBRO has utilized the BOA Program as a tool to facilitate brownfield community planning and site-specific development. Through resources provided under the BOA Program SoBRO engaged the Steering Committee, the Community Coalition, and the public in dialogue about potential reuse of these neglected lots, which would be mutually beneficial to property owners and the community. The MX rezoning of the area makes development opportunities more attractive and feasible and has increased interest from property owners and potential developers.

[It should be noted that SoBRO's first brownfield site considered under the BOA Program, a vacant gasoline service station, is located outside of the Harlem Riverfront BOA study area at the intersection of East 138th Street and Bruckner Boulevard. This site was considered *before* the study area was sub-divided into three separate zones; it is now within the East River subzone, for which SoBRO has a pending Step 2 BOA application currently being reviewed by NYS DOS. A case study detailing SoBRO's early work associated with this property can be found in Appendix E.]

A number of factors are considered in the identification of a Strategic Site, which can include some or all of the following characteristics: location, size, capacity for redevelopment, appropriateness to house a needed new public amenity, owner willingness, adequacy of infrastructure, transportation systems, and utilities, potential to spur additional economic development, and general potential to improve quality of life.

The parcels selected for examination as Strategic Sites within the Port Morris Harlem Riverfront BOA have long been eyesores that paint an image of neglect and abandonment and do not reflect the revitalization that the South Bronx has experienced in recent years.

Methodology

The selection of SoBRO's six Strategic Sites from the universe of underutilized, potential brownfield properties is a direct result of SoBRO's strong relationship with the local community. For instance, SoBRO is actively involved in administering or advising local businesses about the various support and incentive programs available in the South Bronx, i.e. through the Empire Zone, Empowerment Zone, and Industrial Business Zone programs (descriptions for these programs can be found in Appendix A). Also, because of SoBRO's reputation as a prominent local developer of affordable housing, retail, and community space in the South Bronx, property owners and other development groups often seek its advice. Being in this position provides SoBRO with a unique understanding of community and business needs. SoBRO can connect the community's area-wide vision with suitable development sites, and provide concrete assistance to property owners and potential developers when structuring financially viable projects. In this regard, SoBRO was easily able to identify sites appropriate for BOA assessment – sites with perceived environmental contamination issues, whose

redevelopment would have significant visual and economic impact on the surrounding area – in essence, high-impact Strategic Sites.

Two central BOA activities undertaken by SoBRO at Strategic Sites were: 1) Conducting Phase I Environmental Site Assessments; and 2) Creating Strategic Site Profiles for evaluating challenges and opportunities, as well as suitability of different redevelopment scenarios at these sites. Each of these essential tools and their application in SoBRO's BOA program are described below.

Phase I Environmental Site Assessments

A Phase I Environmental Site Assessment (ESA) assesses the historical use of a site and gauges the likelihood that subsurface contamination is present. A Phase I ESA is used to determine if further site investigation and analysis, such as sampling and lab testing of soil and groundwater, is needed. SoBRO undertook Phase I ESA's at three Strategic Sites. A brief summary of findings can be found in the specific Strategic Site narratives below. The narratives also explain why Phase I's were not conducted for the other three sites.

Strategic Site Profile Tool

SoBRO collaborated with AKRF to develop a Strategic Site Profile tool, which was used to first assist SoBRO in identifying and investigating key high-impact sites and then to help determine their suitability for residential, commercial, or industrial redevelopment. This innovative tool has application for other BOA and under-utilized sites throughout the City. The profile tool considers a broad range of factors that may affect a site's development potential, including environmental history and concerns, zoning restrictions, mass transit availability, and vehicular access. The instrument ranks the potential development site for suitability as either a manufacturing, commercial, or residential reuse. Used also as a marketing device, SoBRO hopes that, within the context of the newly adopted rezoning, this instrument will help property owners, the city, and the community to define new development opportunities within the Port Morris Harlem Riverfront BOA area and foster partnerships with outside private sources that can bring needed capital to the area.

Appendix D contains five Site Profiles that were prepared using the Site Profile Tool for the Strategic Sites identified in the Harlem Riverfront BOA. (Note: Strategic Site #2 was not profiled; see narrative explanation below.) Among other characteristics, the Strategic Site profiles include pertinent information about potential environmental issues on each site, including current groundwater conditions and potential contamination issues. Information on potential contamination is based on field observations, historical land use, aerial photographs, or other available data sources. These site profiles include a comprehensive analysis of the Strategic Site's existing conditions that incorporate much of the same information contained in a full Phase I ESA. This tool also includes a variable rating matrix that generates a numeric indicator of the highest and best reuse for the site. The tool will help shape future remediation and development work at each of the Strategic Sites.

The six Strategic Sites identified in this Step 2 study of the Harlem Riverfront BOA are depicted in **Figure 3-6**. Key findings from the Phase I ESA's and Site Profiles are summarized in the Strategic Site narratives below, and the full Site Profile and Phase I report summaries can be found in Appendices D and I, respectively. Full Phase I reports can be found electronically on

the compact discs submitted along with the hard copy of this report. Additionally, other preliminary development materials for selected Strategic Sites - projected development budgets, financial feasibility analyses, and design schemes - can be found in Appendix H.

STRATEGIC SITE 1: GAS STATION @ RIDER AVENUE / EAST 138TH STREET

**230 East 138th Street, Bronx, NY 10451
Block 2330, Lot 66**

The Rider Avenue gasoline station has been vacant for over 15 years. The property is 11,250 square feet in size and has a regular, rectangular shape, which permits a greater range of development opportunities than an irregularly shaped parcel would allow. Formerly zoned M1-1, the site was rezoned to MX-1 under the Lower Concourse Rezoning plan. This new designation allows the site to be redeveloped as either a manufacturing, commercial, residential, or mixed-use property. SoBRO has contacted and offered to assist the current property owner with the remediation and redevelopment of the site, however the owner has no desire to undertake any redevelopment. He is willing to sell the property, which is subject to hefty State environmental and City tax liens, totaling approximately \$3.5 million combined. As a result of conducting due diligence and preliminary feasibility analysis, it is now SoBRO's intention to undertake development of a mixed-use building that will include 56 units of affordable housing together with ground floor retail space. Through the BOA Program, SoBRO has begun to explore necessary remedial investigation and scope of cleanup, as well as finance alternatives.

The Rider Avenue Strategic Site serves as an important example of how the redevelopment of a brownfield-impacted site in New York City and New York State can be complicated by various layers of liability and regulatory process. First, a state environmental lien of approximately \$1.5 million burdens the site because of a petroleum spill reported in the early 1990's. The NYS DEC Spills Program conducted emergency remediation to reduce the amount of free product in soil and groundwater and prevent off-site migration that could have threatened surrounding properties. The base cost of DEC's remedial work plus many years of accrued interest has today resulted in this tremendous liability for the property owner, who is considered to be the "responsible party." Second, this long-vacant property is burdened by almost \$2 million in back-taxes owed to the City of New York. SoBRO, along with its private partner Exact Capital, intend to acquire the property for a nominal fee plus the responsibility of settling these State and City liens. Unfortunately though, at this juncture, the exorbitant price tags of the two items render the development project financially infeasible. SoBRO has committed BOA resources to undertaking the due diligence necessary to negotiate with the property owner, the State Attorney General's office, and the City to reduce some of these liabilities for the greater purpose of pursuing an important community-economic development opportunity.

Work SoBRO has done thus far at this Strategic Site under the BOA program with the goal of developing the site is:

- Developed a working relationship with the property owner;
- Formed a joint venture partnership with private development group Exact Capital LLC;

- Retained legal counsel to address the State and City liens;
- Reached out to the New York State Comptroller, Attorney General and Governor's offices to explain SoBRO's proposed project, its importance to the community, and the financial hurdles it faces;
- Gathered existing records and data on the remedial work conducted by DEC in order to assess what type of remediation is still needed, and how much it will cost, in order to safely build housing on the site;
- Reached out to the NYC Mayor's Office of Environmental Remediation for guidance on obtaining funding assistance for additional investigation needed at the site, and to act as a liaison between SoBRO and relevant City agencies (such as the NYC Department of Finance) that might consider forgiving all or part of the tax lien liability;
- Met with NYS DEC to evaluate the site and project for eligibility in the NYS Brownfield Cleanup Program (BCP) which offers regulatory oversight for cleanups as well as lucrative tax credits on the costs of remediation and development; and
- Generated a preliminary development budget and cash flow projection for the proposed project in order to work with potential funding sources and determine overall feasibility.

The Rider Avenue gas station has been categorized as a high-impact Strategic Site, because its redevelopment has the potential to a) jump start additional development along the highly visible East 138th Street corridor, and b) serve as a model for using Brownfield gasoline stations as mixed-use economic development anchors. SoBRO with Exact Capital plans to purchase the property from the owner this year.

Site Profile Key Findings

On this site, there are known petroleum contamination impacts to soil and groundwater from past on-site service station operations as well as potential contamination from surrounding off-site industrial facilities and/or uncontrolled urban fill at the site. The site profile and feasibility study (found in Appendices D and H, respectively) show that highest and best re-use for the Rider site is residential. A Phase I ESA was not undertaken at this site because a plethora of environmental conditions data exists on record due to its involvement in the New York State Spills Program.

STRATEGIC SITE 2: GAS STATION AT THIRD AVENUE/MAJOR DEEGAN EXPRESSWAY

2472 – 2477 Third Avenue, Bronx, NY 10451

Block 2320, Lots 5 – 11

This Strategic Site, located at the foot of the Third Avenue Bridge connecting the Bronx with Manhattan, is comprised of an abandoned gasoline station and the 5 adjoining lots, which together occupy a full city block. In late 2007, SoBRO undertook a Phase I ESA to assess the environmental issues affecting the site. The report indicated that the former Gaseteria service station had a petroleum spill in January 2002, which was recorded for the property on NYS

DEC's Spill Database. Although some remediation was conducted by the State to contain the contamination, the spill case remained "open" and further remediation is still needed today. In late 2008 and early 2009, SoBRO worked closely with the new property owner Jiten, LLC, to assess the feasibility of constructing a hotel at this prime location. On SoBRO's recommendation, the property owner applied for and received Empire Zone certification to assist with the site's redevelopment into a hotel. Through the BOA Program, SoBRO helped guide Jiten toward remediation of the five-parcel site under the New York State Brownfield Cleanup Program to which a portion of the site was admitted. SoBRO provided guidance and expertise in exchange for Jiten's commitment to close on this long abandoned property and undertake its redevelopment. As part of this process, SoBRO accompanied Jiten at meetings with the Bronx Borough President's office, DEC Region 2 Division of Environmental Remediation, and the local community board to help gather the support they needed for the hotel project. It should be noted that this site entered into the State's Brownfield Cleanup Program in October 2009. At the time of writing, the project's Remedial Investigation Work Plan (RIWP) was available for Public Comment through May 21, 2010.

Through the BOA Program, SoBRO also funded a Phase I ESA update in early 2009, as most development funding sources require that environmental reports be current within six months. The Phase I ESA completed for the Major Deegan gas station site, along with the data available from the State, helped the new property owner determine the scope of the testing and remediation work needed, and advanced this Strategic Site along its redevelopment trajectory. It should be noted that this site was not profiled with SoBRO's planning tool because of timing; when SoBRO set out to profile Strategic Sites with this tool, the property owner had already determined an end-use and begun the development process. Creating a profile would not have been useful at that point.

Strategic Site #2 stands out as an example of how a BOA site can move on the trajectory from preliminary planning into implementation. Although SoBRO includes it on the list of Strategic Sites within this Step 2 study, in fact it has become an "actualized site" over the course of SoBRO's BOA work in the Port Morris area. When SoBRO first took interest in the site circa 2006, it was still owned by Gaseteria, who was unsure whether to undertake development or to sell the property. Today, under new ownership, the site is in the process of being a) safely remediated under State regulatory oversight; b) transformed from a blighting eyesore to an active, attractive use; and c) developed into a viable, revenue-producing enterprise serving business travelers and visitors stopping in the South Bronx.

Phase I ESA Key Findings (Conducted in February, 2009)

Data revealed that the filling station that operated circa 1951 to 2002 had affected subsurface conditions of soil and groundwater; an active gasoline spill was reported for Lot 11 in January, 2002; testing and monitoring was conducted between 2002 and 2008 that indicated elevated levels of volatile organic compounds (VOCs) and other petroleum-related contaminants, some of which had migrated off-site in a southerly direction; State regulatory records indicated the presence of seven underground storage tanks beneath Lot 11 that were not removed or properly closed; title documents indicated that Lots 5-10 were owned by a cleaning contractor that stored industrial solvents on-site that could have leached into soil and groundwater; possible historic fill issues; possible lead paint issues from vacant structures on-site;

surrounding uses, current and past, may have caused subsurface contamination that could have migrated onto the site.

STRATEGIC SITES 3 & 4: VISTA 1 WAREHOUSE AND VISTA 2 VERIZON PARKING LOT

Vista 1:

**2401 Third Avenue, Bronx, NY 10451
Block 2316, Lot 2**

Vista 2:

**101 Lincoln Avenue, Bronx, NY 10451
Block 2316, Lot 1**

These two sizeable and underutilized waterfront sites are strategically located on the Harlem River waterfront straddling both sides of the Third Avenue Bridge to Manhattan. SoBRO, together with property owners and the Port Morris BOA Community Coalition are beginning a development visioning process, and it is anticipated that these two large waterfront sites, which are zoned MX-1 (but sit outside the boundaries of the Lower Concourse Rezoning area), will include new waterfront access and could accommodate a combination of residential, manufacturing, and retail uses. Redevelopment in this manner, with the provision of new public waterfront access, would complement the waterfront-related goals of the Lower Concourse Rezoning that occurred in the adjacent area just north of these sites, as well as the general trend of removing non-water dependent industrial uses from waterfront areas to allow for more active and enlivened uses.

Using funding provided through the BOA Program, SoBRO has already undertaken Phase I ESA's and created Strategic Site Profiles for each of these parcels. These activities have allowed for a better understanding of the environmental conditions on each site helping SoBRO and community stakeholders determine how best to create a mixed-use complex that could include market-rate condominiums or apartments, affordable housing, retail, community space that includes waterfront access, and on-site parking. The redevelopment of the Vista 1 and 2 Strategic Sites could bring much needed services and amenities to the local community, as well as support new residents moving to the area in response to the MX zoning designations recently adopted in the adjacent Lower Concourse area. As they are formulated, redevelopment concepts for these sites will be presented at public meetings to ensure that the needs and vision of local residents and businesses are incorporated into the redevelopment plans for these two prime waterfront sites.

The first lot at 2401 Third Avenue, named "Vista 1," is 67,000 square feet and is currently occupied by a privately owned Shoring company called Richard C. Mugler Co., Inc., a family-owned business established in 1953. The President, Richard Mugler III, recognizes the potential opportunity in redeveloping or selling his property and relocating the business. In May 2009, Mugler Co. agreed to work with SoBRO in considering alternative redevelopment schemes. SoBRO has also advised the property owner that the Empire Zone and Industrial Business Zone programs may be able to assist in the relocation of his shoring company.

The second lot at 101 Lincoln Avenue, called "Vista 2," is currently leased by Verizon and used as a parking facility for service trucks. It is envisioned that this 137,000 square foot site could

ultimately house major retail, public space, and parking components of the 2-parcel development. SoBRO has begun discussions with Triangle Equities, a prominent retail developer located in Whitestone, New York, who has expressed interest in co-developing the project.

Next steps for this large-scale potential project will be to look at market and financial feasibility, and to engage the property owners and the local community in developing comprehensive site plans. In this regard, SoBRO recently underwent the BOA consultant procurement process and engaged an architectural planning firm to provide preliminary design services, which will include a zoning and bulk analysis of the Vista 1 site, a site accessibility study, and a contextual planning study for mixed-use development of the adjoining lots. It is anticipated that this work will be completed in August, 2010.

Site Profile Key Findings – Vista 1

Potential contamination exists from past on- and off-site industrial and automotive/petroleum-related operations, and/or from an on-site gasoline tank, and/or from uncontrolled fill on-site. An “E” Designation on the property will require additional site investigation, and potentially remediation, that satisfies the city’s Office of Environmental Remediation (OER) prior to any redevelopment of the site. The suitability study shows that highest and best re-use for the site is residential.

Phase I ESA Key Findings - Vista 1 (conducted in August, 2009)

Evidence revealed Recognized Environmental Conditions (REC’s): the Vista 1 property was part of the J.L. Mott Iron Works facility prior to 1891; Sanborn maps showed a 550-gallon gasoline tank and oil storage sheds in 1935, a private garage and repair shop in 1946, uses that could have adversely affected subsurface conditions. The property bears a Hazardous Material “E” Designation, meaning that environmental issues must be addressed to the City’s satisfaction before redevelopment can occur; Multiple 55-gallon drums of hydraulic fluid, lubricant oil, antifreeze and cleaning fluids were stored in the existing building; drums were in fair to poor condition; also, since the existing warehouse was built before 1978, asbestos, lead-based paint, and mercury/PCB-containing materials or systems components might be of concern at the site.

Site Profile Key Findings – Vista 2

Contamination may exist from past on- and off-site industrial and manufacturing operations, on-site underground petroleum tanks and/or potential uncontrolled fill on-site. Like Vista 1, the “E” Designation will require additional site investigation, and potentially remediation, conducted to the satisfaction of OER, prior to the site’s redevelopment. The suitability study shows that highest and best re-use for the site is mixed-use.

Phase I ESA Key Findings - Vista 2 (conducted in October, 2009)

Evidence revealed Recognized Environmental Conditions (REC’s): State records identified 14 registered 550-gallon underground storage tanks (USTs) installed in 1968 and removed in 1991; the property may have operated as a service fleet facility for Verizon auto repair activities; Sanborn maps show the following past uses: coal yard, livery stable, steamboat company, building materials facility, railroad facility, garage and repair facility, blacksmith shop, paint shop, crane paint and repair shop, and storage yard; these past operations may have used

petroleum, solvents or other chemicals adversely affecting subsurface environmental conditions. The property was also listed as a small Resource Conservation and Recovery Act (RCRA) hazardous waste generator site, although no waste activity was recorded. An application to the NYC Department of Buildings was made in 1997 to install an oil-water separator, which, if installed, could have leaked oil into the subsurface; also, since the existing structures were built in 1966, asbestos, lead-based paint, and mercury/PCB-containing materials or systems components might be of concern at the site.

STRATEGIC SITE 5: 2568 PARK AVENUE BETWEEN EAST 138TH AND EAST 140TH STREETS

2568 Park Avenue, Bronx, NY 10451

Block 2340, Lot 14

Property owner Al Simmons runs the Bronx-based heating oil company Big “A” Fuel & Oil, a successful family business started in 1978. In 1981, the family purchased the property at 2568 Park Avenue to store small trucks, an operation that has since been discontinued. SoBRO contacted Mr. Simmons several years ago to offer business assistance services and has maintained an ongoing relationship with him. Mr. Simmons approached SoBRO in 2009 for guidance on how best to develop the property. SoBRO informed him about the BOA Program, and explained the importance of developing the site in concert with the BOA vision and plan set forth by the local community. SoBRO explained that, with BOA funds, SoBRO could facilitate environmental review of the site and an analysis of highest and best use, which would be beneficial for himself and his family, as well as the local community.

Park Avenue is a street lined with warehouse buildings that house distribution and other light industrial facilities, and 2568 Park sits between two such lots. SoBRO believes a new warehouse leased out to a viable manufacturing tenant would be the most appropriate development for the vacant property; it would be as-of-right within the M1-2 zoning district, and fit within the context of the immediate neighborhood. Additionally, a sizable, reputable tenant company would bring a number of jobs to the area, a need expressly indicated by the Port Morris community. As soon as a consensus is reached between property owner and the community, SoBRO will work with Mr. Simmons to undertake further environmental assessment such as Phase I & II investigation, design analysis, and ultimately redevelopment into productive use.

In addition to creating a site profile for 2568 Park Avenue, SoBRO has also begun to reach out to Bronx-based manufacturing businesses to gauge potential interest in the site should it be developed. One particularly interested business owner would like to relocate his hardware store and lumber yard to the site. SoBRO’s next step will be to present the site and the development vision to CB1 and the Community Coalition.

A Phase I ESA was not undertaken by SoBRO for this site because environmental records have already been reviewed as part of the owner’s removal of an underground storage tank in 2007. An updated ASTM-compliant Phase I will be conducted when the site is closer to development.

Site Profile Key Findings

Possible contamination may be present as a result of an on-site history of manufacturing, and a 3,000 gallon fuel oil tank (which has been removed). Surrounding historical industrial, manufacturing, and petroleum use/storage sites may have also affected in-site conditions.

Overall, the property lacks a number of characteristics that would make it a strong candidate for residential development. It is surrounded by active industrial and commercial uses, has limited potential for views, and is poorly-served by publicly-accessible open space. Furthermore, residential development on the site is not allowable under the current zoning. The suitability study shows that the highest and best reuse for the site would be industrial.

STRATEGIC SITE 6: BRONX COUNTY RECYCLING

**475 Exterior Street/60 East 149th Street, Bronx, NY 10451
Block 2349, Lot 112**

Bronx County Recycling is a strategically located parcel of land fronting the Harlem River at East 149th Street, diagonally across the street from the \$500 million Gateway retail complex, recently completed by the Related Companies. The Department of City Planning has earmarked the site under the recently adopted Lower Concourse Rezoning initiative as one of the eight mixed-use waterfront redevelopment sites (specifically, Strategic Site #6 is Parcel 1 identified in **Image 2** above of the Special Harlem River Waterfront District). The site's large size and regular shape make it an attractive opportunity for future development. In addition to its exceptional physical characteristics, the site is well connected to New York City's vehicular and public transportation network. The site's waterfront location will provide a potential future development with in-demand views of Manhattan, the Harlem River, and Yankee Stadium. The public greenway and waterfront park mapped as part of the Special Harlem River Waterfront District will add more attractive features that increase the value of the property.

Using funding provided through the BOA Program, SoBRO created a site profile for this parcel in 2008. This activity has allowed for a better understanding of the environmental conditions on the site. In the course of preparing the site profile, the site was identified as a former freight yard, auto junk yard, and construction storage yard. Additionally, the site was also listed on several regulatory databases, including for petroleum spills and for the use and storage of hazardous materials, potentially in large quantities. The site's long industrial history and known use of hazardous materials suggest a high potential for contamination at the site.

Given the nature of the existing business (i.e. recycling of concrete, stone, and related construction debris), their operations produce considerable dust emissions that have long upset local residents and community advocates. SoBRO discussed the redevelopment of this critical site with the owner, and offered to assist with the identification of an alternative site for the relocation of this business. The owner is agreeable to moving, provided an appropriate relocation site can be secured in a suitable area. Since the beginning of SoBRO's BOA assessment work at this site and the enactment of the Lower Concourse Rezoning, the property owner has independently begun redevelopment planning with DCP. For this reason, SoBRO did not conduct a Phase I ESA for Strategic Site #6, as this would be part of the owner's pre-development process in which SoBRO was not directly involved at the time of writing.

Site Profile Key Findings

Potential sub-surface contamination may exist on-site in the form of petroleum, solvents, and/or metals. The reuse suitability assessment of the site, based on its physical attributes,

strategic location, and environmental characteristics, indicates that the site would be best used for residential development.

SPECIAL DISTRICT WATERFRONT DEVELOPMENT PARCELS

In the discussion of BOA Strategic Sites in the Harlem Riverfront BOA area, it is important to mention again the eight development parcels identified by City Planning in the Lower Concourse Rezoning area's Special Harlem River Waterfront District. Due to the divergent timing of SoBRO's BOA Strategic Site selection and the City's singling out of these nine parcels, they were not directly included as BOA Strategic Sites in this Step 2 study, and were therefore not studied using the Strategic Site Profile tool or Phase I assessment. At such time that the rezoning initiative was finalized, BOA funds were already committed to the above-described six Strategic Sites and other BOA activities described in this report. However, due to their prominence in the rezoning vision for the Lower Concourse area (largely coincident with the Harlem Riverfront BOA area), SoBRO sees tremendous opportunity to utilize the Strategic Site Profile tool developed in this BOA Step 2 study to undertake preliminary investigation and marketing of these sites to potential developers. SoBRO intends to assist the DCP in undertaking these activities for the eight waterfront development parcels under a BOA Step 3 program in the Harlem River Waterfront area. This topic is discussed further in the Recommendations section of this chapter.

PART II: EXISTING CONDITIONS & AREA RESOURCES

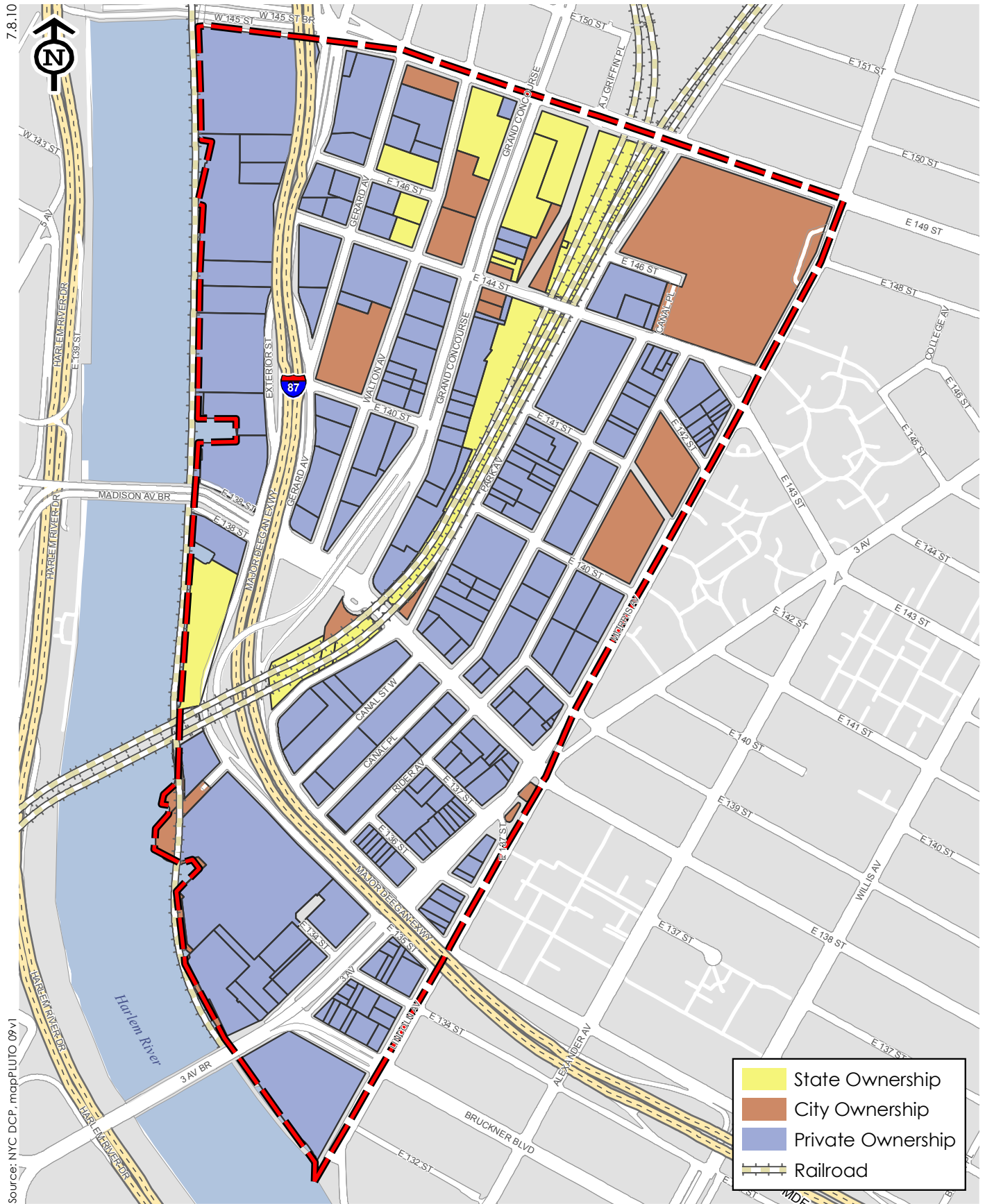
The following section further contextualizes SoBRO's Port Morris Harlem Riverfront BOA work and the area in which the six Strategic Sites are located.

LAND OWNERSHIP

Figure 3-7 depicts land ownership patterns found within the proposed Port Morris Harlem Riverfront BOA; highlighting publicly owned and privately held lands separately. Publicly owned land accounts for approximately 20 percent of the study area. City and State- owned properties belong to: the New York City Departments of Parks and Recreation and Education, the City University of New York (CUNY), and the Health and Hospital Corporation (HHC). The latter two entities share ownership of Lincoln Hospital, located in the northeastern corner of the study area, at East 149th Street and Morris Avenue. The New York State Dormitory Authority owns one parcel at the southwestern corner of East 146th Street and Walton Avenue, as well as the parcels just south of East 149th Street, on either side of the Grand Concourse, that house the Hostos Community College and High School. Additional State-owned properties are located in the north-central portion of the study area, and there is one along the Harlem River waterfront. The majority of lots within the study area are privately owned. Of these, several private property owners control multiple parcels within the study area, including: Borden Realty Corp., 385 Gerard, LLC, and Simone Development Co.

PARKS AND OPEN SPACE

Figure 3-8 depicts lands in the proposed Port Morris Harlem Riverfront BOA that have been dedicated or committed for park or open space use. There are five parks and open spaces in the study area, including: Deegan Rock at the southeastern corner of Grand Concourse and



 Proposed Port Morris Harlem Riverfront BOA Boundary

0 1,000 Feet



 Proposed Port Morris Harlem Riverfront BOA Boundary

0 1,000 Feet

East 138th Street; Graham Triangle bounded by East 139th Street and Morris and Third Avenues; Ryan Triangle bounded by East 143rd and East 144th Streets and Morris Avenue; Garrison Playground between Grand Concourse and Walton Avenue and East 144th and East 149th Streets; and P.S. 168/M.S. 203 Playground at the southwest corner of Morris Avenue and East 142nd Street.

In addition, Patterson Playground is located just outside the study area boundaries, fronting on the east side of Morris Avenue and the south side of East 148th Street. In general, the study area is underserved by parks and open spaces. However, a number of parks and open spaces are located outside the boundaries of the Harlem Riverfront BOA, but within the communities of Port Morris, Mott Haven, and Community Districts 1 through 4. One such resource is St. Mary's Park, the largest in the Mott Haven area, generally bounded by East 149th Street to the north, St. Mary's Street to the south, Jackson Avenue to the east, and St. Ann's Avenue to the west. St. Mary's Park was designed by Fredrick Olmstead with lush greenery and winding, paved walk and bikeways. This destination park serves as a dynamic community asset, frequented by residents and families from throughout the Port Morris and Mott Haven neighborhoods. For a wider context, **Image 3** below depicts parks and open space throughout the greater South Bronx area.

It is also noteworthy that a significant amount of public open/recreational space is planned or currently under construction just north of the BOA study area. This new green space is being developed as part of two large scale projects between E 149th Street and E 161st Street: The Gateway Center and the New Yankees Stadium. The Gateway Center project is developing two acres of the Harlem River waterfront for public access, and the new stadium project is building four new parks with high-quality recreational facilities: three championship-quality grass ballfields, an all-weather soccer and football field surrounded by a 400-meter competition-quality track, four basketball courts, eight handball courts, a skate park, a playground, fitness equipment and a waterfront esplanade linking a picnic area, play area, tennis center and sixteen tennis courts along the Harlem River. The new waterfront public spaces of these projects will connect to form one continuous esplanade. When completed, these developments will serve as a valuable new asset for all South Bronx communities, including those within the Port Morris Harlem Riverfront BOA. **Image 4⁴** below shows renderings of the new public and green spaces being developed in the Yankees Stadium area.

⁴ http://www.nycgovparks.org/sub_your_park/nyy_stadium/html/nyy_redevelopment.html

Image 3. Parks and Open Space in the greater South Bronx area.



Image 4. New open space being developed above East 149th Street, in Yankees Stadium Area.



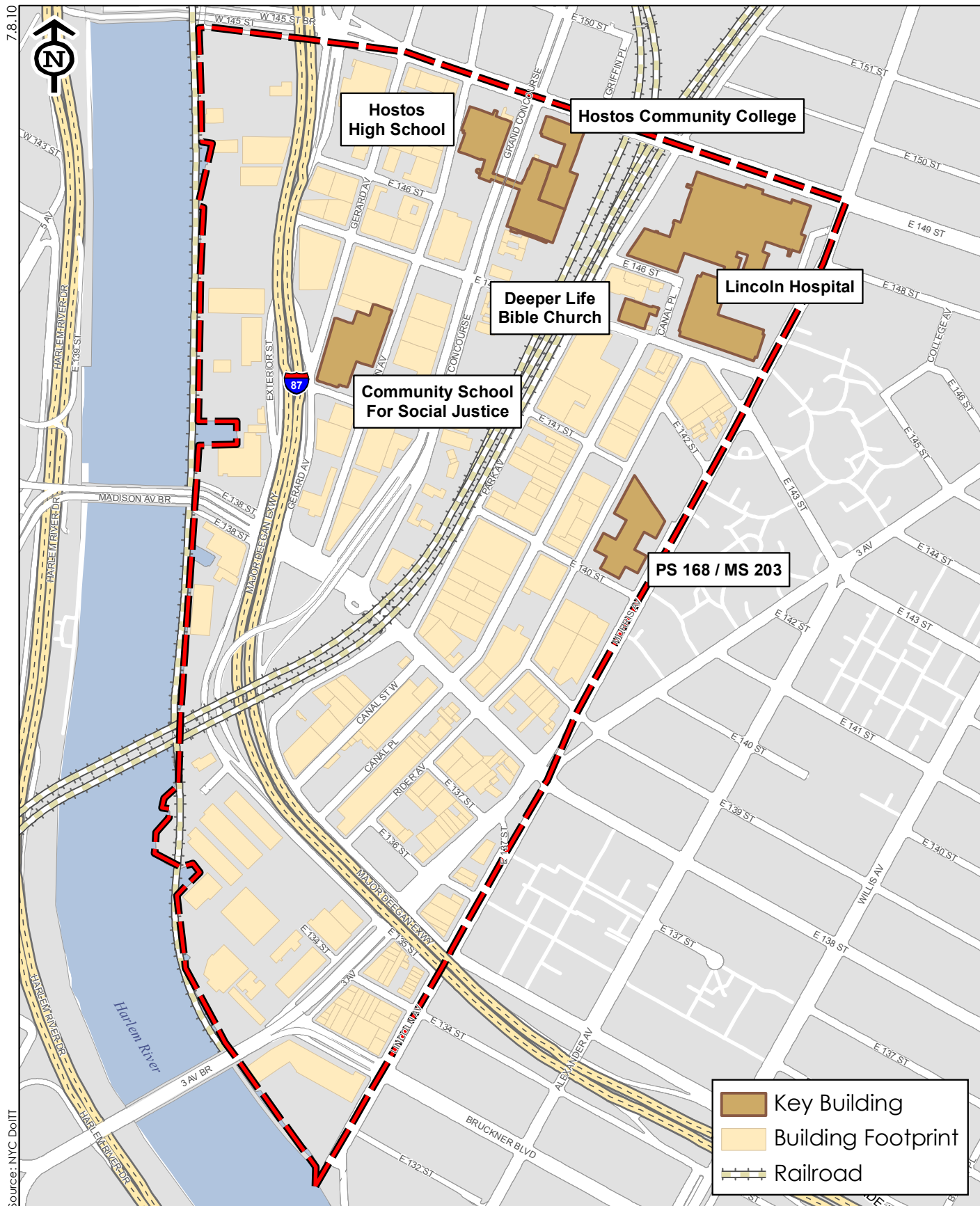
BUILDING INVENTORY

The buildings identified in the study area represent significant public facilities and institutions present in the study area, including: Lincoln Hospital in the northeast corner at East 149th Street and Morris Avenue; Deeper Life Bible Church at East 144th Street and Canal Place; P.S. 168/M.S. 203 at the northwest corner of Morris Avenue and East 140th Street; the Community School for Social Justice at East 140th Street between Gerard and Walton Avenues; and Hostos High School and Community College on either side of Grand Concourse along the northern study area boundary. These “key” buildings are considered assets to the community, serving as neighborhood anchors.

Figure 3-9 shows the location of key buildings in the proposed Port Morris Harlem Riverfront BOA. **Table 3-2** details pertinent information about these buildings including name, levels, gross square footage, original and current use, condition, and ownership. These key buildings house health, educational, and religious institutions that serve as important resources for the surrounding community. Their presence within the Harlem Riverfront BOA are crucial for anchoring the existing community and also attracting new residents (families, students, elderly) and workforce. As BOA Strategic Sites move towards redevelopment, these local resources will help draw developers and new people, and contribute to overall project feasibility.

Table 3-2
Key Buildings

Building Name	Lincoln Hospital	Deeper Life Bible Church	Community School for Social Justice	Hostos High School	Hostos Community College	PS 168/ MS 203
Block	2335	2335	2344	2346	2343	2333
Lot	16	58	96	29	14, 32	70
Address	229 East 144th Street	213 East 144th Street	350 Gerard Avenue	492 Walton Avenue	448-500 Grand Concourse	339 Morris Avenue
Owner	CUNY and Health and Hospital Corp.	Deeper Life Bible Church	NYC Department of Education	NYS Dormitory Authority	NYS Dormitory Authority	Board of Education
Bldg. Area (Gross SF)	1,593,305	62,618	99,950	193,414	365,382	161,570
Levels	14	5	3	6	5	4
Year Built	1972	1931	1913	1949	1966 (Bldg 1), 1988 (Bldg 2)	1972
Year Altered 1	-	-	1985	1972	-	-
Year Altered 2	-	-	1995	1988	-	-
Original Use	Hospital	Church	School	School	School	School
Current Use	Hospital	Church	School	School	School	School
Condition	Good	Good	Good	Good	Good	Good
Source: New York City Department of City Planning (DCP), MapPLUTO 09v1.						



 Proposed Port Morris Harlem Riverfront BOA Boundary

0 1,000 Feet

HISTORIC AND CULTURALLY SIGNIFICANT AREAS

The proposed Port Morris Harlem Riverfront BOA and the surrounding area have a rich industrial and architectural history that left behind impressive buildings still standing strong today. These buildings contribute to the character of Port Morris and neighboring Mott Haven, and create an architectural and historical context within which the Port Morris area has developed and will continue to develop in the future. The following section highlights the study area's historic and archaeological resources of note, and also provides information related to a vibrant, burgeoning arts and culture scene found in and around the study area.

Historic and Archeological Resources

Most of the area's historic resources are located in Mott Haven's designated Historic District, immediately next to Port Morris. Historic buildings in the area, several of which have NYC Landmark designations, housed Mott Iron Works plants as well as piano manufacturers and the other industries that thrived through the 1800's.

Figure 3-10 shows the locations of historic resources within the Harlem Riverfront BOA. The study area includes one building with New York City Landmark (NYCL) status—Public School 31 at 425 Grand Concourse. PS 31 is also listed on the State and National Registers of Historic Places (S/NR). Also within the study area and listed on the S/NR is the Mott Avenue Control House at East 149th Street and Grand Concourse. As identified in the New York City Department of City Planning's Lower Concourse Rezoning and Related Actions EIS (May 2009), there are two other historic resources potentially eligible for listing on the S/NR within the study area: the North Side Board of Trade Building at 2514 Third Avenue, and the J.L Mott Iron Works at 220 East 134th Street. The study area's historic resources can also be considered key buildings for purposes of redevelopment, in addition to those identified in the "Building Inventory" discussion, presented above. These four buildings of historic significance are described in more detail below, as excerpted from the New York City Department of City Planning's Lower Concourse Rezoning and Related Actions EIS (May 2009):

1. Public School 31, 425 Grand Concourse, (NYCL, S/NR Listed). Public School 31 is an outstanding example of late 19th century Collegiate Gothic public school architecture. The building was constructed between 1897 and 1899 to accommodate the influx of population moving to the Bronx and was designed by C.B.J. Snyder during the early years of his lengthy term as Superintendent of School Buildings for New York City's Board of Education. Public School 31 was one of the first of New York's public schools to display numerous late Gothic details such as Tudor-arched doorways and pointed windows topped with stone tracery.
2. The Mott Avenue Control House, located at the southwest corner of East 149th Street and Grand Concourse, (S/NR Listed). This is one of four surviving structures built as ornamental entrances to underground subway stations by Interborough Rapid Transit (IRT) system. These structures (the others being located in Manhattan and Brooklyn) are the only remaining original entrances from New York's first subway system. The Control House was designed by the noted architectural firm of Heins & LaFarge, consulting architects for the subway system. The façade is faced in Roman Brick with limestone trim. The name of the

station is prominently displayed in terra cotta tile set beneath a richly detailed limestone cornice.

3. The North Side Board of Trade Building, 2514 Third Avenue, (S/NR, Potentially Eligible). The structure's name recalls the period between 1898 and 1912 when the Bronx was known as the North Side of New York. Designed by architect Albert E. Davis in 1912, this Neo-Classical structure served as the headquarters of the borough's board of trade. The irregularly shaped structure is visually prominent as it features three street elevations which are symmetrically arranged, faced in stone and terra cotta, and are highly ornamented with classically inspired detailing.
4. J.L. Mott Iron Works, 220 East 134th Street, (S/NR, Potentially Eligible). The J.L. Mott Iron Works is historically noteworthy as one of the most important 19th century industrial concerns in the Bronx. Jordan L. Mott, inventor of a coal-burning stove, established a factory west of Third Avenue between the Harlem River and East 134th Street in 1828; buildings in the complex range in date from 1828-1906 and, typical of industrial structures, are simply constructed with minimal detailing. Until it ceased operations in 1906, Mott Iron Works was nationally known for its manufacture of coal burning cooking stoves, claw foot bath tubs, porcelain sinks, and a wide variety of cast iron products including manhole covers. Its prominent clients included the White House, for whom it provided bathtubs, and the US Capitol, whose dome contains Mott produced iron. Among his many interests, Mott founded the village of Mott Haven.⁵

Several buildings of historic significance are located right outside the proposed Port Morris Harlem Riverfront BOA boundary, including the Estey Piano Company Factory at 112-128 Lincoln Avenue (also known as 15-19 Bruckner Boulevard and 270-278 East 134th Street) with New York City Landmark status. The old factory building features robust brick facades and a high corner clock tower and serves as a monument to an industry that was once one of the Bronx's most important. Anchoring the northeast corner of Lincoln Avenue and Southern (now Bruckner) Boulevard since 1886, when the original portion of the building was completed, the Estey building is the oldest known piano factory standing in the Bronx today. The Bronx Central Annex, US Post Office at 560 Grand Concourse also has New York City Landmark status and is listed on the S/NR. Lastly, Building D at Bronx Terminal Market at River Avenue and East 149th Street was previously determined to be eligible for listing in the S/NR.⁶

The nearest historic districts are the Mott Haven National Register Historic District and the Mott Haven Landmarks Preservation Commission Historic District located within two blocks of the Harlem Riverfront BOA study area's eastern boundary. In general, the study area is rich in history, with a legacy of industrial development dating back to the 1800s.

As documented in the New York City Department of City Planning's Lower Concourse Rezoning and Related Actions EIS (May 2009), the study area is not archeologically sensitive for prehistoric and historic resources.

⁵ New York City Department of City Planning, *Lower Concourse Rezoning and Related Actions EIS*, May 2009.

⁶ New York City Department of City Planning, *Lower Concourse Rezoning and Related Actions EIS*, May 2009.

Cultural Resources

The proposed Port Morris Harlem Riverfront BOA and surrounding communities boast a diverse and impressive array of arts and cultural opportunities. These features play an important role among the factors that are helping to drive the renaissance of this area. These institutions, galleries, and arts venues are briefly described in this section.

Recently, Mott Haven has become noted for its Antiques District along Bruckner Boulevard and Alexander Avenue. Artists, professionals, and environmentalists, along with a small concentration of new restaurants and cafes, have been moving into lofts and historic brownstones in the southernmost portion of Mott Haven and Port Morris. The area boasts a growing local art and performance scene in the neighborhood centered on the Haven Arts Gallery and other independent events sponsored in part by the Bronx Council on the Arts (BCA).

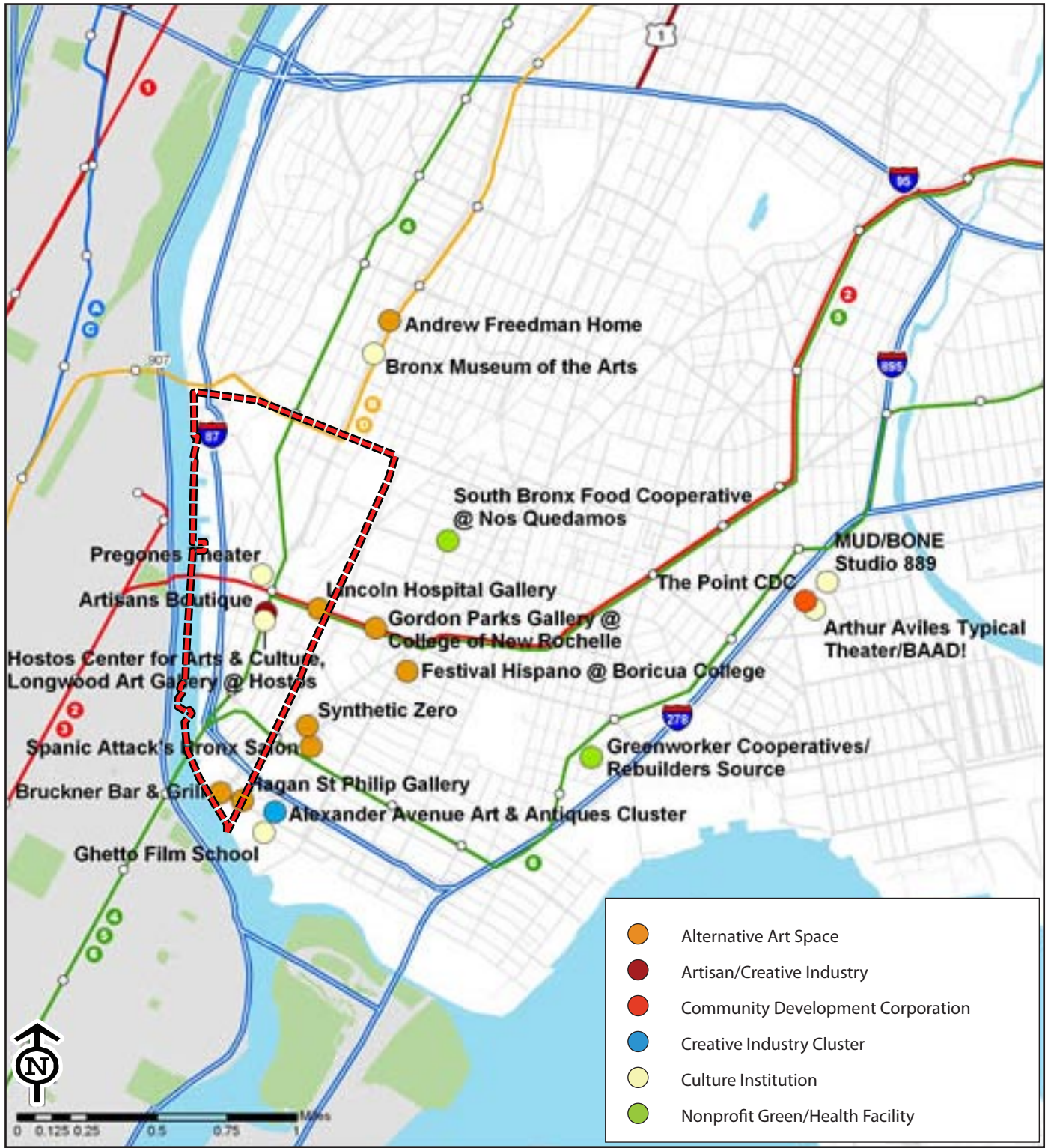
In 2001, the BCA designated a mile-long strip of the Grand Concourse as an area with a high concentration of cultural activity and branded it “The South Bronx Cultural Corridor” (see **Figure 3-11**). Dubbed the “Gateway to the New Bronx,” the Cultural Corridor facilitates arts-based economic development in the South Bronx. BCA’s goals for the corridor are to attract visitors, increase commercial activity, and engage the community in a variety of cultural events in the South Bronx.


The Cultural Corridor includes Lincoln Avenue and the Bruckner Service Road up to 165th Street (north to south) and East River to the Harlem River (east to west), and includes parts of the Lower Concourse, Melrose, Mott Haven, Port Morris and Hunts Point. The corridor houses a mix of uses, including increasing numbers of artists, designers, artisans, arts organizations, and other artistic and cultural activities. The Cultural Corridor supports a critical mass of dozens of major cultural non-profit institutions, galleries, and other arts hosting venues. Notable members of the Cultural Corridor are located within the Harlem Riverfront BOA, including:

- Artisans Initiative, Hostos Community College Lobby, 450 Grand Concourse;
- Bronx Museum Project Space, 11 Bruckner Boulevard;
- Bruckner Bar and Grill, 1 Bruckner Boulevard;
- Hostos Center for Arts and Culture, 450 Grand Concourse;
- Lincoln Hospital, 234 East 149th Street; and
- Longwood Art Gallery@ Hostos, 450 Grand Concourse.

TRANSPORTATION SYSTEMS

The proposed Port Morris Harlem Riverfront BOA is well connected to regional transportation systems, providing convenient vehicular and transit access to the rest of the Bronx, Manhattan, and the greater New York Metropolitan Region. The Third Avenue, Madison Avenue, and 145th Street Bridges provide a direct connection between the Harlem Riverfront BOA study area and Manhattan. The Major Deegan Expressway (I-87), which traverses the southern portion of the study area, connects to the Bruckner Expressway (I-278) south of the study area and to the Cross Bronx Expressway (I-95) north of the study area, providing access to the greater Bronx region. Arterial through routes traversing the proposed Harlem Riverfront BOA include, East



 Proposed Port Morris Harlem Riverfront BOA Boundary

South Bronx Cultural Corridor
Figure 3-11

149th Street along the study area's northern boundary, and the Grand Concourse, which runs north-south bisecting the study area.

Metro-North Railroad tracks traverse the study area just east of Grand Concourse. There are two stations lying outside the study area that would serve area residents and businesses: the Melrose Station at Park Avenue and 162nd Street, and the Yankees/East 153rd Street Station at Gateway Center Boulevard and East 153rd Street. MTA NYC Transit Subway also operates in the study area (subway lines 2, 4, 5, and 6) with stations at East 138th Street and Grand Concourse, East 149th Street and Grand Concourse, and an additional station just outside the study area located at Third Avenue and East 138th Street. In addition, seven MTA-NYC Transit Bus routes serve the study area. **Figure 3-12** illustrates the primary transportation networks and systems in the proposed Harlem Riverfront BOA.

INFRASTRUCTURE

Figure 3-13 shows primary infrastructure in the Harlem Riverfront BOA study area, to the extent that data on this information was available. Detailed infrastructure data is generally not available for the New York City area because of the sensitivity of this information relative to security issues. Information on the location of water and sewer infrastructure in the study area is based on a review of AKRF's in-house New York City Department of Environmental Protection (NYCDEP) water and sewer system drawings. However, the location of water and sewer lines is not shown on the figure because of the differences in scale (water and sewer lines can only be shown clearly on maps of a relatively large scale). Shown on the figure are parking facilities, which are scattered throughout the study area, as well as the location of combined sewer flow regulators or outfalls, which are generally located along the Harlem River waterfront. An overview of infrastructure systems, including water supply, sewage treatment, and stormwater management systems, as they relate to New York City as a whole and more specifically to the Bronx is provided below. Generally, with the exception of parking, SoBRO believes that existing infrastructure can adequately support the residential and mixed-use development of the BOA Strategic Sites proposed in this report.

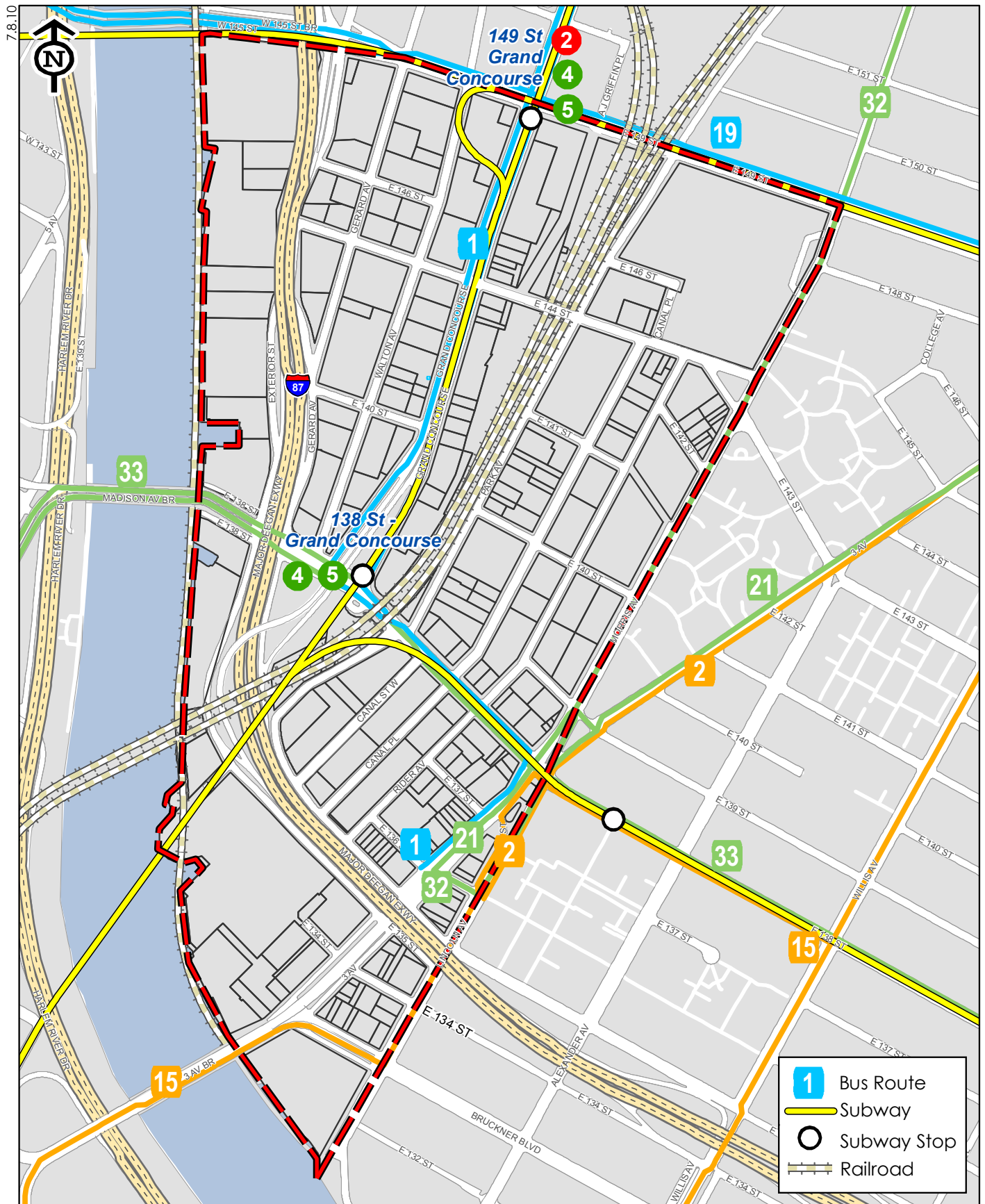
Water Supply

New York City's water supply consists of surface water from 19 reservoirs and three controlled lakes in a 1,972-square-mile watershed, including the Catskill-Delaware watershed and the Croton watershed in upstate New York. An extensive network of reservoirs and aqueducts transports water from these watershed systems to New York City, where a grid of distribution pipes conveys the water to the users. New York City consumes some 1.2 billion gallons of water per day through this water supply system.

The study area is well served by public water supply infrastructure. Based on a review of available NYCDEP water system drawings, the study area is generally served by 12-inch lines running under the streets and a 20-inch trunk main nearby all of the Strategic Sites.

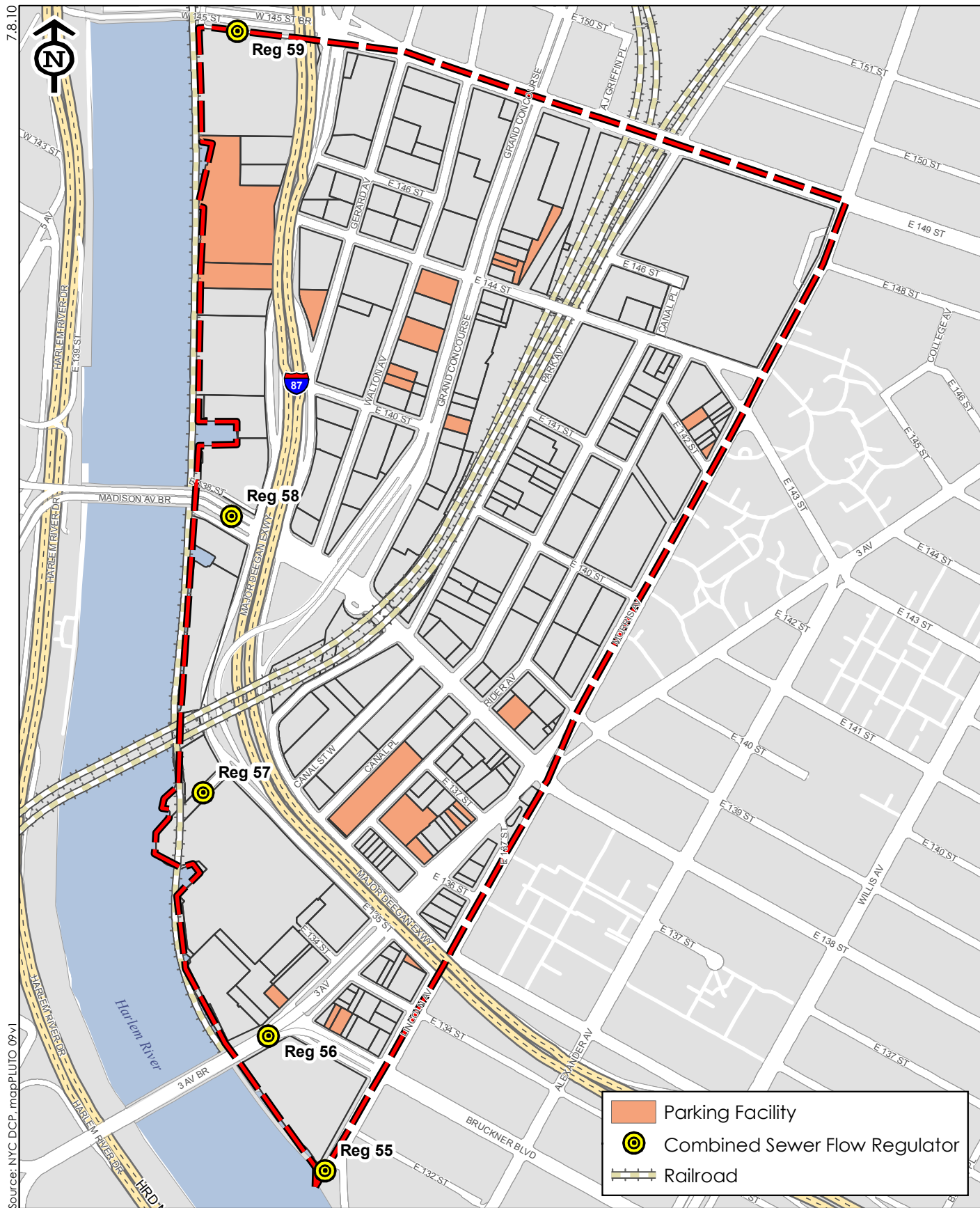
Sewage Treatment

New York City's sewer system consists of a grid of sewers beneath the streets that send wastewater flows to 14 different plants, known as "water pollution control plants," or "WPCPs." The areas served by each of these plants are called "drainage basins." Most of this



 Proposed Port Morris Harlem Riverfront BOA Boundary

0 1,000 Feet



system is a “combined” sewer system, meaning that it carries both sanitary sewage from buildings and stormwater collected in catch basins and storm drains.

New York City’s WPCPs treat some 1.7 billion gallons of sewage per day. The study area is served by the Wards Island WPCP, with a permitted capacity of 250 million gallons per day.

The study area is well served by public sewer infrastructure. Based on a review of available NYCDEP sewer system drawings, the study area is served by 18- and 24-inch collector mains, which flow to interceptors and finally to the Wards Island WPCP.

Stormwater

On undeveloped sites, rainfall is normally absorbed into the ground through permeable surfaces. In urban settings, however, where permeable surfaces are less common, it typically flows across land toward low points—most often, water bodies or storm sewers. The storm sewers direct this stormwater through underground pipes to an outfall that discharges into a waterway. These can be either combined or separate sewer systems. Generally, in either system, stormwater flows to the waterway without treatment. Stormwater from the Harlem Riverfront BOA study area generally flows into the Harlem River. **Figure 3-13** shows the location of combined sewer flow regulators or outfalls in the study area, which are generally located along the Harlem River waterfront.

NATURAL RESOURCES AND ENVIRONMENTAL FEATURES

Figure 3-14 shows the location of important natural resources and environmental features within the proposed Port Morris Harlem Riverfront BOA. The southern and western borders of the study area front directly on the Harlem River. Because one boundary of the study area is formed by the Harlem River, a large portion of the study area lies within the NYS Coastal Zone Boundary. Even larger portions of the study area are within the federally mapped 100- and 500-year floodplains. Because nearly the entire study area has been developed (with the exception of parks), and the entire original shoreline is bulkheaded, there are virtually no remaining undisturbed native natural resources in the area, other than bird species.

The recently adopted Lower Concourse Rezoning and Special Harlem River Waterfront District will serve to attract new investment to the BOA waterfront area and greatly enhance the area’s waterfront features. It encourages the redevelopment of the Harlem River waterfront parcels in a manner more appropriate to this highly visible entrance to the borough. Unfortunately, as stated above, many of the waterfront lots—in this area that acts as a gateway to the Bronx from Manhattan—are currently underutilized and decaying, contrary to the goals of the New York State Coastal Management Program, the New York City Waterfront Revitalization Plan (WRP) policies, and New York City’s Comprehensive Waterfront Plan (currently in the process of being updated for completion by December 2010). These initiatives are further described below.

Coastal Zone and Waterfront

As shown on the figure, the waterfront portion of the study area is located within the New York State Coastal Zone Boundary. The federal Coastal Zone Management (CZM) Act of 1972 was established to support and protect the distinctive character of the waterfront, and to assist

coastal states in establishing policies for managing their coastal zone areas. In 1982, New York adopted a State Coastal Management Program (CMP), designed to balance economic development and preservation in the coastal zone by promoting waterfront revitalization and water-dependent uses while protecting fish and wildlife, open space and scenic areas, public access to the shoreline and farmland, and minimizing adverse changes to ecological systems and erosion and flood hazards. The State program is consistent with the federal CZM Act and contains 44 coastal policies. It also provides for local implementation when a municipality adopts a local waterfront revitalization program that is consistent with the federal CZM Act.

In accordance with the State program, New York City adopted a local waterfront revitalization program, the New York City Waterfront Revitalization Program (WRP), in 1982. The WRP, as amended, incorporates the State's 44 coastal policies, and contains an additional 10 policies. The program is administered by DCP, who published a Comprehensive Waterfront Plan in 1992. The Comprehensive Waterfront Plan establishes the City's policies for development and use of the waterfront and provides a framework for evaluating activities proposed in the Coastal Zone. Currently the DCP is in the process of updating the 1992 plan under "Vision 2020," which will identify key opportunities for further improving the City's 500 miles of waterfront land defined as New York Harbor and its tributaries, creeks and bays, and outline strategies to realize this new vision.

The coastal zone management program consistency review process is described in federal regulations at 15 Code of Federal Regulations (CFR) 930: Federal Consistency with Approved Coastal Management Programs, as amended, as well as in the WRP. Consistency review is required for any project that:

- Is in, or is expected to affect the resources or land or water uses of, the New York coastal zone; and
- Requires a state- or federal-listed permit, is federally, state, or locally funded, or is a direct activity of a federal, state, or local agency.

The City's policy is to review a project's consistency with the WRP policies, if it is within a coastal zone area. Once specific development strategies are proposed for sites within the Port Morris Harlem Riverfront BOA, those projects will be reviewed for consistency with the New York City Coastal Zone policies, which would occur during the implementation phase—Step 3 of the BOA Program. These WRP policies are consistent with the State's CMP; both promote a balance of economic development and preservation and revitalization of the coastal zone, protecting fish and wildlife, open space and scenic areas, public access to the shoreline, and minimizing adverse changes to ecological systems and erosion and flood hazards. All waterfront development sites within the BOA area would also be reviewed for consistency with New York City's updated Comprehensive Waterfront Plan, also known as "Vision 2020."

Floodplains

Portions of the proposed Port Morris Harlem Riverfront BOA study area contain the federally-mapped 100- and 500-year floodplains, as shown in the figure. A floodplain is defined by regulation and includes the areas that flood during storms of a statistical frequency occurrence of once in 100 years (the 100-year storm) and once in 500 years (the 500-year storm). These are referred to as zones A and B, respectively, in federal legislation.

The Federal Emergency Management Agency (FEMA) has prepared Flood Insurance Rate Maps (FIRM) that delineate the special hazard areas (i.e., 100- and 500-year floodplains) and the risk premium zones applicable to New York City. The City has implemented regulations (27-316 of the administrative code) that govern activities within the 100-year floodplain. Thus, the City's Building Code contains required flood protection for all construction in flood hazard areas. Any new development in the coastal zone is subject to zoning and other applicable controls on building construction, height, and bulk in order to minimize the potential for damage caused by flooding and erosion. This includes, as applicable, development procedures that meet FEMA's floodplain regulations (44 CFR 60.3).

New York City is affected by local street flooding (e.g., flooding of upland streets due to short-term, high-intensity rain events in areas with poor drainage), fluvial flooding (e.g., rivers and streams overflowing their banks), and coastal flooding (e.g., long and short tidal rises and wave surges that affect the shores of the Atlantic Ocean, bays such as Upper New York Bay and Gowanus Bay, and tidally influenced rivers, streams and inlets [FEMA 2007]). The Flood Hazard Area as mapped by FEMA within the proposed Port Morris Harlem Riverfront BOA is the result of fluvial flooding.

Any proposed construction within the study area's mapped floodplains would be subject to the rules and regulations governing activities in these flood hazard areas in order to minimize the potential for damage caused by flooding and erosion.

ECONOMIC AND MARKET TRENDS ANALYSIS

SoBRO did not chose to undertake a micro- or macro- approach to economic trends analysis in this Step 2 Program, but focused rather on land use, zoning, and community needs in it's area-wide study, and specific redevelopment scenarios for BOA Strategic Sites given the area-wide context. SoBRO chose to focus economic and/or market analysis on the specific sites during the Implementation stage when Strategic Sites are further along in the redevelopment planning process. During implementation, market analysis for potential end-use scenarios will be crucial in defining project feasibility which must be based on local demand. SoBRO looks forward to implementing a Step 3 Program for the Harlem Riverfront BOA that will incorporate this type of site-specific, development-driven economic study.

D. SUMMARY ANALYSIS: FINDINGS, RECOMMENDATIONS, AND NEXT STEPS

KEY FINDINGS FOR THE PORT MORRIS HARLEM RIVERFRONT BOA STUDY AREA

ENVIRONMENTAL CONSTRAINTS

For the past century, the Harlem Riverfront BOA study area has been characterized by industrial and manufacturing businesses. Heavy manufacturers, waste transfer stations, and auto-related businesses have left a mark on the area and contamination due to historical uses can be found on the vast majority of properties. Data from DEC and other sources indicated that petroleum spills are widespread in the South Bronx. Based on a review of available data, most of the land in the study area—developed or undeveloped—likely has varying degrees of contamination. As a result of this wide-spread potential for contamination, many of the properties within the study area have been given an E-Designation by DCP, which requires

further investigation to determine the type and extent of contamination at a site, before it can be redeveloped.

More specifically, the assessment of SoBRO's six Strategic Sites has identified some common characteristics. For each of the Strategic Sites, the potential for sub-surface contamination exists from one or more of the following: past on- and off-site industrial and/or automotive/petroleum-related operations; on-site gasoline tank(s); and/or uncontrolled fill on-site. The discussion of the Strategic Sites exemplifies the environmental issues to be found in the Harlem Riverfront BOA study area, which upon further analysis could potentially reveal harmful levels of substances such as petroleum, solvents, and metals.

LAND USE AND ZONING

- The recently adopted Lower Concourse Rezoning (that affected much of the study area) is expected to bring about much needed housing and employment to the area, while simultaneously accommodating existing manufacturing uses in the area. The BOA study area, encompassing the Lower Concourse, is prime for new development, given its strategic, accessible location, the scarcity of developable land in Manhattan, and New York City's projected population growth which will increase demand of these uses.
- The new zoning permits a variety of residential and commercial uses. Densities under the highest allowable FAR could be increased on approximately 150 properties.
- The new zoning is expected to promote a substantial increase in residential use. New residential construction could include a range of both small townhouses and multi-family residential developments, and should provide a range of rental and homeownership options that target a mix of income levels.
- The development of new affordable housing should be encouraged in the study area, especially within both the waterfront and inland mixed-use districts. One such tool could be the Inclusionary Zoning program, whereby developers are able to exceed the maximum allowable as-of-right residential FAR if they provide permanent affordable housing as part of their redevelopment program.
- An increase in commercial uses in the study area would bring in a larger variety of activities and attract more spending to the area. New uses could include neighborhood retail stores (e.g. restaurants, delis, beauty salons, or repair services) or larger commercial users such as warehouses, hotels, or entertainment facilities. Grocery stores should be especially encouraged since the study area is currently underserved by such uses. Grocery stores are now allowed as-of-right within the Lower Concourse MX district, as well as the portion of the BOA outside of the Rezoning area.
- The portions of the study area most prone to new development are the Harlem River waterfront and the area between 138th Street and the Major Deegan Expressway.
- New residential uses in the study area should be located in a manner that limits conflict with industrial uses.

WATERFRONT DEVELOPMENT

Significant new opportunity exists for creating attractive new gateways to the Bronx, especially on the parcels included in DCP's Special Harlem River Waterfront District, mentioned above in Section C, Part I. Waterfront development and implementation of DCP's Waterfront Access Plan would also begin to connect surrounding neighborhoods along the Harlem River. New public waterfront open space, such as the 2.6-acre park included in DCP's waterfront plan, should be provided to a community currently underserved by parks and open space resources, and historically cut off from the waterfront by industry and infrastructure. As described in Section C, the new Lower Concourse Rezoning encourages new waterfront development with required publicly-accessible waterfront open space. As each lot redevelops, the newly developed waterfront open space would create a continuous promenade along the Harlem River and connect existing and planned parks north of the BOA study area with the Port Morris community to the south.

TRANSPORTATION AND INFRASTRUCTURE

The proposed Port Morris Harlem Riverfront BOA is advantageously located, with great access to the region's infrastructure network, which could be beneficial for a larger residential population commuting to employment centers as well as commercial businesses that need to be close to their customer base.

BUSINESS AND EMPLOYMENT

The distribution within the study area of existing commercial businesses and employment indicates an increasing influx of non-industrial uses (i.e. large share of professional service businesses and employment). As mentioned in Part I, the pockets of viable industry (generally clustered in the center of the Harlem Riverfront BOA study area) preserved under the new zoning plan provide over 750 jobs. Additionally, it is hoped that the new mixed-use designations, which greatly expand the range of permitted uses in the area, pave the way for new commercial development and associated employment opportunities. Future development of BOA Strategic Sites or any other sites within the new or existing mixed-use zones will bring construction and other project-specific jobs to the generally under-employed study area. As investment increases, the local community and the market will help define specific opportunities for commercial and retail uses such as a supermarket or other amenities important to a burgeoning area.

RECOMMENDATIONS: ADVANCING TO STEP 3

It is SoBRO's main goal to advance the Port Morris Harlem Riverfront BOA to Step 3 of the BOA Program ("Implementation"), to achieve an official Step 3 BOA designation, and to bring Strategic Sites closer to the point of remediation and redevelopment. SoBRO's next steps will focus on eligible actions under Step 3 that generally include advanced environmental site assessments, development of remediation plans, and concrete site redevelopment planning, activities that hone in on the strategic sites identified in this Step 2 study. As SoBRO advances to BOA Step 3, it looks forward to utilizing BOA resources for site-specific work that will potentially include:

- Three Phase II environmental analyses at Strategic Sites 1, 3, and 5

- Schematic architectural design at Strategic Sites 1, 3, and 5
- Market and feasibility analysis for proposed end uses at Strategic Sites 1, 3, and 4
- Site accessibility study (including traffic and transportation) for Strategic Sites 3 and 4
- Marketing of Strategic Sites and other potential brownfield sites within the BOA study area, namely the eight parcels identified by the DCP in the Special Harlem River Waterfront District that reach the point redevelopment planning.

Since the City's rezoning efforts provided the foundation for area-wide revitalization, developing the Strategic Sites will be crucial in the transformation of the study area. The driving force behind SoBRO's implementation strategy therefore encompasses a four-step Strategic Site Planning Process, which incorporates overlapping activities eligible under both Step 2 and Step 3 of the BOA Program. SoBRO's four-step Strategic Site Planning Process is explained in detail below. As alluded to above, this process will involve SoBRO's continued interaction with property owners, evaluation of potential redevelopment schemes, assessment of environmental clean up and mitigation activities, and design for potential end-users.

Utilizing the Site Profile Tool described in Part I of this chapter will play an important role in the pre-development phase at Strategic Sites and/or other potential brownfield sites in the Harlem Riverfront BOA that emerge during the Step 3 process, and are at the point of implementation. SoBRO will offer assistance in using the profile tool, whether to the NYC Department of City Planning, property owners, or the local community, and work with them to determine the highest and best end-use that would mutually benefit all stakeholders. If warranted, SoBRO would also assist in using the site profile tool as a marketing device to present brownfield development sites to prospective developers. The profile provides a significant amount of data that would help inform economic development opportunities and financial investment decisions associated with potential projects. For example, SoBRO intends to encourage the DCP to utilize the profile tool in planning and marketing the eight development parcels targeted in the Special Harlem River Waterfront District that have been rezoned to mixed-use to allow for medium- to high-density residential use.

In the implementation phase, SoBRO would also assist owners or interested developers in assessing the market and financial feasibility of building on their sites, and help wherever possible with obtaining financial incentives available for community and BOA-supported projects. Incentive programs available include the NYS Brownfield Cleanup Program (administered by the NYS DEC), the NYC Local Brownfield Cleanup Program (administered by the NYC Mayor's Office of Environmental Remediation (OER)), and federal investigation and cleanup programs - both grants and revolving loans - administered by the United States Environmental Protection Agency (US EPA). These programs exist to facilitate revitalization of dormant brownfield properties and to foster economic development, especially in distressed areas. SoBRO along with the BOA Community Coalition will present all projects at ongoing public meetings to gather community input and establish a basis for redevelopment decisions.

THE FOUR- STEP STRATEGIC SITE PLANNING PROCESS

SoBRO's work in the study area has given the organization valuable experience in addressing a wide range of issues that brownfield development projects face, including documenting

environmental history, generating a State-approved Remedial Action Work Plan (RAWP), engaging various governmental agencies, structuring remediation financing, and planning for the reuse of Strategic Sites as community assets.

Through these experiences, SoBRO has conceived a four-step process that is proving to be effective in facilitating the remediation and redevelopment of high-impact BOA Strategic Sites. The process bridges Steps 2 and 3 of the BOA Program, which is appropriate given SoBRO's development approach to Strategic Sites. The process, which involves ongoing community outreach and engagement, consists of the following steps:

Activity 1. Identifying and engaging property owners;

Activity 2. Defining brownfield remediation issues at a site;

Activity 3. Identifying financial and related barriers to redevelopment; and

Activity 4. Creating site-specific redevelopment plans.

When considered within the framework of the overall BOA Program, typically Activities 1 and 2 occur during Step 2, while Activities 3 and 4 are Implementation activities that correspond to Step 3. As SoBRO looks ahead to completing this Step 2 Nomination, entering the Step 3 Implementation stage, and ultimately having the Harlem Riverfront BOA officially designated by DOS, the organization intends to continue to use this development oriented approach moving forward in the Harlem Riverfront study area, as well as for other areas that SoBRO is working to enroll in the BOA Program. For example, at the time of writing, two Step 2 BOA applications were pending and under review by DOS for the other two subzones in Port Morris - the Bronx Kill and East Riverfront study areas.

The following provides a more in-depth description of each of the activities in SoBRO's site-specific planning process, highlighting some of the challenges that are inherent in each stage of the process:

Activity 1: Identification of Property Owners. The Internet has become a valuable tool for researching tax records and related property data quickly and efficiently. In the City of New York for example, the Department of Finance's website allows for the identification of property owners through a property address or a block and lot description search.⁷ While the development process requires face to face contact with owners to discuss site development, the names provided through the Department of Finance website or similar web-based programs like Property Shark and Oasis NYC, often provide the names of shell real estate corporations rather than the individual owners with whom we need to interface. Holding companies are generally unresponsive to letters from third party organizations. To address this situation, SoBRO will often identify property owners by establishing contact with adjacent owners. For example, in attempting to identify the individual owner of one site of interest, only a series of faceless shell real estate companies could be identified through conventional means. Fortunately, through discussions SoBRO staff had with an adjacent owner, a name and phone number of a family member who controlled the site was obtained.

⁷ Department of Finance: http://www.nyc.gov/html/dof/html/property/property_info_bbl.shtml

Title searches also provide relevant information on sites of interest, including property tax and environmental liens, as well as information that can prove to be useful in identifying individual property owners. Through mortgage information obtained from these title searches, SoBRO contacted banks listed in the mortgage documents urging them to have individual site owners contact SoBRO to discuss potential redevelopment of their brownfield properties.

Through all of these means SoBRO is now in touch with and is actively collaborating with the owners of a number of the Strategic Sites that were identified as part of this Nomination process.

Activity 2: Defining Brownfield Remediation Issues and Identifying high-impact sites. Concurrent with the identification of property owners, an effort was launched by SoBRO to assess the extent of the Brownfield contamination facing each of the targeted Strategic Sites. To obtain a better understanding of these environmental issues, an independent consultant (AKRF) was hired to conduct Phase I Environmental Site Assessments (ESAs) of the brownfield redevelopment Strategic Sites, an activity encouraged in Step 2 of the BOA Work Plan. A thorough Phase I, undertaken by a professional consulting firm, provides a full history of the subject site, including past uses which may have contributed to possible contamination of a specific site. Apart from a summary of past historical uses that may have contaminated a site, the Phase I also provides information on adjacent petroleum spills within a one-half mile area which may adversely affect a property through contamination of groundwater. Moreover, Phase I Assessments can be conducted without either contacting the owner or gaining physical access to the property. These assessments provided a general indication as to whether hazardous substances or petroleum have a likelihood of being present on a particular property. A Phase I will also recommended whether a Phase II assessment (a subsurface investigation of soil, groundwater and soil vapor at a property) is warranted.

In addition to conducting Phase I ESA's AKRF also developed for SoBRO the previously described Strategic Sites Profiling tool. The purpose of this tool is to help us identify high-impact sites whose redevelopment would likely spur additional investment in the surrounding area and catalyze the overall revitalization process within the community. The profile tool provides a general physical survey of the property and employs a numerical matrix to determine the highest and best end use for the property. Overall our process of rating the suitability of developing a site takes into account a range of site-specific factors such as environmental history, zoning, surrounding area uses and compatibility, accessibility by foot, automobile, and public transit. Creating detailed profiles for potential Strategic Sites, in some cases with the assistance of an environmental engineer, helps the BOA grantee and the community assess a brownfield property in an informed and directed way. It is hoped that the Strategic Site Profiling tool will be able to assist others in their brownfield redevelopment and Step 2 BOA activities as well.

Activity 3: Identifying the Financial and Related Barriers to Redevelopment. Properties classified as brownfields are frequently burdened by tax and environmental liens. BOA grantee organizations working on BOA sites can assist property owners to address these financial obstacles by connecting them with the appropriate agencies and assisting with negotiations. BOA organizations can also assist property owners with identifying sources of capital to help cover these additional and often unforeseen costs.

Activity 4: Creating Site-Specific Redevelopment Plans. This is one of the most important steps in redeveloping BOA properties, involving identifying the optimal development use of a site, which is both financially viable and will have a positive impact on the surrounding community. This is undertaken in cooperation with the community and owners of each parcel in order to determine the highest and best use of each parcel and analyze the financial feasibility of redevelopment. In analyzing a site's potential for development, the following factors are considered:

- Site size;
- Configuration (for example, a triangular development site is a configuration which severely limits a site's options for redevelopment, rectangular or square sites better lend themselves to a greater variety of redevelopment options);
- Zoning restrictions;
- Surrounding uses;
- Identification of market;
- Community input;
- Estimated costs and cash flow projections for redevelopment projects through creation of a Pro Forma analysis; and
- Ability to finance the project, particularly difficult in today's tight credit market.

Depending on the specific case, SoBRO either reaches out to assist current property owners in developing their brownfield site, attempts to attract developers to brownfield properties where current owners are unidentified or uninterested in remediating, or acquires and directly develops the property itself. The resources provided by the BOA Program assist SoBRO in structuring development plans with owners who might otherwise be hesitant to undertake a brownfield remediation project.

A case study included in Appendix E describes SoBRO's experience early on in the BOA Program that lead to the creation of the four-step Strategic Site planning process described above. The subject of the case study is a former gasoline station located at the intersection of East 138th Street and Bruckner Boulevard. This site, located within the originally selected Greater Port Morris BOA, is now considered to be within the East River subzone area, and thus not considered a Strategic Site in this Nomination Report. However, this site was SoBRO's first brownfield site (before sub-dividing the larger area into three zones) that utilized BOA funding to assist a brownfield property owner. The case study illustrates how SoBRO first utilized the four step planning process to return a once fallow and abandoned brownfield site to active, productive reuse.

HIGHER-LEVEL ASSESSMENTS

Preliminary environmental investigations such as Phase I Environmental Site Assessments look at the historical use of a site and gauge the likelihood that subsurface contamination is present. Oftentimes a Phase I indicates that further site investigation and analysis is needed. The next stage, Phase II Environmental Site Assessment, involves collecting actual soil and groundwater

samples to be tested in a lab for a more thorough understanding of specific contaminants, their location, and their concentration levels on a given parcel.

As an example, as SoBRO and Exact Capital collaborate on the redevelopment of the Rider Avenue site (Strategic Site #1), the team will need to conduct a Phase II analysis to better understand cleanup costs before closing on the property and applying to the New York State Brownfield Cleanup Program. A relatively small-scale project, environmental cleanup costs could be a significant factor in determining overall financial feasibility. As SoBRO tackles the remaining Strategic Sites in the proposed Port Morris Harlem Riverfront BOA, it anticipates that the need to move quickly to prepare Phase II investigations, where warranted, will be critical to the development process.

A Phase II site assessment unlike a Phase I analysis, requires physical access to the property, which can only be obtained through a formal access agreement granted by the owner of the property. SoBRO is now in contact with several site owners and is confident that it will be able to conduct Phase II assessments on various properties, especially those that have reached the point of implementation. Information obtained from a Phase II report is necessary when designing a Remedial Action Work Plan (RAWP), which sets forth the specific remediation program and procedures for a brownfield site.

PARTNERSHIPS

As SoBRO moves towards a Step 3 BOA designation, providing the tools needed to bring Strategic Sites closer to the point of remediation, the organization looks forward to further building its partnerships with New York State Department of Environmental Conservation (DEC) and the Mayor's Office of Environmental Remediation (OER). Both agencies have new and streamlined Brownfield Cleanup Programs (BCPs) that offer important incentives to induce development on these complicated properties.

The State's new BCP tax credit structure provides lucrative incentives for high quality cleanup of hazardous sites, and equitable, sustainable reuse. The City's BCP, which addresses sites with lighter contamination, also promotes sustainable practice and additionally encourages the employment of local labor and remediation entrepreneurs, as well as workforce trainees in the green economy. Overall, these programs provide a bridge between Step 3 of the BOA Program, which advances brownfield assessment and predevelopment work, and the next step that calls for implementation of remediation development projects.

Moving forward, SoBRO will continue partnering with the BOA Steering Committee, especially such active members as the Bronx Office of the Department of City Planning, the Office of the Bronx Borough President, and the BOA Community Coalition, using the innovative Strategic Site Profile tool that was developed through the Step 2 assessment process. SoBRO along with these strategic partners will assess the suitability for residential, commercial, and industrial redevelopment of newly identified, potentially high-impact sites that will likely trigger further investment in the neighboring area in a similar fashion. This intended ripple effect serves the ultimate goal of the BOA Program, which is to mobilize a broader community-based vision around brownfield revitalization.

COMMUNITY PARTICIPATION

Through resources provided by the BOA Program, SoBRO will continue to work with the local community to refine their vision for local brownfield redevelopment. SoBRO is also in close contact with individual property owners to maximize development potential of brownfield properties within the context of the community's vision. SoBRO will continue collaborating with the Port Morris BOA Community Coalition and CB1, as SoBRO works to enter into Step 3 of the BOA Program, to ensure that the organization's redevelopment efforts are compatible with community needs in the proposed Port Morris Harlem Riverfront BOA.

POTENTIAL STEP 3 CHALLENGES

Phase II soil and groundwater samples can only be obtained by drilling, backhoe sampling, gas sampling, and groundwater well monitoring on the site itself. Through the BOA Program process, SoBRO has learned that various barriers exist when trying to obtain an owner's permission to enter the property to conduct a Phase II study. Potential obstacles include:

- Issues of liability arising from third party contractors conducting borings or excavating on a site. While a Phase II contractor will indemnify a BOA community based organization and site owner, an owner may not be satisfied with the amounts of insurance generally provided; he/she could potentially be considered a "Responsible Party" for contamination under State or Federal regulation, and thus be required to take immediate corrective action; this can result in hesitation on the part of a property owner, and/or can become a problem if such liability arises *before* the point of official transfer of ownership or closing on project financing;
- Owners may not want to uncover and document environmental issues. From the owner's vantage point, the Phase II has one purpose—to find problems. Owners may be afraid of the implications of uncovering contamination. Despite the state tax credits and other incentives available, owners expect to be faced with higher costs; and
- Possible damage to the site caused by drilling and related soil-sampling work. Owners seek assurance that the site will be restored to its original condition after a Phase II investigation. In SoBRO's case, the former gas station sites are generally covered with pavement and cement. Restoration of a site following a Phase II excavation to its original condition may be too expensive and must be dealt with on a case-by-case basis. In addition, drilling or excavating on brownfield sites with unknown subsurface conditions such as undocumented gas tanks, could leave sink holes on the site, or worse, rupture a buried tank and release pollutants.

SoBRO reaches out to property owners and the local community to educate them about brownfield-related issues and available solutions and works together with them and relevant government agencies on subsequent environmental analysis and site development. Only when partnerships with property owners and the community are successful, will necessary next steps such as Phase II studies be possible. SoBRO has successfully reached that juncture with several sites today and is therefore prepared to advance to Step 3 of the BOA Program. *

APPENDICES

Appendix A:	Economic Development Zones
Appendix B:	Community Participation and Outreach Materials
Appendix C:	Brownfield Opportunity Area (BOA) Steering Committee Documents
Appendix D:	Strategic Site Profile Tool and Site Profiles (x 5)
Appendix E:	SOBRO Strategic Site Case Study: Gas Station at Bruckner Blvd and East 138 th Street
Appendix F:	Summary Findings of Viable Business / Employment and Land Use Survey for LC Rezoning Area (2008)
Appendix G:	Lower Concourse Rezoning Text Amendments
Appendix H:	Preliminary Development Materials for Projects at Strategic Sites # 1, 3, 4, and 5 ¹
Appendix I:	Phase I ESA Reports - Executive Summaries: Strategic Sites # 2, 3, and 4 ²

¹ Feasibility analyses were not developed for Strategic Sites #2 and #6 because the property owners are independently pursuing development without SoBRO's further involvement.

² Phase I ESA's were not warranted at the other Strategic Sites, as explained in Chapter 3. The full Phase I reports can be found in pdf format on compact discs included in the Nomination Report submission package.

APPENDIX A
ECONOMIC DEVELOPMENT ZONES

Appendix A

FEDERAL EMPOWERMENT ZONES (FEZs)

The federal Empowerment Zone (FEZ) program in New York focuses on the creation of self-sustaining, long-term economic development in designated distressed urban areas. New York State has one Round I FEZ, located in New York City. The initiative is based on a holistic, participatory approach that requires community stakeholders to work together to develop and implement comprehensive strategic plans for revitalization.

The Empowerment Zone Initiative is grounded in the belief that each community knows how best to solve its problems, and that residents, businesses, government, and non-profits must all work as partners to revitalize distressed neighborhoods. The Federal tax credits and grant funds provided to FEZs are designed to help get revitalization efforts in motion, but partners in local communities, along with the assets they bring to the table, must work with the community to achieve sustainable results.

Resident participation in planning and decision-making in the FEZs is another key component of Community-Based Partnerships. Successful and sustained revitalization in these areas starts with residents. Residents of the FEZs must be involved in identifying the Strategic Vision for Change, developing specific goals, and crafting solutions. Residents must also play an active role in implementing and monitoring their plan for revitalization through governance structures that provide them with a real voice in decision-making. Each FEZ is responsible for designing its own governance structure, which typically is a board composed of local decision makers chosen from a cross-section of the stakeholders in each community. Boards should not be so large as to be unwieldy in operation, yet they must permit an opportunity for all key stakeholders to participate. Some communities established a non-profit to implement their Strategic Plans and they used the non-profit's Board of Directors as the governance mechanism for the Zone. Others created stand-alone advisory boards to guide local officials during implementation.

THE NEW YORK CITY FEZ

In New York, the State and City of New York each committed to match the federal \$100 million grant award, providing a total \$300 million in grants for the New York City Empowerment Zone (NYCEZ). Two local development corporations were designated to administer the FEZ: the Bronx Overall Economic Development Corporation (BOEDC) in the South Bronx; and the Upper Manhattan Empowerment Zone Development Corporation (UMEZ) in Upper Manhattan. The NYCEZ designation is effective for 15 years, from January 1, 1995 to December 31, 2009.

The NYCEZ has been re-focused as a job-generating, business-based economic development program in full partnership with the distressed communities it serves, thus leveraging private sector investment. The FEZ funds may be used for loans, loan guarantees, grants, and equity investments. The New York Empowerment Zone Corporation (NYEYC), a subsidiary of the Empire State Development Corporation, provides oversight and final funding approval for all projects.

If a business is located in a FEZ in New York City, it may be eligible to apply for:

Loans, grants, and equity investments;

FEZ wage credits up to \$3,000 per employee per year;

Increased Section 179 deduction, up to \$35,000 in additional expensing;

Tax-exempt Enterprise Zone Facility Bond financing;

Qualified Zone Academy Bonds;

Non recognition of gain on sale of FEZ assets; and

Partial exclusion of gain on sale of FEZ stock held for at least 5 years.

The Federal Empowerment Zone program gives residents improved access to goods and services. This zone offers Federal Tax Credits and local incentives including: Wage credits, Section 179 deductions, Capital gains, DWP Subsidies, City business tax waivers, and the Brownfields tax deduction, as described in more detail below.

EMPLOYER WAGE CREDIT

Federal tax credits of up to \$3,000 can be claimed by an Empowerment Zone Business on each new and existing employee. The employee must live and work within the zone boundaries.

SECTION 179 DEDUCTION

In general, all business taxpayers are allowed to deduct up to 100% of qualifying tangible property. \$100,000 is the maximum amount that can be deducted through 2007. Empowerment Zone businesses can increase this deduction an additional \$35,000 through December 31, 2009.

PARTIAL EXCLUSION OF CAPITAL GAINS

An exclusion of 60% of capital gains is available from the sale of small business stock issued by an Empowerment Zone business that is a C corporation with gross assets of \$50 million or less. Stock must be acquired after December 31, 2000 and before December 31, 2009 and held for at least five years.

DEPARTMENT OF WATER AND POWER FIVE-YEAR ELECTRIC RATE SUBSIDY

The Department of Water and Power offers a five-year electric rate discount to new businesses moving into the zone. They have 18 months to apply for the discount. Existing zone businesses that expand and increase their electric usage by at least 35 % in the six months prior to submitting the application for the discount also qualify.

CITY BUSINESS TAX WAIVER

The City offers a tax waiver of the first \$500 and freezes the taxes at their current rate for five years for existing Empowerment Zone businesses. Start-up businesses or businesses relocating from out of the City to this zone pay only \$25 annually for five years.

BROWNFIELDS TAX DEDUCTION

Businesses can elect to deduct qualified clean-up costs of hazardous substances in certain areas (brownfields) in the tax year the business pays or incurs the costs. The contaminated property is not required to be located in any zone.

NEW YORK STATE EMPIRE ZONES:

New York State's Empire Zone program was created to stimulate economic growth through a variety of State tax incentives designed to attract new businesses to New York State and to enable existing businesses to expand and create more jobs. Today, there are over 8,700 certified businesses employing more than 344,000 people in 85 Empire Zones statewide.

The New York State Empire Zones Program encourages business development in designated areas by offering significant incentives and benefits to new and expanding retail, commercial and industrial firms. Empire Zones are geographically defined areas within New York State. Qualifying businesses located within the zone are eligible for Empire Zone program tax benefits. Eligible companies can take advantage of employment, investment, real property, sales and wage tax credits as well as exemption from New York State sales tax and utility cost discounts. There are 11 Empire Zones in New York City:

Bronx: Hunts Point and Port Morris

Brooklyn: East Brooklyn, North Brooklyn/ Brooklyn Navy Yard, and Southwest Brooklyn

Manhattan: Chinatown and East Harlem

Queens: Far Rockaway and South Jamaica

Staten Island: North Shore and West Shore

ELIGIBILITY & CERTIFICATION

To participate in the Empire Zones Program, a business must first be located in an empire zone, or qualify as a regionally significant project, and become zone certified. To qualify for certification, a business must be able to demonstrate that it will create new jobs and/or make investments in the empire zone and be consistent with the local zone's development plan, including a cost-benefit analysis.

Applications approved by local zone officials are then forwarded to the State for review and approval by the Departments of Economic Development (Empire State Development) and Labor. A local zone coordinator can assist in determining whether a particular business qualifies for zone certification. Once a business is certified it is eligible to claim tax credits, subject to requirements and performance based formulas set in Tax Law.

PROGRAM BENEFITS

QEZE Tax Reduction Credit

Based on number of jobs created, the company's assets in the Zone and income taxes owed by the company, Qualified Empire Zones Enterprises (QEZE) can receive a credit against business corporate taxes, personal income taxes, bank corporate taxes or insurance corporate taxes for a 15 year period: 10 years at 100% decreasing 20% each year thereafter.

QEZE Real Property Tax Credit

Qualified Empire Zones Enterprises that own real property may receive a credit against their business corporate taxes, personal income taxes, banking corporate taxes or insurance corporate taxes. Unused credits are refundable in the year that they were earned. The credit is available for 15 years: 10 years at 100%, decreasing 20% each year thereafter. The Credit is

calculated based on the number of jobs created and the real property taxes paid on property in the Zone. The company's eligibility is determined annually.

QEZE Sales Tax Exemption

Qualified Empire Zones Enterprises may be exempt from the 4% NYS sales and uses tax on tangible personal property and services (including utility services and owned vehicles) exclusive to the operation of a QEZE. The credit is available for 10 years.

ADDITIONAL BENEFITS

Wage Tax Credit: A \$1,500 credit per employee for up to five consecutive years for hiring full-time employees in newly created jobs. For employees in targeted groups, this credit equals \$3,000 per year

Employment Incentive Credit: A credit for creating new employment. This credit equals 3% of the investment cost, and it is taken in each of the 3 years following the initial investment credit

Investment Tax Credit: A credit for the purchase of property and equipment related to production, R&D, and industrial waste treatment. The credit is 10% under the corporate franchise tax and 8% for personal income tax

Sales Tax Refund: Purchases of building materials to be used in connection with commercial or industrial properties located in an EZ is eligible for a refund of the 4% NYS sales and use taxes

Utility Discounts: Potential utilities discounts are available through the City's Energy Cost Savings Program (ECSP), KeySpan and Verizon

Zone Capital Credit: A 25% tax credit, against personal or corporate taxes for contributing or buying shares in a zone Capital Corporation; or for a direct equity investment into a zone-certified business; or for cash donations to approved community development projects within EZs

Statewide Zone Capital Credit Corporation Loan: Low interest rate loan for Zone-certified businesses at 5% APR for the first 3 years and 7% for the remainder of term. Loans range from \$3,000 to 300,000

NEW YORK CITY INDUSTRIAL BUSINESS ZONES (IBZS)

At the core of the New York City's industrial policy is the creation of Industrial Business Zones (IBZs). These geographic areas build upon the existing In-Place Industrial Parks to better reflect industrial land uses within the City. Based upon the recommendations of an interagency task force, 16 IBZs have been proposed and are outlined in the IBZ section of the City's Website.

The IBZs represent areas in which the City will provide expanded assistance services to industrial firms in partnership with local groups. In addition, IBZs reflect a commitment by the City not to support the re-zoning of industrial land within these areas for residential use.

To create an incentive for industrial and manufacturing businesses to locate within IBZs, a one-time relocation tax credit of up to \$1000 per employee is available. In addition, some IBZs include adjacent Industrial Ombudsman Areas which include a greater mix of uses other than industrial. The same business assistance services will be provided in both types of areas. However, Ombudsman areas will not receive the tax credits nor the same commitments on rezoning.

✱

APPENDIX B

COMMUNITY PARTICIPATION AND OUTREACH MATERIALS

PORT MORRIS/BATHGATE INDUSTRIAL BUSINESS ZONE

invites you to a presentation on...

THE WILLIS AVENUE BRIDGE PROJECT

by Jim Cusack, Resident Engineer,
NYC Department of Transportation

COMMUNITY VISIONING PLAN FOR THE PORT MORRIS BROWNFIELD OPPORTUNITY AREA

The presentation will include:

- A discussion on how neighboring businesses, especially those with a large number of fleet trucks may be affected by the project.
- A description of the Port Morris Brownfield Opportunity Area Program.
- Opportunity to provide initial public input on potentially contaminated sites.

RSVP:
Jamila Diaz
718-732-7548
jdiaz@sobro.org

SOBRO
South Bronx Overall Economic
Development Corporation

DATE:

January 18, 2008

TIME: 9:30AM

LOCATION:

SoBRO Headquarter
Conference Room
555 Bergen Avenue
Bronx, NY 10455

**COMMUNITY BOARD NUMBER 1**384 EAST 149TH STREET, SUITE 320
BRONX, NEW YORK 10455

(718) 585-7117 • Fax (718) 292-0558 • E-mail: brxcb1@optonline.net

SERVING PORT MORRIS • MOTT HAVEN • MELROSE

CEDRIC L. LOFTIN
DISTRICT MANAGERADOLFO CARRION, JR.
BOROUGH PRESIDENTGEORGE RODRIGUEZ
CHAIRPERSON**ECONOMIC DEVELOPMENT/LAND USE & HOUSING COMMITTEE
MEETING
APRIL 2, 2008****MINUTES**

Attendance: Arline Parks, Linda Duke, Herman Francis, Jr., Lucas Henriquez, Gilberto Rivera, Nicholas Romano, Carmen Santos, Delores Waller-Worrell.

Others Present: Hugo Subotovsky, Architect, William Bollinger, Jackson Development, A. Constanople, Jackson Development, Logan Werschky, HPD, Carol Samol, NYC Department of City Planning, Matt Mason, NYC Department of City Planning, Neil Pariser, SOBRO, Michael Gilbert, Best Bronx, Ivan Diaz, Mastermind.

Motion made to move order of the Agenda. Motion duly seconded. Called and passed unanimously.

SOBRO

Mr. Neil Pariser, Executive Vice President said that SOBRO received a contract from New York State about 2 years ago to take a look at issues surrounding Brownfield development in the Port Morris area. We're one of two contractors in the Bronx, Port Morris is one area and the other area is by Hunts Point.

Part of the contract was to look at what Brownfield issues are affecting the community and we actually approached it from a very site specific point of view. This is a statewide contract and they tend to look at it as a planning document coming up with sweeping master plan concepts. That's a part of ours but we also became very site specific.

With the housing shortage we're facing and the need to develop sites we have to be more creative in what sites we identify. In where years ago people ran from Brownfield's

Pg #2

today there is a number of very lucrative tax credits that private developers can avail themselves of, and we clean these sites turning them into useful properties.

We are working on Brownfield sites at three vacant former gas stations that are located in the Port Morris area at 138th Street & Bruckner Blvd, Third Avenue & Major Deegan and 138th Street & Rider Avenue.

Jackson Development Group

Mr. Hugo Subotovsky, Architect said that they are proposing to change the zoning of Block 2618 on East 159th Street to the north, Eagle Avenue to the east, East 156th Street to the south, and St. Ann's to the west from its current designation of M1-1 to R7X and partly R7X/C2-3.

This site is currently zoned as an M1-1 permitting for manufacturing and commercial uses, and with the exception of the blocks to the immediate north and to the southeast, all other blocks in the vicinity to the site is either for residential use or community facilities.

The proposed development will consist of 8 buildings (A through H) with a total of approximately 618 residential units with approximately 50,000 square feet of commercial uses, and ranging in height from 8 to 13 stories. Buildings A & H are for middle-income residents, C, D, and E for low-income residents and B for Senior Independent Rental Living, F, and G for income restricted condominiums.

The community garden (El Batey Borincano Garden) on Eagle Avenue near 159th Street will remain on the block. The interior of the site, the backyards of the buildings will be occupied by an extensive series of planting, walkways and benches.

There will be approximately 459 parking spaces available. The parking garage on St. Ann's will provide service for residents, retail tenants and the general public. Parking underneath the condo/co-operative buildings will serve residents of these two buildings.

The buildings will be built in coordination with City financing and serve a mix of incomes ranging from 30% to 130% of the area median income, based on household size. In the fall of 2008 Jackson Development Group plans to begin the financial closings of these buildings, at which time construction will start.

Motion made to approve the proposed rezoning of St. Ann's Avenue. Motion duly seconded. Motion called and passed unanimously.

Meeting adjourned.

Brownfield Opportunity Area (BOA) in Port Morris

Administered by

South Bronx Overall Economic Development Corporation (SoBRO)

What is BOA?

The Brownfield Opportunity Area Program is a community-driven economic development initiative that targets vacant or underused properties for redevelopment. These properties are chosen based on their potential to become economic anchors in the community that will spur further investment and development in neighborhoods needing revitalization. BOA's overall goal is to transform blighted land into productive space in order to restore overall economic vitality and safety to the community.

What is a Brownfield?

Many underused properties in the Bronx face issues of environmental contamination. These are called **Brownfields**. Such sites are often abandoned because 1) it is illegal and unsafe to develop or operate on contaminated land; 2) environmental cleanup presents many challenges, such as high cost. Oftentimes, Brownfield properties lay dormant for years and become eyesores in the community. One type of Brownfield, for example, is an abandoned gasoline station that has a leaking underground storage tank.

SoBRO and Brownfields in the Bronx

Through the BOA program, SoBRO uses State funding to assist property owners in assessing environmental problems, devise cleanup plans, and collaborate on their redevelopment into productive use.

As a long-term community partner, SoBRO aims to develop projects that will create local jobs, services and needed housing.

Community Participation

Community participation is a vital component of the BOA program. We hold regular meetings with our Steering Committee as well as public participation events to formulate a community vision, elicit feedback on BOA projects already underway, and encourage new project ideas for moving forward. These events provide the opportunity for local business owners, residents, and other stakeholders to discuss and share ideas about BOA projects and general community development issues. The events will also serve to keep community members up to date on BOA projects as they unfold.

We are now working with a special BOA Community Task Force to organize such events and make sure that turn out is good. As a community agent, SoBRO will consistently base our projects on the needs and desires of the local community.

For more information, please contact Shira Gidding at (718) 732-7532 or sgidding@sobro.org.

SOBRO

Brownfield Opportunity Area (BOA) en Port Morris

Administrado por:

South Bronx Overall Economic Development Corporation (SoBRO)

Qué es BOA?

El programa Brownfield Opportunity Area es una iniciativa comunitaria para el desarrollo económico que se enfoca en propiedades vacantes o sub-utilizadas. Estas propiedades son escogidas de acuerdo al potencial que tienen para convertirse en centros económicos que pueden traer desarrollo e inversiones necesarios para la revitalización de la comunidad. La meta de BOA es el transformar terrenos deteriorados en espacios productivos para restaurar la vitalidad económica y seguridad de la comunidad.

Qué es un Brownfield?

Muchas de las propiedades abandonadas en el Bronx no se pueden desarrollar debido a la contaminación del terreno. Estos terrenos contaminados se llaman **Brownfields**. Los Brownfields impiden el desarrollo por varias razones. Primero que todo es ilegal y peligroso desarrollar o manejar un terreno contaminado. Además el proceso de descontaminación es costoso y complicado. Estas restricciones hacen que nuestra comunidad esté saturada con terrenos peligrosos y grotescos. Un ejemplo de un brownfield es una estación de gasolina abandonada que tiene un tanque de almacenamiento debajo de la tierra con una gotera.

SoBRO y Brownfields en el Bronx

SoBRO a través del programa BOA, usa ayuda financiera del estado para asistir a dueños de propiedades con averiguaciones de problemas ambientales, la creación de planes de limpieza, y la colaboración en el desarrollo y uso productivo de la propiedad.

SoBRO ha sido un socio de la comunidad por largo tiempo; con este programa, SoBRO quiere ayudar a desarrollar proyectos que ayuden a crear trabajos locales, servicios, y vivienda necesaria.

Participación Comunitaria

La participación comunitaria es un componente vital en el programa BOA. Nosotros organizamos reuniones regularmente con el comité administrativo y también eventos de participación pública para crear una visión comunitaria en los proyectos BOA que se están realizando, y al mismo tiempo impulsar ideas para nuevos proyectos. Estos eventos le dan la oportunidad a dueños de negocios locales, residentes de la comunidad, y otros participantes para que puedan discutir y compartir ideas acerca de proyectos de BOA y otros temas de desarrollo comunitario generales. Estos eventos también le sirven a la comunidad para mantenerse al día en noticias acerca de proyectos BOA que se están realizando.

Ahora SoBRO está trabajando con BOA Community Task Force para organizar eventos exitosos. Como un agente de la comunidad SoBRO se asegura que sus proyectos estén basados en las necesidades y deseos de la comunidad local.

Si desea más información, por favor contacte a Shira Gidding al (718) 732-7532 o sgidding@sobro.org.

SOBRO

Information Session

Brownfield Opportunity Area Program (BOA)

Cleaning up Contaminated Sites in the South Bronx

Please join SoBRO, Nos Quedamos and others for a discussion about Brownfield development in the South Bronx. We want to hear your ideas about what it would take to improve your community!

BROWNFIELDS

Many of the dilapidated and abandoned properties around the Bronx remain undeveloped because of environmental contamination. Sites formerly occupied by factories, auto-repair facilities, or gas stations often left the ground underneath filled with harmful chemicals that threaten the health and safety of those living and working nearby.

These contaminated properties are called **Brownfields**. They deter development for several reasons: First, it is illegal and unsafe to develop or operate on contaminated land. Also, environmental cleanup is an expensive and difficult process. These deterrents leave our community scattered with unsightly and dangerous properties.

THE BROWNFIELD OPPORTUNITY AREA PROGRAM (BOA)

Through this State program, SoBRO assists property owners and the community in investigating environmental problems, forming a cleanup plan if necessary, and then working to redevelop the properties into better uses.

WHERE YOU COME IN

We need to make sure that the community is front-and-center in the Brownfield redevelopment planning process in the South Bronx. We need to gather ideas from the community about their vision for the general area as well as possible new sites to look at, to ensure that our work is supported by those who live and work here. So please join us for an interesting presentation and discussion about Brownfields in your area and how we, together as a team, can transform them into good use!

What:
Port Morris Community Meeting

When:
Wednesday,
January 7, 2009
6:00pm – 7:30pm

Where:
The Gallery Lounge
26 Bruckner Boulevard
Bronx, NY 10454

Who:
SoBRO and Nos Quedamos

RSVP:
Shira Gidding
718-732-7500
sgidding@sobro.org

Presented by: Nos Quedamos &

SOBRO

BOA Community Coalition:
Yolanda Gonzalez, Nos Quedamos
Gilberto Rivera, Nos Quedamos
Reverend Mario Olivero

Rachel Amar, Waste Management
Peter Benizio, The Gallery Lounge
SoBRO

Sesión de Información

Brownfield Opportunity Area Program (BOA)

Limpieza de Áreas Contaminadas en el Sur del Bronx

Por favor, únase a SoBRO y Nos Quedamos con su comunidad, para una discusión acerca de BrownField. BrownField es un desarrollo que esta ocurriendo en el Sur del Bronx. Queremos escuchar sus ideas acerca de lo que seria necesarios para mejorar su comunidad.

Brownfields

Muchas propiedades abandonadas en todo el Bronx siguen siendo subdesarrolladas a causa de la contaminación. Sitos anteriormente ocupados por (fabricas, reparación de autos, puestos de gasolina.) A menudo debajo de la tierra esta llena de sustancias químicas, nocivas que amenaza la salud y la seguridad de las personas que viven y trabajan cerca.

Estas propiedades contaminadas son llamados terrenos baldíos. Ellos impiden el desarrollo por varias razones: En primer lugar, es ilegal e inseguro para operar o desarrollar en las tierras contaminadas. Además, la limpieza del medio ambiente es costoso y un proceso difícil. Estos elementos disuasorios mantienen nuestra comunidad dispersa con mal antiestético y con propiedades peligrosas.

Brownfield Opportunity Area Program (BOA)

A través de este programa estatal, SoBRO ayuda a los propietarios de inmuebles investigando el problema ambiental, la formación de un plan de limpieza si es necesario y a continuación, trabajan para revalorizar las propiedades para mejorar sus usos.

Donde Puede Entrar Usted

Tenemos que estar seguro de que la comunidad Port Morris y Mott Haven esta en el centro de el proceso del nuevo desarrollo. Tenemos que recoger las ideas de la comunidad, acerca de la visión para la zona en general, así como los posibles nuevos sitios que debemos de estar observando. Así que únase a nosotros para una interesante presentación y discusión acerca de terrenos baldíos en su área, y nosotros unidos podemos transformarlo en un buen uso para el bien de la comunidad.

Que:
Sesión de Información

Cuando:
Miercoles, 7 de Enero, 2009
6:00pm - 8:00pm

Donde:
The Gallery
26 Buckner Blvd
Bronx, New York 10455

Quien:
SoBRO y Nos Quedamos

RSVP:
Jamilia Diaz
718-732-7548
jdiaz@sobro.org
SEATING IS LIMITED!

Presentado por: Nos Quedamos &

SOBRO

Colisión de Comunidad:
Yolanda Gonzalez, Nos Quedamos
Gilberto Rivera, Nos Quedamos
Reverend Mario Olivero

Peter Benicio, The Gallery
Bill Boniface, Bonland Industries
Rachel Amar, Waste Management
SoBRO



MINUTES - Port Morris BOA Visioning Meeting

Date: January 7, 2009, 6:00pm

Location: The Gallery
26 Bruckner Blvd.
Bronx, NY 10454

Facilitators: **Shira Gidding**, Brownfield Program Coordinator, SoBRO
Mario Bodden, Assistant Vice President of Economic Development, SoBRO
Jamila Diaz, Program Coordinator of Industrial Economic Development, SoBRO
Gilberto Rivera, President of Nos Quedamos

I. Introductions

- Shira Gidding welcomes everyone and introduces Mario Bodden and Jamila Diaz as Spanish translator and transcriber for the presentation.

II. BOA Information and SoBRO's Port Morris BOA Projects, Shira Gidding & Mario Bodden

- 'Brownfields' defined; they exist all over New York City and we are focusing on the South Bronx
- BOA Program explained: SoBRO has received grant money from the State of New York to identify suspect Brownfield sites, use community input to make recommendations for redevelopment/reuse, and do actual testing to determine what kind of cleanup is needed and how it can be financed.
- Introduced the BOA Community Coalition, chaired by SoBRO, Nos Quedamos (local civic organization), Reverend Mario Olivero, Bronx Waste Management (Community Relations Division), and two local business owners; the purpose of the coalition is to maximize community participation at events such as these to be held regularly
- Port Morris BOA: 3 gas station projects described (138th & Bruckner Blvd, 138th & Rider Ave, 135th & Major Deegan), with photographs being passed through the audience
- Emphasized the importance of community's input every step of the way; explained that opinions and information shared by residents and community leaders will be recorded, incorporated into Brownfield redevelopment planning and also sent forth to government agencies as necessary

III. Other Information

- Gilberto Rivera introduced himself as a Port Morris Community Coalition member and long-time supporter of SoBRO. Mr. Rivera spoke of Nos Quedamos community advocacy activities in past years, including addressing the issue of contaminated sites in need of assistance; that their development would help facilitate overall economic development in the South Bronx. Mr. Rivera explained that the community's involvement is a major component of these efforts (and BOA specifically) and would not be possible without their input.
- Mario Bodden then described his experience and efforts over the past ten years in getting under-utilized or abandoned areas developed into uses that create employment and address other needs of the community.
- Shira Gidding acknowledged that the South Bronx region is changing and developing, but that our efforts through BOA ensure that the local community's needs are heard, and that development (with which SoBRO is involved) happens in a safe way. She then opened the meeting up for questions and comments, specifically asking what the main issues facing the community are (e.g. housing, small business development, etc.) that may be addressed by Brownfields redevelopment.

IV. Community Participation

- Placido Mendez a community representatives and Hispanic leader of the community spoke of how not only did SoBRO, Nos Quedamos and City and State agencies need to help redevelop the contaminated sites, but that they need to address issues of air pollution created by cars and local manufacturing.
- Mr. Mendez also expressed the community's great need for housing. Mr. Mendez spoke of families living in overcrowded buildings in the community because of limited housing options.
- Mr. Mendez also spoke of the need to put businesses on these underdeveloped sites that would help stimulate the local economy by providing needed jobs. He said that unemployment in the community is rising.
- Hector Castillo, community representative, spoke to the importance of protecting kids and residents from the hazards associated with contaminated property that they may be living on or near. Mr. Castillo thanked SoBRO and Nos Quedamos for their efforts to address this.
- Juan Garcia, community representative and leader, also spoke of the need to create local jobs for community residents with these future development sites. Mr. Garcia expressed that in past experience, employers occupying newly developed property have had a tendency to hire people from outside the community. Mr. Garcia called on SoBRO and Nos Quedamos as influential organizations to take some responsibility and make sure that

a certain percentage of new jobs created as a result of these projects would be reserved for local people.

- Generally, all in attendance were in agreement that new housing and business opportunities would benefit the community most.

V. Closing Remarks

- Shira reiterated that the goal of this program and any BOA project is to ultimately develop the South Bronx in a conscientious way that preserves the community's residences, businesses and jobs while restoring environmental safety.
- Mario Bodden and Shira Gidding thanked all who participated, and assured that we would keep the community abreast of how these and new projects unfold, taking into great account the feedback they shared with us in this meeting

Community Board 1 Meeting & Port Morris BOA Presentation

January 14, 2009, 6:00 p.m.

Joint Meeting: Economic Development, Land-Use & Housing, and Education Committees

MINUTES

- I. **Call to Order and Introductions**—Ms. Arline Parks-Chairperson, Ms. Nellie McKay- Housing Chairman, Mr. Justino Rodriguez- Education Chairman.
- II. **Presentation – Neil Pariser, SoBRO Senior Vice President**
 - Detailed explanation of the Brownfield Opportunity Area program (Procedures & benefits)
 - Update of the three current BOA gas station sites, and five possible future BOA strategic development sites
 - Mr. Pariser asked the board for feedback on the program, including any objections or interest in discussed projects.
- III. **Community Board Questions & Comments**
 - * Re responsible parties: **Why can't we find the business owners who pollute these properties, and fine them?**
 - * Re new potential strategic site at 142nd & Bruckner Blvd: **Who owns the tow yard, and how did we find them?**
 - * Re remediation process: **How is the soil cleaned?**
 - * **What do we do with the dirty soil?**
 - * **Do we have to put a new gas station on 138th & Bruckner site?**
 - * Re 138th & Rider gas station project: **What role does Exact Capital LLC play?**
 - * **Mr. Pariser answered all questions**
 - * **Several board members stated that the program sounded good, and that they looked forward to SoBRO returning to give another update.**
- IV. **Adjournment**



PORT MORRIS BOA
COMMUNITY MEETING

MINUTES

Date: December 16, 2009, 6:00pm

Location: Iglesia Senda de Bendicion
440 East 134th Street
Bronx, NY 10454

Host: Reverend Mario Olivero

Facilitator: Shira Gidding, Director of Environmental Development Programs, SoBRO
Gilberto Rivera, Nos Quedamos

Translator: Alvarado Miguel, Port Morris Resident

Other Attendees:

Lewis Cooper, Resident
Santiago Diaz, NYCPP
Carmen Lourdes, Resident
Carlos Hernandez, Resident
Hector Castillos, Resident, community advocate
Enrique Marte, Resident
Julio Rosario, Resident
Marta Beruquete, Resident
Maximo Figuereo, Resident
Chris Gonzalez, Nos Quedamos

I. Shira Gidding - Introduction and Program Description

- SG introduces herself, welcomes everyone, and thanks them for participating.
- SG describes SoBRO and her work in the brownfield arena.
- SG describes BOA program, focusing on the idea of remediating and developing vacant sites for the betterment of the community.

II. Discussion: SoBRO's BOA program, specific sites, and community's redevelopment ideas

- SG offers examples of uses that might be needed: supermarket, laundry facilities, pharmacy, open/park space, etc.
- Lewis Cooper suggests a car dealership as an economic driver, and says uses that will create jobs is the most important; community needs more tax payers; there is enough housing; really the need is for business such as fast food places and factories
- Santiago Diaz shares a Bronx project being pursued by his organization to build a park with funding support from City Council and Bronx BP
- Gilberto says that before any development can take place, the brownfield contaminated sites must be cleaned up.
- SG takes the floor and proceeded to run through the Port Morris BOA program and the 6 strategic sites SoBRO has identified, referring to a 4-page handout that consists of maps
- SG described the Lower Concourse Rezoning and the new opportunities it will bring for development, and describes the importance of developing what the community wants and needs.
- Hector Castillos proclaimed that new development projects must cater to the local community, especially housing and job needs; also that during development of these sites local (non-white) people should be given construction jobs, unlike what he often sees at construction sites in the area.
- Lewis Cooper retorted that people need to be trained and admitted to workers unions before they can be placed at construction sites; he said, "You can't just take people off the street."
- The conversation then shifted to the need for local people to be adequately trained for jobs, and the need to educate, train, and better support young people so that they are prepared for available jobs.
- Lewis Cooper discussed the need for high school students to receive vocational training and said that SoBRO should be involved in that, for example via after-school programs.
- SG explained that SoBRO does do this sort of work, and cited the Youth Build program which has been quite successful.
- SG described the "green" movement and the new funding and programming stemming from President Obama's stimulus package to support the "green economy."
- SG explained "green" and "green jobs" and "green" training, and how this new sector will hopefully bring new opportunity to local people who need education, job training and job placement.
- All in attendance received this positively.
- Hector Castillos suggested the idea of having the community compile a list of people they believe are qualified or motivated to work, and bringing it to SoBRO so that we can connect them with these opportunities.

- SG reiterated the importance of gathering community input and having the community step up to SoBRO and other development/advocate groups and truly help guide and shape the work we do.
- Returning to the topic of developing vacant sites in the local area, Hector Castillos said he envisions keeping the old Yankee Stadium structure and transforming it into a great community recreational center. In general he expressed the need for this type of use in the area.
- SG offers closing remarks, stating that these meetings will happen on a consistent basis, and encouraging those in attendance to join future meetings so that this conversation is an ongoing and developing one.

APPENDIX C

BROWNFIELD OPPORTUNITY AREA (BOA) STEERING COMMITTEE DOCUMENTS



Port Morris BOA Program
Task 2: Establishment of a Project Steering Committee
December 8, 2005

555 Bergen Avenue, 3rd Floor
Bronx, NY 10455
(718) 292-3113 Phone
(718) 292-6645 Fax

Meeting Summary

I. Call to order

Neil Pariser (SoBRO – Senior Vice President) called to order the meeting of the Prospective Steering Committee members at 10:00am on December 8, 2005 at SoBRO Headquarters (located at 555 Bergen Avenue, Bronx, NY 10455).

II. Welcome & Introductions

Neil Pariser welcomed the attendees. The following persons were present:

- Ron Melichar (NYC DSBS – Director of District Mgmt Services & Investment)
- Frank Encarnacion (NYC DSBS – Senior Development Manager)
- Paula Caplan (Office of the Bronx Borough President – Deputy Director of Planning & Development)
- Curtis Cravens (Department of State)
- Daniel Walsh (NYS DEC – Chief – Superfund & Brownfield Cleanup)
- Robinson Hernandez (NYC – Mayor's Office of Industrial & Manufacturing Businesses – Project Manager)
- Neil Pariser (SoBRO – Senior Vice President)
- Miriam Johnson (SoBRO – BOA Program Manager)
- Mario Bodden (SoBRO – Assistant Vice President)
- Jasmin Miranda (SoBRO – Project Manager)
- Shelley Olivari (SoBRO – Department Coordinator)

III. Discussion of Port Morris BOA and Potential Redevelopment Sites

- Miriam Johnson (SoBRO) gave a brief overview of the Port Morris BOA and explained the purpose of establishing a steering committee, which is to oversee the processes of the Port Morris BOA and to achieve broad public participation.
- Mario Bodden (SoBRO), Jasmin Miranda (SoBRO) and Neil Pariser (SoBRO) gave an overview of Potential Brownfield Redevelopment sites in Port Morris (specifically East 138th Street & Bruckner Boulevard – Vacant Gas Station, East 147th Street & Brook Avenue – Vacant Lot and East 149th Street & Southern Boulevard).
- Curtis Cravens (DOS) gave more description on the purpose of the BOA program, the requirements of the BOA recipients and briefly touched on the MOU between DEC and DOS. He explained that the grant is part of a new State program designed to assist communities in understanding the process of identification and remediation of potential Brownfield sites.



Port Morris BOA Program
Task 2: Establishment of a Project Steering Committee
December 8, 2005

555 Bergen Avenue, 3rd Floor
Bronx, NY 10455
(718) 292-3113 Phone
(718) 292-6645 Fax

- Neil Pariser (SoBRO) asked the question of how to handle issues of tax liens on aforementioned properties. Curtis Cravens (DOS) stated that Environmental Counsel is seen as a key step in Phase 2 of the BOA. Mr. Cravens also suggested that SoBRO meet with Mark McIntyre (counsel for the city who works on environmental projects). Mr. Cravens suggest that Mark McIntyre is very familiar with environmental issues of this sort.
- Curtis Cravens (DOS) will set up a conference call between Mark McIntyre and SoBRO.
- Neil Pariser (SoBRO) asked whether or not SoBRO needed a license agreement to gain access to the sites. Daniel Walsh (DEC) commented that is assumed that the owner of the property is a willing participant in the process. Walsh also commented that Step Two does not require consent of the owner of the property.
- Neil Pariser questioned Curtis Cravens (DOS) on the status of other BOA recipients. Curtis Cravens stated that the City of Yonkers and Kingston were furthest along.
- Daniel Walsh (DEC) gave a brief overview of the Superfund and Brownfield Cleanup Program and offered assistance to the Port Morris BOA.

IV. Objectives of the Steering Committee

- Curtis Cravens explained that the steering committee is established to promote public participation in the processes of the Port Morris BOA. Paula Caplan (BBP) and other meeting attendees made suggestions on other possible steering committee members such as environmental groups, etc. Miriam Johnson (SoBRO) suggested an environmental group.
- Curtis Cravens suggested that there may be potential property owners who may be interested in joining the committee. Cravens stated that the BOA needs community representation such as the community board, business owners and elected officials.

V. Adjournment

- Neil Pariser adjourned the meeting at 12:05pm.

Minutes Submitted by: Shelley Olivari

Minutes Approved by: Miriam Johnson



South Bronx Overall Economic Development Corporation

Port Morris Brownfield Opportunity Area Program

555 Bergen Avenue, 3rd Floor
Bronx, NY 10455
(718) 292-3113 Phone
(718) 292-6645 Fax
www.sobro.org

Agenda
Port Morris BOA
Bus Tour & Steering Committee Meeting #2

October 26, 2006

Meeting called by the South Bronx Overall Economic Development Corporation (SoBRO)

Attendees:

- **Curtis Cravens** NYS Department of State
- **Josslyn Shapiro, PhD** NYS Department of Environmental Conservation
- **Daniel Walsh PhD, Chief** NYS Department of Environmental Conservation
- **Paula Caplan** Office of the Bronx Borough President
- **Linda Cox** Bronx River Alliance
- **Tony Riccio** Port Morris Property Owner
- **Carlos Tejada** Department of City Planning
- **Carol Samol** Department of City Planning
- **Mark McIntyre** NYC Office of Environmental Coordination
- **Neil Pariser** SoBRO
- **Mario Bodden** SoBRO
- **Miriam Johnson** SoBRO

8:15am – 9:00am	Meet & Greet <ul style="list-style-type: none"> • Continental Breakfast 	SoBRO's Executive Conference 555 Bergen Avenue, 3rd Floor Bronx, NY 10455
9:00am – 10:30am	Bus Tour Commences <ul style="list-style-type: none"> • Overview & Review of Projects Neil Pariser • Q&A 	Bus Leaves from Corner of 149 th & Bergen Avenue (Front of SoBRO)
11:00am – 12:00pm	Wrap Up at SoBRO <ul style="list-style-type: none"> • Next Steps for BOA & Vision for Potentially Contaminated Sites • Next Meeting Date? Steering Committee 	SoBRO's Executive Conference 555 Bergen Avenue, 3rd Floor Bronx, NY 10455

Additional Information on Potentially Contaminated Sites:

1. **Industrial Ombudsman Area (IOA):** The 11 blocks surrounding the Port Morris Special Mixed-Use District are currently the subject of a rezoning action. Building upon the attraction of the Antique District and aptly suited for residential and commercial development, the district stretches from the Park Avenue Bridge to the Triborough Bridge approaches and faces the Bronx River at the Harlem River Yards.
2. **Gas Station Site: Rider Avenue at 138th Street:** Approximately 11,000 square feet of privately owned land, this site contains an inactive gas station with potential for redevelopment of the site to non-hazardous use. Next to Skate Key facilities and a number of large industrial companies, this lot is four blocks from the Major Deegan Expressway and Grand Concourse, and is approximately six blocks from the Third Ave Bridge. This site is a less than three blocks from 138th Street stop on the 4/5 express trains.
3. **Gas Station Site (Third Avenue @ 136th Street)**
4. **Greenway Easement:**
5. **Gas Station Site (138th Street @ Bruckner Boulevard)**
A vacant, abandoned gasoline station which suffered a fire less than five years ago, this site is approximately 13,000 square feet and is privately-owned. This site is the terminus of the commercial corridor that runs along 138th Street, and is located directly on an entrance to and an exit from the Bruckner Expressway.



**Port Morris BOA
Project Steering Committee Meeting**

Meeting Agenda

November 7, 2007

10:00am

Type of Meeting: Update on Port Morris Environmental Site Assessments and Next Steps

Meeting Facilitators: South Bronx Overall Economic Development Corporation (SoBRO)

Invitees:

- Curtis Cravens, NYS Department of State
- Dana Kaplan/ Josslyn Shapiro, PhD NYS Department of Environmental Conservation
- Daniel Walsh PhD, Chief NYS Department of Environmental Conservation
- Paula Caplan, Office of the Bronx Borough President
- Linda Cox, Bronx River Alliance
- Tony Riccio, Port Morris Property Owner
- Carlos Tejada, Department of City Planning
- Carol Samol, Department of City Planning
- Mark McIntyre, NYC Office of Environmental Coordination
- Neil Pariser, SoBRO
- Miriam Johnson, SoBRO
- Mario Bodden, SoBRO
- Stephane Hyacinthe, SoBRO

- I.** Update on Current Status of Brownfield Sites, Neil Pariser
- II.** Review of AKRF's Residential & Commercial Feasibility/ Ombudsman Study
- III.** Review of Phase I Environmental Site Assessments/ Hazardous Materials Assessment
- IV.** Committee Discussion on Next Steps
- V.** Adjournment

STEERING COMMITTEE PARTICIPANTS

PORT MORRIS BOA

As of December, 2009

Curtis Cravens

Division of Coastal Resources
New York State Department of State
123 William Street, 19th Floor
New York, NY 10038
P (212) 417-5005

Jane O'Connell

NYS Department of Environmental Conservation,
Region 2 Office
1 Hunters Point Plaza
47-40 21st Street
Long Island City, NY 11101
P (718) 482-4599

Lee Ilan

Mayor's Office of Environmental Remediation
253 Broadway, 14th Floor
New York, NY 10007
P (212) 788-2929

Miriam Harris

NYC Economic Development Corporation
110 Williams Street
New York, NY 10038
P (212) 312-3777

Carlos Tejada

Bronx Office of the Department of City Planning
One Fordham Plaza, 5th Floor
Bronx, NY 10458-5891
P (718) 220-8500

Rachel Amar

Waste Management of New York, LLC
123 Varick Avenue
Brooklyn, NY 11237
P (718) 533-5291

Jessica Noon

Bureau of Planning and Development
Office of the Bronx Borough President
851 Grand Concourse, Suite 206
Bronx, NY 10451
P (718) 590-3881

Larry Schnapf

Schulte, Roth & Zebel LLP
919 Third Avenue
New York, NY 10022
P (212) 756-2205

David Freeman

Paul, Hastings, Janofsky & Walker LLP
75 E. 55th Street, First Floor
New York, NY 10022
P (212) 318 - 6000

Yolanda Gonzalez

Nos Quedamos / We Stay
754 Melrose Avenue
Bronx, NY 10451-4457
P (718) 585-2323

Mario Olivero

Senda Church Congregation
440 E. 134th Street
Bronx, NY 10454
P (718) 713-6575

Phillip Morrow, President

October 27, 2009

Stephen J. Holley
Vice President
AKRF
440 Park Avenue South, 7th Floor
New York, NY 10016

RE: Meeting of the BOA Steering Committee

Dear Mr. Holley,

SoBRO is pleased to announce a meeting of the BOA Steering Committee. Important developments have occurred over the last year with regard to the Brownfield Opportunity Area grant program (BOA), a community-driven brownfield planning initiative administered by the New York State Department of State (DoS), and we look forward to informing and updating the community and elected officials on our work.

Since our first BOA award in 2006, SoBRO has successfully invested BOA dollars in a portion of the Port Morris neighborhood that fronts the Harlem River. We have gathered input from the local community as to how they envision new development in their neighborhoods, and within this context, SoBRO has identified several potential brownfield redevelopment sites, called "BOA strategic sites." We believe that responsible cleanup and development of these underutilized sites would catalyze neighborhood investment and revitalization if restored to productive use.

SoBRO plans to significantly expand BOA work by identifying new strategic sites in Port Morris as well as other Bronx communities. In addition to recently launching the Eastchester BOA, we are currently preparing new BOA applications for submission to DoS in December 2009. We would like to include you in discussions of where the BOA program and brownfield redevelopment in the Bronx is headed, as well as give you the opportunity to officially join the BOA Steering Committee that corresponds to your particular area of the Bronx.

Please join us at SoBRO's offices on **Tuesday December 1, 2009 at 3:00pm**. For further information, contact Shira Gidding, Director of Brownfield & Environmental Remediation, at sgidding@sobro.org or 718-732-7532. Your participation is much appreciated.

Sincerely,



Phillip Morrow
President, SoBRO

BROWNFIELD OPPORTUNITY AREA PROGRAM (“BOA”)

MEETING OF THE BOA STEERING COMMITTEE & BOA PARTNERS

December 1, 2009
3:00pm

AGENDA

- I. Welcome and Introductions** (Phillip Morrow - President, SoBRO)
- II. Purpose of Meeting** (Lourdes Zapata - Senior Vice President, SoBRO)
- III. BOA Program Description** (Shira Gidding - BOA Program Director, SoBRO)
 - 1) 3-Step Program
 - 2) SoBRO’s Approach
- IV. Port Morris & Zone 1 BOA** (Shira Gidding and AKRF)
- V. Eastchester BOA** (Neil Pariser - Senior Vice President, SoBRO)
- VI. New BOA Applications** (Neil Pariser)
 - 1) Port Morris Zone 1: Step 3
 - 2) Port Morris Zone 2: Step 2
 - 3) Port Morris Zone 3: Step 2
 - 4) Concourse Village: Step 2
- VII. Community Participation & BOA Community Coalition** (Shira Gidding and Nos Quedamos)
- VIII. Conclusion**
- IX. Floor Open for Questions & Discussion**

Brownfield Opportunity Area Program (BOA)

SoBRO

Meeting of the Steering Committee

December 1, 2009

3:00pm

SIGN-IN

	NAME	AGENCY OR AFFILIATION	EMAIL
1	Andrew Schaffer	City Matters / PASCAP	andrew@citymatters.biz
2	Jose Rodriguez	Community Board Four	jose@communityboardfour.org
3	CARMEN ROSA	CB #12	carmen@cb12.org
4	CARLOS TEJADA	Bronx DEP	cte@bronxdep.org
5	Jessica Noon	Bronx BP	jnoon@bronxdep.org
6	Aracel Llanos	Exchester IBZ	allanos@exchester.org
7	Stephanie Hyatt	DOBRO	shyatt@dobro.org
8	LATH Schwab	SEN	lath@sen.org
9	June O'Connell	NYSDEC	jhoconn@dec.state.ny.us
10	STEPHAN HONEY	AKRF	shoney@akrf.com
11	CHRISTIAN MICHAEL	AKRF	cmichael@akrf.com
12	Rachel Amar	WM	ramar@wm.com
13	Yolanda Gonzalez	NG	ygonzalez@nyc.gov
14	HERNAN GONZALEZ	CITY OF MOUNT VERNON	HERNAN@CITYOFMV.COM
15	DAVID FACEMAN	PAUL HASTINGS	davidfreeman@paulhastings.com
16	Linda Cox	Bronx River Alliance / NYCDPR	Linda.cox@parks.ny.gov
17	CHRISTIAN JACK DILLMAN	HUTCHINSON RIVER RESTORATION PROJECT	HUTCHINSONRIVER@AOL.COM
18	Mario Olivero	Santa Church Congregation	
19	James Capasso	PASCAP Co.	

Brownfield Opportunity Area Program (BOA)

SoBRO

Meeting of the Steering Committee and Other Participants

December 1, 2009 - 3:00PM

MEETING MINUTES

I. Attendees

1. Andrea Schaffer, City Matters LLC
2. James Capasso, Pascap Co.
3. Jose Rodriguez, Bronx Community Board 4
4. Carmen Rosa, Bronx Community Board 12
5. Carlos Tejada, Bronx Office of Dept of City Planning
6. Jessica Noon, Bronx Borough President's Office
7. George Llanos, BOEDC
8. Larry Schnapf, Schulte, Roth & Zabel LLP
9. Jane O'Connell, New York State Department of Environmental Conservation
10. Stephen Holley, AKRF
11. Christian Michel, AKRF
12. Rachel Amar, Waste Management
13. Yolanda Gonzalez, Nos Quedamos
14. Hernan Guerero, City of Mt. Vernon
15. David Freeman, Paul Hastings
16. Linda Cox, Bronx River Alliance
17. Jack Ullman, Hutchinson River Restoration Project
18. Mario Olivero, Senda Church Congregation
19. Stephane Hyacinthe, SoBRO
20. Ryan Max, SoBRO
21. Neil Pariser, SoBRO
22. Lourdes Zapata, SoBRO
23. Shira Gidding, SoBRO
24. Phillip Morrow, SoBRO

II. Introductions - Phillip Morrow, Lourdes Zapata

III. Presentation

- A. BOA Program Description and SoBRO's Approach - Shira Gidding
- B. Port Morris BOA and 6 Strategic Sites - Shira Gidding, Christian Michel
- C. Eastchester BOA and New BOA Applications - Neil Pariser
- D. Community Participation - Yolanda Gonzalez

II. Closing Remarks and Questions

MEETING OF THE BOA STEERING COMMITTEE



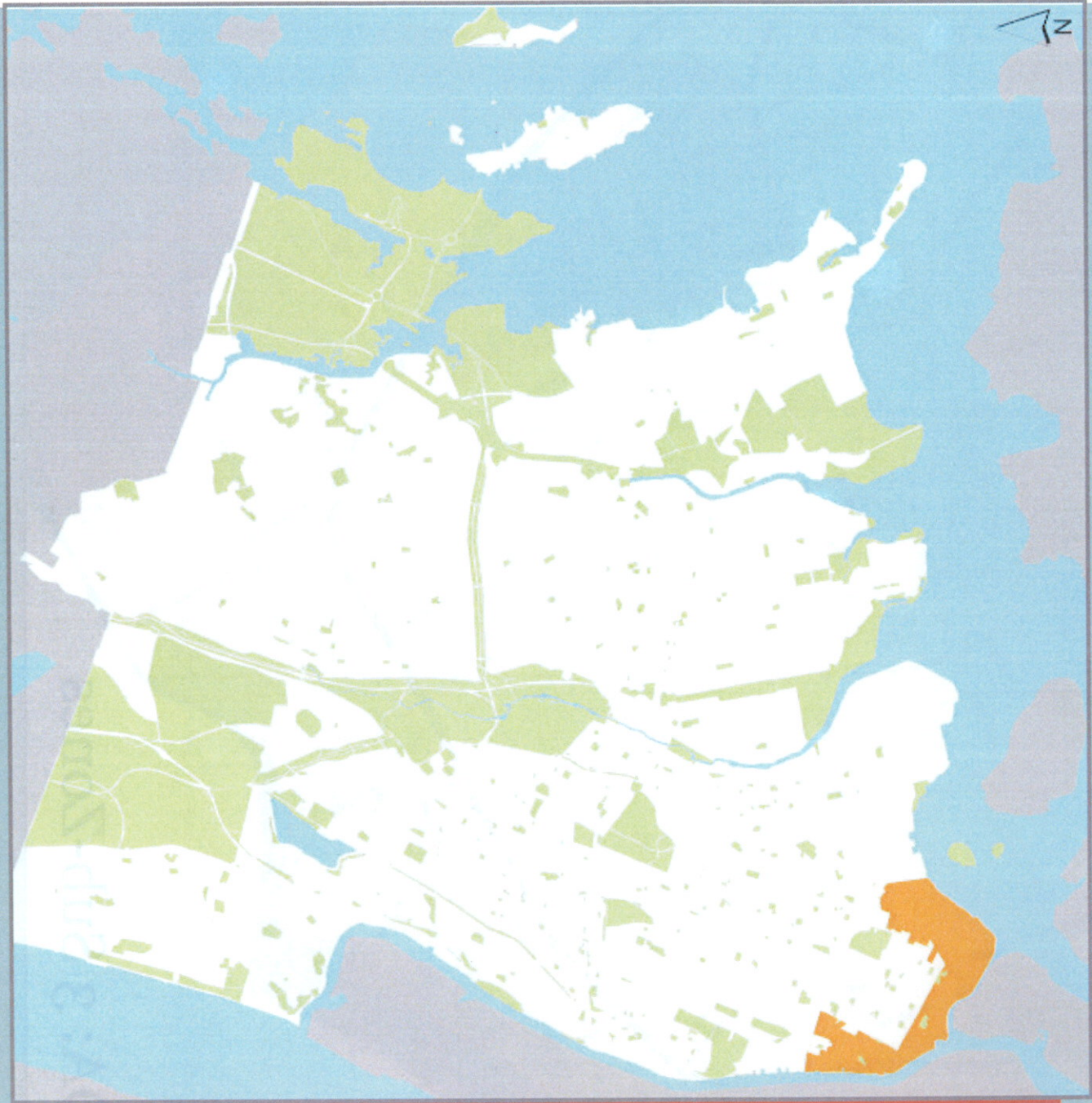
BROWNFIELD OPPORTUNITY AREA
PROGRAM

NEW YORK STATE DEPARTMENT OF STATE
&
SOBRO

DECEMBER 1, 2009

Brownfield Opportunity Area Program (BOA)

- 3-Step Program
 - Step 1: Pre-Nomination Study
 - Step 2: Nomination Study
 - Strategic Sites
 - Step 3: Implementation Strategy
- SoBRO's Approach
 - Development-oriented
 - Collaboration with NYS DEC and NYC OER
 - BOA Community Coalition



Port Morris BOA





Port Morris BOA: 3 Sub-Zones

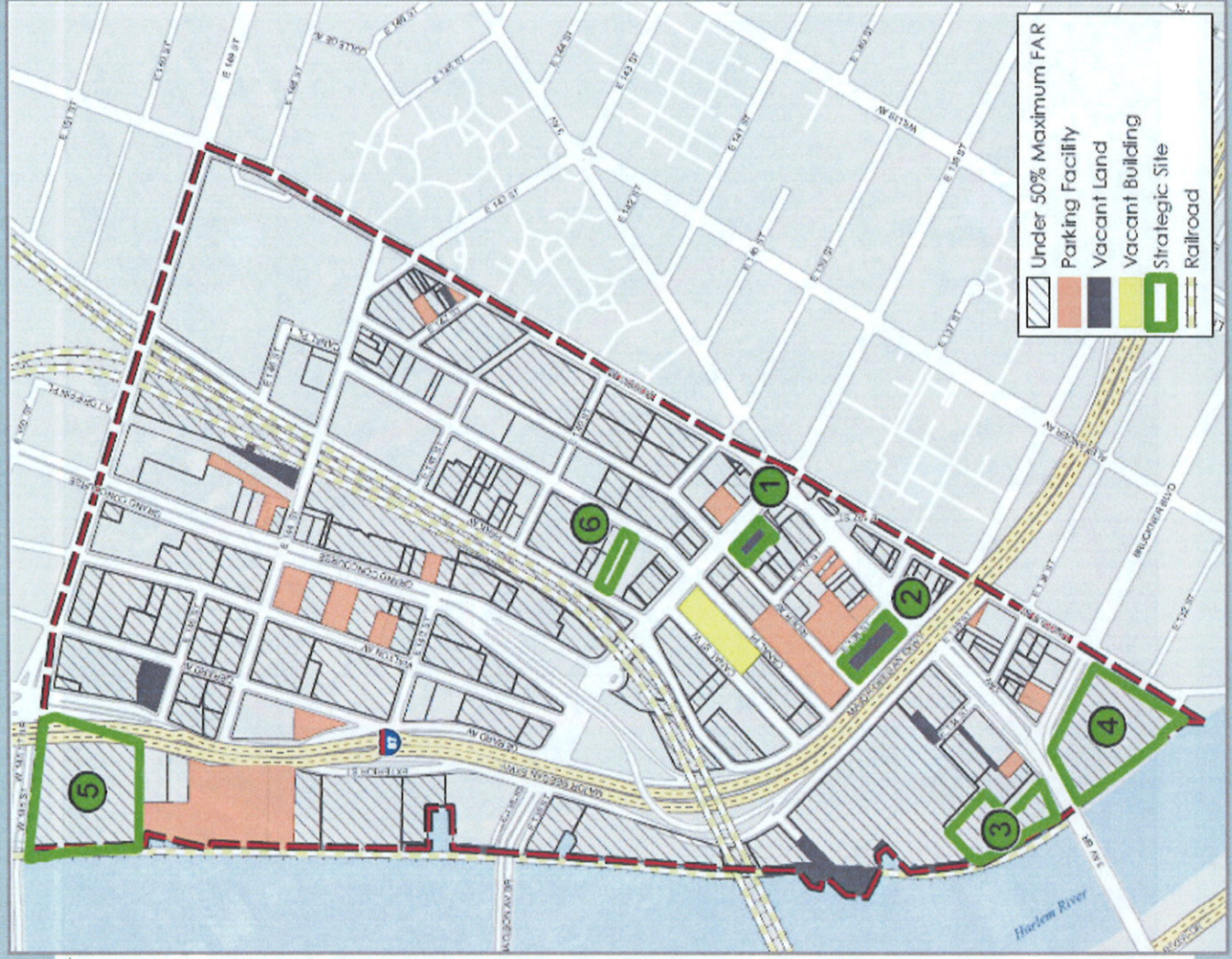
Port Morris Zone 1: Nomination

- Lower Concourse Rezoning
- Area-wide Assessment
- Strategic Sites & Site Profiles
- Community Outreach
- Nomination Report & Advancing to Step 3




Port Morris Zone 1: Strategic Sites

1. Rider Avenue
2. Third Ave & Major Deegan
3. Vista 1 – 2401 Third Ave
4. Vista 2 – 101 Lincoln Ave
5. Bronx Recycling
6. 2568 Park Ave



Strategic Site Profile

PORT MORRIS SITE PROFILE

Site Name 242 East 138 th Street at Rider Avenue – Block 2320 Lot 66	
SITE FUNDAMENTALS Current Owner: Think Big Auto Rev/LE Current Tenant: NA Current use: Vacant In operation since: NA	
PROPERTY CHARACTERISTICS	
<i>Property and Facilities</i> Lot Area: 11,500 Sq. Ft. Building Area: 948 Sq. Ft. Number of Buildings: 1 Number of Floors: 1 Special Property Features: contains a gas station shelter <i>Infrastructure and Access</i> Street-level access: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Adequate Street Width: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Parking: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No approx. 10 on-street parking spaces Access to Public Transportation: Yes, 2,300 ft to subway Other Transportation Assets: 5 bus routes near the site <i>Utilities</i> Electricity (availability/capacity): yes/NA Water/Sewer (availability/capacity): yes/12" High-Speed Internet (availability/capacity): yes/DSL	
	
ZONING AND LAND USE	
Current Zoning: Permitted Uses: Manufacturing with stringent performance standards; most commercial and retail uses FAR: 2.0 Total Building Area: 948 sf existing / 23,000 sf allowable by zoning Permitted Building Height: 80 ft before setback, max height governed by sky exposure plane Current Use <input type="checkbox"/> Manufacturing <input type="checkbox"/> Other <input checked="" type="checkbox"/> Retail <input type="checkbox"/> Vacant Major Adjacent Uses Auto repair and maintenance, wholesale and distribution, transportation and parking, retail, residential, and other light industrial uses. Proposed Zoning Future designation: MX: M1-4/R7X Permitted Uses: Residential, commercial retail, commercial office, hotel, light industrial, and community facility uses FAR: Residential: 3.75 (5.0 with inclusionary housing) Commercial/Manufacturing: 2.0 Community Facility: 6.5 Permitted Building Height: 80 ft minimum base height / 85 ft maximum base height. Maximum building height = 125 ft Development Restrictions & Requirements (set backs, height, greenway, etc): None	
ENVIRONMENTAL CONDITIONS	
Historical Use(s) Residential building Gasoline station	Site Reconnaissance Abandoned gasoline station with possible presence of remnant underground storage tanks; site used for parking vehicles.
Regulatory Programs & Permits One Active and two closed status splits; PGS registration with three 4,000-gal gasoline and one 4,000-gal diesel tanks; Hazardous Waste Generator (1991); Air Discharge Facility.	
Potential Contamination Potential petroleum contamination to soil and groundwater from past on-site operations; potential contamination from surrounding off-site industrial facilities; potential for uncontrolled fill at site.	

Strategic Site Profile

SUITABILITY ASSESSMENT					
Land Use	Site Score	Industrial Weight	Total	Residential Weight	Total
Site Characteristics					
Size and shape	4	3	12	3	12
Utilities	5	3	15	3	15
Parking (cars and trucks)	3	3	9	2	6
Roadway conditions	4	2	8	3	12
Loading/unloading areas	3	3	9	1	3
Existing Building Stock	0	3	0	2	0
Pedestrian facilities	3	1	3	2	6
Sub Total			56		54
Strategic Location Characteristics					
Public transportation (distance/ease)	5	2	10	3	15
Highway (distance/ease)	4	3	12	2	8
Business Services	3	3	9	2	6
Retail	4	2	8	3	12
Open space	3	1	3	3	9
Adjacent uses (general appeal)	4	1	4	3	12
Views	3	1	3	3	9
Sub Total			49		71
Environmental Constraints					
Traffic and Congestion	(2)	2	(4)	3	(6)
Noise	(2)	1	(2)	2	(4)
Air quality	(2)	1	(2)	2	(4)
Potential Contamination	(4)	2	(8)	3	(12)
Sub Total			(16)		(26)
TOTAL SCORE			89		90

CHALLENGES & OPPORTUNITIES

242 East 138th Street, located on the southeast corner of Rider Avenue and East 138th Street, offers an excellent development opportunity. Although it is not an especially large site, it has a regular shape and is situated along the East 138th Street corridor, a major access point into the South Bronx via the Madison Avenue Bridge. This location provides the site with excellent access to the City's highway network and to its public transportation system.

The nearby uses are generally appealing and include several well-maintained light industrial facilities and transportation and parking uses. Recent investments in the ground-floor retail business in the adjacent residential buildings are an indication of renewed interest in the area.

A large concentration of New York City Housing Authority (NYCHA) residential buildings, just east of Third Avenue about 1/4-mile away, is anchoring an established residential and commercial mixed-use neighborhood. If approved, the proposed Lower Concourse Rezoning could expand this residential district to include the site and surrounding area by allowing residential uses in the area west of Third Avenue. Under the proposed zoning, the site would be rezoned MX (R7XM1-4) and would allow a variety of uses. Any future development on this site would be well-connected to the established residential neighborhoods and prominently sited along an emerging mixed-use East 138th Street corridor. Vacant properties across from the site provide additional development opportunities to create a vibrant cluster.

Although the site is only moderately well-served by retail, the Gateway Center at Bronx Terminal Market is currently under construction; approximately 1/4 of a mile from the site. Additional retail could be developed closer to the site under the proposed Lower Concourse Rezoning.

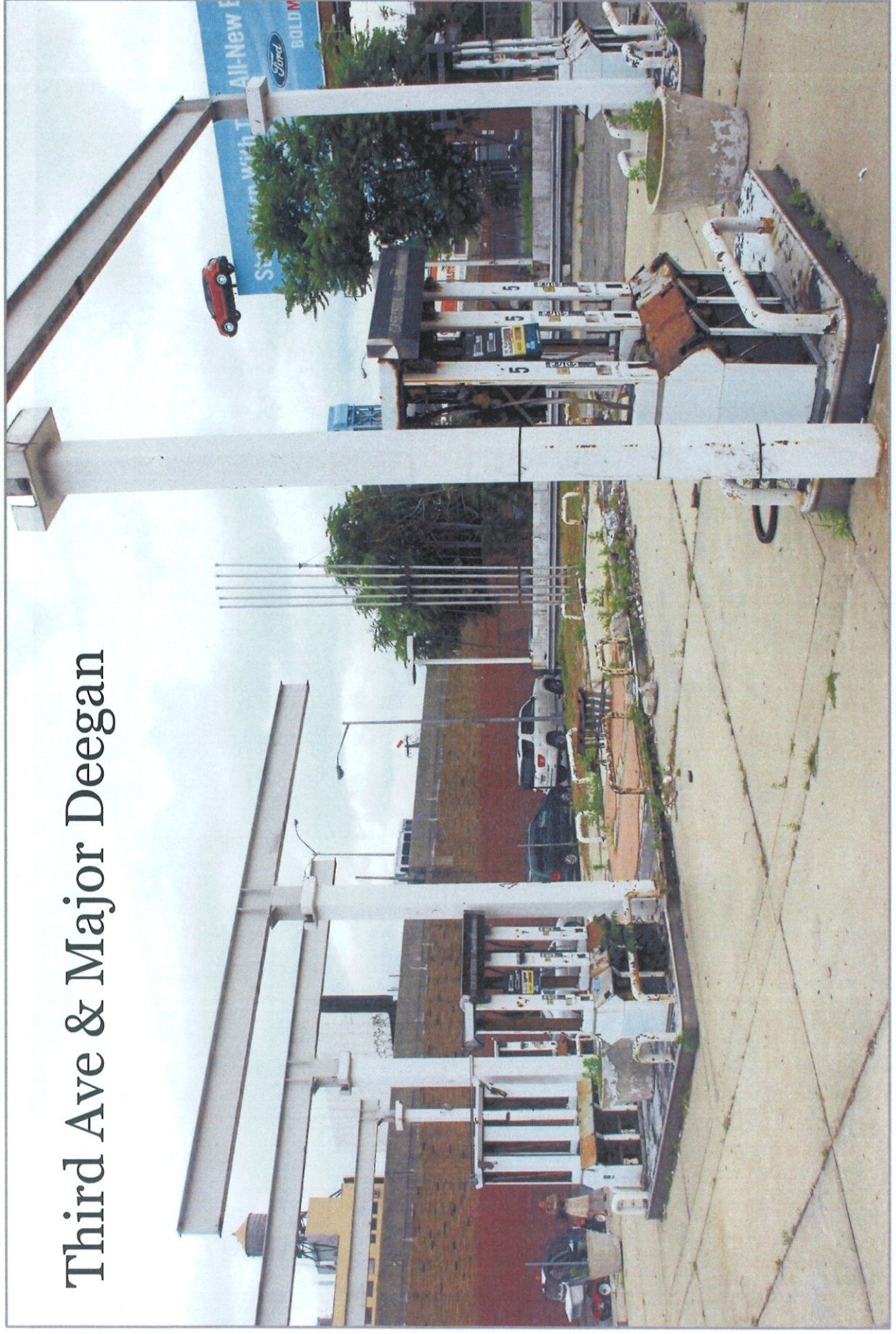
The site's previous use as a gas station is expected to require environmental mitigation measures if the site would be used as a retail or residential development site.

An overall feasibility assessment of the site, based on physical, strategic location, environmental characteristics indicates that the site would be best used for residential development.

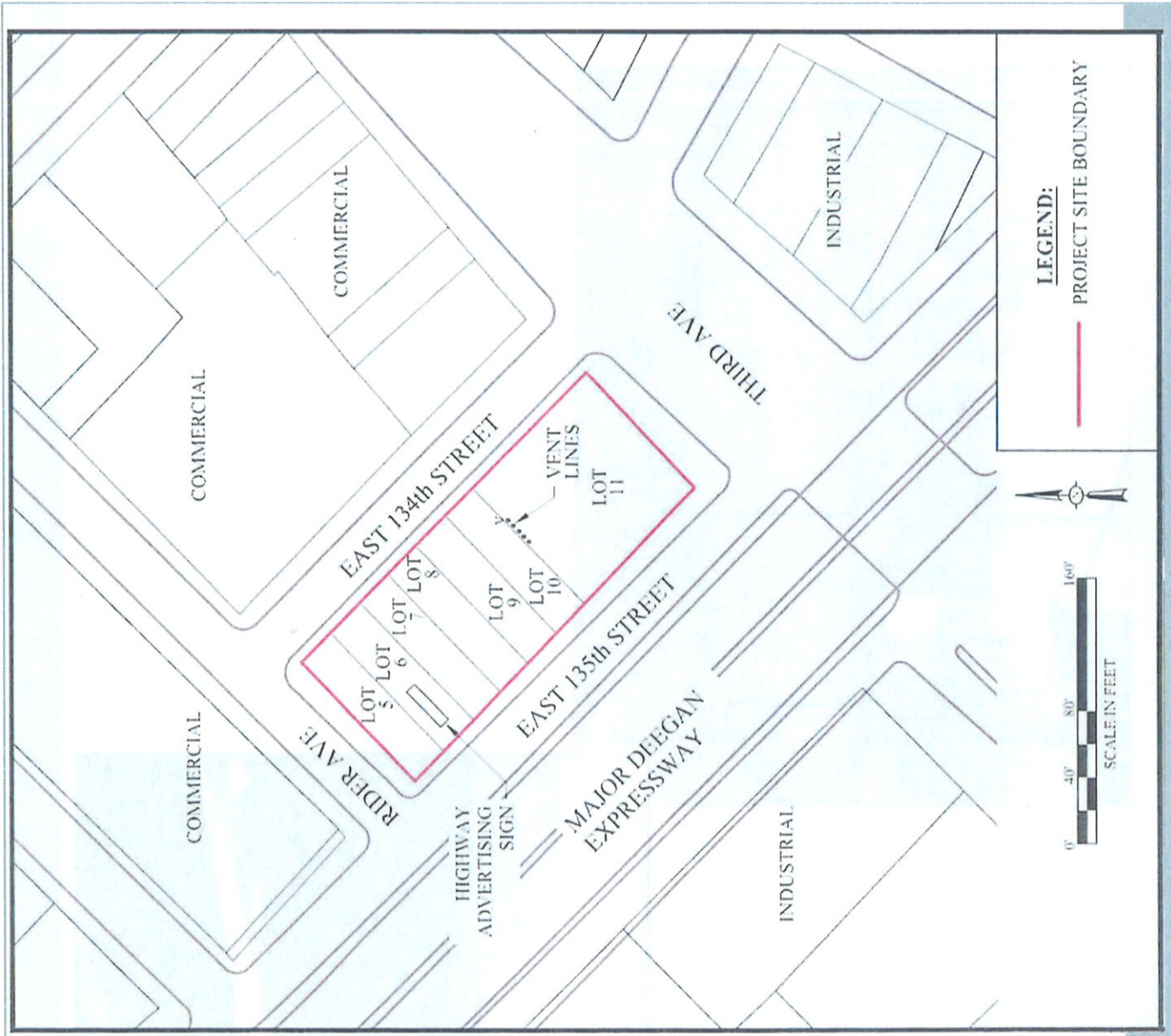
Rider Ave



Third Ave & Major Deegan



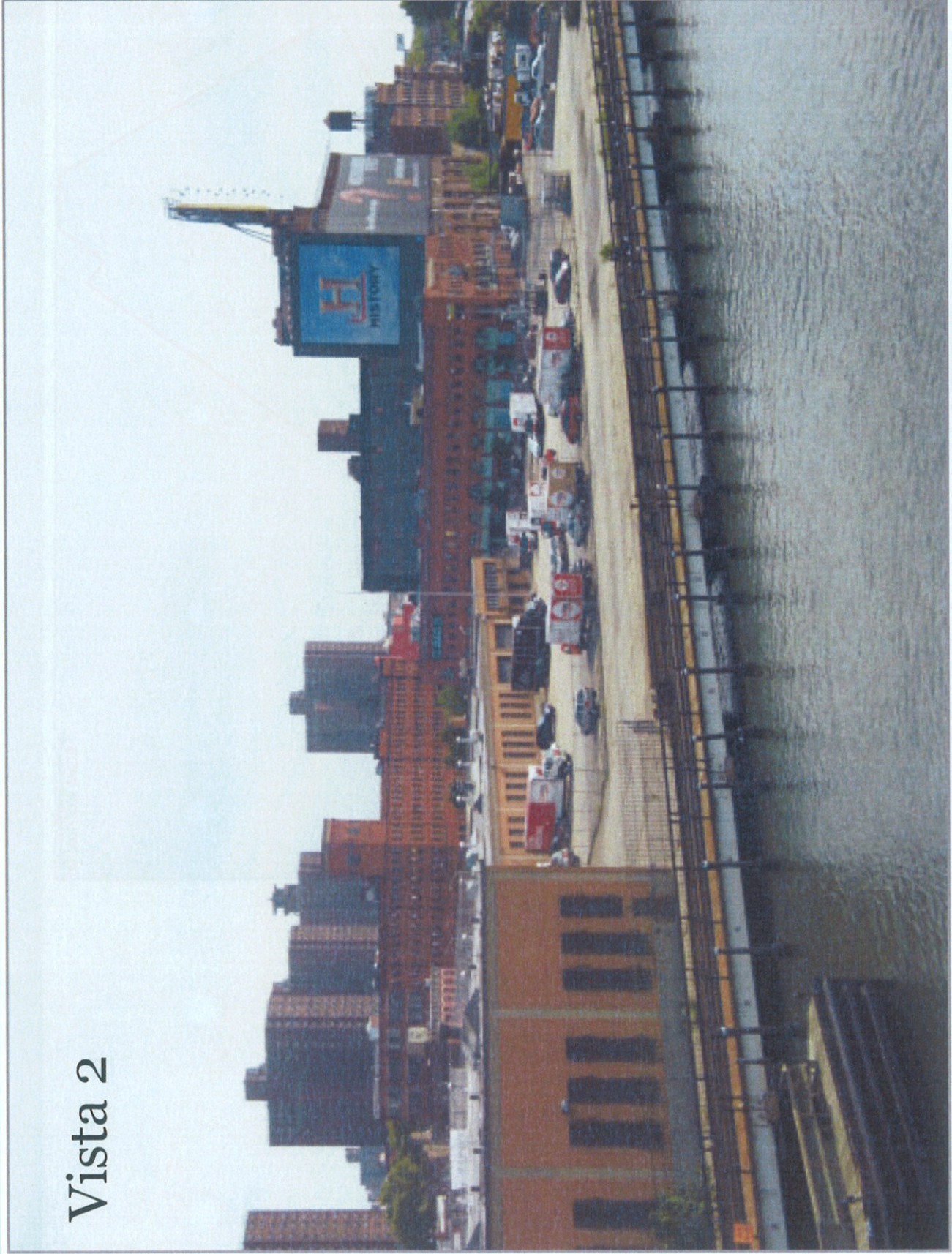
Third Ave & Major Deegan



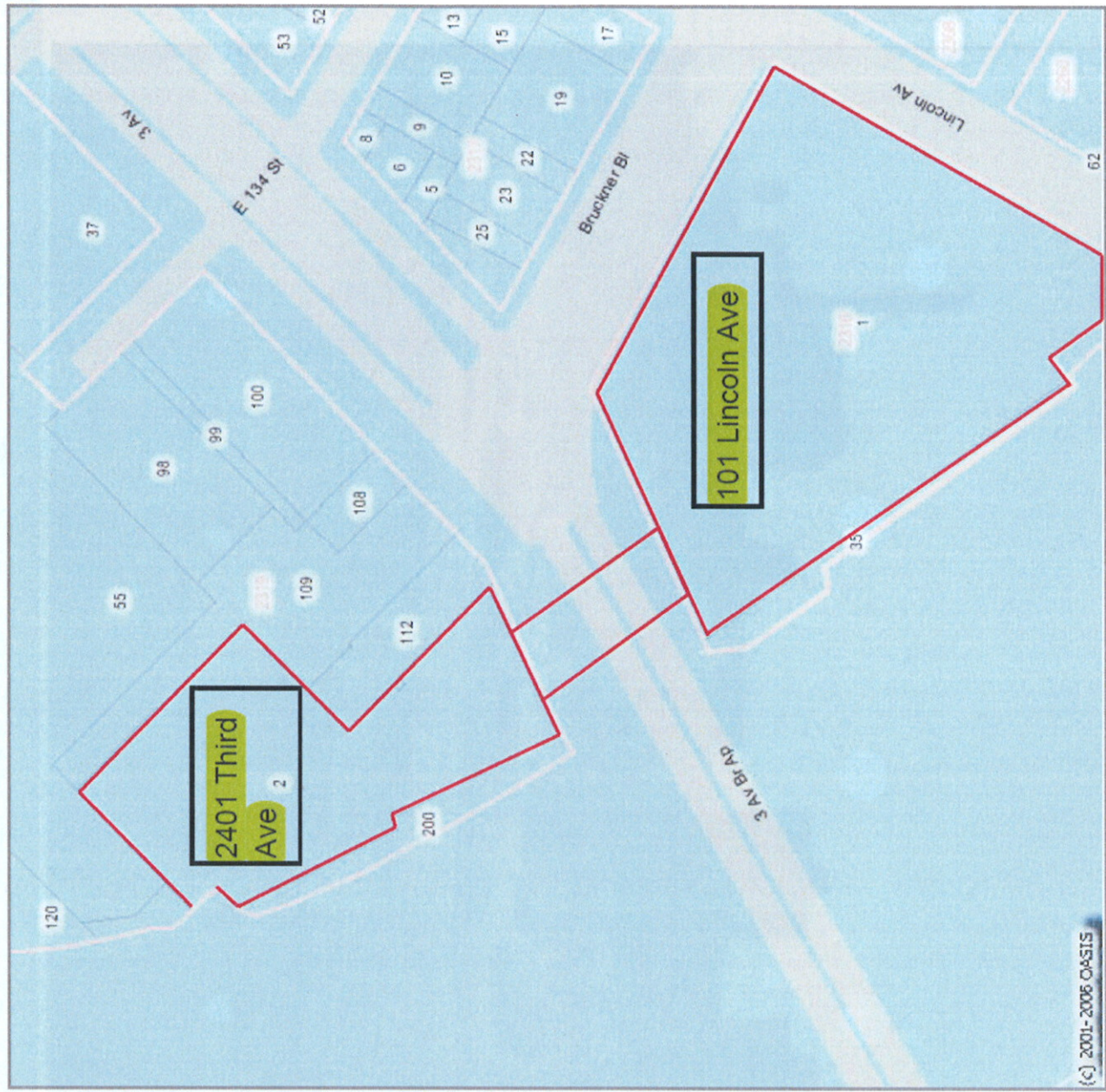
Vista 1



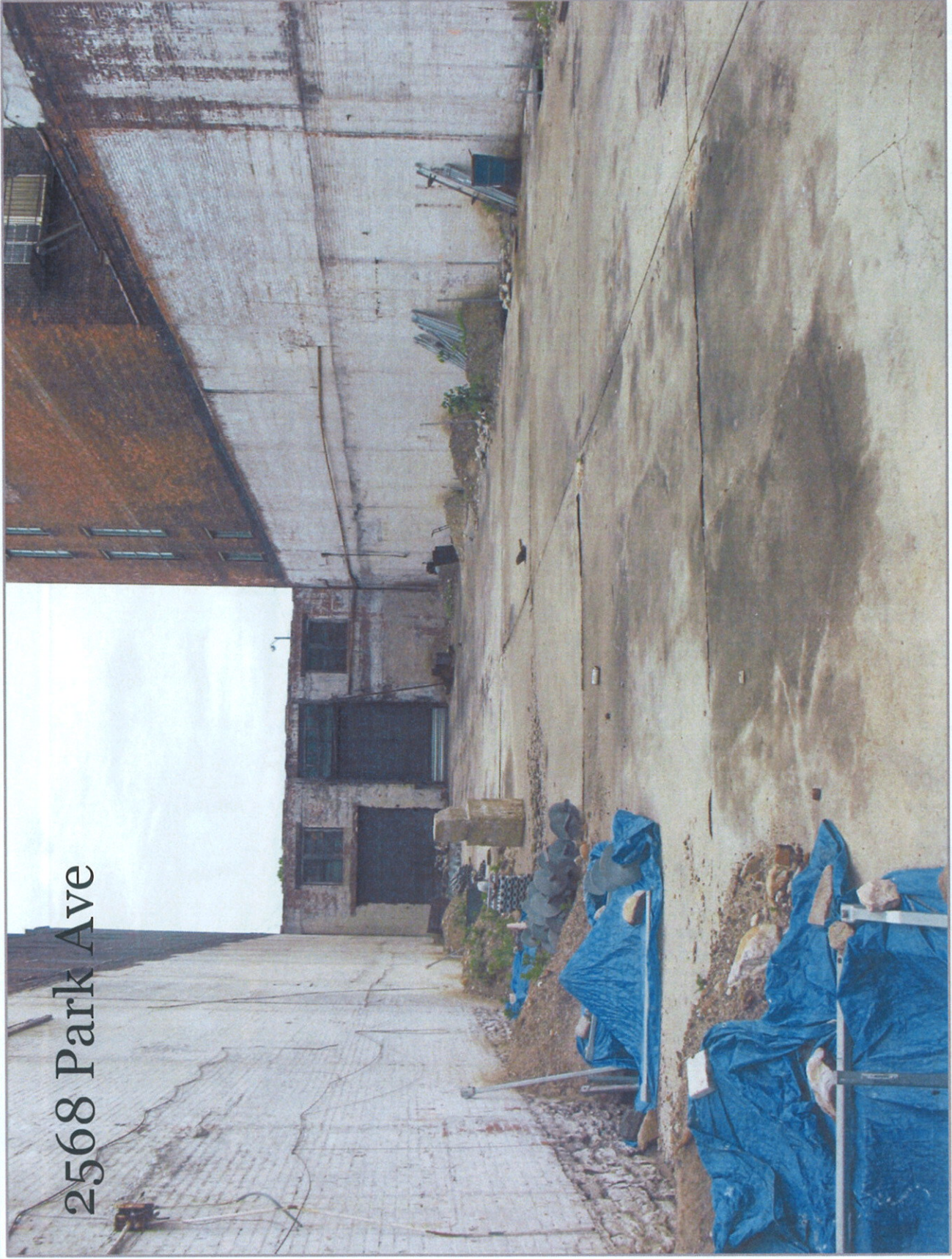
Vista 2



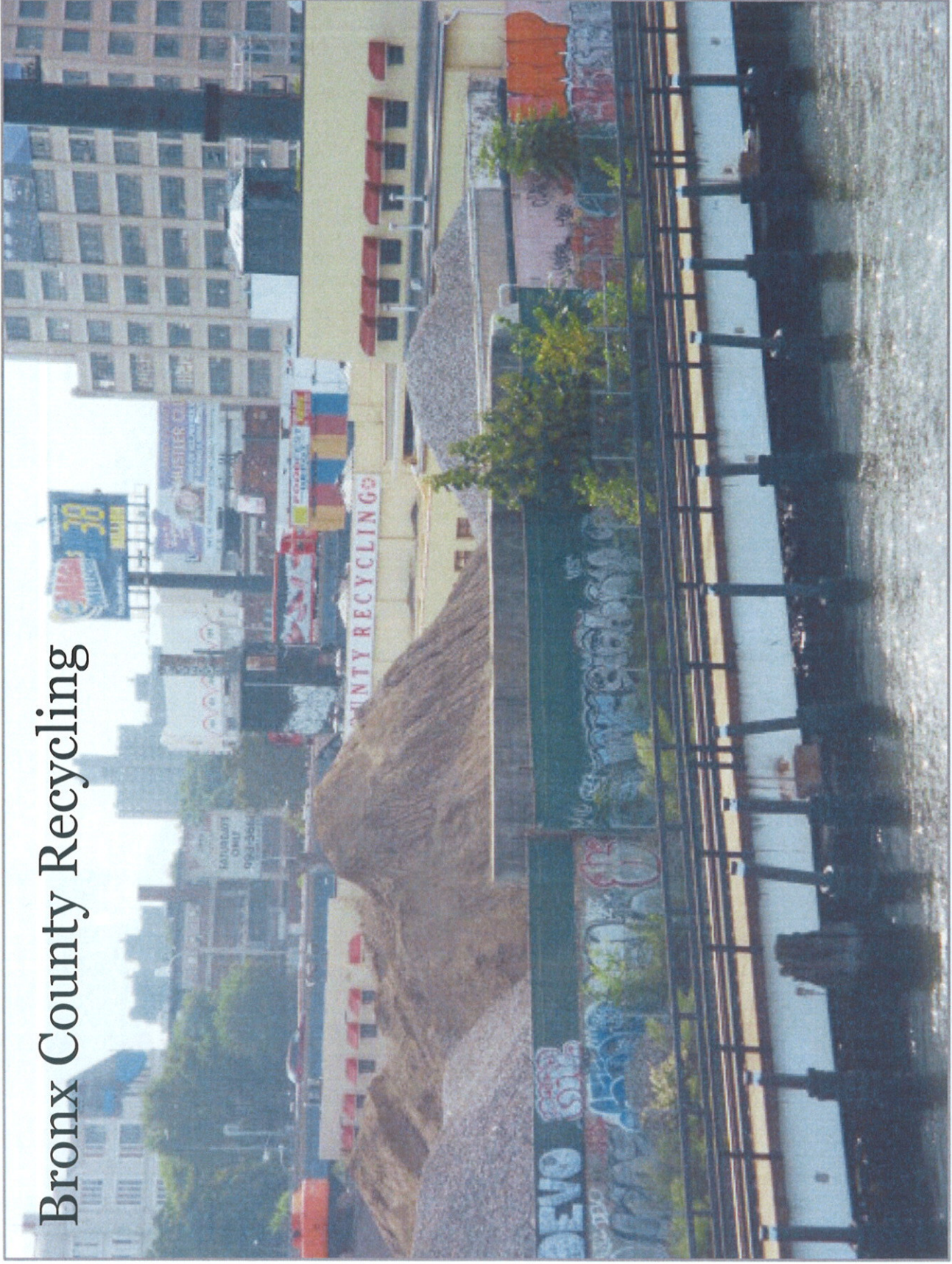
Vista 1 & Vista 2

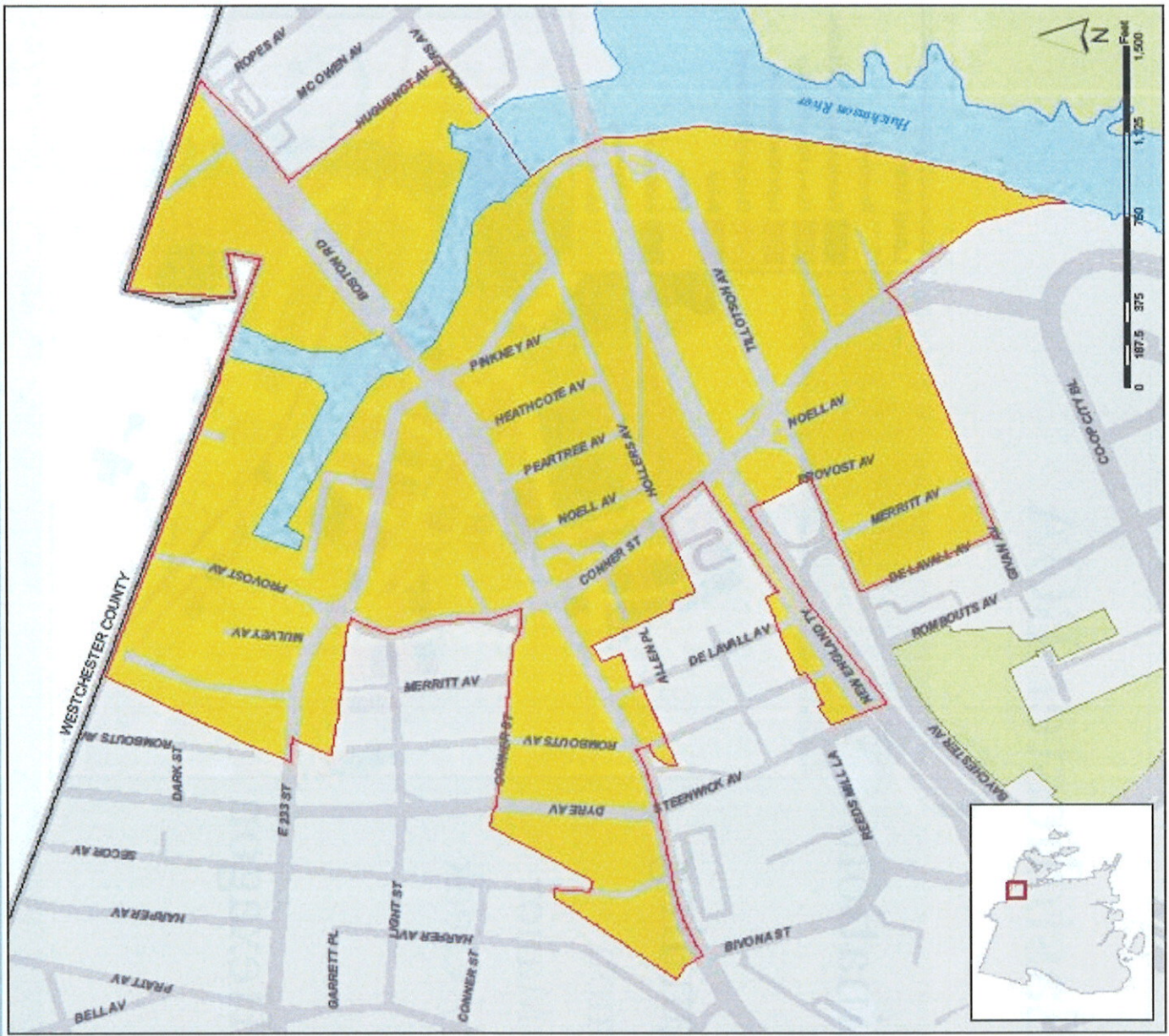


2568 Park Ave



Bronx County Recycling

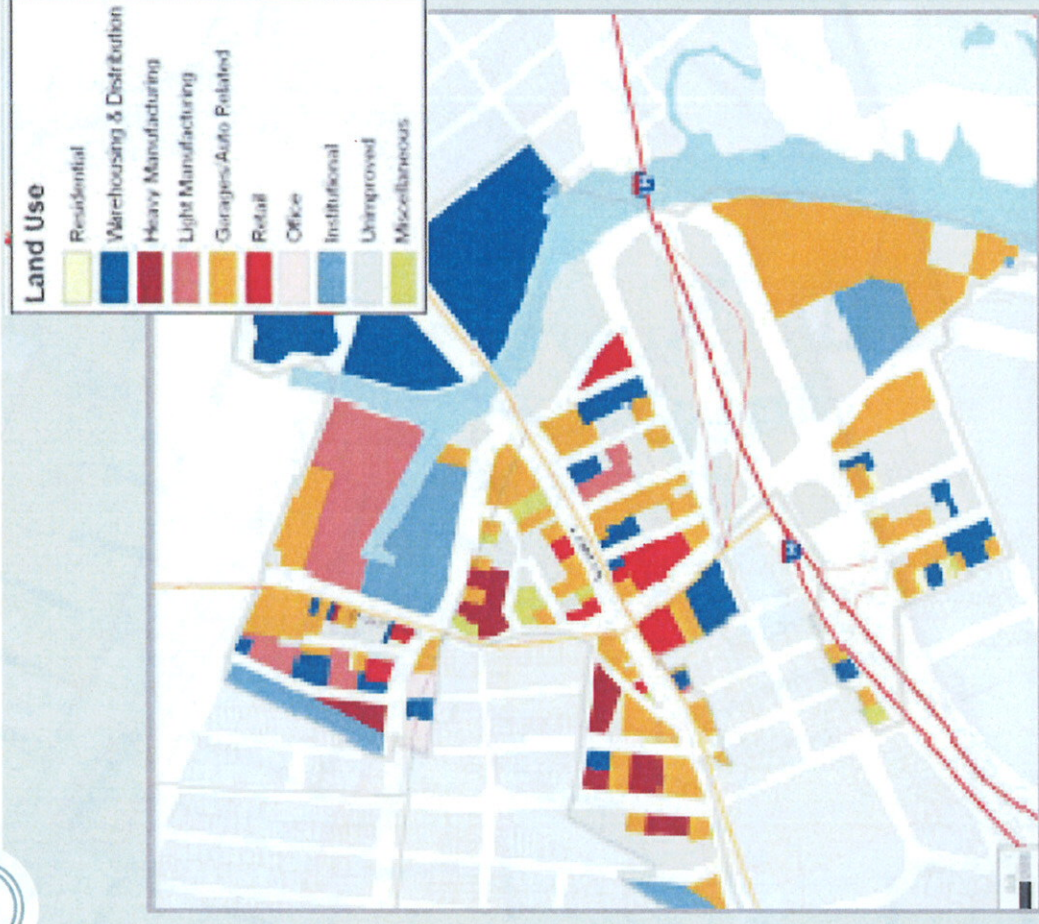




Eastchester BOA

Eastchester BOA

- Step 1: Pre-Nomination
- Collaborative Planning
 - City of Mount Vernon
 - Village of Pelham Manor
 - Hutchinson River / Creek Waterfront
- Superfund Site: Hexagon Labs





New BOA Applications: Port Morris Zones 1, 2 & 3



Concourse Village

Community Participation

- BOA Community Coalition
- Community Boards
- Steering Committee



**THANK YOU
FOR YOUR PARTICIPATION!**

For more information, please contact:

Shira Gidding

718-732-7532

sgidding@sobro.org

APPENDIX D

STRATEGIC SITE PROFILE TOOL AND SITE PROFILES (x 5)

PORT MORRIS SITE PROFILE

Site Name

242 East 138th Street at Rider Avenue – Block 2320 Lot 66

SITE FUNDAMENTALS

Current Owner: Think Big Auto Ren/LE

Current use: Vacant

Current Tenant: NA

In operation since: NA

PROPERTY CHARACTERISTICS

Property and Facilities

Lot Area 11,500 Sq.Ft.

Building Area 948 Sq.Ft.

Number of Buildings: 1 Number of Floors: 1

Special Property Features contains a gas station shelter

Infrastructure and Access

Street-level access ☒ Yes ☐ No

Adequate Street Width ☒ Yes ☐ No

Parking ☒ Yes ☐ No approx. 10 on-street parking spaces

Access to Public Transportation: Yes, ± 300 ft to subway

Other Transportation Assets: 5 bus routes near the site

Utilities

Electricity (availability/capacity) yes/NA

Water/Sewer (availability/capacity) yes/12"

High-Speed Internet (availability/capacity) yes/DSL



ZONING AND LAND USE

Current Zoning

Current designation: M1-2

Permitted Uses: Manufacturing with stringent performance standards; most commercial and retail uses

FAR: 2.0

Total Building Area: 948 sf existing / 23,000 sf allowable by zoning

Permitted Building Height: 60 ft before setback, max height governed by sky exposure plane

Current Use

☐ Manufacturing

☐

☐ Retail

☒ Other Vacant

Major Adjacent Uses

Auto repair and maintenance, wholesale and distribution, transportation and parking, retail, residential, and other light industrial uses.

Proposed Zoning

Future designation: MX: M1-4/R7X

Permitted Uses: Residential, commercial retail, commercial office, hotel, light industrial, and community facility uses

FAR: Residential: 3.75 (5.0 with inclusionary housing)

Commercial/Manufacturing: 2.0

Community Facility: 6.5

Total Building Area: Residential = 57,500 sf (11,500 sf x 5.0 FAR);
Commercial/Manufacturing = 23,000 sf (11,500 sf x 2.0 FAR);
Community Facility = 74,750 sf (11,500 sf x 6.5 FAR)

Permitted Building Height: 60 ft minimum base height / 85 ft maximum base height. Maximum building height = 125 ft

Development Restrictions & Requirements (set backs, height, greenway, etc): None

ENVIRONMENTAL CONDITIONS

Historical Use(s)	Site Reconnaissance	Regulatory Programs & Permits	Potential Contamination
Residential building Gasoline station	Abandoned gasoline station with possible presence of remnant underground storage tanks; site used for parking vehicles.	One Active and two closed status spills; PBS registration with three 4,000-gal gasoline and one 4,000-gal diesel tanks; Hazardous Waste Generator (1991); Air Discharge Facility.	Potential petroleum contamination to soil and groundwater from past on-site operations; potential contamination from surrounding off-site industrial facilities; potential for uncontrolled fill at site.

SUITABILITY ASSESSMENT							
Land Use	Site Score	Industrial Weight	Total	Residential Weight	Total	Retail Weight	Total
Site Characteristics							
Size and shape	4	3	12	3	12	2	8
Utilities	5	3	15	3	15	2	10
Parking (cars and trucks)	3	3	9	2	6	3	9
Roadway conditions	4	2	8	3	12	3	12
Loading/unloading areas	3	3	9	1	3	3	9
Existing Building Stock	0	3	0	2	0	2	0
Pedestrian facilities	3	1	3	2	6	3	9
Sub Total			56		54		57
Strategic Location Characteristics							
Public transportation (distance/ease)	5	2	10	3	15	3	15
Highway (distance/ease)	4	3	12	2	8	2	8
Business Services	3	3	9	2	6	2	6
Retail	4	2	8	3	12	3	12
Open space	3	1	3	3	9	1	3
Adjacent uses (general appeal)	4	1	4	3	12	2	8
Views	3	1	3	3	9	1	3
Sub Total			49		71		55
Environmental Constraints							
Traffic and Congestion	(2)	2	(4)	3	(6)	3	(6)
Noise	(2)	1	(2)	2	(4)	2	(4)
Air quality	(2)	1	(2)	2	(4)	2	(4)
Potential Contamination	(4)	2	(8)	3	(12)	2	(8)
Sub Total			(16)		(26)		(22)
TOTAL SCORE			89		99		90

CHALLENGES & OPPORTUNITIES
<p>242 East 138th Street, located on the southeast corner of Rider Avenue and East 138th Street, offers an excellent development opportunity. Although it is not an especially large site, it has a regular shape and is situated along the East 138th Street corridor, a major access point into the South Bronx via the Madison Avenue Bridge. This location provides the site with excellent access to the City's highway network and to its public transportation system.</p> <p>The nearby uses are generally appealing and include several well-maintained light industrial facilities and transportation and parking uses. Recent investments in the ground-floor retail business in the adjacent residential buildings are an indication of renewed interest in the area.</p> <p>A large concentration of New York City Housing Authority (NYCHA) residential buildings, just east of Third Avenue about ¼-mile away, is anchoring an established residential and commercial mixed-use neighborhood. If approved, the proposed Lower Concourse Rezoning could expand this residential district to include the site and surrounding area by allowing residential uses in the area west of Third Avenue. Under the proposed zoning, the site would be rezoned MX (R7X/M1-4) and would allow a variety of uses. Any future development on this site would be well-connected to the established residential neighborhoods and prominently sited along an emerging mixed-use East 138th Street corridor. Vacant properties across from the site provide additional development opportunities to create a vibrant cluster.</p> <p>Although the site is only moderately well-served by retail, the Gateway Center at Bronx Terminal Market is currently under construction; approximately ¾ of a mile from the site. Additional retail could be developed closer to the site under the proposed Lower Concourse Rezoning.</p> <p>The site's previous use as a gas station is expected to require environmental mitigation measures if the site would be used as a retail or residential development site.</p> <p>An overall feasibility assessment of the site, based on physical, strategic location, environmental characteristics indicates that the site would be best used for residential development.</p>

Data Sources:

Ownership and operation: Map Pluto 08, Dun and Bradstreet

Property and facilities: Map Pluto 08

Utilities: Sanborn utility maps

Zoning information: New York City Department of City Planning

Environmental conditions: AKRF Phase I Assessment

Variable Ratings - Detail**Basic Site Characteristics****Size and shape**

The property is an 11,500 square foot site located at the corner of Rider Avenue and 138th Street in the Bronx. The property is rectangular in shape and has 150 feet of frontage on 138th Street and 75 feet of frontage on Rider Avenue.

Rating: 4

Utilities

According to New York City sewer maps the property is served by a 12" sewer line, located on 138th Street. According to Verizon's internet availability check, DSL service is available at the site. Although the site is serviced by ConEdison, capacity could not be determined.

Rating: 5

Parking (cars and trucks)

Limited on-street parking is available at this site. On-street parking on the surrounding streets is typically well-utilized due to the large numbers of employees that park on-street during work hours. On-street parking along 138th Street is prohibited Thursdays from midnight to 3AM. In general, parking is not regulated (e.g., markings, meters, etc).

Rating: 3

Roadway conditions

Roadway conditions surrounding this site are generally good. The pavement is in overall good condition, although lane markings are missing or faded in places. Lanes generally align across intersections.

Rating: 4

Loading/unloading areas

There no specific loading/unloading areas at the property. Traffic on East 138th Street is moderate, but it is nearly six lanes wide (two travel lanes and one parking lane in each direction), allowing loading and unloading procedures from the street.

Rating: 3

Existing Building Stock

The site is occupied with a gas station shelter and attendant's shack in the center of site and a small building in the south corner of the site. None of the structures have any potential for reuse. The structures would have little impact on the development potential of the site and therefore the site does not receive an existing building stock rating.

Rating: NA

Pedestrian facilities

Pedestrian facilities are in place at the property. The sidewalks are wide, but are only in fair condition. Curbs are missing or eroded in some places, and there are many curbcuts along the site's frontage and in the immediate area.

Rating: 3

Strategic Location Characteristics

Public transportation (distance/ease)

The site has excellent access to public transit. It is located less than ¼ of a mile from the 3rd Avenue and 138th Street station (#6), and less than ¼ of a mile from the 138th Street and Grand Concourse station (#4 and #5). Several bus routes pass nearby the site on Lincoln Avenue, 3rd Avenue, and 138th Street, including the Bx1, Bx2, Bx21, Bx32, and Bx33.

Rating: 5

Highway (distance/ease)

The property has adequate access to the city's highway system. The Major Deegan Expressway, which connects the area with the George Washington and the Triborough Bridges, is located about ¼ of a mile from the site down 138th Street. A northbound on-ramp is located near the intersection of 138th Street and Gerard Avenue, and a northbound off-ramp feeds onto 138th from the same location.

Rating: 4

Business Services

The immediate area surrounding the site does not offer a great variety of business services. Adjacent businesses include auto establishments and warehouses to the west, and a limited amount of local retail to the east. These businesses are not likely to offer a variety of products or services that would be in demand by other industrial or commercial firms, nor would they offer co-location benefits to nearby businesses. Overall, the level of business services near the site is average.

Rating: 3

Retail

This site benefits from the presence of several small retail clusters within approximately ¼ mile from this site. In addition to the small eating and drinking establishments adjacent to the site, there are clusters of retail uses along 3rd Avenue between East 139th and East 140th Streets, East 138th Street east of Alexander Avenue, and along Willis Avenue between East 138th and East 135th Streets. These retail clusters provide mainly convenience goods and neighborhood services.

Rating: 4

Open Space

There are few large parks or playgrounds located within close proximity of this property. There are a few New York City Department of Parks and Recreation (DPR) owned parks and jointly operated playgrounds within a ¼-mile of the site, but in general these open spaces are less than an acre in size. Overall, the site is not well-served by publicly-accessible open space.

Rating: 3

Adjacent uses (general appeal)

The area within 400 feet of the site includes predominantly industrial, commercial, and utility uses. Field surveys indicate that these uses are actively used and in good condition. The 400 foot area also includes a number of parking facilities. To the east, the site shares the block with residential buildings with ground-floor retail including a restaurant, bar, and mechanic shop. The remainder of the site block contains low-scale industrial buildings. Further east, across 3rd Avenue, there is a large concentration of residential uses. To the north, directly across East 138th Street, there is a vacant site and a small,

dilapidated commercial use. The block to the west is occupied by an auto repair shop directly across from the site, and a low-scale industrial building and parking structure. The block west of Canal Place contains a newly-renovated industrial building.

Rating: 4

Views

The site has the potential for good views, depending on the type of structure constructed. Based on the topography of the site and the surrounding buildings, it appears that a building constructed on the site would have clear views to the south and west above the 3rd floor. It is possible that these views could include portions of the Manhattan skyline and the Harlem River.

Rating: 3

Environmental Constraints

Traffic and Congestion

During a field visits at various times, no congestion was observed on the streets surrounding the site. East 138th Street is a wide, six-lane roadway (two travel lanes and one parking lane in each direction), allowing for smooth traffic flow. Rider Avenue is a narrow, two-lane street that seems to be lightly traveled.

Rating: 2

Noise

Potential noise implications were assessed with the assistance of AKRF's noise specialists. During a field visit, moderate levels of ambient noise due to roadway traffic and adjacent industrial and commercial uses were observed. Noise levels may increase during rush hours but not expected to require mitigation.

Rating: 2

Air quality

Potential air quality implications were assessed with the assistance of AKRF's air quality specialists. Based on AKRF's qualitative assessment, existing air quality levels are not expected pose a major impediment for the future development of the site.

Rating: 2

Potential Contamination

The site was identified as a former gasoline station. The site was also listed on several regulatory databases, including a database for petroleum underground storage tanks, reported spills, air discharge permits, and for the generation of hazardous materials. The long industrial history and known use of hazardous materials suggest a high potential for contamination at the site.

Rating: 4

PORT MORRIS SITE PROFILE

Site Name

2401 Third Avenue at the Harlem River – Block 2319, Lot 2

SITE FUNDAMENTALS

Current Owner: 2401 Third Avenue, LLC

Current Tenant: RC Mugler Shoring Co.

Current use: Construction Shoring Engineers and Contractors

In operation since: 1953

PROPERTY CHARACTERISTICS

Property and Facilities

Lot Area 67,000 sf

Building Area 19,450 sf

Number of Buildings: 1 Number of Floors: 1

Special Property Features Waterfront property

Infrastructure and Access

Street-level access ☒ Yes ☐ No

Adequate Street Width ☒ Yes ☐ No

Parking ☒ Yes ☐ No Approx. 5 on-street, 20 in nearby lot.

Access to Public Transportation: Yes, ±1,800 ft to the subway

Other Transportation Assets: 5 bus routes within 1,000 ft of site

Utilities

Electricity (availability/ provider) Yes/ConEdison

Water (availability/capacity) Yes/6" water pipe

Sewer (availability/capacity) Yes/Storm sewer, may not have sanitary sewer access

High-Speed Internet (avail./capacity): Yes/Cable



ZONING AND LAND USE

Current Zoning

Current designation: MX-1: M1-3/R-8

Permitted Uses: Residential, commercial, community facility, and manufacturing with stringent performance standards

FAR: Residential: 6.02

Commercial/Manufacturing: 5.0

Community Facility: 6.5

Total Building Area (Existing/Allowable): 19,450 sf existing / 403,340 zsf residential; 335,000 zsf commercial/manufacturing; 435,500 zsf community facility allowable by zoning

Permitted Building Height: Manufacturing Use: 85 ft before setback, max height governed by sky exposure plane
Residential Use (Height Factor Regulations): 85 ft before setback, max height governed by sky exposure plane
Residential Use (Quality Housing Regulations): 60 ft minimum before setback, 120 ft max height

Current Use

☐ Manufacturing

☐ Retail

☐ Wholesale/Distribution

☒ Other

Construction Shoring Engineers and Contractors

Adjacent Uses

Commercial office, warehouse and storage, parking, transportation and utility, and the Third Avenue Bridge.

Proposed Zoning

Future designation: There is no proposed change to zoning.

FAR: NA

Permitted Building Height: NA

Permitted Uses: NA

Total Building Area: NA

Development Restrictions & Requirements (set backs, height, greenway, etc): NA

ENVIRONMENTAL CONDITIONS

Historical Use(s)	Site Reconnaissance	Regulatory Programs & Permits	Potential Contamination
Iron works (1891); auto-repair and gasoline tank (1935-1946); railroad spur (1935-1951); contractor's storage and yard (1951-2006); industrial and automotive/petroleum use sites in adjacent and surrounding area (1906-2006).	Active shoring company with an associated storage yard; on-site vehicle maintenance (oil and solvent use); on-site gasoline storage tank.	Hazardous Materials "E" Designation (E-143/underground storage tanks testing protocol); on-site NYFD-registered 550-gallon gasoline tank.	Contamination possible from past on- and off-site industrial and automotive/petroleum-related operations and from the on-site gasoline tank. Potential uncontrolled fill on-site. "E" Designation requires site investigation to the satisfaction of the city's Office of Environmental Remediation (OER) prior to site redevelopment.

SUITABILITY ASSESSMENT							
Land Use	Site Score	Industrial		Residential		Retail	
		Weight	Total	Weight	Total	Weight	Total
Site Characteristics							
Size and shape	4	3	12	3	12	2	8
Utilities	3	3	9	3	9	2	6
Parking (cars and trucks)	3	3	9	2	6	3	9
Roadway conditions	3	2	6	3	9	3	9
Loading/unloading areas	2	3	6	1	2	3	6
Existing Building Stock	0	3	0	2	0	2	0
Pedestrian facilities	3	1	3	2	6	3	9
Sub Total			45		44		47
Strategic Location Characteristics							
Public transportation (distance/ease)	3	2	6	3	9	3	9
Highway (distance/ease)	4	3	12	2	8	2	8
Business Services	3	3	9	2	6	2	6
Retail	4	2	8	3	12	3	12
Open space	4	1	4	3	12	1	4
Adjacent uses (general appeal)	3	1	3	3	9	2	6
Views	5	1	5	3	15	1	5
Sub Total			47		71		50
Environmental Constraints							
Traffic and Congestion	-2	2	-4	3	-6	3	-6
Noise	-3	1	-3	2	-6	2	-6
Air quality	-3	1	-3	2	-6	2	-6
Potential Contamination	-4	2	-8	3	-12	2	-8
Sub Total			-18		-30		-26
TOTAL SCORE			74		85		71
Notes: This rating system assesses the suitability of the site for industrial, residential, and retail development by calculating a rating for each use. As shown above, the ratings are made up of a site score and a weight for each characteristic, which reflects the importance of a particular characteristic for each considered use. Site scores can be either positive or negative, depending on the type of characteristic. Characteristics listed under "Site Characteristics" and "Strategic Location Characteristics" are positive attributes, and characteristics listed under "Environmental Constraints" are negative attributes. For positive attributes, site scores range from +1 to +5, with +5 being the best. For negative attributes, site scores range from -1 to -5, with -5 being the worst. For a more detailed explanation of the suitability assessment, see Appendix 1 "Suitability Assessment Scoring Methodology."							

CHALLENGES & OPPORTUNITIES

2401 Third Avenue, located just north of the Third Avenue Bridge along the Harlem River, is a potential development site along the Bronx waterfront. The site is an irregularly-shaped, 67,000-square-foot parcel with approximately 350 feet of frontage along the Harlem River. The expanse of Harlem River frontage provides the site with excellent views of Manhattan, the Harlem and East Rivers, and the RFK (Triborough) Bridge. Such views would be an important amenity for a future development, especially a residential development.

The property is located in a formerly industrial area that has recently begun to evolve into a mixed-use neighborhood. Nearby uses include residential, commercial, retail, warehouse, and transportation and utility uses. There is a small retail strip a short distance from the site along Bruckner Boulevard that is home to the South Bronx "Antique Row," small eating and drinking establishments, and art galleries. There are also several recently-renovated or otherwise well-maintained properties nearby. Two recently-renovated structures—the residential Clocktower building and the commercial Glass Works building—anchor the emerging mixed-use neighborhood and demonstrate successful commercial and residential development in the area.

The property has limited street access, with only a small frontage along Third Avenue. Nevertheless, the site has adequate access to New York City's vehicular and public transportation network. The elevated Third Avenue Bridge and support columns may make maneuvering truck traffic to the site difficult.

The property's location on the Third Avenue Bridge is highly visible and a future development would serve as a gateway to the Bronx. Furthermore, the property would be connected to the emerging mixed-use Bruckner Boulevard corridor.

An environmental review of past uses on the property indicates that the potential for contamination exists and need to be further investigated. Strategies to mitigate the contamination can typically be incorporated in the proposed development plans. Adjacent uses, particularly the elevated Third Avenue Bridge, generate relatively high levels of ambient noise and create air quality concerns. Future development plans would require additional window wall attenuation to mitigate noise concerns, and more detailed air quality studies would be required to assess the effects of adjacent uses on air quality at the site.

An overall feasibility assessment of the site, based on physical, strategic location, and environmental characteristics indicates that the site would be best used for residential development.

Data Sources:

Ownership and operation: Map Pluto 08, Dun and Bradstreet

Property and facilities: Map Pluto 08

Utilities: Sanborn utility maps, NYC sewer maps, ConEdison website, Cablevision website

Zoning information: New York City Department of City Planning

Environmental conditions: AKRF Phase I Assessment

Variable Ratings: AKRF, Inc.

Variable Ratings - Detail

Basic Site Characteristics

Size and shape

The subject site is a 67,000-square-foot, irregularly-shaped parcel with approximately 350 feet of frontage along the Harlem River just north of the Third Avenue Bridge. The site also has approximately 140 feet of frontage on Third Avenue, but most of this frontage is inaccessible from the roadway.

Rating: 4

Utilities

According to New York City sewer maps, the property is served by a storm sewer but may not have sanitary sewer access along its Third Avenue street frontage. According to Sanborn maps, the property is serviced by a 6"-diameter water pipe located beneath Third Avenue. According to Cablevision's service availability check, cable broadband internet is available at the site. Electricity service is provided by ConEdison.

Rating: 3

Parking (cars and trucks)

The site has limited public parking options nearby. Because of the site's limited street frontage and the elevated Third Avenue Bridge approaches nearby, there is limited on-street parking on nearby streets. In some places, cars may be parked beneath the elevated Third Avenue Bridge approach that runs along the property. There is also a small public parking lot with approximately 20 spaces located east of the site on Third Avenue. During a field visit, parking nearby the site appeared to be well-utilized.

Rating: 3

Roadway conditions

Roadways in the immediate vicinity of the property have intact pavement and are in overall good condition. However, access to the site is generally difficult because of its proximity to the Third Avenue Bridge approach and the site's limited street frontage. Access from other streets, such as East 134th Street, would likely require easements from adjacent property owners.

Rating: 3

Loading/unloading areas

There are no specific loading/unloading areas at the property. Traffic on Third Avenue along the site is light and would allow for loading/unloading operations. However, Third Avenue along the site is a narrow roadway and is lined with support columns for the Third Avenue Bridge, which could make maneuvering trucks difficult.

Rating: 2

Existing Building Stock

The subject site is currently occupied by a 1-story, 19,450-square-foot industrial building. The structure is not expected to have any potential for reuse and would not affect the development potential of the property. Therefore, the site does not receive an existing building stock rating.

Rating: NA

Pedestrian facilities

Pedestrian facilities are in place at the property. The existing sidewalk along Third Avenue is in good condition and there is a staircase leading from the property up to the Third Avenue Bridge, providing pedestrian access to Manhattan. Aside from Third Avenue, there is no other pedestrian access to the site.

Rating: 3

Strategic Location Characteristics

Public transportation (distance/ease)

The site has adequate access to the City's public transportation system, but is separated from most nearby transit stops by the Major Deegan Expressway. Several bus routes have stops within 1,000 feet of the site, including the Bx1, Bx2, Bx15, Bx21, and Bx32. Subway access is further away, with the nearest stop at the 3rd Avenue-138th Street station (#6 train), located approximately 1/3-mile away from the property. The 125th Street station (#4, #5, and #6 trains) is located approximately 1/2-mile away from the site, across the Third Avenue Bridge, in Manhattan.

Rating: 3

Highway (distance/ease)

The evaluated property has adequate access to the City's and region's highway system via the Major Deegan Expressway and the Harlem River Drive. Northbound on- and off-ramps for the Major Deegan Expressway, which connect the area to the George Washington and RFK (Triborough) Bridges, are

located approximately 1/3-mile from the site down Bruckner Boulevard at Willis Avenue. Southbound off-ramps feed onto East 134th Street at the same location. Southbound on-ramps are located further away, near East 138th Street and Exterior Street. The northbound and southbound Harlem River Drive is accessible via the Third Avenue Bridge.

Rating: 4

Business Services

The immediate area does not appear to have a level of business activity that would provide strong business support services. Nearby tenants include businesses in loft commercial buildings, industrial uses, some ground floor retail, small auto-related uses, and warehouse/storage uses. Overall, the number and type of businesses nearby are expected to offer an average level of business support services.

Rating: 3

Retail

This property is located nearby a small retail cluster on Bruckner Boulevard between Third Avenue and Willis Avenue. This retail cluster includes the South Bronx "Antique Row" as well as a few eating and drinking establishments and art galleries. Retail in this area would appeal to potential residents and signals the potential for a greater retail presence in the nearby area. Other retail clusters are located along Willis Avenue between East 135th and East 138th Streets and on East 138th Street east of Alexander Avenue. These retail clusters provide mainly convenience goods and neighborhood services.

Rating: 4

Open Space

The evaluated property is located within approximately 1/3-mile of three publicly accessible open spaces larger than 1 acre. These open spaces include Pulaski Park, a 1.4 acre open space at Willis Avenue and East 132nd Street, Harlem River Park, a 5.8 acre park located across the Third Avenue Bridge in Manhattan, and Lozada Playground, a 1 acre playground near Willis Avenue and East 135th Street. Overall, the site is adequately served by publicly accessible open space resources.

Rating: 4

Adjacent uses (general appeal)

The area within 400 feet of the property includes predominantly commercial, warehouse, residential, and transportation and utility uses. Field surveys indicate that most of these uses are actively used and in good condition. The elevated Third Avenue Bridge runs alongside the site and reduces its appeal as a prime redevelopment location. In addition, the adjacent property to the east on Third Avenue is poorly maintained. Nonetheless, there are other renovated or otherwise well-maintained properties nearby. These include a newly renovated residential building with an attractive ground floor restaurant on Bruckner Boulevard and Third Avenue, a loft commercial and warehouse building on Third Avenue and East 134th Street, and a well-kept Storage Deluxe facility north of the property along the Major Deegan Expressway.

Rating: 3

Views

Because of the property's location on the Harlem River waterfront, views from the site are outstanding. Views from potential buildings on the site would look out onto the South Bronx, the Harlem River, Harlem River Park, and portions of Harlem. Broader views would include portions of Upper Manhattan, the East River, Randall's Island, and the RFK (Triborough) Bridge.

Rating: 5

Environmental Constraints

Traffic and Congestion

Third Avenue along the east side of the property is a two-lane street divided by the Third Avenue Bridge approach with one lane in each direction. This section of Third Avenue is lightly traveled and no congestion was observed during a field visit to the site. There are no other roadways that access the site.

Rating: -2

Noise

Potential noise implications were assessed with the assistance of AKRF's noise specialists. High traffic volumes on the Third Avenue Bridge are expected to generate relatively high noise levels on the Third Avenue façade of any future development. Furthermore, an Environmental Designation has been established on the property requiring additional window-wall attenuation and alternate means of ventilation for any new construction or change in use.

Rating: -3

Air quality

Potential air quality implications were qualitatively assessed with the assistance of AKRF's specialists. Overall, because of the close proximity of the site to truck routes, elevated roadways, and industrial uses, a more detailed analysis of air quality conditions may be required once a development plan is advanced. Furthermore, an Environmental Designation has been established for the site limiting HVAC fuel to natural gas. The use of natural gas would result in lower emissions than the use of oil and would be protective of both the proposed building residents and the neighboring community.

Rating: -3

Potential Contamination

The site has a history as an iron works, automotive-related maintenance garage, and as a construction storage facility. New York City Department of Buildings and the Department of Planning and Zoning map, the Property is listed with a Hazardous Materials "E" Designation (E-143/underground storage tanks testing protocol). A gasoline tank was observed the site, which based on historic Sanborn maps and regulatory records, was present at the site since at least 1935. Uncontrolled urban fill is likely present on-site. The long industrial history and known use of hazardous materials on- and off-site suggest a high potential for contamination at the site.

Rating: -4

PORT MORRIS SITE PROFILE

Site Name

101 Lincoln Avenue at Bruckner Boulevard – Block 2316, Lot 1

SITE FUNDAMENTALS

Current Owner: Gerosa Incorporated

Current use: Transportation and Warehousing

Current Tenant: FlatRate Moving

In operation since: NA

PROPERTY CHARACTERISTICS

Property and Facilities

Lot Area 133,700 sf

Building Area 83,064 sf

Number of Buildings: 1 Number of Floors: 2

Special Property Features Waterfront Property

Infrastructure and Access

Street-level access ☒ Yes ☐ No

Adequate Street Width ☒ Yes ☐ No

Parking ☒ Yes ☐ No Approx. 40 on-street, 20 in nearby lot

Access to Public Transportation: Yes, ±1,700 ft to subway

Other Transportation Assets: 5 bus routes within 1,000 ft of site

Utilities

Electricity (availability/provider) Yes/ConEdison

Water (availability/capacity) Yes/6" water pipe

Sewer (availability/capacity) Yes/50"x52" combined sewer

High-Speed Internet (avail./capacity) Yes/Cable



ZONING AND LAND USE

Current Zoning

Current designation: MX-1: M1-3/R-8

Permitted Uses: Residential, commercial, community facility, and manufacturing with stringent performance standards

FAR: Residential: 6.02

Commercial/Manufacturing: 5.0

Community Facility: 6.5

Total Building Area (Existing/Allowable): 83,064 sf existing / 804,874 zsf residential; 668,500 zsf commercial/manufacturing; 869,050 zsf community facility allowable by zoning

Permitted Building Height:

Manufacturing Use: 85 ft before setback, max height governed by sky exposure plane

Residential Use (Height Factor Regulations): 85 ft before setback, max height governed by sky exposure plane

Residential Use (Quality Housing Regulations): 60 ft minimum before setback, 120 ft max height

Current Use

☐ Manufacturing

☐ Wholesale/Distribution

☐ Retail

☒ Other

Transportation and Warehousing

Adjacent Uses

Manufacturing and light industrial, commercial office, retail, transportation and utility, the Third Avenue Bridge, and residential.

Proposed Zoning

Future designation: There is no proposed change to zoning.

Permitted Uses: NA

FAR: NA

Total Building Area: NA

Permitted Building Height: NA

Development Restrictions & Requirements (set backs, height, greenway, etc): NA

ENVIRONMENTAL CONDITIONS

Historical Use(s)	Site Reconnaissance	Regulatory Programs & Permits	Potential Contamination
Piers, dwellings, construction yard, coal yard (1891); railroad freight terminal (1908-1951); Gerosa Haulage Corp. storage yard and garage (1968-1989); surrounding area has a history of commercial, manufacturing, and automotive uses, some with gasoline tanks.	Current use bears potential of on-site uncontrolled fill.	NYSDEC Spill (2003); PBS registration: 12,550-gal diesel and 2,550-gal gasoline USTs; Small Quantity Generator of hazardous waste; air discharge permit listing; Hazardous Materials "E" Designation (E-143/underground storage tanks testing protocol).	Contamination possible from past on- and off-site industrial and manufacturing operations and from on-site underground petroleum tanks. Potential uncontrolled fill on-site. "E" Designation requires site investigation to the satisfaction of the city's Office of Environmental Remediation (OER) prior to site redevelopment.

SUITABILITY ASSESSMENT							
Land Use	Site Score	Industrial Weight	Total	Residential Weight	Total	Retail Weight	Total
Site Characteristics							
Size and shape	5	3	15	3	15	2	10
Utilities	5	3	15	3	15	2	10
Parking (cars and trucks)	4	3	12	2	8	3	12
Roadway conditions	3	2	6	3	9	3	9
Loading/unloading areas	5	3	15	1	5	3	15
Existing Building Stock	4	3	12	2	8	2	8
Pedestrian facilities	3	1	3	2	6	3	9
Sub Total			78		66		73
Strategic Location Characteristics							
Public transportation (distance/ease)	3	2	6	3	9	3	9
Highway (distance/ease)	4	3	12	2	8	2	8
Business Services	3	3	9	2	6	2	6
Retail	4	2	8	3	12	3	12
Open space	4	1	4	3	12	1	4
Adjacent uses (general appeal)	4	1	4	3	12	2	8
Views	5	1	5	3	15	1	5
Sub Total			48		74		52
Environmental Constraints							
Traffic and Congestion	-2	2	-4	3	-6	3	-6
Noise	-3	1	-3	2	-6	2	-6
Air quality	-3	1	-3	2	-6	2	-6
Potential Contamination	-4	2	-8	3	-12	2	-8
Sub Total			-18		-30		-26
TOTAL SCORE			108		110		99
Notes: This rating system assesses the suitability of the site for industrial, residential, and retail development by calculating a rating for each use. As shown above, the ratings are made up of a site score and a weight for each characteristic, which reflects the importance of a particular characteristic for each considered use. Site scores can be either positive or negative, depending on the type of characteristic. Characteristics listed under "Site Characteristics" and "Strategic Location Characteristics" are positive attributes, and characteristics listed under "Environmental Constraints" are negative attributes. For positive attributes, site scores range from +1 to +5, with +5 being the best. For negative attributes, site scores range from -1 to -5, with -5 being the worst. For a more detailed explanation of the suitability assessment, see Appendix 1 "Suitability Assessment Scoring Methodology."							

CHALLENGES & OPPORTUNITIES

101 Lincoln Avenue is a prime waterfront development site in the Port Morris Brownfield Opportunity Area (BOA). The property is a 133,000 square foot, roughly rectangular-shaped site on the Harlem River. Views from potential buildings on the site would look out onto the South Bronx, the Harlem River, Harlem River Park, and portions of Harlem. Broader views would include portions of Upper Manhattan, the East River, Randall's Island, and the RFK (Triborough) Bridge. These views can be an important asset for a residential development. Furthermore, the site is prominently located along the Third Avenue Bridge, an important connector between Manhattan and the Bronx. A future development at this site would serve as a gateway into the Bronx and Port Morris in particular.

Nearby uses are generally appealing and include commercial, light industrial, utility, and a small cluster of retail uses including the South Bronx "Antique Row" on Bruckner Boulevard. Transportation uses and unenclosed light industrial uses reduce the overall appeal of the site, but recent investment in several nearby properties demonstrates renewed interest in the area. Two recently renovated properties—the residential Clocktower building and the commercial Glass Works building—are located on the same intersection as the property. The City has encouraged this type of development in the area, most recently by rezoning the area from industrial to mixed-use in 2005. In addition, new street trees, furniture, and lamps have enhanced the "neighborhood" feel in the area. A future development on this site would be well-positioned along the emerging mixed-use Bruckner Boulevard corridor.

Because of the site's waterfront location, transit access is not as convenient as at other locations in the South Bronx. Nonetheless, there are still several bus routes that stop nearby and the Number 6 subway station is located approximately 1/3-mile away. The site also provides adequate access to the City's highway system.

Based on an environmental review of past uses on the property, contamination is possible and would need to be addressed either prior to, or during construction. In addition, the site's location near truck routes, elevated roadways, and industrial uses could result in elevated noise levels and air quality concerns. To address these issues, more detailed air quality analysis may be required and additional building attenuation may be needed to accommodate residential uses.

An overall feasibility assessment of the site, based on physical, strategic location, and environmental characteristics indicates that the site would be best used for residential or industrial/manufacturing uses.

Data Sources:

Ownership and operation: Map Pluto 08, Dun and Bradstreet

Property and facilities: Map Pluto 08

Utilities: Sanborn utility maps, NYC sewer maps, ConEdison website, Cablevision website

Zoning information: New York City Department of City Planning

Environmental conditions: AKRF Phase I Assessment

Variable Ratings: AKRF, Inc.

Variable Ratings - Detail

Basic Site Characteristics

Size and shape

The property evaluated is a large, roughly rectangular-shaped site on the Harlem River. With more than 133,000 square feet, the property evaluated is one of the largest privately-owned parcels in the Port Morris BOA. The site has approximately 430 feet of frontage along Lincoln Avenue, 333 feet along Bruckner Boulevard, and 520 feet of waterfront frontage.

Rating: 5

Utilities

According to New York City sewer and Sanborn maps, the property is served by a 50"x52" combined sewer line and a 6"-diameter water pipe, both located on Bruckner Boulevard. According to Cablevision's service availability check, cable broadband internet is available at the site. Electricity service is provided by ConEdison.

Rating: 5

Parking (cars and trucks)

The site has ample on-street and public parking options. On-street parking consists of approximately 15 parking spaces along Bruckner Boulevard and 25 spaces along Lincoln Avenue on the site's frontage. Cars can also be parked beneath the elevated Third Avenue Bridge approach that runs along the property. On-street parking on the surrounding streets is generally not regulated (e.g., markings, meters, etc.). Additional on-street parking is also located at the dead-end of Lincoln Avenue near the Harlem River and across the street in front of the Glass Works building. There is also a nearby public parking lot north of the site on Third Avenue.

Rating: 4

Roadway conditions

In general, roadway conditions on Lincoln Avenue are good, but heavy wear and tear resulting from truck traffic has led to deteriorating conditions along the southern portion of Lincoln Avenue near the Harlem River. Much of the truck traffic is generated by businesses on Lincoln Avenue, including FlatRate Movers on the site and a nearby Waste Management facility. Bruckner Boulevard along the north side of the site was recently reconstructed and is in good condition.

Rating: 3

Loading/unloading areas

Off-street loading and unloading activities are well-accommodated at this site in its current configuration. There are off-street loading/unloading areas along both Lincoln Avenue and Bruckner Boulevard. On Bruckner Boulevard, the structure on the site is setback from the street and has two loading docks to facilitate loading/unloading procedures. On Lincoln Avenue, the property has a large open yard with a number of loading bays. Furthermore, Lincoln Avenue is wide and could accommodate loading/unloading from the street.

Rating: 5

Existing Building Stock

There is currently an approximately 83,000-square-foot, two-story building located on the northern and western portions of the site. The building appears to be in good condition and may have potential for reuse as an industrial, warehouse, or commercial structure.

Rating: 4

Pedestrian facilities

Pedestrian facilities are in place on the streets nearby the property. However, along the southern portion of Lincoln Avenue, the pedestrian facilities are deteriorated, with cracked pavement and eroded curbs. Along Bruckner Boulevard, sidewalks along the property are wide, but have several wide curbcuts and are frequently blocked with parked vehicles.

Rating: 3

Strategic Location Characteristics

Public transportation (distance/ease)

The site has adequate access to the City's public transportation system, but is separated from most nearby transit stops by the Major Deegan Expressway. The closest public transportation is several bus routes that stop within 1,000 feet of the site. These bus routes include the Bx1, Bx2, Bx15, Bx21, and Bx32. Subway access is further away, but still convenient. The 3rd Avenue-138th Street station (#6 train) is the nearest stop, located approximately 1/3-mile from the property.

Rating: 3

Highway (distance/ease)

The evaluated property has adequate access to the City's and region's highway system via the Major Deegan Expressway and the Harlem River Drive. Northbound on- and off-ramps for the Major Deegan Expressway, which connects the area to the George Washington and RFK (Triborough) Bridges, are located approximately 1/3-mile from the site down Bruckner Boulevard at Willis Avenue. Southbound off-ramps feed onto East 134th Street at the same location. Southbound on-ramps are located further away, near East 138th Street and Exterior Street. The northbound and southbound Harlem River Drive is accessible via the Third Avenue Bridge.

Rating: 4

Business Services

The immediate area does not appear to have a level of business activity that would provide strong business support services. Nearby tenants include businesses in loft commercial buildings, industrial uses, some ground-floor retail, small auto-related uses, and land-intensive uses such as a construction contractor and a Waste Management facility. Overall, the number and type of businesses nearby are expected to offer an average level of business support services.

Rating: 3

Retail

A small retail cluster is located on Bruckner Boulevard north and east of the site. This area is known as the South Bronx "Antique Row" and consists primarily of antique shops, a few eating and drinking establishments, and art galleries. Retail in this area would appeal to potential residents and signal the potential for a greater retail presence in the nearby area. Other retail clusters are located along Willis Avenue between East 135th and East 138th Streets and on East 138th Street east of Alexander Avenue. These retail clusters provide mainly convenience goods and neighborhood services.

Rating: 4

Open Space

The evaluated property is located within approximately 1/4-mile of three publicly accessible open spaces larger than 1 acre. These open spaces are: Pulaski Park, a 1.4-acre open space at Willis Avenue and East 132nd Street; Harlem River Park, a 5.8-acre park located across the Third Avenue Bridge in Manhattan; and Lozada Playground, a 1-acre playground near Willis Avenue and East 135th Street. Overall, the site is adequately served by publicly accessible open space resources.

Rating: 4

Adjacent uses (general appeal)

The area within 400 feet of the property includes predominantly industrial, commercial, residential, and transportation uses. Field surveys indicate that these uses are actively used and in good condition. The site's appeal is reduced by the presence of nearby transportation and utility uses and light industrial uses. These uses include the Third Avenue Bridge and its approach ramp on Bruckner Boulevard on the north and west sides of the property, an open air storage yard for a construction contractor on Lincoln Avenue and a Waste Management facility along the Harlem River waterfront on Lincoln Avenue. However, there are also several renovated or otherwise well-maintained uses nearby the site. The block north of the property along Bruckner Boulevard contains a newly renovated residential building with an attractive ground floor restaurant, an art gallery, and several small industrial and commercial uses. East of the site across Lincoln Avenue there is the newly renovated Glass Works building, a 3 story commercial structure, and the Clocktower building, a handsome renovated residential building, on the northeast corner of Lincoln Avenue and Bruckner Boulevard.

Rating: 4

Views

Because of the property's location on the Harlem River waterfront, views from the site are outstanding. Views from potential buildings on the site would look out onto the South Bronx, the Harlem River, Harlem River Park, and portions of Harlem. Broader views would include portions of Upper Manhattan, the East River, Randall's Island, and the RFK (Triborough) Bridge.

Rating: 5

Environmental Constraints

Traffic and Congestion

Lincoln Avenue along the east side of the property is a dead-end, two-lane street with one lane in each direction. Although no traffic congestion was observed during a field visit to the site, the potential for some congestion exists because of the dead-end and the relatively heavy truck traffic along the roadway. Bruckner Boulevard north of the property is a two-lane roadway divided by the Third Avenue Bridge approach. This section of Bruckner Boulevard is lightly traveled and has generally smooth traffic flow.

Rating: -2

Noise

Potential noise implications were assessed with the assistance of AKRF's noise specialists. During a field visit, relatively high levels of ambient noise were observed due to truck traffic from nearby utility uses and traffic on the Third Avenue Bridge and its elevated approach on Bruckner Boulevard. Furthermore, an Environmental Designation has been established for the site requiring additional window-wall attenuation and alternate means of ventilation for any new construction or change in use. Therefore, the site would require an increased amount of building attenuation to accommodate residential uses.

Rating: -3

Air quality

Potential air quality implications were qualitatively assessed with the assistance of AKRF's specialists. Overall, because of the close proximity of the site to truck routes, elevated roadways, and industrial uses, a more detailed analysis of air quality conditions may be required once a development plan is advanced. Furthermore, an Environmental Designation has been established for the site limiting HVAC fuel to natural gas. The use of natural gas would result in lower emissions than the use of oil and would be protective of both the proposed building residents and the neighboring community.

Rating: -3

Potential Contamination

The site has a history as a railroad freight terminal, construction yard and garage. Twelve diesel 550-gallon underground storage tanks (USTs) and two 550-gallon gasoline USTs were registered at the site. One closed-status spill was reported in 2003 for an unknown material. New York City Department of Buildings and the Department of Planning and Zoning map, the Property is listed with a Hazardous Materials "E" Designation (E-143/underground storage tanks testing protocol). Uncontrolled urban fill is likely present on-site. The long manufacturing and industrial history and potential use of hazardous materials on- and off-site suggest a high potential for contamination at the site.

Rating: -4

PORT MORRIS SITE PROFILE

Site Name

2568 Park Avenue between East 138th Street and East 140th Street – Block 2340, Lot 14

SITE FUNDAMENTALS

Current Owner: Sable Fuel and Oil Transportation

Current use: Vacant

Current Tenant: NA

In operation since: NA

PROPERTY CHARACTERISTICS

Property and Facilities

Lot Area 11,128 sf

Building Area 12,500 sf

Number of Buildings: 1 Number of Floors: 2

Special Property Features Contains a 2-story industrial building

Infrastructure and Access

Street-level access ☒ Yes ☐ No

Adequate Street Width ☒ Yes ☐ No

Parking ☒ Yes ☐ No Approx. 8 on-street parking spaces along site frontage

Access to Public Transportation: Yes, ±500 ft to subway

Other Transportation Assets: 6 bus routes within 900 ft of site

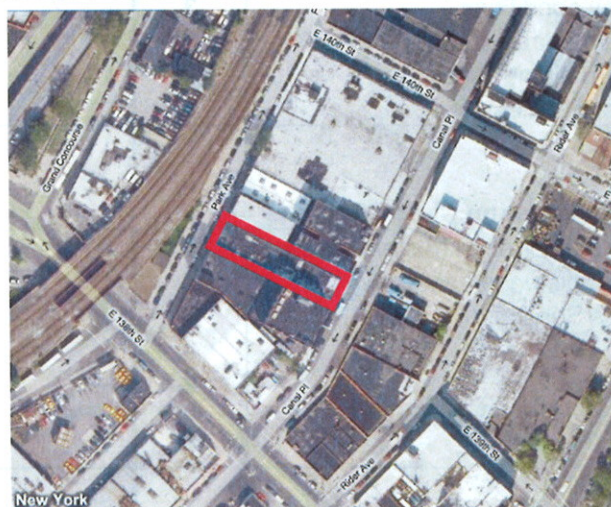
Utilities

Electricity (availability/ provider) Yes/ConEdison

Water (availability/capacity) Yes/12" water pipe

Sewer (availability/capacity) Yes/12" combined sewer

High-Speed Internet (avail./capacity) Yes/Cable



ZONING AND LAND USE

Current Zoning

Current designation: M1-2

Permitted Uses: Manufacturing uses with stringent performance standards; most commercial and retail uses, certain community facility uses

FAR: 2.0

Total Building Area (Existing/Allowable): 12,500 sf existing / 22,256 zsf manufacturing allowable by zoning

Permitted Building Height: 60 ft before setback, max height governed by sky exposure plane

Current Use

☐ Manufacturing

☐ Wholesale/Distribution

☐ Retail

☒ Other

Vacant building

Adjacent Uses

Manufacturing and industrial uses, auto repair and maintenance, warehouse, transportation and utility, and the Metro North railroad.

Proposed Zoning

Future designation: There is no proposed change to zoning.

Permitted Uses: NA

FAR: NA

Total Building Area: NA

Permitted Building Height: NA

Development Restrictions & Requirements (set backs, height, greenway, etc): NA

ENVIRONMENTAL CONDITIONS

Historical Use(s)	Site Reconnaissance	Regulatory Programs & Permits	Potential Contamination
Vacant (1891); plaster board factory and coal yard (1908); hardwood flooring facility (1935); manufacturing and warehousing (1951-1989); west-adjacent railroad tracks (1891-1989); surrounding area history of gasoline tanks, factories, garages, iron works and coal yards.	Vacant building owned by Sable Fuel and Oil Transportation Co.	FDNY-registered 3,000-gallon fuel oil tank.	Possible contamination from past on-site history of manufacturing and 3,000 gallon fuel oil tank. Surrounding historical industrial, manufacturing, and petroleum use/storage sites may have affected in-site conditions.

SUITABILITY ASSESSMENT							
Land Use	Site Score	Industrial Weight	Total	Residential Weight	Total	Retail Weight	Total
Site Characteristics							
Size and shape	3	3	9	3	9	2	6
Utilities	5	3	15	3	15	2	10
Parking (cars and trucks)	3	3	9	2	6	3	9
Roadway conditions	3	2	6	3	9	3	9
Loading/unloading areas	3	3	9	1	3	3	9
Existing Building Stock	0	3	0	2	0	2	0
Pedestrian facilities	3	1	3	2	6	3	9
Sub Total			51		48		52
Strategic Location Characteristics							
Public transportation (distance/ease)	5	2	10	3	15	3	15
Highway (distance/ease)	4	3	12	2	8	2	8
Business Services	3	3	9	2	6	2	6
Retail	3	2	6	3	9	3	9
Open space	2	1	2	3	6	1	2
Adjacent uses (general appeal)	2	1	2	3	6	2	4
Views	2	1	2	3	6	1	2
Sub Total			43		56		46
Environmental Constraints							
Traffic and Congestion	-3	2	-6	3	-9	3	-9
Noise	-3	1	-3	2	-6	2	-6
Air quality	-4	1	-4	2	-8	2	-8
Potential Contamination	-3	2	-6	3	-9	2	-6
Sub Total			-19		-32		-29
TOTAL SCORE			75		72		69
Notes: This rating system assesses the suitability of the site for industrial, residential, and retail development by calculating a rating for each use. As shown above, the ratings are made up of a site score and a weight for each characteristic, which reflects the importance of a particular characteristic for each considered use. Site scores can be either positive or negative, depending on the type of characteristic. Characteristics listed under "Site Characteristics" and "Strategic Location Characteristics" are positive attributes, and characteristics listed under "Environmental Constraints" are negative attributes. For positive attributes, site scores range from +1 to +5, with +5 being the best. For negative attributes, site scores range from -1 to -5, with -5 being the worst. For a more detailed explanation of the suitability assessment, see Appendix 1 "Suitability Assessment Scoring Methodology."							

CHALLENGES & OPPORTUNITIES

The property at 2568 Park Avenue is a rectangular-shaped, 11,128 square foot through-block site stretching between Park Avenue and Canal Place. Although it is a relatively small development site, it is a regular shape and is located just north of the East 138th Street corridor, an important access point into the South Bronx via the Madison Avenue Bridge. The site has excellent access to the City's vehicular and public transportation network.

The property is located within an active industrial and commercial area. Nearby uses include industrial and manufacturing, commercial, auto-related, and transportation and utility uses. Although these uses are actively used and in good condition, they reduce the site's appeal as a prime residential redevelopment location. Furthermore, the site is poorly served by publicly accessible open space; there is only one publicly-accessible open space larger than 1 acre within a ¼ mile.

Although the site is only moderately well-served by retail in the immediate area, the Gateway Center at Bronx Terminal Market has recently opened approximately ¾-miles from the site. Additional retail could be developed closer to the site under the recently-approved Lower Concourse Rezoning.

Based on an environmental review of the property, there are potential environmental conditions that would need to be addressed either prior to, or during construction. Potential sources of contamination can typically be mitigated. In addition, future development plans for this site may need to address air quality concerns and elevated noise levels. The site has moderate levels of ambient noise from adjacent industrial uses and the Metro-North train tracks, and the site may require an increased amount of building attenuation to achieve acceptable noise levels for residential development. Air quality is also a concern, because of the close proximity of the site to truck routes and industrial uses, and a more detailed analysis of air quality conditions may be required once a development plan is advanced.

Overall, the property lacks a number of characteristics that would make it a strong candidate for residential development. It is surrounded by active industrial and commercial uses, has limited potential for views, and is poorly-served by publicly-accessible open space. Furthermore, residential development on the site is not allowable under the current zoning. An overall feasibility assessment of the site, based on physical, strategic location, and environmental characteristics indicates that the site would be best used for industrial development.

Data Sources:

Ownership and operation: Map Pluto 08, Dun and Bradstreet

Property and facilities: Map Pluto 08

Utilities: Sanborn utility maps, NYC sewer maps, ConEdison website, Cablevision website

Zoning information: New York City Department of City Planning

Environmental conditions: AKRF Phase I Assessment

Variable Ratings: AKRF, Inc.

Variable Ratings - Detail

Basic Site Characteristics

Size and shape

The property evaluated is an 11,128-square-foot through-block site located on Park Avenue between East 138th Street and East 140th Street in the Bronx. The property is rectangular in shape and has 50 feet of frontage on Park Avenue and Canal Place and spans 222 feet between the two streets. The property has access on both Park Avenue and Canal Place

Rating: 3

Utilities

According to New York City sewer and Sanborn maps, the property is served by a 12"-diameter combined sewer line and a 12"-diameter water pipe, both located on Canal Place. According to Cablevision's service availability check, cable broadband internet is available at the site. Electricity service is provided by ConEdison.

Rating: 5

Parking (cars and trucks)

There is limited on-street parking available at this site. Approximately 4 cars can be parked along each of the property's street frontages on Park Avenue and Canal Place. Street parking is prohibited Mondays from midnight to 3AM on Canal Place and Thursdays from midnight to 3AM on Park Avenue. On-street parking on the surrounding streets is typically well-utilized as a result of the large numbers of employees that park in the area during work hours. In general, on-street parking in the surrounding area is not regulated (e.g., markings, meters, etc.).

Rating: 3

Roadway conditions

Overall, roadway conditions surrounding this site are good. Along Canal Place, roadway conditions are somewhat worse compared to Park Avenue, as a result of heavy wear and tear from truck traffic generated by neighboring businesses.

Rating: 3

Loading/unloading areas

The subject property has two loading docks accessible from Park Avenue and Canal Place. Aside from these loading docks, there are no other loading and unloading areas at the property. Although traffic on both Park Avenue and Canal Place is light to moderate, the narrow, one-lane streets and truck traffic along Canal Place would make loading and unloading from the street difficult.

Rating: 3

Existing Building Stock

The site is currently occupied by a vacant 2-story building with no roof. The structure has limited potential for reuse and would have little impact on the development potential of the site. Therefore, the site does not receive an existing building stock rating.

Rating: N/A

Pedestrian facilities

Pedestrian facilities are in place along both Park Avenue and Canal Place. The sidewalks are in generally good condition, but there are many curbcuts along both of the site's frontages and in the surrounding area. Pedestrian facilities along Canal Place are in generally worse condition, with missing or eroded curbs and deteriorating pavement.

Rating: 3

Strategic Location Characteristics

Public transportation (distance/ease)

The site is very well-served by New York City's public transportation system. It is approximately 500 feet from the 138th Street-Grand Concourse subway station (#4 and #5 trains) and is less than ¼-mile from the 3rd Avenue-138th Street subway station (#6 train). Six bus routes stop within 900 feet of the site, including the Bx1, Bx2, Bx15, Bx21, Bx32, and Bx33.

Rating: 5

Highway (distance/ease)

The property has good access to the City's highway system. The Major Deegan Expressway, which connects the area with the George Washington and RFK (Triborough) Bridges, is located less than ¼-mile from the site down East 138th Street. A northbound on-ramp is located near the intersection of East 138th Street and Gerard Avenue, and a northbound off-ramp feeds onto East 138th Street from the same location.

Rating: 4

Business Services

Overall, the surrounding neighborhood does not offer a wide variety of business services. Nearby businesses include primarily light industrial and manufacturing uses, auto-related businesses, and warehouse and transportation uses. These businesses would not be likely to provide co-location benefits to other commercial and industrial firms, nor would they be likely to offer products and services that would be in demand by these firms. Overall, the level of business services near the site is average.

Rating: 3

Retail

Currently, the area within a ¼-mile radius of the site has a limited selection of retail uses. Nearby the site, there are a few small eating and drinking establishments along East 138th Street, as well as a Western Beef Supermarket on Morris Avenue. The nearest substantial retail cluster is located along Third Avenue between East 139th and East 140th Streets. Other clusters of retail uses are located more than ¼-mile away, along East 138th Street east of Alexander Avenue and along Willis Avenue between East 138th and East 135th Streets. These retail clusters offer mainly convenience goods and neighborhood services.

Rating: 3

Open Space

There are few large parks or open spaces within ¼-mile of this site. In fact, there is only one publicly-accessible open space larger than 1 acre within a ¼-mile radius of the site. Overall, the site is not well-served by publicly-accessible open space.

Rating: 2

Adjacent uses (general appeal)

Within 400 feet of the property, the predominant uses are manufacturing and industrial, transportation and utility, warehouse uses, and auto-repair and maintenance. Field surveys indicate that these uses are actively used and in good condition. The property shares its block with several industrial and manufacturing uses, along with smaller commercial uses. Major transportation uses are located west of the site, including the Metro North railroad and the Major Deegan Expressway. South of the site, auto-related uses are located along East 138th Street and there is a newly-renovated industrial building on the south side of the street. To the east, there are a number of low- and mid-scale industrial buildings housing a mix of commercial and industrial uses. Some of these industrial uses, such as an IESI solid-waste facility on Canal Place, generate substantial truck traffic. Overall, the site's appeal as a prime residential redevelopment location is reduced by the concentration of transportation uses to the west as well as the nearby industrial uses and the solid waste facility.

Rating: 2

Views

Because of the property's inland location, the potential for views from the site is limited. Based on the topography of the site and the surrounding buildings, a building constructed on the site would likely have clear views to the west and south above the 3rd floor. However, current zoning restrictions make it unlikely that buildings above this height would be constructed on the property.

Rating: 2

Environmental Constraints

Traffic and Congestion

During field visits, no congestion was observed on the street surrounding the site. Both Park Avenue and Canal Place are lightly traveled, one-way, one-lane streets. East 138th Street, which feeds both of these streets, is a wide, six-lane roadway (two travel lanes and one parking lane in each direction).

However, the adjacent IESI solid waste facility generates a substantial amount of heavy truck traffic along Canal Place.

Rating: -3

Noise

Potential noise implications were assessed with the assistance of AKRF's noise specialists. During a field visit, moderate levels of ambient noise from adjacent industrial uses and the Metro-North train tracks were observed. It is likely that noise resulting from the train and truck traffic near the site would require an increased amount of building attenuation to achieve acceptable noise levels for residential development.

Rating: -3

Air quality

Potential air quality implications were qualitatively assessed with the assistance of AKRF's specialists. Overall, because of the close proximity of the site to truck routes and industrial uses, a more detailed analysis of air quality conditions may be required once a development plan is advanced.

Rating: -4

Potential Contamination

The site has a history of coal storage (1908) and on-going manufacturing uses (1908-1989). A 3,000-gallon fuel oil tank was registered for the property with the FDNY. The surrounding area has a 100-year history of manufacturing and industrial uses, including gasoline-storage sites and automotive-related operations. The long manufacturing history and potential use of hazardous materials on- and off-site suggest a moderate potential for contamination at the site.

Rating: -3

PORT MORRIS SITE PROFILE

Site Name

475 Exterior Street/60 East 149th Street – Block 2349 Lot 112

SITE FUNDAMENTALS

Current Owner: River Edge Realty

Current use: Construction material recycling

Current Tennant: Bronx County Recycling & Degan Transit Supply

In operation since: 1997

PROPERTY CHARACTERISTICS

Property and Facilities

Lot Area 191,000 Sq. Ft.

Building Area 14,759 Sq. Ft.

Number of Buildings: 2 Number of Floors: 2

Special Property Features Waterfront property

Infrastructure and Access

Street-level access ☒ Yes ☐ No

Adequate Street Width ☒ Yes ☐ No

Parking ☒ Yes ☐ No approx. # of spaces: 50 – 100

Access to Public Transportation: Yes, ±700 ft to subway

Other Transportation Assets: Adjacent to Major Deegan Expwy

Utilities

Electricity (availability/capacity) yes/NA

Water/Sewer (availability/capacity) yes/24"

High-Speed Internet (availability/capacity) yes/DSL



ZONING AND LAND USE

Current Zoning

Current designation: M2-1

Permitted Uses: Manufacturing with moderate performance standards; most commercial and retail uses

FAR: 2.0

Total Building Area: 14,759 square feet existing / 382,000 square feet allowed

Permitted Building Height: 60 ft before setback, max height governed by sky exposure plane

Current Use

☐ Manufacturing

☒ Wholesale/Distribution Bronx County Recycling

☐ Retail

☒ Other Deegan Transit Supply

Major Adjacent Uses

Wholesale & distribution, Major Deegan Expressway, bus parking lot

New Zoning

Future designation: C4-4 and Special Lower Concourse Waterfront District (SLCD)

Permitted Uses: Commercial retail, commercial office, hotel, residential, and community facility uses

FAR: Commercial = 3.4; Residential = 0.87-3.44 (4.0 on wide streets with Quality Housing Program); Community Facility = 6.5. Additional controls as determined by SLCD

Total Building Area: Commercial = 649,400 sf (191,000 sf x 3.44 FAR); Residential = 764,000 sf (191,000 sf x 4.0 FAR); Community Facility = 1,241,500 sf (191,000 sf x 6.5 FAR)

Permitted Building Height: 60 ft before setback, max height governed by sky exposure plane. Additional controls as determined by SLCD

Development Restrictions & Requirements (set backs, height, greenway, etc): Setback required 60 ft above curb level. A zoning text amendment would create a Waterfront Access Plan (WAP), which would require development to provide waterfront open space, including a walkway along the Harlem River. The SLCD will determine the maximum height, FAR, and other bulk regulations for new buildings.

ENVIRONMENTAL CONDITIONS

Historical Use(s)	Site Reconnaissance	Regulatory Programs & Permits	Potential Contamination
Freight Yard (1908-1980) Auto Junk Yard (1989) Update Carting, Inc. (1991-1996)	Site currently used as a construction materials facility/storage	Wastewater Discharge Hazardous Waste Generation Solid Waste Air Discharge Closed Spill PBS Site Enforcement Docket	Potential for contamination from petroleum, solvents, and metals

SUITABILITY ASSESSMENT							
Land Use	Site Score	Industrial Weight	Total	Residential Weight	Total	Retail Weight	Total
Site Characteristics							
Size and shape	5	3	15	3	15	2	10
Utilities	5	3	15	3	15	2	10
Parking (cars and trucks)	3	3	9	2	6	3	9
Roadway conditions	3	2	6	3	9	3	9
Loading/unloading areas	3	3	9	1	3	3	9
Existing Building Stock	0	3	0	2	0	2	0
Pedestrian facilities	2	1	2	2	4	3	6
Sub Total			56		52		53
Strategic Location Characteristics							
Public transportation (distance/ease)	5	2	10	3	15	3	15
Highway (distance/ease)	4	3	12	2	8	2	8
Business Services	2	3	6	2	4	2	4
Retail	3	2	6	3	9	3	9
Open space	4	1	4	3	12	1	4
Adjacent uses (general appeal)	3	1	3	3	9	2	6
Views	4	1	4	3	12	1	4
Sub Total			45		69		50
Environmental Constraints							
Traffic and Congestion	(2)	2	(4)	3	(6)	3	(6)
Noise	(3)	1	(3)	2	(6)	2	(6)
Air quality	(3)	1	(3)	2	(6)	2	(6)
Potential Contamination	(4)	2	(8)	3	(12)	2	(8)
Sub Total			(18)		(30)		(26)
TOTAL SCORE			83		91		77

CHALLENGES & OPPORTUNITIES

475 Exterior Street is one of the prime development sites in the Port Morris Brownfield Opportunity Area (BOA). Its large size and regular shape make it an attractive opportunity for future development. In addition to its exceptional physical characteristics, the site is well connected to New York City's vehicular and public transportation network. The site's waterfront location will provide a potential future development with in-demand views of Manhattan, the Harlem River, and Yankee Stadium. The proposed greenway and waterfront park at Harlem River will add more attractive features that increase the value of the property.

Nearby public and institutional users such as the Lincoln Medical and Mental Health Center and the Hostos Community College are unique neighborhood assets that already serve as anchors for the non-industrial uses in the area. At the entrance of the 149th Street corridor, a future development would be well connected to the residential and commercial neighborhoods to the east and west of the property and could serve as a unique gateway into the Bronx and the Port Morris Area in particular.

The Gateway Center at Bronx Terminal Market, currently under construction, will add new in-demand retail options for local and regional residents. Located across 149th Street, the new center will provide approximately 1 million square feet of retail space, a 250 room hotel, and 2,800 parking spaces.

Although the site's current use as a construction material recycling operation is not expected to be a significant impediment to the future development of the property, contamination due to historical uses may require environmental mitigation measures.

An overall feasibility assessment of the site, based on physical, strategic location, environmental characteristics indicates that the site would be best used for residential development.

Data Sources:

Ownership and operation: Map Pluto 08, Dun and Bradstreet

Property and facilities: Map Pluto 08

Utilities: Sanborn utility maps

Zoning information: New York City Department of City Planning

Environmental conditions: AKRF Phase I Assessment

Variable Ratings - Detail

Basic Site Characteristics

Size and shape

The property evaluated is a prime development site. With almost 200,000 square feet it is the largest privately owned parcel in the in the Port Morris BOA. The property's shape is an almost even square, with one side facing Exterior Street and the opposite side facing the Harlem River. With the exception of two small buildings the site is otherwise undeveloped.

Rating: 5

Utilities

According to New York City sewer maps the property is served by a 24" sewer line, located on Exterior Street. According to Verizon's internet availability check, DSL service is available at the site. Although the site is serviced by ConEdison, capacity could not be determined.

Rating: 5

Parking (cars and trucks)

Cars can be parked beneath the elevated highway and along public streets in the vicinity of the site. It is estimated that there are approximately 50 to 100 public spaces available within a 200-foot radius of the property. Available parking spaces are not regulated (e.g., markings and parking meters, etc).

Rating: 3

Roadway conditions

Although roadway conditions on Exterior Street are generally good, heavy wear and tear due to truck traffic, mainly from Bronx County Recycling, have lead to deteriorated pavement conditions along Exterior Street. Vehicles arriving from the north bound highway exit ramp have difficulties accessing Exterior Street due to the existing ramp alignment.

Rating: 3

Loading/unloading areas

There are no specific loading and unloading areas at the property. In general, the two lane one-way road in front of the site would allow for easy loading and unloading. However, because of heavy truck traffic generated by the site, loading and unloading is difficult under the current conditions.

Rating: 3

Existing Building Stock

There are two small buildings with footprints of less than 10,000 square feet on the property. Buildings are currently used as office and storage space. The buildings currently on the property would have little impact on the development potential of the site so that this category did not receive a rating.

Rating: NA

Pedestrian facilities

Pedestrian facilities are in place at the property. However, due to heavy dump truck usage, sidewalks are in poor conditions (e.g., deteriorated and cracked pavement) and curbs are missing/eroded.

Rating: 2

Strategic Location Characteristics

Public transportation (distance/ease)

The site has great access to the city's public transportation system and is in close proximity to two subway stations. The distance from the center of the property to the 149th Street and Grand Concourse Station (Lines 2, 4, 5) is approximately 1/3 of a mile, three blocks away. The subway station at 145th Street in Manhattan (Line 2) is only ¼ of a mile away and can be reached via the 145th Street Bridge.

In addition to good access to the subway system, the property is also well-served by New York City buses. The closest bus stop (Line BX 19) is located only a few feet away from the site at 149th Street and Exterior Street.

Rating: 5

Highway (distance/ease)

The property has exceptional access to the City's and region's highway system. The Major Deegan Expressway, which connects the area with the George Washington and the Triborough Bridges, borders the site. The north bound off-ramp feeds on to 149th Street, while the north bound on-ramp is only a few blocks away.

Rating: 4

Business Services

The site is not well served by business services. Services and products that may be in demand by other industrial companies are not offered by companies in the vicinity of the site. Instead the business landscape is characterized by warehousing and other passive uses such as a bus parking ground.

Rating: 2

Retail

Currently the area is not well-served by retailers. Significant retail concentrations begin more than ¼-mile away at 149th Street and Park Avenue. However, the Gateway Center at Bronx Terminal Market, which is currently under construction, will be in close proximity to the site. Once completed, the approximately 1-million-square-foot shopping area will be at Exterior Street on the opposite side of 149th Street.

Rating: 3

Open Space

The property is in close proximity to larger parks and open spaces. Within a ¼-mile distance from the center of the site is the Colonel Charles Young Playground. The block-sized park offers a number of baseball fields and other ball courts. In addition to the playground, the site is also in close proximity to Franz Sigel Park. This major green space along the Grand Concourse is only 1/3 of a mile away from the property.

Rating: 4

Adjacent uses (general appeal)

Most uses in the vicinity of the site are passive. Within a distance of 500 feet of the site, south of 149th Street, there are three wholesale businesses, a bus storage facility, and a specialty construction business. The property across the site on Exterior Street is vacant. The Major Deegan Expressway, which runs immediately adjacent to site, reduces the site's positive appeal as prime redeveloped location. However,

its overall attractiveness will increase once the Gateway Center at the Bronx Terminal Market is completed in 2009.

Rating: 3

Views

Views from the site are outstanding. Due to the property's location on the waterfront, views from potential buildings on the site would capture the Harlem River and large portions of Upper Manhattan. Depending on the height of future buildings, potential views may even capture Yankee Stadium, just one mile north of the property.

Rating: 4

Environmental Constraints

Traffic and Congestion

Exterior Street in front of the property is a four-lane street divided by the elevated Major Deegan Expressway. The two lanes leading in each direction are wide and allow for traffic to flow evenly. During numerous field visits at various times during the week, no major congestion on Exterior Street was observed. Occasionally, trucks waiting to access the site are backed-up on Exterior Street. Vehicles arriving from the north-bound exit ramp have difficulties accessing Exterior Street.

Rating: 2

Noise

Potential noise implications were assessed with the assistance of AKRF's noise specialists. Overall, high traffic volumes on the Major Deegan Expressway in combination with a high percentage of heavy vehicle traffic generate relatively high noise levels, which are likely to require an increased amount of building attenuation incorporated into the design to accommodate residential uses.

Rating: 3

Air quality

Potential air quality implications were assessed with the assistance of AKRF's air quality specialists. Overall, the close proximity to the highway may cause a decrease in air quality in the vicinity of the site and will require a more detailed analysis once a development plan is advanced.

Rating: 3

Potential Contamination

The site was identified as a former freight yard, auto junk yard, and construction storage yard. The site was also listed on several regulatory databases, including for reported spills and for the use and storage of hazardous materials, potentially in large quantities. The long industrial history and known use of hazardous materials suggest a high potential for contamination at the site.

Rating: 4

Catalyst Site Analysis

The Bronx Department of City Planning (DCP) recently proposed to rezone a 30-block area in the Port Morris section of the Bronx (from 149th Street to the Major Deegan Expressway and from Morris Avenue to the Hudson River). Historically, the area has been predominately used by industrial and manufacturing businesses but has recently experienced a decline of industrial and manufacturing employment and an increase in vacancies. These changes were taken into account by DCP, which introduced a rezoning proposal that would continue to maintain industrial uses in the area while allowing for more commercial and residential uses in Port Morris. According to DCP, the proposed rezoning seeks to “transform a waning industrial waterfront area and the lower Grand Concourse into a vibrant, mixed-use, mixed-income community with new housing, waterfront open space, and an array of retail services.”¹

Within this new zoning context AKRF, in cooperation with SoBro and DCP, will identify individual properties with a high catalytic potential to jump start the transition process. AKRF will direct its focus on these sites and assess their potential to be catalysts for future development within the rezoning area. The key assumption is that identified catalyst sites are likely to have a major impact on their immediate areas and the entire proposed rezoning area. Catalyst sites are considered to have the potential to spur redevelopment as permitted/desired by the new zoning designation.

AKRF will create a profile sheet for each of the identified catalyst sites. The profile sheet will consist of two parts: a section that includes property and site characteristics such as ownership, use, current and proposed zoning; and a section that assesses the suitability for uses permitted by the proposed zoning designation.

For each site, the analysis will evaluate three potential suitability scenarios. Sites will be assessed for their suitability for retail, residential, and industrial uses. As part of this process, we will also analyze and rate relevant site infrastructure elements and evaluate access characteristics of catalyst sites. In addition, AKRF will assess the severity of environmental concerns by rating each site’s reconnaissance, concerns stemming from historical uses, and registered environmental hazards such as spills and underground storage tanks. Once site reviews are concluded AKRF will outline challenges and opportunities for each site considering the proposed zoning context.

The profiles sheets will be developed in a way so they can be used by SoBro as a tool to reach out to owners and potential developers, displaying the necessary facts and outlining the strengths and weaknesses of each site.

Profiles will be accompanied by a technical memorandum, which will describe the variables included in the suitability matrix and rating process for each site.

Suitability Assessment Scoring Methodology:

AKRF will assess the suitability of each site for industrial, residential, and retail use by calculating a rating for each use. The ratings will be made up of a site score, which will score the site based on a particular characteristic, listed in the “Rating Classification” table below, and a weight for each characteristic, which will reflect the importance of a particular characteristic is for each considered use.

Site scores can be either positive or negative, depending on the type of characteristic. Characteristics listed under “Site Characteristics” and “Strategic Location Characteristics” are positive attributes, and characteristics listed under “Environmental Constraints” are negative attributes. Positive characteristics or variables are assumed to add to the development potential of a site (e.g., size and shape of the development site or views), while negative characteristics or attributes decrease the development potential of a property (e.g., traffic and congestion or contamination). For positive attributes, site scores

¹ Lower Concourse Rezoning, NYC Department of City Planning, 2008. Source: NYC Department of City Planning online: http://www.nyc.gov/html/dcp/html/lower_concourse/index.shtml, visited on 6/24/08.

will range from +1 to +5, with +5 being the best. For negative attributes, site scores will range from -1 to -5, with -5 being the worst.²

RATING CLASSIFICATION		
Site Characteristics		
	Bad	Good
Size and shape	1 = small & irregular	5 = large and regular
Utilities	1 = non existent	5 = adequate service
Parking (cars and trucks)	1 = non existent	5 = parking available
Roadway conditions	1 = missing pavement	5 = good conditions
Loading/unloading areas	1 = non existent	5 = adequate areas
Existing Building Stock	1 = deteriorated	5 = adequate
Pedestrian facilities	1 = non existent	5 = adequate areas
Strategic Location Characteristics		
	Bad	Good
Public transportation (distance/ease)	1 = far & difficult	5 = close & easy
Highway (distance/ease)	1 = far & difficult	5 = close & easy
Business Services	1 = far & difficult	5 = close & easy
Retail	1 = far & difficult	5 = close & easy
Open space	1 = far & difficult	5 = close & easy
Adjacent uses (general appeal)	1 = hazardous	5 = appealing
Views	1 = non existent	5 = appealing
Environmental Constraints		
	Good	Bad
Traffic and Congestion	-1 = non existent	-5 = frequent congestion
Noise	-1 = no noise	-5 = loud
Air quality	-1 = no pollution	-5 = polluted
Potential Contamination	-1 = no indication	-5 = strong indication

Each characteristic will be weighted differently for each use, reflecting the importance of each characteristic to the each of the three use categories. The weights will range from 1 to 3, with 1 indicating that the characteristic is of little importance and 3 indicating that it is very important. For example, the open space characteristic receives a weight of 3 for the residential use, because it is important for residences to be located nearby open spaces, and a weight of 1 for industrial uses, because it is not important for industrial uses to be near open spaces.

Each characteristic will be scored for each type of use based on a combination of the weight and the site score. For each use, the site score of a characteristic will be multiplied by the weight assigned to that characteristic. The product of site score and weight for each characteristic will then be summed to determine the total score for each type of use on a particular site. This scoring system allows uses to rate characteristics higher that are important to the type of use. Likewise, characteristics receive greater point deductions for uses that are important and for which a site receives a low site score. Overall, the higher the score, the more suitable a site is for a particular use. Following is a brief outline of how site characteristics were rated.

² Sites will receive a score of NA for "Existing Building Stock" if there is no building on the site or no redevelopment potential for buildings on site.

Variable Ratings Methodology

Basic Site Characteristics

Size and shape

The vast majority of property uses are dictated by the basic physical aspects of a site. Property size is one of the most important determinants of value. In general, the larger a site, the greater its potential to achieve economies of scale and flexibility in development. In addition to size, property shape is another important characteristic for a site's development feasibility. A site that is of regular shape typically offers more development flexibility and requires fewer customized features. Properties larger in size and of regular shape receive a higher ranking than small irregular sites.

Utilities

Public utilities are crucial for developing a site. For this *Basic Site Characteristic*, the existence of utility feeds into the site and their capacities will be assessed. The evaluated utilities largely consist of NYCDEP-owned and maintained services, including water and sewer mains and electricity feeds. Sites that are served by all basic public utilities with adequate capacity received the highest ranking.

Parking (cars and trucks)

Adequate parking is a crucial feature for all uses. For this assessment public parking options such as street parking and public parking garages were included. Sites with a large quantity of parking options, within a ¼-mile of the property, received a high ranking versus properties with only a few parking spaces in their vicinity.

Roadway conditions

Roadway conditions were assessed to evaluate the overall physical and conditions of streets in the immediate vicinity of a property. The evaluation included pavement conditions, the presence and condition of pavement markings, lane alignment at intersections, and missing signage. Special attention was also given to intersection offsets, which have the potential to reduce vehicle progression along corridors.

Loading/unloading areas

In addition to roadway conditions, operational infrastructure, such as loading areas, can cause congestion and inhibit business operations and circulation. Operational infrastructure is of particular importance to industrial and retail business. Properties with adequate loading/unloading areas will receive the highest ranking.

Existing Building Stock

Where present, the condition of the existing building stock will be rated. The assessment of the building stock will be based on an exterior evaluation only and does not take structural inadequacies into account.

Pedestrian facilities

Pedestrian facilities are a *Basic Site Characteristic* that contributes to a site's accessibility and traffic flow. If adequate pedestrian facilities are present, the site will receive a high ranking in this category. Missing or poor facilities will be ranked low.

Strategic Location Characteristics

Public Transportation (distance/ease)

Access to public transportation will be assessed based on the distance from the center of a site to the nearest subway stations and/or bus stops. Sites that are closer to a subway station or a bus stop will receive the highest score in this category, while sites that are further from a subway entrance will receive a lower score. According to the Urban Land Institute's (ULI) Transport Oriented Development

(TOD) guidelines, 1/8 of a mile is considered to be the most desirable distance from ones residence to the nearest public transportation access.

Highway (distance/ease)

Highway access is an important feature for all uses, especially industrial uses. If a site has easy, fast access to a highway, it will receive a high ranking, while sites located further away from highway ramps will receive a lower ranking.

Business Services

The business services category assesses the overall level of business activity and the potential for business support services and supply chain inputs in the immediate vicinity of a site. Sites with a high level of business activity nearby will be assumed to have a strong potential for support services and supply chain inputs, and will receive high scores. Sites with limited business activity nearby will be assumed to have weak potential for support services, and will receive low scores.

Retail

Nearby retail uses can provide important services and amenities for all types of development. Sites will be assessed for their proximity to major retail clusters. Sites located close to clusters that offer a variety of retail uses (i.e., eating and drinking establishments, convenience goods stores, discount department stores, and shopping goods stores) will receive the highest scores. Site with few retail uses nearby, or without a variety of uses, will receive lower scores.

Open Space

The presence of nearby open space is particularly important for residential uses. This analysis will assess sites based on the proximity open space. Sites that are within short distance of a larger park (more than 2 acres) will receive the highest scores while sites with no open space within in their vicinity will receive the lowest scores.

Adjacent uses (general appeal)

The general appeal of nearby uses is an important consideration for residential and retail uses. Each site will be assessed qualitatively based on the overall appeal of surrounding properties and uses, with emphasis placed on the uses located immediately adjacent to a site. Sites with well-maintained, non-noxious or polluting mix of uses nearby will receive the highest scores. Sites located adjacent to noxious, polluting, or otherwise disruptive industrial uses will receive lower scores.

Views

Sites with the potential for appealing views can command a premium for residential development. The potential for appealing views will be assessed qualitatively at each site based on the site's proximity to water and its topography. Sites that appear to have the potential for appealing views, particularly those with views of the Manhattan skyline or the Long Island Sound, will receive high scores. Sites with obstructed or non-existent views will receive low scores.

Environmental Constraints

Traffic and Congestion

Traffic and congestion patterns were assessed based on site visits conducted. During the duration of the project traffic and congestion levels were noted.

Noise

Noise levels were evaluated with the help of an AKRF noise specialist. Based on a qualitative assessment of conditions a rating was assigned to the respective category. Ratings may not be used to estimate potential noise impacts on future developments.

Air quality

Air quality levels were evaluated with the help of an AKRF air quality specialist. Based on a qualitative assessment of conditions a rating was assigned to the respective category. Ratings may not be used to estimate potential air quality impacts on future developments.

Potential Contamination

The potential for contamination at the site was assessed from a review of available records and historical maps to determine previous on-site and adjacent land uses, a site inspection by an AKRF hazmat specialist and general area characterization, and an evaluation of regulatory database listings for the subject and neighboring properties. The information is used to determine the potential for adverse environmental impact on the property from the conditions identified by the assessment. Sites that have a high potential for storing, processing and/or using significant quantities of hazardous materials are given high scores (such as gasoline stations, dry cleaners, and heavy industrial facilities). Sites that do not use or store such materials, or use them in limited quantities, are given low scores (such as residential and commercial properties).

APPENDIX E

SOBRO STRATEGIC SITE CASE STUDY: GAS STATION AT BRUCKNER BLVD AND EAST 138TH STREET

APPENDIX E

SoBRO Strategic Site Case Study:

Gas Station @ Bruckner Boulevard / East 138th Street¹

250 Jackson Avenue, Bronx, NY 10454
Block 2569, Lot 1

Although outside the boundaries of the proposed Port Morris Zone 1 BOA study area, this discussion of SoBRO's first strategic redevelopment site provides an important case study highlighting how BOA resources have been used to put a long abandoned property onto an active development track. This case study highlights an actual example of SoBRO's four-step Strategic Site Planning Process for this site. For this reason, SoBRO has included it as an appendix for reference purposes.

The Bruckner gas station site, prominently located at the intersection of East 138th Street & Bruckner Boulevard, was abandoned by its former owner 15 years ago because of environmental contamination issues and related tax liens. The site has been a vacant eyesore in the community ever since, and was a high-priority redevelopment site for the previous Bronx Borough President, Adolfo Carrion. Located on a major east-west arterial highway, this 10,000 square foot triangular shaped lot was abandoned by its former owner who had failed to pay both environmental liens and City Real Estate Taxes. Through information gleaned from a title search as well as helpful information from City sources and local business people, SoBRO learned that while the property had been sold at a tax lien auction years before, the contract vendee had never closed on the tax lien. Eventually, through further due diligence and other informational sources SoBRO was successful in contacting the buyer's attorney. After numerous unanswered calls and letters, the attorney finally arranged a meeting with the contract vendee, Mr. Simon Friedman.

SoBRO learned that while Mr. Friedman had submitted the high bid for the property's New York City tax lien, he was not aware at the time that there were also significant State environmental liens against the property, totaling approximately \$2 million. This additional unexpected cost made the economics of the site's redevelopment impossible. Over an extended period of time, Mr. Friedman had successfully negotiated a reduction of the State liens with the Attorney General's office, reducing his liability from \$2 million to \$200,000. In exchange for the reduction in lien amount, Mr. Friedman agreed to undertake remediation of the site pursuant to a DEC-approved Remedial Action Work Plan which included soil excavation and monitoring of on- and off-site groundwater for five years. No reciprocal reduction in City tax liens was possible since the City has no mechanism in place today to reduce tax liens on Brownfield properties.

¹ SoBRO did not have a Site Profile created for the Bruckner gas station because considerable information relative to site conditions and issues was already known, and because it is located outside the boundaries of the proposed Port Morris Zone 1 BOA that is the subject of this Nomination Report.

Focused on clearing the environmental lien issues, Mr. Friedman had failed to prepare a development plan for the property. SoBRO and Mr. Friedman agreed that in exchange for Mr. Friedman closing on the site SoBRO would work with him through BOA on the redevelopment planning of the parcel. The property was finally closed in June, 2008.

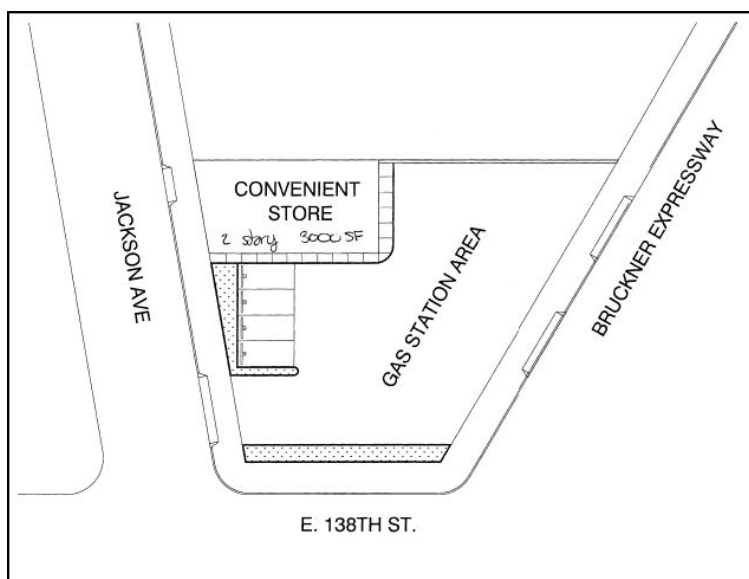
To assist with the redevelopment of this brownfield, SoBRO hired with BOA funds an architectural firm to undertake a basic zoning and design study of the property to determine viable development alternatives. Given the site's M-1 zoning, size, and triangular configuration, redevelopment options were limited. Through the design process three alternative uses were identified:

1. Basic Gas Station;
2. Gas Station with attached convenience store; or
3. Drive through fast food facility

Having had the experience of developing two McDonalds and one Wendy's Restaurant, we contacted our sources at their respective real estate departments and learned that, while very attractive in terms of its location, the site's small size and irregular shape precluded development of a fast food restaurant. While an architectural study did indicate a drive through was possible, without a major tenant such as McDonalds or Wendy's, we determined together with Mr. Friedman that financing would be difficult and a fast food restaurant was more speculative than the two other development alternative options.

The development of a convenience store and gas station was agreed to be the next highest and best use identified by the study. After presenting this scenario to the Community Board, SoBRO produced a pro-forma analyzing the development costs, which total approximately \$2.4 million. The projection showed the development to be financially viable, and the decision was made to move forward in this direction.

SoBRO then advised Mr. Friedman on the financing the project, helping him to investigate possibilities under the Federal Empowerment Zone program, as well as conventional financing. SoBRO also connected Mr. Friedman and his team with a SBA (United States Small Business Administration) loan syndicator, who provided guidance to him on how to apply for a low-interest federal loan that would require minimal owner equity be paid on an eligible development project.



The Bruckner Gas Station site will ultimately contain a 3,000 square foot convenience store in a highly underserved retail area together with a modern, environmentally conscious gasoline

station. More importantly, SoBRO's BOA program has facilitated the remediation of a long standing Brownfield, the return of scarce property to the City tax rolls, and the creation new employment opportunities for local residents. Today, the site has been properly fenced off to prevent unsightly dumping, and has already completed soil excavation. Construction is expected to commence within a period of 6 months.

SoBRO's experience with the Bruckner gas station site launched the organization's development department into the brownfield sphere, educating us on the financing, engineering and regulatory issues that inform all of SoBRO's current and future brownfield-related activities.

APPENDIX F

SUMMARY FINDINGS OF VIABLE BUSINESS / EMPLOYMENT AND LAND USE SURVEY FOR LOWER CONCOURSE REZONING AREA (2008)

Area Overview



The Port Morris Rezoning Area is located at the southwestern tip of the Bronx.

It is centrally located with access to the region's major infrastructure elements:

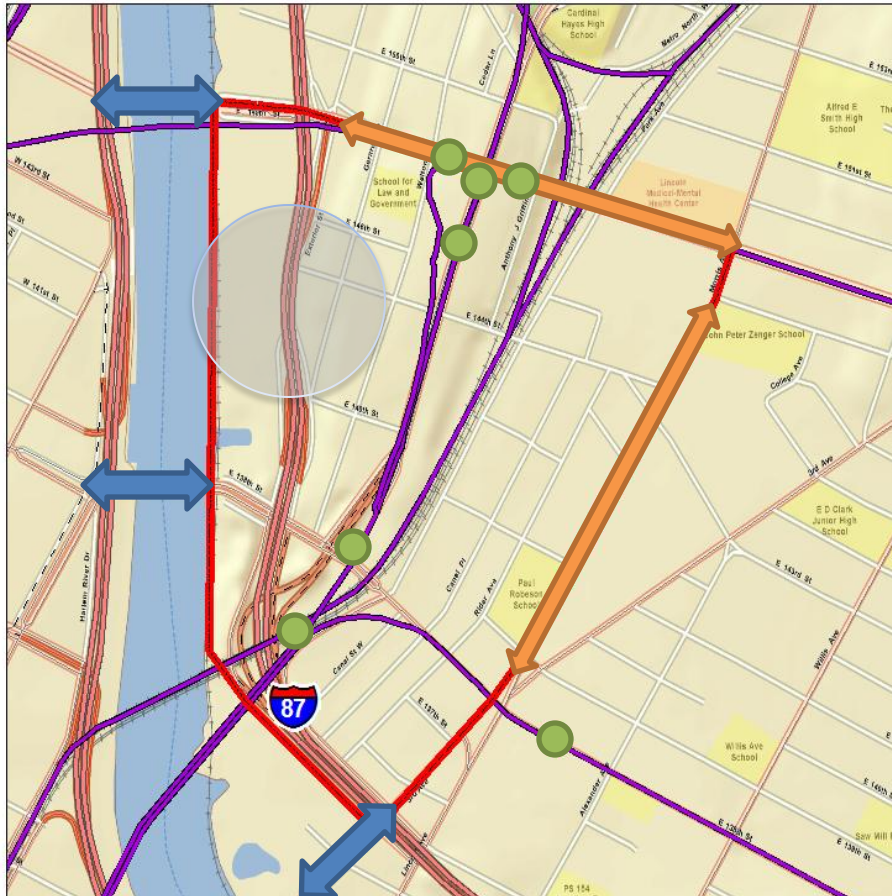
- George Washington Bridge
- Robert F. Kennedy Bridge
- Bridges to Manhattan
- Major Deegan Expressway (i.e., Interstate 87)
- Interstate 95

Area Introduction - Detail



- The area is bound by I 87, Harlem River, 149th Street, and Morris Avenue.
- The area is traversed by Metro North and well served by public transportation.
- Adjacent to the area, east of Morris Avenue, are three larger public housing complexes, i.e. the Patterson, Mitchel, and Mott Haven Houses.

Locational Assets

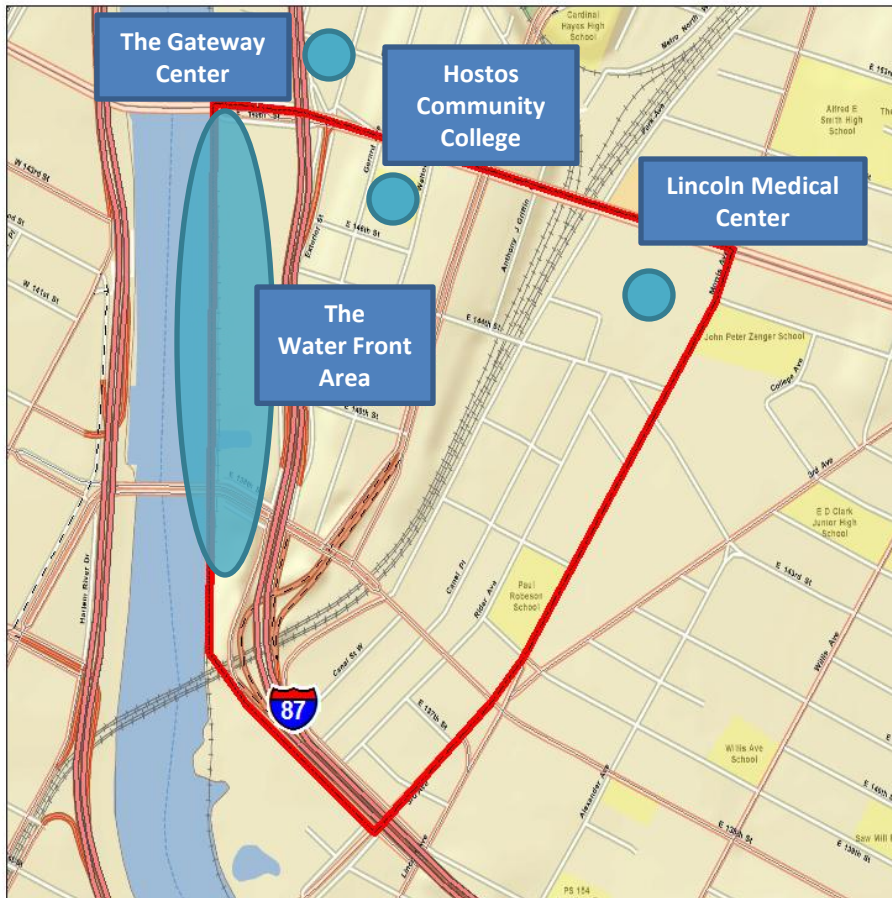


Connectivity

- Quick and direct access to Manhattan via 145th Street, 138th Street, and Willis Avenue Bridges
- Access ramps to I 87
- Multiple subway lines
- Major local artery



Locational Assets



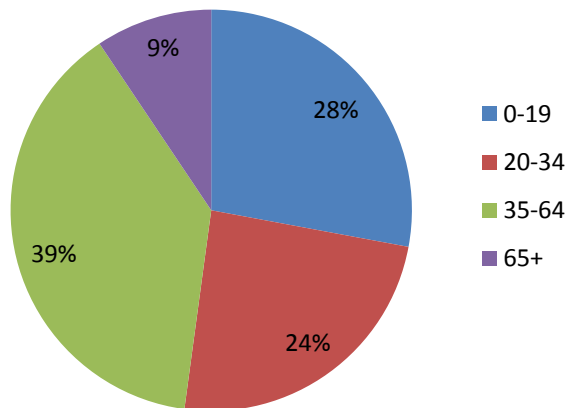
Other Local Assets

- The Hostos Community College and the Lincoln Medical Center are two important institutional anchors.
- The Gateway Center at the Bronx Terminal Market, just to the north of the area, will attract shoppers and visitors from far outside the area.
- The Harlem River waterfront area with its views of Manhattan and the proposed greenway, has the potential to attract both, new development and individual visitors.

2008 Demographics - Extract

- **Total Population:** 351
- **Total Households:** 113

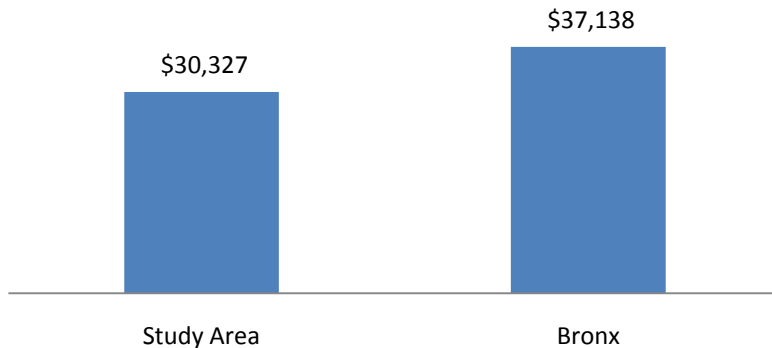
Age of Population



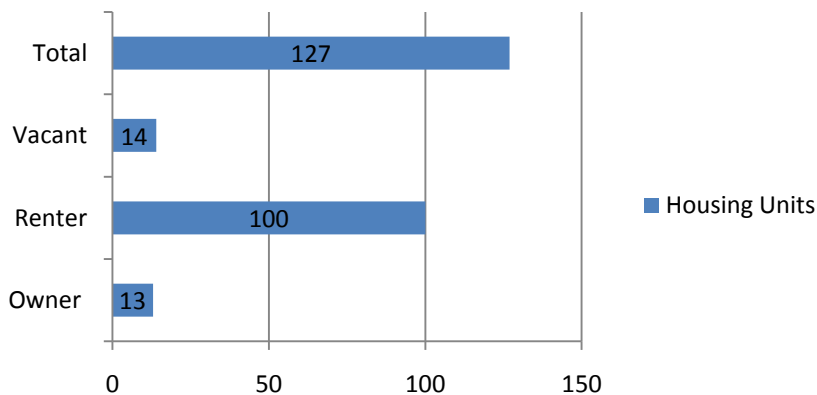
- The study area is characterized by non-residential uses.
- In 2008, the area was home to approximately 113 households with a total population of 351.
- The area has a very low population density of 2,700 people per square mile (e.g., the Bronx has a population density of approximately 31,000 people per square mile).

2008 Demographics - Extract

Median Household Income



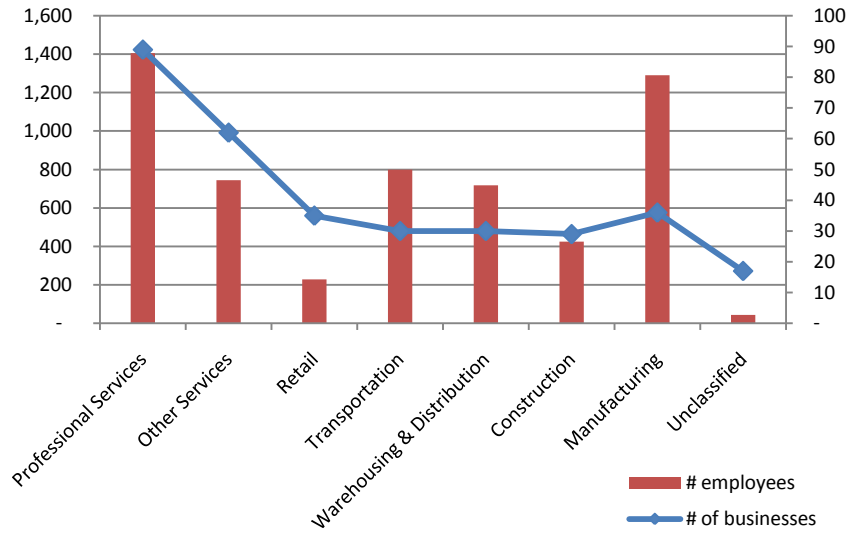
Housing Units



- Existing households earn incomes that are at the lower spectrum of the income range for New York City.
- The area median household income is with about \$30,000 much lower than for the Bronx (\$37,000) and entire New York City (\$52,000).
- The vast majority of the 127 housing units in the area are renter-occupied.

Business & Employment Environment

Business Establishments & Employment by Sector

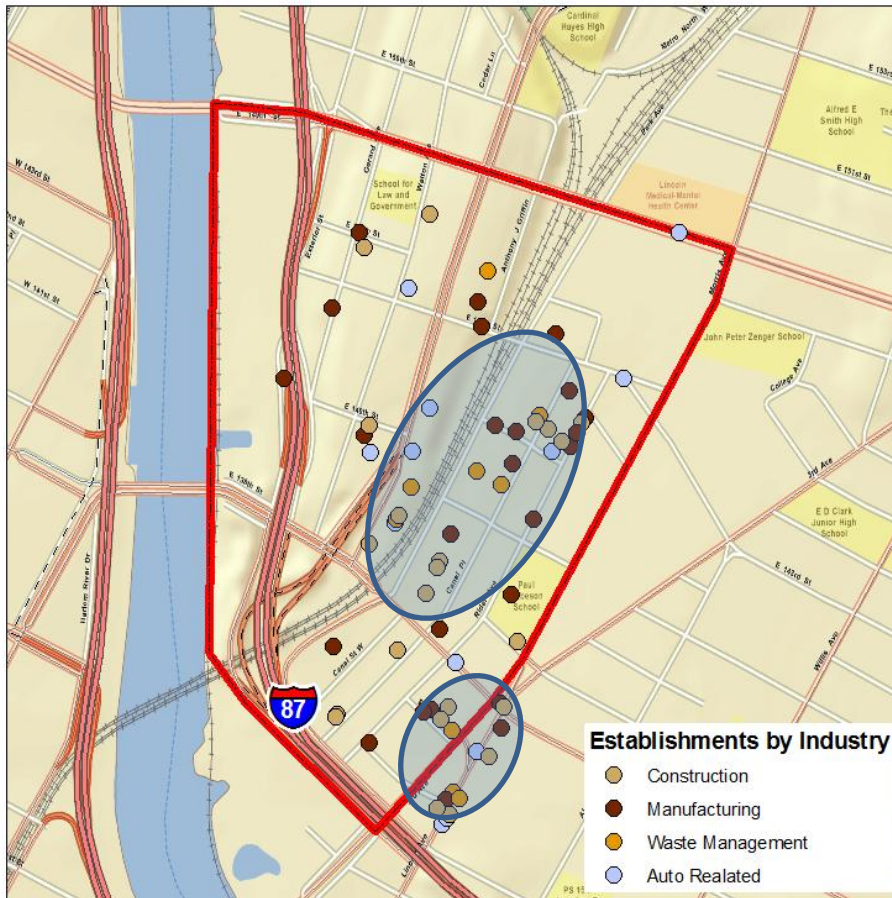


Largest Sectors	# of businesses
Ambulatory Health Care Services	29
Specialty Trade Contractors	22
Truck Transportation	21
Merchant Wholesalers, Durable Goods	20
Food Services and Drinking Places	16
Repair and Maintenance	16
Professional, Scientific, and Technical Services	15
Real Estate	12
Total	151

* Professional Services exclude Lincoln Hospital and Transportation excludes Bus Company

- The professional service sector has the largest number of establishments and employees.
- The manufacturing sector has fewer (but larger) establishments but a comparable number of employees.
- Transportation and Warehousing combined provide the most jobs (approximately 1,500).
- The retail sector is dominated by sole proprietors, who only employ a few or no workers.

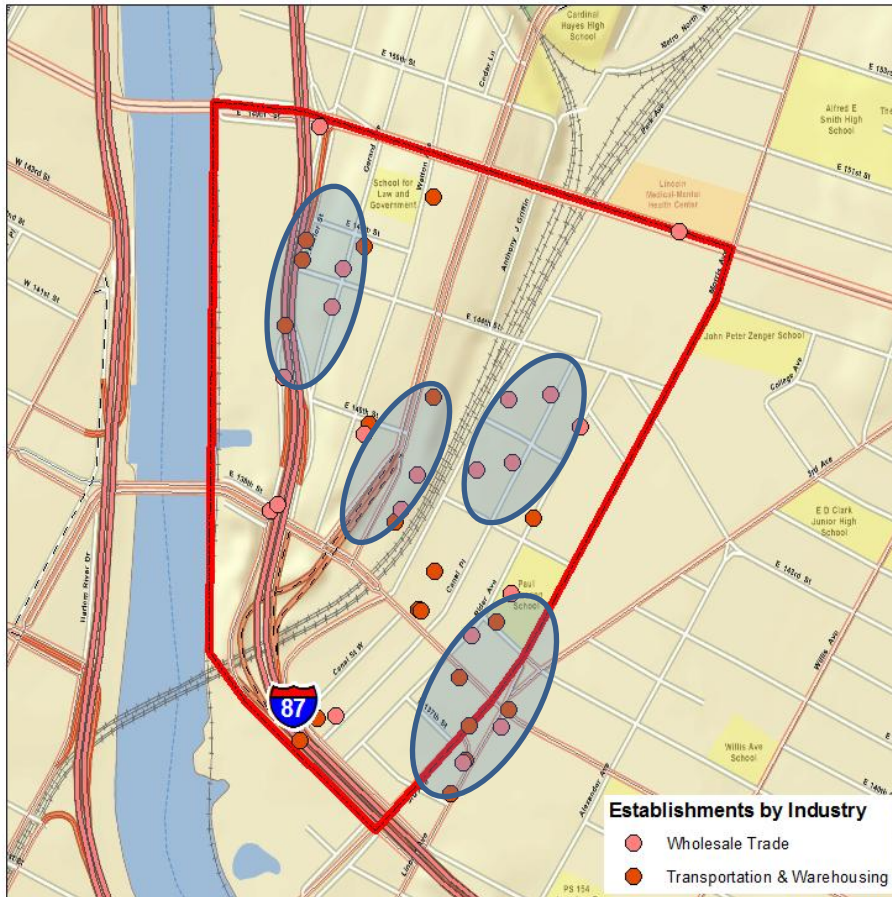
Business & Employment Environment



Manufacturing, Construction, Waste Management and Auto Businesses

- Industrial and manufacturing uses can be found throughout the entire area.
- The highest existing concentrations of industrial uses are along Lincoln Avenue and the central portion of the area.

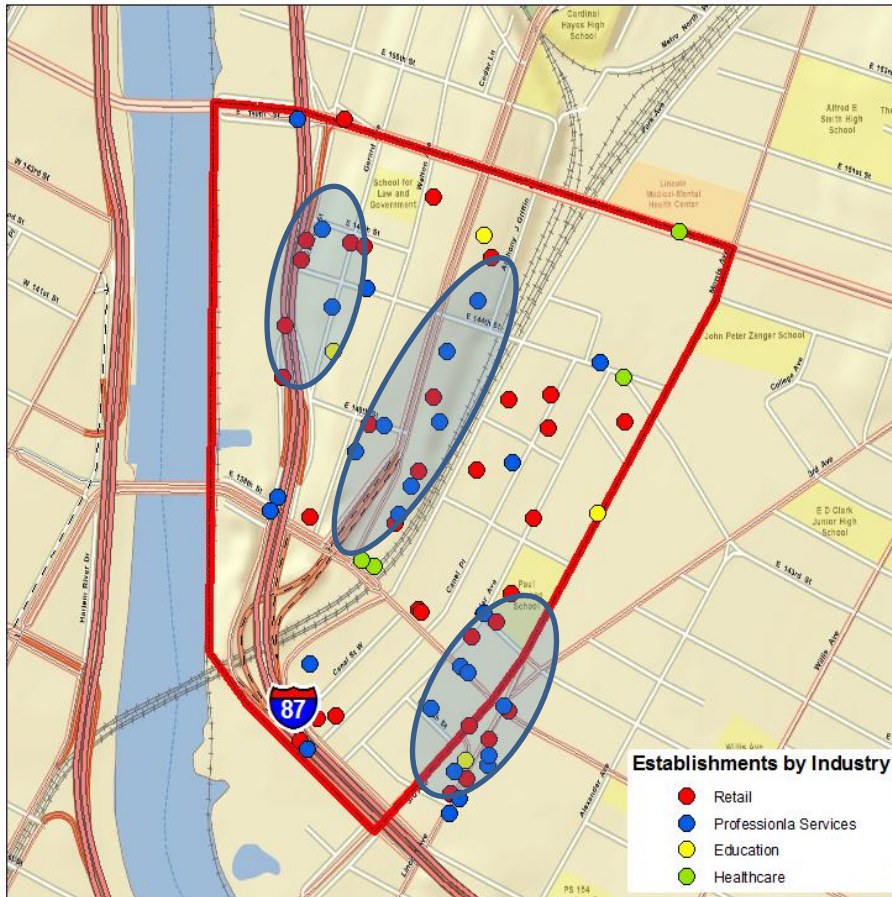
Business & Employment Environment



Wholesale Trade, Warehousing, and Transportation Establishments

- Distribution businesses are close to major transportation arteries in the area.
- Wholesale businesses are also located in the central portion of the area.

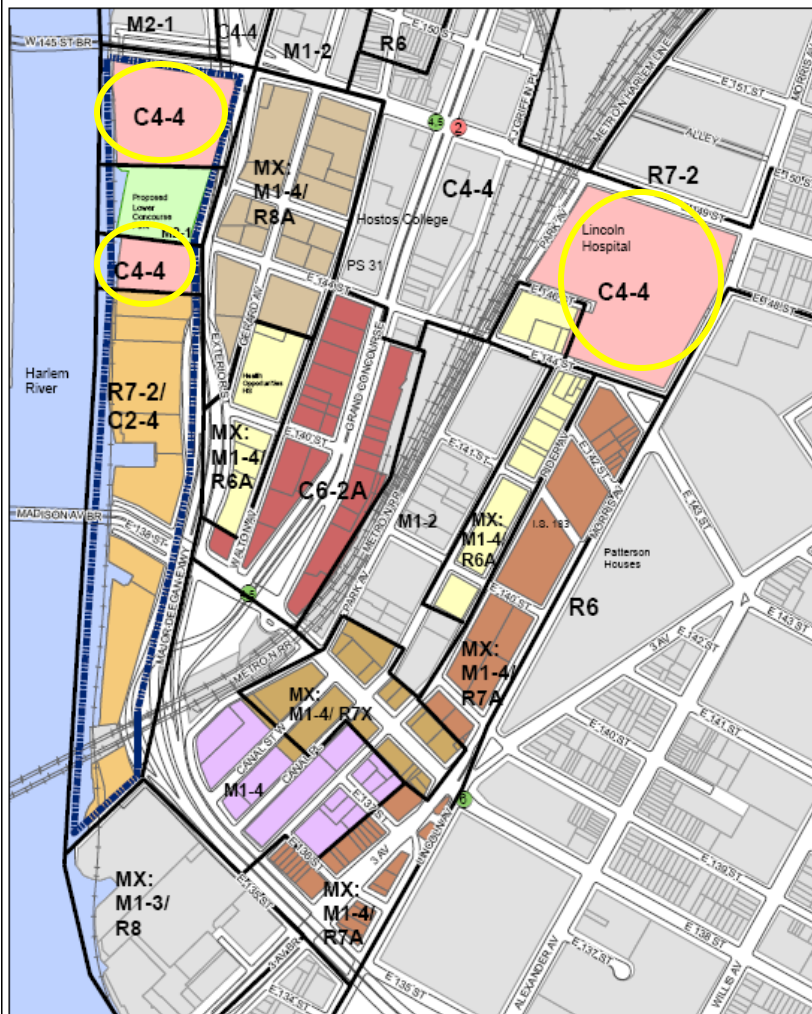
Business & Employment Environment



Retail and Professional Services

- Professional Services are located close to the two major thoroughfares and public transportation, i.e., Grand Concourse and Third Avenue/Lincoln Avenue.
- Most retailers service the local employee population and are dispersed throughout the area.

Land Use and Zoning Overview



Lower Concourse Rezoning
Proposed Zoning and Special District Bounds

Areas with Proposed C4-4 Zoning

Existing Zoning:

- M2-1 District FAR is 2.0, with current built FARs ranging from 0 to 2.88.
- M1-2 District FAR is 2.0, with current FARs ranging from 0 to 3.15.

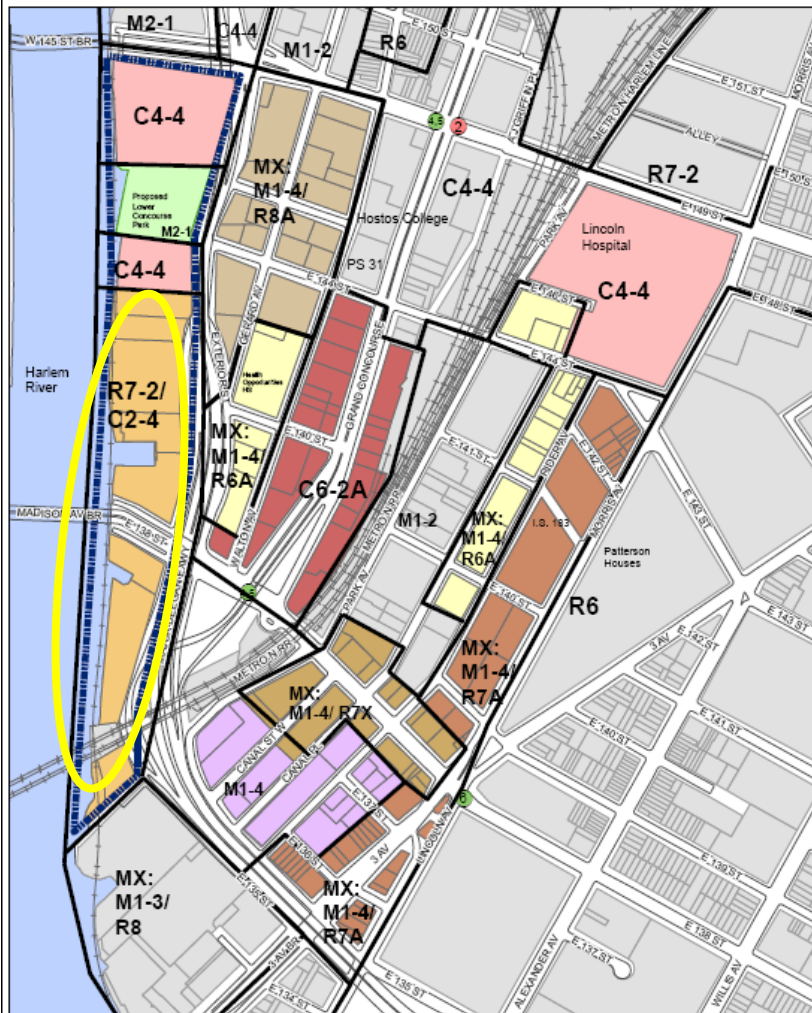
New permitted uses:

Residential: (R7 equivalent) medium-density apartment houses; parking would be required for 50% of all dwelling units. New maximum FAR would be 3.44.

- Commercial and/or residential space could increase up to 28 times its original FAR on some lots, when compared to the existing zoning.

Commercial: specialty department stores, theaters or other commercial and office uses. New maximum FAR would be 3.4.

Land Use and Zoning Overview



Lower Concourse Rezoning
Proposed Zoning and Special District Bounds

Areas with Proposed R7-2/C2-4 Zoning

Existing Zoning:

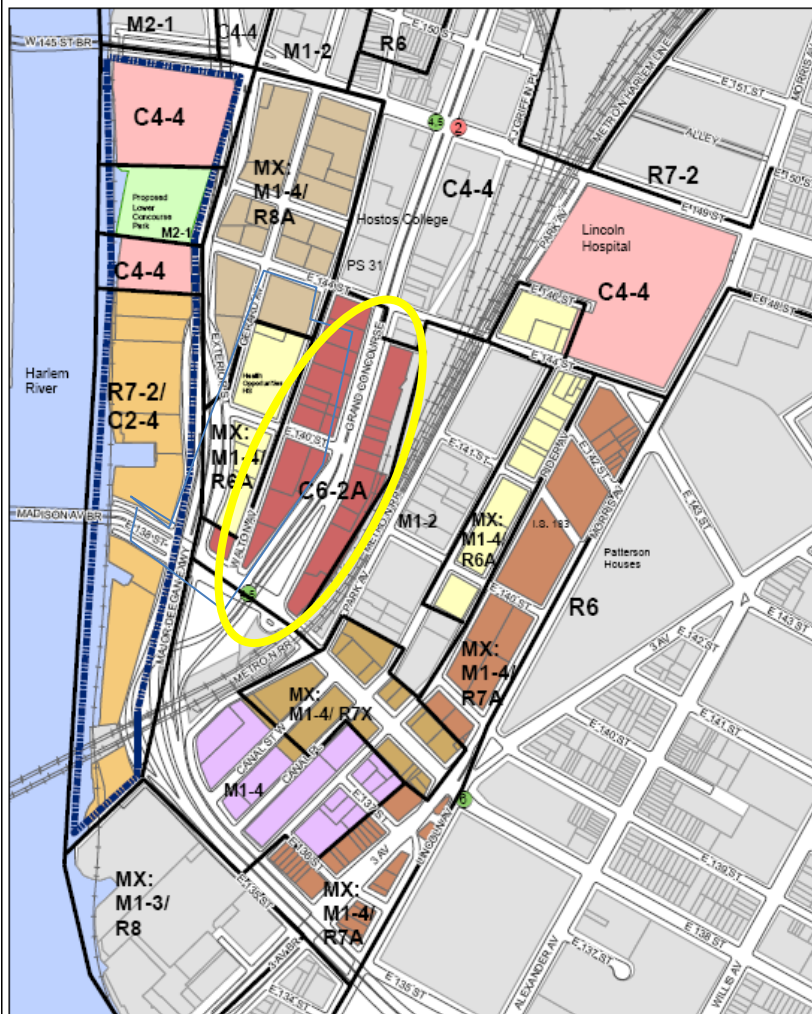
- M2-1 District FAR is 2.0, with current built FARs ranging from 0 to 2.88.

New Permitted Uses:

Residential: R7-2 Zoning encourages low apartment buildings on smaller zoning lots and, on larger lots, taller buildings with low lot coverage. The *Quality Housing Option* would allow developers higher lot coverage. The built FAR could be as high as 3.44.

Commercial: New C2-4 overlay would allow built commercial space at an FAR of up to 2.0 within the R7-2 district. Typical retail uses include grocery stores, restaurants and beauty parlors catering to the immediate neighborhood.

Land Use and Zoning Overview



Lower Concourse Rezoning
Proposed Zoning and Special District Bounds

Areas with Proposed C6-2A Zoning

Existing Zoning:

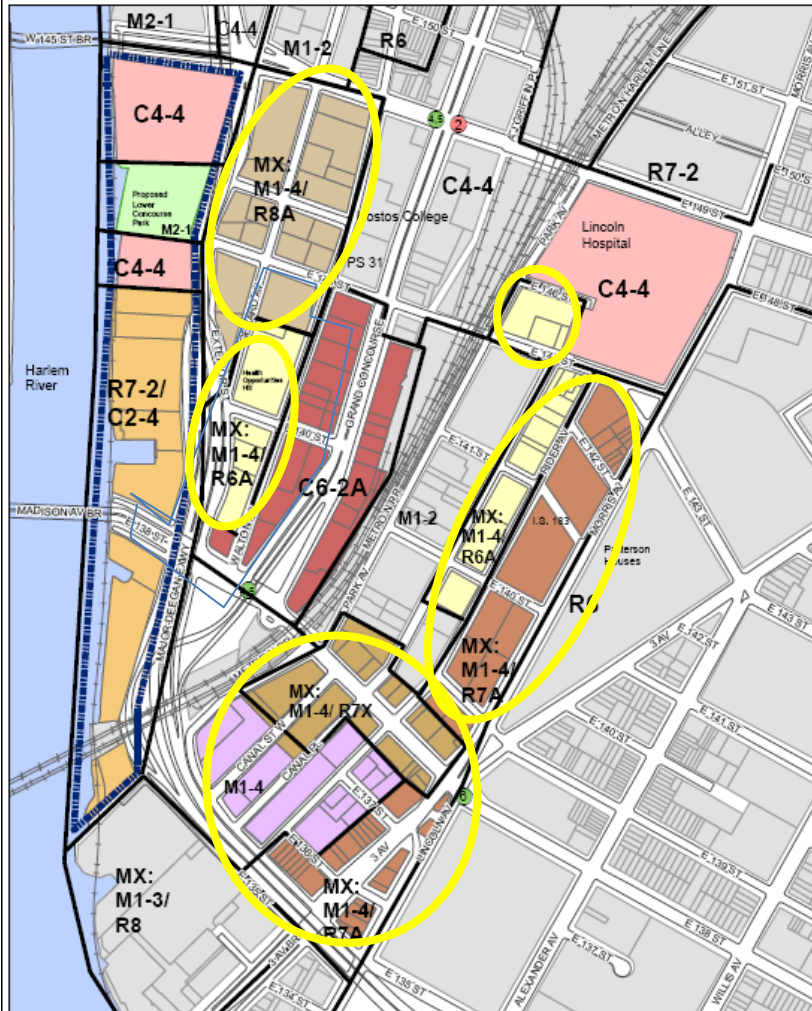
- M2-1 District FAR is 2.0, with current built FARs ranging from 0 to 2.24.

New Permitted Uses:

Residential: Quality Housing Program regulations (mandatory in this proposed district) could result in 10-12 story buildings. The Program would encourage development consistent with the character of the existing neighborhood. New FAR for residential use would be 6.02

Commercial- high bulk uses such as company headquarters, large hotels, entertainment facilities, retail stores and high-rise residences in mixed buildings. New FAR for commercial uses would be 6.0.

Land Use and Zoning Overview



Lower Concourse Rezoning
Proposed Zoning and Special District Bounds

Proposed Mixed Use Districts

(Mixed Use: M1-4 with R6A, /R7A, R7X, R8A)

Existing Zoning :

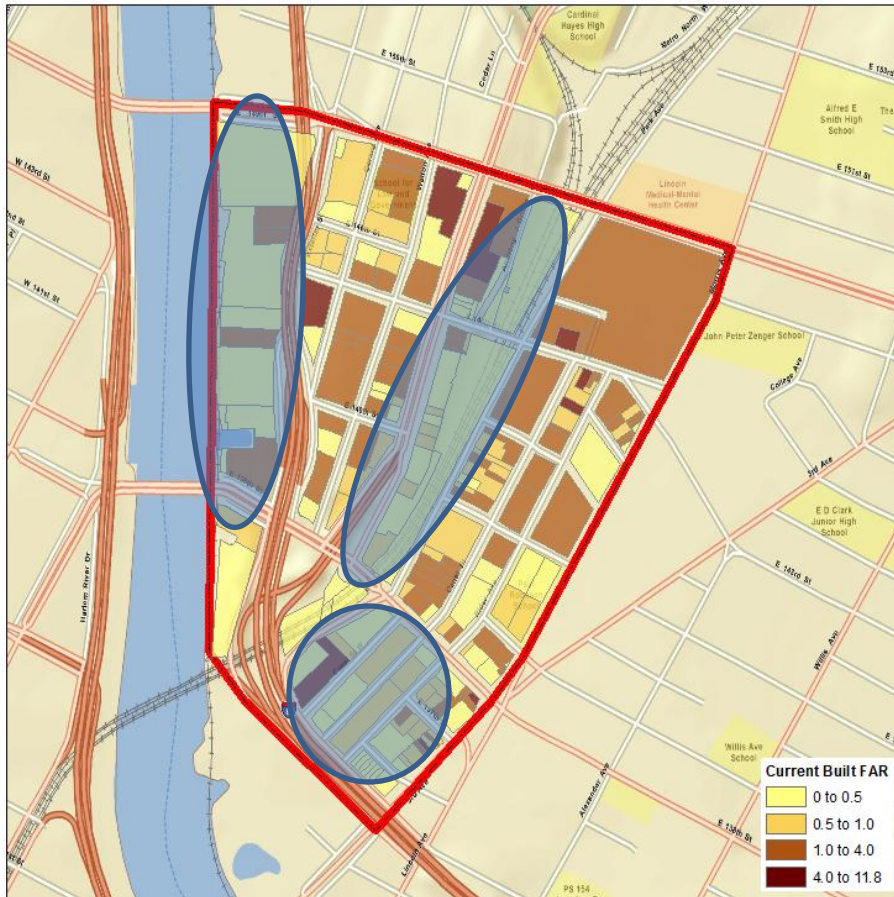
- M2-1- allowable FAR is 2.0; parking required; existing FARs range from 0 to 6.99.
- M1-2-District-allowable FAR of 2.0; existing FARs range from 0 to 11.76.
- R-6- Lots on proposed sites contain two lots with a 0 and 2.26 built FAR.
- C4-4- existing FAR ranges from .3 to 2.48.

New Permitted Uses:

Residential: Under R6A, mandatory Quality Housing bulk regulations would produce up to 70ft buildings with high lot coverage; 3.0 FAR; **Under R7A**, up to 80 ft, with a 4.0 FAR; **Under R7X**, up to 125ft, with a 5.0 FAR. **Under R8A**, up to 120ft. buildings with a 6.02 FAR.

Manufacturing: New M1-4 zoning would allow the same FAR, though would not require parking. New uses could consist of 1 or 2 story warehouses to multi-story lofts.

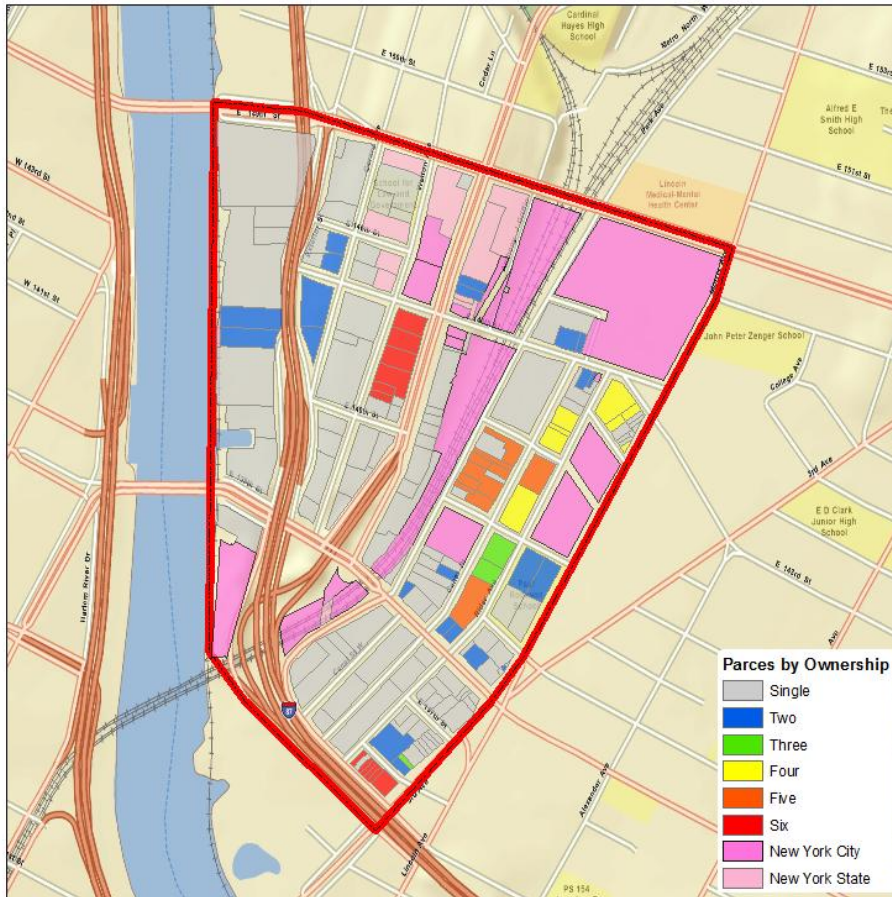
Land Use and Zoning Overview



Unimproved and Underutilized Parcels

- Currently, unimproved and underutilized parcels are concentrated along the central corridor, in the Harlem River waterfront area, and south of 138th Street.

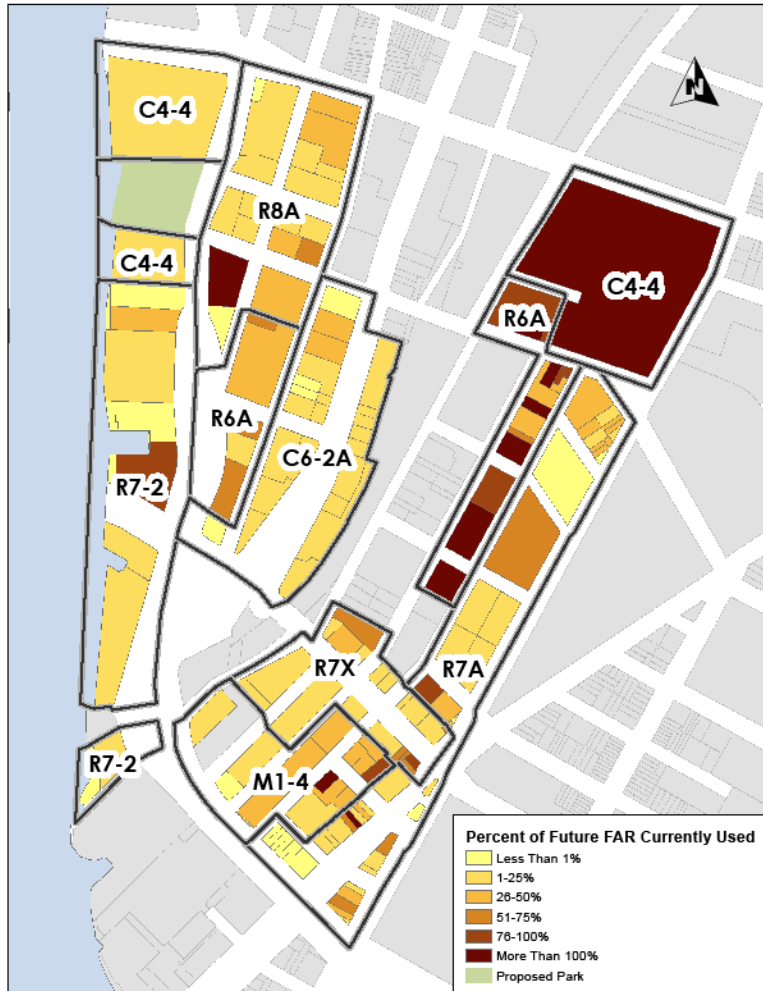
Land Use and Zoning Overview



Land Ownership

- All State property is owned by the New York State Dormitory Authority.
- City-owned property belongs to the City University of New York (CUNY) and the Health and Hospital Corporation.
- Other multiple property owners consist of Borden Realty Corp.; 385 Gerard, LLC and Simone Development Co.

Land Use and Zoning Overview

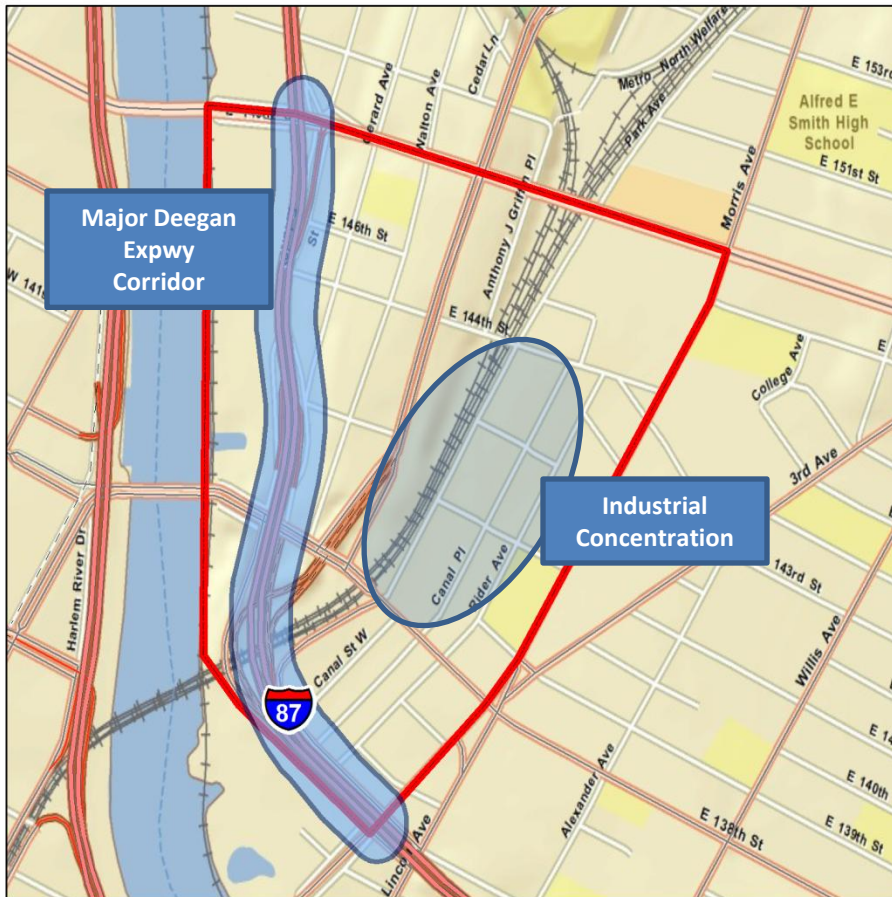


Build out opportunities under planned zoning:

- Lots along the waterfront and East 136th Street have the highest potential for growth.
- To the northeast, properties such as St. Francis Hospital and those along Canal Place would be fully built out.
- In general, a large portion of the study area lots will have the potential to increase their FAR by more than 50 percent.

*Districts labeled with zoning designation allowing for highest possible FAR.

Environmental Constraints



- Within a 200 ft buffer of the Highway, exists the potential for noise and air pollution impacts.
- Although the potential for pollution from industrial activities exists throughout the entire area, the central area is more prone to contamination due to the high concentration of industrial businesses such as heavy manufacturing establishments and waste transfer stations.
- Other parcel specific uses such as gas stations and auto repair shops may also have caused contamination.

Major Existing Policies

Hunts Point Vision Plan- Sponsored by Hunts Point Community Development Corporation and Sustainable South Bronx , the plan seeks to improve the quality, and proposed a bicycle and pedestrian trail along the Hunts Point waterfront with a connection to Randall's Island.

South Bronx Greenway- The proposed waterfront greenway would provide waterfront access to the South Bronx, connect to the City's existing and proposed greenway projects, create alternative means of transportation, improve air quality, and provide opportunities for compatible economic development.

Port Morris Rezoning (1997)- Established a special district (MX), which encouraged the rehabilitation of approximately 42 rowhouses, the creation and reactivation of more than 150 residential units, including 50 lofts in the former Estey Piano Factory, and the opening of new ground floor retail and exhibit spaces.

Synthesis/Conclusion

- The study area is in a central location with great access to region's infrastructure network, which could be beneficial for a larger residential population commuting to the employment centers as well as commercial businesses that need to be close to their customer base.
- The distribution of existing commercial businesses and employment indicates an increasing influx of non-industrial uses (i.e. large share of professional service businesses and employment).
- The planned rezoning is expected to bring about much needed housing and employment to the area, while simultaneously accommodating existing manufacturing uses in the area.

Synthesis/Conclusion

- New zoning would permit a variety of residential and commercial opportunities. Densities under the highest allowable FAR could be increased on approximately 150 properties.
- The new zoning would promote a substantial increase in residential use. New residential construction could consist of a range of small rowhouses and large residential complexes.
- An increase in commercial uses would bring in a larger variety of activities and attracting more spending to the area. New uses could include neighborhood retail stores (e.g. restaurants, delis, beauty salons or repair services) or larger commercial users such as warehouses, hotels or entertainment facilities.
- Areas most prone to new development are the Harlem River waterfront and the area between 138th Street and the Bruckner Expressway.

APPENDIX G

LOWER CONCOURSE REZONING TEXT AMENDMENTS

Lower Concourse and Special Harlem River Waterfront District Text Amendment

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is to be deleted;

Matter with # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

* * *

Article I

General Provisions

Chapter 1

Title, Establishment of Controls and Interpretation of Regulations

* * *

11-12

Establishment of Districts

* * *

Establishment of the Special Grand Concourse Preservation District

* * *

Establishment of the Special Harlem River Waterfront District

In order to carry out the special purposes of this Resolution as set forth in Article VIII Chapter 7, the #Special Harlem River Waterfront District# is hereby established.

* * *

Chapter 2

Construction of Language and Definitions

* * *

12-10

DEFINITIONS

* * *

Special Harlem River Waterfront District

The "Special Harlem River Waterfront District" is a Special Purpose District designated by the letter "HRW" in which special regulations set forth in Article VIII Chapter 7 apply. The #Special Harlem River Waterfront District# appears on the #zoning maps# superimposed on other districts and its regulations supplement and supersede those of the districts on which it is superimposed.

* * *

Article II Residence District Regulations

Chapter 3 Bulk Regulations for Residential Buildings in Residence Districts

* * *

23-144

In designated areas where the Inclusionary Housing Program is applicable

In #Inclusionary Housing designated areas#, as listed in the following table, the maximum permitted #floor area ratios# shall be as set forth in Section 23-942 (In Inclusionary Housing designated areas). The locations of such districts are specified in Section 23-922 (Inclusionary Housing designated areas).

Community District	Zoning District
<u>Community District 1, Bronx</u>	<u>R6A R7-2 R7A R7X R8A</u>
Community District 1, Brooklyn	R6 R6A R6B R7A
Community District 2, Brooklyn	R7A
Community District 3, Brooklyn	R7D
Community District 7, Brooklyn	R8A
Community District 6, Manhattan	R10
Community District 7, Manhattan	R9A
Community District 2, Queens	R7X

* * *

23-90

INCLUSIONARY HOUSING

* * *

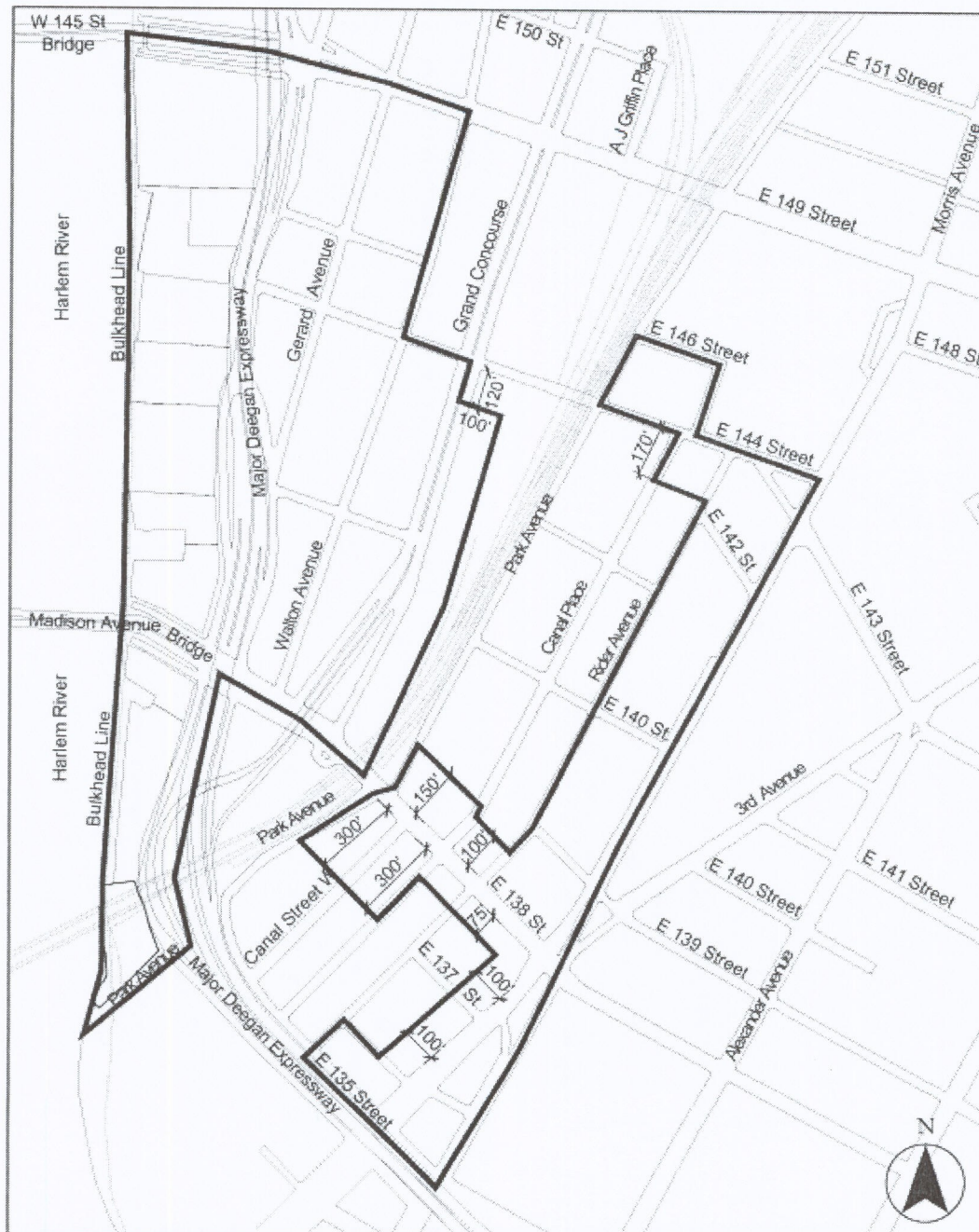
23-922

Inclusionary housing designated areas

The Inclusionary Housing Program shall apply in the following areas:

* * *

- (17) In Community District 1, in the Borough of the Bronx, in the R6A, R7-2, R7A, R7X and R8A Districts within the areas shown on the following Map 17:



Map 17. Portion of Community District 1, Bronx

* * *

Article IV
Manufacturing District Regulations

Chapter 2
Use Regulations

* * *

42-10
USES PERMITTED AS-OF-RIGHT

* * *

42-12
Use Groups 3A, 6A, 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14 and 16

M1 M2 M3

Use Group 3A shall be limited to Museums that are ancillary to existing Motion Picture Production Studios or Radio or Television Studios, provided they are located within 500 feet of such studios and do not exceed 75,000 square feet of #floor area#.

Use Groups 6A except that foodstores, including supermarkets, grocery stores, or delicatessen stores, shall be limited to 10,000 square feet of #floor area# per establishment, 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14 and 16 as set forth in Sections 32-15 to 32-23, inclusive, and Section 32-25. However, in Community District 1, in the Borough of the Bronx, in M1-4 Districts, foodstores, including supermarkets, grocery stores, or delicatessen stores, shall be limited to 30,000 square feet of #floor area# per establishment.

* * *

Article VI
Special Regulations Applicable to Certain Areas

* * *

Chapter 2
Special Regulations Applying in the Waterfront Area

* * *

62-90
WATERFRONT ACCESS PLANS

* * *

62-92

Borough of The Bronx

The following Waterfront Access Plans are hereby established within the Borough of the Bronx. All applicable provisions of Article VI, Chapter 2, remain in effect within the areas delineated by such plans, except as expressly set forth otherwise in the plans:

BX-1: Harlem River, in the #Special Harlem River Waterfront District#, as set forth in Section 87-60 (Harlem River Waterfront Access Plan).

* * *

Note: All text in Article VIII, Chapter 7 is new; it is not underlined.

Article VIII

Special Purpose Districts

Chapter 7

Special Harlem River Waterfront District

87-00

GENERAL PURPOSES

The "Special Harlem River Waterfront District" established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- (a) maintain and reestablish physical and visual public access to and along the waterfront;
- (b) create a lively and attractive built environment that will provide amenities and services for the use and enjoyment of area residents, workers and visitors;
- (c) promote the pedestrian orientation of ground floor uses in appropriate locations, and thus safeguard a traditional quality of higher density areas of the City;
- (d) encourage well-designed new development that complements the built character of the neighborhood;
- (e) take advantage of the Harlem River waterfront and provide an open space network comprised of parks, public open space and public access areas;
- (f) provide flexibility of architectural design within limits established to assure adequate access of light and air to streets and public access areas, and thus to encourage more attractive and economic building forms; and

- (g) promote the most desirable use of land and building development in accordance with the District Plan for the Harlem River waterfront.

87-01

Definitions

Parcel 1 Building Line

The "Parcel 1 Building Line" shall be:

- (a) in the event that the portion of the Major Deegan Expressway traversing Parcel 1 has been widened after (effective date of amendment), a line 22 feet west of and parallel to the as-built western edge of such expressway structure; or
- (b) in the event that the portion of the Major Deegan Expressway traversing Parcel 1 has not been widened after (effective date of amendment), a line connecting the points described below.
 - (1) a point located on the southern #street line# of East 149th Street that is 47 feet west of its intersection with Exterior Street; and
 - (2) a point on the southern boundary of Parcel 1 that is 107 feet west of its intersection with Exterior Street.

87-02

General Provisions

In harmony with the general purpose and intent of this Resolution and the general purposes of the #Special Harlem River Waterfront District#, the regulations of the #Special Harlem River Waterfront District# shall apply to all #developments#, #enlargements#, alterations and changes of #use# within the #Special Harlem River Waterfront District#, except as otherwise provided in this Chapter. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

87-03

District Plan and Maps

The regulations of this Chapter are designed to implement the #Special Harlem River Waterfront District# Plan as set forth in the Appendix to this Chapter. The plan area has been divided into parcels consisting of tax blocks and lots as established on (effective date of amendment), as follows:

Parcel 1: Block 2349, Lot 112

- Parcel 2: Block 2349, Lot 100
- Parcel 3: Block 2349, Lots 46, 47 & 146
- Parcel 4: Block 2349, Lot 38
- Parcel 5: Block 2349, Lots 15 & 20
- Parcel 6: Block 2349, Lots 3 & 4
- Parcel 7: Block 2323, Lot 43
- Parcel 8: Block 2323, Lot 28
- Parcel 9: Block 2323, Lots 5, 13 & 18

The District Plan includes the following maps:

- Map 1 #Special Harlem River Waterfront District# and Parcels
- Map 2 Waterfront Access Plan: Public Access Elements

87-04

Applicability of Article I, Chapter 1

Within the #Special Harlem River Waterfront District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for hazardous material contamination, noise or air quality, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection of the City of New York stating:

- (a) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or
- (b) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

87-05

Applicability of Article VI, Chapter 2

Parcels 1, 2, 3 and 4, as shown on Map 1 (Special Harlem River District and Parcels) shall be considered #waterfront zoning lots#, notwithstanding the mapping of any #streets# on such parcels after (effective date of amendment).

87-06

Modification of Use and Bulk Regulations for Parcels Containing Newly Mapped Streets

In the event that #streets# are mapped on Parcels 1, 2, 3 and 4 after (effective date of amendment), the area within such #streets# may continue to be considered part of the #zoning lot# for the purposes of applying all #use# and #bulk# regulations of this Zoning Resolution.

87-10

SPECIAL USE REGULATIONS

The #use# regulations of the underlying districts are modified in Sections 87-11 through 87-24, inclusive.

As used in this Section, “ground floor level” shall mean the finished floor level within five feet of an adjacent public sidewalk or any other publicly accessible open area.

87-11

Vehicle Storage Establishments

Commercial or public utility vehicle storage, open or enclosed, including #accessory# motor fuel pumps as listed in Use Group 16C shall be a permitted #use# on Parcel 5, provided that:

- (a) such #use# is the primary #use# on the parcel;
- (b) no more than 10,000 square feet of #floor area# shall be provided on Parcel 5, and
- (c) a #shore public walkway# is provided as set forth in paragraph (a) of Section 87-61 (Public Access Provisions by Parcel).

The streetscape provisions of Section 87-13, the maximum width of establishment provisions of Section 87-23 and the special height and setback regulations of Section 87-30, inclusive, shall not apply to such #use#.

87-12

Location of Commercial Space

The provisions of Section 32-422 (Location of floors occupied by non-residential uses) are modified to permit #residential uses# on the same #story# as a non-#residential use# provided no access exists between such #uses# at any level containing #residences# and provided any non-#residential uses# are not located directly over any #residential use#. However, such non-#residential uses# may be located over a #residential use# by authorization of the City Planning Commission upon a finding that sufficient separation of #residential uses# from non-#residential uses# exists within the #building#.

87-13

Streetscape Regulations

(a) Ground floor #use#

All #uses# shall have a depth of at least 25 feet from #building walls# facing a #shore public walkway#, #park# or #upland connection#. Lobbies and entrances may not occupy more than 20 feet or 25 percent of such #building wall# width, whichever is less. The level of the finished ground floor shall be located not higher than two feet above nor lower than two feet below the as-built level of the adjacent public sidewalk or other publicly accessible open area.

For #buildings# on Parcels 1 through 6 that face a #shore public walkway#, #park# or #upland connection#, not less than 20 percent of the ground floor level #floor area# of such portions of #buildings#, to a depth of 25 feet shall consist of #uses# from Use Groups 6A, 6C, 6F, 8A, 8B and 10A, as set forth in Article III, Chapter 2.

(b) Transparency

Any #building wall# containing ground floor level #commercial# and #community facility uses# that faces a #shore public walkway#, #park# or #upland connection# shall be glazed with transparent materials which may include show windows, glazed transoms or glazed portions of doors. Such glazing shall occupy at least 70 percent of the area of each such ground floor level #building wall#, measured to a height of ten feet above the level of the adjoining public sidewalk or other publicly accessible open area or #base plane#, whichever is higher. Not less than 50 percent of the area of each such ground floor level #building wall# shall be glazed with transparent materials and up to 20 percent of such area may be glazed with translucent materials.

(c) Security Gates

All security gates that are swung, drawn or lowered to secure commercial or community facility premises shall, when closed, permit visibility of at least 75 percent of the area covered by such gate when viewed from the #street# or publicly accessible open area, except that this provision shall not apply to entrances or exits to parking garages.

87-14

Location of Underground Uses

Notwithstanding the provisions of Section 62-332 (Rear yards and waterfront yards), underground #uses#, such as parking garages, shall not be allowed in #waterfront yards#.

87-20

SPECIAL FLOOR AREA REGULATIONS

The #Special Harlem River Waterfront District# shall be an #Inclusionary Housing designated area#, pursuant to Section 12-10 (DEFINITIONS), for the purpose of making the Inclusionary Housing Program regulations of Section 23-90 (INCLUSIONARY HOUSING), inclusive, applicable as modified within the Special District.

87-21

Special Residential Floor Area Regulations

The base #floor area ratio# for any #zoning lot# containing #residences# shall be 3.0. Such base #floor area ratio# may be increased to a maximum of 4.0 through the provision of #lower income housing# pursuant to the provisions for #Inclusionary Housing designated areas# in Section 23-90 (INCLUSIONARY HOUSING), except that the height and setback regulations of paragraph (b) of Section 23-942 (In Inclusionary Housing designated areas) shall not apply. In lieu thereof, the height and setback regulations of this Chapter shall apply.

87-22

Special Retail Floor Area Requirement

For each square foot of #commercial floor area# in a #building# from the #uses# listed in paragraph (a) of this Section, an equal or greater amount of #residential#, #community facility# or #commercial floor area# from #uses# listed in paragraph (b) of this Section shall be provided.

(a) Use Groups 6A and 6C, except for:

Docks for ferries, other than #gambling vessels#, limited to an aggregate operational passenger load, per #zoning lot#, of 150 passengers per half hour, and

Docks for water taxis with vessel capacity limited to 99 passengers, and

Docks or mooring facilities for non-commercial pleasure boats;

The following from Use Group 10:

Carpet, rug, linoleum or other floor covering stores, with no limitation on #floor area# per establishment

Clothing or clothing accessory stores, with no limitation on #floor area# per establishment

Department stores

Dry goods or fabric stores, with no limitation on #floor area# per establishment

The following from Use Group 12:

Billiard parlor or pool halls

Bowling alleys or table tennis halls, with no limitation on number of bowling lanes per establishment

Eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments of any capacity with dancing

The following retail establishments:

Antique stores

Art gallery, commercial

Book stores

Candy or ice cream stores

Cigar and tobacco stores

Delicatessen stores

Drug stores

Gift shops

Jewelry or art metal craft shops

Music stores

Photographic equipment stores

Record stores

Stationery stores

Toy stores

(b) All #residential uses# in Use Groups 1 and 2

All #community facility uses# from Use Group 3, 4A, and 4B, except cemeteries

All #commercial uses# from Use Groups 5A, 6B and 8A

However, the City Planning Commission may authorize a modification or waiver of this provision upon finding that such #building# includes:

- (1) a superior site plan that enables safe and efficient pedestrian connectivity to and between establishments and publicly accessible open areas;
- (2) a superior parking and circulation plan that reduces conflicts between pedestrian and vehicular traffic, minimizes open parking lots, and limits conflicts between curb cuts;
- (3) a design that enhances and is integrated with publicly accessible open areas including provision of a public entrance fronting on a #waterfront public access area#;
- (4) a variety of retail establishments; and
- (5) #uses# that do not unduly affect the #residential uses# in the nearby area or conflict with future land use and #development# of adjacent areas.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects of any such #uses# on publicly accessible open areas.

87-23**Maximum Width of Establishments**

On Parcels 5 and 6, the width of any ground floor level #commercial# or #community facility# establishments facing a #shore public walkway# or #upland connection#, shall be limited to 60 feet for each #street wall# facing such #shore public walkway# or #upland connection#.

87-24**Location of Building Entrances**

On Parcels 1, 2, 3 and 4, the main front entrance of at least one #building#, as the term "main front entrance" is used in the New York City Fire Code, Section 502.1 (FRONTAGE SPACE), shall be located facing the #shore public walkway#. Such main front entrance of a #building# shall be:

- (a) on Parcel 1, located no less than 120 feet from 149th Street;
- (b) on Parcel 2, located no less than 95 feet from a #park#; and
- (c) on Parcels 3 and 4, located no less than 45 feet from an #upland connection#.

87-30**SPECIAL HEIGHT AND SETBACK REGULATIONS**

The underlying height and setback regulations shall not apply. In lieu thereof, the special height and setback regulations of this Section 87-30, inclusive, shall apply. For the purposes of applying such regulations:

- (a) a #shore public walkway#, #park#, #upland connection# or fire apparatus access road, as required by the New York City Fire Code, shall be considered a #street# and its boundary shall be considered a #street line#. However, the following shall not be considered #streets# for the purposes of applying the #street wall# location provisions of paragraph (a) of Section 87-32:
 - (1) Exterior street, and
 - (2) That portion of any other #street#, #park#, #upland connection# or fire apparatus access road that is located east of the #Parcel 1 Building Line#.
- (b) the height of all #buildings or other structures# shall be measured from the #base plane#.

87-31

Permitted Obstructions

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings#, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a maximum height limit, provided that either:

- (a) the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage; or
- (b) the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet. In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts).

87-32

Street Wall Location and Building Base

- (a) #Street wall# location

The #street wall# of the #development# or #enlargement# shall be located within five feet of the #street line# and extend along the entire frontage of the #zoning lot#, except that:

- (1) ground floor level recesses up to three feet deep shall be permitted for access to building entrances; and
- (2) to allow for corner articulation, the #street wall# may be located anywhere within an area bounded by intersecting #street lines# and lines 15 feet from and parallel to such #street lines#; and
- (3) for #buildings# that are required to locate at least one main front entrance facing a #shore public walkway#, pursuant to Section 87-24 (Location of Building Entrances), no portion of the #street wall# containing such entrance shall be closer to the #shore public walkway# than the main front entrance; and
- (4) no portion of a #building# facing a #shore public walkway#, except on Parcel 1, shall exceed a width of 300 feet.

However, on Parcel 1, in order to accommodate a sewer easement located within an area bounded by the eastern boundary of the #shore public walkway#, East 149th Street, a line 120 feet south of and parallel to East 149th Street and a line 120 feet east of and parallel to the #shore public walkway#, no #street wall# shall be required along that portion of East 149th Street and any fire apparatus access road within such easement area. Such area not #developed# as a fire apparatus access road and open to the sky shall be at least 35 percent planted and shall not be used for parking or loading. Furthermore, in the event such area contains a driveway, it shall be screened from the #shore public walkway# and East 149th Street, except for curb cuts and pedestrian paths, with densely planted evergreen shrubs maintained at a height of three feet.

(b) Minimum and Maximum Base Heights

The #street wall# of a #development# or #enlargement# shall rise without setback to a minimum base height of six #stories# or 60 feet, or the height of the #building#, whichever is less, and a maximum base height of eight #stories# or 85 feet, whichever is less, before a setback is required. However, on Parcels 5 and 6, for #street walls# facing a #shore public walkway#, the minimum base height shall be 20 feet and the maximum base height shall be four #stories# or 40 feet, whichever is less, before a setback is required. Any portion of a #building or other structure# that does not exceed such maximum base heights shall hereinafter be referred to as a "building base".

All portions of #buildings# that exceed the maximum base heights set forth in this paragraph, (b), shall be set back from the #street wall# of the #building# at least ten feet along a #shore public walkway#, #park# and Exterior Street, and at least 15 feet along an #upland connection#.

For #developments# or #enlargements# that exceed a height of eight #stories# or 85 feet, except on Parcels 5, 6, 7 and 9, not more than 40 percent of the #aggregate width of street walls# facing a #shore public walkway# shall rise without setback to at least a height of six #stories# or 60 feet, whichever is less, and at least 40 percent of the #aggregate width of street walls# facing a #shore public walkway# shall rise without setback to at least a height of eight #stories# or 85 feet, whichever is less.

Above the level of the second #story#, up to 30 percent of the #aggregate width of street walls# may be recessed, provided no recesses are located within 15 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, except where corner articulation is provided as set forth in subparagraph (a)(1) of this Section.

(c) Transition heights

All #street walls#, except on Parcels 5 and 6, may rise to a maximum transition height of 115 feet, provided that, except on Parcel 7, not more than 60 percent of the #aggregate width of street walls# facing a #shore public walkway# exceeds a height of 85 feet. On Parcels 5 and 6, a #street wall# may rise to a maximum transition height of 85 feet, without limitation.

All portions of #buildings# that exceed the transition heights set forth in this paragraph, (c), shall comply with the tower provisions of Section 87-33.

87-33

Towers

All #stories# of a #development# or #enlargement# located partially or wholly above the applicable transition height set forth in paragraph (c) of Section 87-32 shall be considered a "tower" and shall comply with the provisions of this Section. For #zoning lots# with less than 130,000 square feet of #lot area#, only one tower shall be permitted. For #zoning lots# with 130,000 square feet of #lot area# or more, not more than two towers shall be permitted.

(a) Maximum tower height

For #zoning lots# with 100,000 square feet of #lot area# or less, the maximum height of a #building# shall be 300 feet. The maximum height of #buildings# on #zoning lots# with more than 100,000 square feet of #lot area# shall be 400 feet; however, for #zoning lots# with two towers, such maximum #building# height of 400 feet shall apply to not more than one tower, a maximum #building# height of 260 feet shall apply to the second tower, and there shall be a height differential of at least 40 feet between both towers.

(b) Location rules for #zoning lots# adjacent to #parks#

Where a tower is provided on a #zoning lot# adjacent to a #park#, such tower or portion thereof shall be located within 85 feet of such #park#, and if two towers are provided on such #zoning lot#, the second tower or portion thereof shall be located either within 120 feet of East 149th Street or within 45 feet of an #upland connection#. Where two towers are provided on a #zoning lot# adjacent to a #park#, the shorter of the towers shall be located nearer the #park#.

(c) Maximum tower size

The outermost walls of each #story# located entirely above the applicable transition height shall be inscribed within a rectangle. The maximum length of any side of such rectangle shall be 135 feet. Each #story# of a tower located

entirely above the applicable transition height shall not exceed a gross area of 8,800 square feet.

(d) Tower top articulation

All #buildings# that exceed a height of 200 feet shall provide articulation in accordance with at least one of following provisions:

(1) Setbacks on each tower face

- (i) For #buildings# less than 260 feet in height, the highest three #stories#, or as many #stories# as are located entirely above a height of 200 feet, whichever is less, shall have a #lot coverage# of at least 50 percent of the #story# immediately below such #stories#, and a maximum #lot coverage# of 80 percent of the #story# immediately below such #stories#.
- (ii) For #buildings# 260 feet or more in height, the highest four #stories#, or as many #stories# as are located entirely above a height of 260 feet, whichever is less, shall have a #lot coverage# of at least 50 percent of the #story# immediately below such #stories#, and a maximum #lot coverage# of 80 percent of the #story# immediately below such #stories#.

Such reduced #lot coverage# shall be achieved by one or more setbacks on each face of the tower, where at least one setback on each tower face has a depth of at least four feet, and a width that, individually or in the aggregate, is equal to at least 10 percent of the width of such respective tower face. For the purposes of this subparagraph (1), each tower shall have four tower faces, with each face being the side of a rectangle within which the outermost walls of the highest #story# not subject to the reduced #lot coverage# provisions have been inscribed. The required setbacks shall be measured from the outermost walls of the #building# facing each tower face. Required setback areas may overlap.

(2) Three setbacks facing Harlem River

The upper #stories# of a tower shall provide setbacks with a minimum depth of 15 feet measured from the west facing wall of the #story# immediately below. Such setbacks shall be provided at the level of three different #stories#, or as many #stories# as are located entirely above a height of 230 feet, whichever is less. The lowest level at which such setbacks may be provided is 230 feet, and the highest #story# shall be located entirely within the eastern half of the tower.

87-40**SPECIAL REQUIREMENTS FOR CERTAIN ROADS AND SIDEWALKS****87-41****Fire Apparatus Access Roads**

Where a fire apparatus access road is provided as required by the New York City Fire Code, such road shall comply with the following requirements.

- (a) The width of a paved road bed shall be 34 feet, constructed to minimum Department of Transportation standards for public #streets#, including curbs and curb drops.
- (b) Curbs shall be provided along each side of the entire length of such road.
- (c) A minimum 13 foot paved sidewalk shall be provided adjacent to and along the entire length of the required curb.
- (d) For the purposes of making the #street# tree requirements of Section 26-41 applicable to fire apparatus access roads, a fire apparatus access road shall be considered a #street#.
- (e) All such roads shall be constructed with lighting, signage, materials and crosswalks to minimum Department of Transportation standards for public #streets#.

87-42**Sidewalks**

In the event that Parcel 1 is #developed# with #mixed-use buildings#, sidewalks shall be provided on Parcel 1 as follows:

- (a) Sidewalks with a depth of at least 15 feet, measured perpendicular to the curb of a #street#, shall be provided along the entire Exterior Street and 149th Street frontage of a #zoning lot#. In locations where the width of the sidewalk within the #street# is less than 15 feet, a sidewalk widening shall be provided on the #zoning lot# so that the combined width of the sidewalk within the #street# and the sidewalk widening equals 15 feet. However, existing #buildings# to remain on the #zoning lot# need not be removed in order to comply with this requirement.
- (b) A 22 foot wide walkway shall extend east of and along the #Parcel 1 Building Line#, linking East 149th Street and a #park#, or fire apparatus access road if such road is #developed# adjacent to the #park#. In the event that a parking lot is #developed# east of such walkway, the easternmost seven feet of such walkway shall be densely planted with evergreen shrubs maintained at a maximum height

of three feet above the adjoining walkway. Such walkway and planting strip may be interrupted to allow vehicular or pedestrian access.

- (b) Any driveway located east of the #Parcel 1 Building Line# that extends along a sewer easement and intersects Exterior Street shall have curbs and sidewalks with a minimum width of 13 feet along each curb, which may be interrupted to allow for vehicular access to a parking lot.

All sidewalks and sidewalk widenings shall be constructed or improved to Department of Transportation standards, shall be at the same level as the adjoining public sidewalks, and shall be accessible to the public at all times.

87-50

SPECIAL PARKING REGULATIONS

The following provisions shall apply to all parking facilities:

- (a) Use of parking facilities

All #accessory# off-street parking spaces may be made available for public use; any such space, however, shall be made available to the occupant of a #residence# to which it is accessory within 30 days after written request therefore is made to the landlord.

- (b) Off-site parking

The off-site parking location provisions of Sections 36-42 and 36-43 shall not apply. In lieu thereof, all permitted or required off-#street# parking spaces may be provided on a #zoning lot# other than the same #zoning lot# to which such spaces are #accessory#, provided the lot to be used for parking is within the #Special Harlem River Waterfront District#.

- (c) Location requirements for parking facilities

No parking facility, open or enclosed, shall front upon or be visible from

- (1) a #shore public walkway#, except as provided for in paragraph (e) for Parcel 5;
- (2) any #upland connection# or #park#, or portion thereof, that is located west of the #Parcel 1 Building Line#.

(d) Design requirements for enclosed off-street parking facilities

All enclosed off-street parking facilities shall be located either entirely below the level of any #street# or publicly accessible open area upon which such facility fronts, or when located above grade, in compliance with the following provisions:

- (1) The provisions of this subparagraph (1) shall apply to facilities facing a #shore public walkway#, #upland connection#, #park#, or northern #street line# of 138th Street.

Such facilities shall be located at every level above-grade, behind #commercial#, #community facility# or #residential floor area# with a minimum depth of 25 feet as measured any #building wall# facing a #shore public walkway#, or facing that portion of an #upland connection# or #park# located west of the #Parcel 1 Building Line# so that no portion of such parking facility is visible from the #shore public walkway#, #upland connection# or #park#. All such parking facilities shall be exempt from the definition of #floor area#.

On Parcel 6, the ground floor of a #building# within 60 feet of the intersection of Exterior Street and East 138th Street shall be occupied to a depth of 25 feet with #commercial#, #community facility# or #residential floor area# so that no portion of a parking facility is visible from such portion of Exterior Street or East 138th Street.

- (2) The provisions of this subparagraph (2) shall apply to facilities not facing a #shore public walkway#, or that portion of an #upland connection# or #park# located west of the #Parcel 1 Building Line#, or northern #street line# of East 138th Street.

Such facilities shall be designed so that:

- (i) any non-horizontal parking desk structures are not visible from the exterior of the #building# in elevation view;
- (ii) opaque materials are located on the exterior #building wall# between the bottom of the floor of each parking desk and no less than three feet above such deck; and
- (iii) a total of at least 50 percent of such exterior #building wall# with adjacent parking spaces consists of opaque materials which may include permitted #signs#, graphic or sculptural art, or living plant material.

(e) Open parking lots

The requirements of Section 37-90 (PARKING LOTS) and screening requirements for open parking lots of Article VI Chapter 2 (Special Regulations Applying in the Waterfront Area) are modified as set forth in this paragraph (e).

For the purposes of applying the requirements of Section 37-90 (PARKING LOTS), a fire apparatus access road shall be considered a #street#.

On Parcel 1, for parking lots or portions thereof located east of the #Parcel 1 Building Line#, no landscaping shall be required. Such parking lots shall be screened from #streets# and any other publicly accessible areas by ornamental fencing, excluding chain link fencing, with a surface area at least 50 percent open and not more than four feet in height. However, along that portion of Exterior Street located between East 149th Street and a sewer easement, a seven foot wide strip, densely planted with evergreen shrubs maintained at a height of three feet shall be provided.

On Parcel 5, if a commercial or public utility vehicle storage #use# , as listed in Use Group 16C, is #developed# or #enlarged# as the primary #use# on the parcel, the screening requirements applicable to open parking lots set forth in Article VI, Chapter 2 shall not apply. In lieu thereof, such open parking lot shall be screened from the adjacent #shore public walkway# and #upland connection# with a wall or fence, other than a chain link fence, not more than 50 percent opaque, and at least five feet in height, but not more than six feet in height.

(f) Roof parking

Any roof of a facility containing off-street parking spaces, not otherwise covered by a #building#, which is larger than 400 square feet shall be landscaped. Up to five percent of such roof area may be used for mechanical equipment, provided that such mechanical equipment is screened from view by a fence which is at least 75 percent opaque or by at least three feet of dense planting. Up to 25 percent of such roof area may be accessible solely from an adjacent #dwelling unit# and the remaining roof area shall be accessible for the recreational use of the occupants of the building in which it is located. Hard surfaced areas shall not cover more than 60 percent of such roof area.

87-51

Curb Cut Restrictions

On Parcels 1, 2, 3 and 4, no curb cuts shall be provided facing a #shore public walkway# and, further, on Parcel 2, no curb cuts shall be provided facing a #park#.

87-60

HARLEM RIVER WATERFRONT ACCESS PLAN

Map 2 (Waterfront Access Plan: Public Access Elements) in the Appendix to this Chapter shows the boundaries of the area comprising the Harlem River Waterfront Access Plan and the location of certain features mandated or permitted by the Plan.

87-61

Special Public Access Provisions

The provisions of 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS) shall apply as follows:

- (a) Shore public walkways
 - (1) The #shore public walkway# shall be constructed at an elevation of two feet above the highest level of the Oak Point Rail Link, except that:
 - (i) on Parcels 6 and 7, no such elevation requirement shall apply.
 - (ii) on Parcel 5, if commercial or public utility vehicle storage, as listed in Use Group 16C, is #developed# or #enlarged# as the primary #use# on the #zoning lots#, such elevation requirement shall not apply. However, if commercial or public utility vehicle storage, as listed in Use Group 16C, is not #developed# or #enlarged# as the primary #use# on the #zoning lots#, such elevation requirement shall only apply along the westernmost section of the #shore public walkway# to a depth of 40 feet.
 - (iii) on all #zoning lots#, a #shore public walkway# shall be required to meet the grade of an existing adjacent #street#, which may include deviating from such elevation requirement where necessary.
 - (2) A dead-end fire apparatus access road turnaround, as defined in the New York City Fire Code Section 503.2.5 (Dead-ends), may by certification extend into a designated #shore public walkway# as set forth in Section 87-73 (Certification to Allow Fire Apparatus Access Road Turnaround in Shore Public Walkways).
 - (3) In the event that a portion of a #waterfront zoning lot# is within 40 feet of the #shoreline#, yet does not abut the #shoreline# because of an intervening #zoning lot#, a #shore public walkway# shall be provided on such upland portion. The width of the #shore public walkway# on such portion shall be 40 feet measured from the #shoreline# of the intervening #zoning lot# and shall include the width of the intervening #zoning lot#. The portion of such #shore public walkway# located upland of the

intervening #zoning lot# shall be improved with a circulation path at least ten feet wide, and any required planted screening buffer shall have a width of at least four feet.

- (4) On Parcel 5, if a commercial or public utility vehicle storage #use# is #developed# or #enlarged# as the primary #use# on the parcel, the #shore public walkway# requirements set forth in Section 62-62 shall apply except that:
- (i) the required width of the #shore public walkway# may be reduced to a minimum of 20 feet along the northern edge of the inlet and may be reduced to a minimum of 30 feet along the eastern edge of the inlet.
 - (ii) the circulation path required in paragraph (a)(1) of Section 62-62 shall be modified to a minimum width of 10 feet along the northern and eastern edge of the inlet,
 - (iii) the screening provisions of paragraph (c)(2) of Section 62-62 shall not apply. In lieu thereof, a planted screening buffer with a width of four feet shall be provided. Such planted buffer shall consist of densely planted shrubs or multi-stemmed screening plants, with at least 50 percent being evergreen species. Shrubs shall have a height of at least four feet at the time of planting; and
 - (iv) in the event that the #upland connection# on Parcel 6 has not been #developed#, a ten foot wide pedestrian walkway between the #shore public walkway# and Exterior Street shall be provided on Parcel 5 adjacent to such #upland connection# location.

(b) Upland connections

#Upland connections# shall be located on Parcels 3, 4 and 6, as designated on Map 2 in the Appendix to this Chapter.

The provisions of Sections 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS) are modified as follows:

- (1) Parcel 3 may provide the #upland connection# at either of the two optional locations indicated on Map 2 in the Appendix to this Chapter.
- (2) The required width for an #upland connection# on Parcel 6, as indicated on Map 2, is reduced to 12 feet. Such #upland connection# shall be subject only to the applicable pedestrian path provisions.

(c) Supplemental public access areas

#Supplemental public access areas# pursuant to this Plan shall be provided on Parcels 1 and 2, as indicated on Map 2 in the Appendix to this Chapter, however, the requirement may be waived by certification by the Chairperson of the City Planning Commission as set forth in Section 87-62 (Certification to Waive Supplemental Public Access Area Requirement).

(d) Visual Corridors

#Visual corridors# shall be located within Parcels 1 and 4, and the #park#, as indicated on Map 2 in the Appendix to this Chapter.

87-62

Certification to Waive Supplemental Public Access Area Requirement

For Parcels 1 and 2, the requirement to provide a designated #supplemental public access area#, as indicated on Map 2 in the Appendix to this Chapter, may be waived by the Chairperson of the City Planning Commission upon finding that:

- (a) the site plan includes a vehicular connection through the #zoning lot# pursuant to the design guidelines set forth in Section 87-41 (Fire Apparatus Access Roads); and
- (b) a declaration of restrictions has been provided pursuant to Section 87-64 (Declaration of Restrictions); and
- (c) the design meets all applicable connection requirements set forth in Section 87-66 (Connection with adjacent zoning lots); and
- (d) such a vehicular connection either:
 - (1) on Parcel 1, provides access between East 149th Street and Exterior Street, serving all #buildings# along the #shore public walkway# and #park#; or
 - (2) on Parcel 2, provides a bidirectional connection between Exterior Street at its intersection with East 144th Street and the southernmost #lot line# of the #development#.

87-63

Certification to Allow Fire Apparatus Access Road Turnaround in Shore Public Walkways

On Parcels 2, 3 and 4, a dead-end fire apparatus access road turnaround, as defined in the New York City Fire Code Section 503.2.5 (Dead-ends), may by certification, extend into the designated #shore public walkway#, provided that:

- (a) a declaration of restrictions has been provided pursuant to Section 87-64; and
- (b) a fire apparatus access road abutting the shared #zoning lot line# between the #development# seeking certification under this section and Parcels 2, 3 or 4 does not exist; and
- (c) the fire apparatus access road serves as a segment of a bidirectional loop road along the #shore public walkway#, providing a connection to Exterior Street at the northeast corner of Parcel 2 and a connection to Exterior Street at the southeast corner of Parcel 4.

Such turnaround shall have a diameter of 70 feet and be located at the end of the fire apparatus access road, abutting the adjacent #lot line#. At no point may the turnaround extend into the #shore public walkway# for a distance greater than 23 feet. Sidewalks shall not be required adjacent to the turnaround. The portion of the turnaround that lies within a #shore public walkway# shall remain clear of obstacles, shall be composed of permeable materials, and shall meet all applicable requirements set forth in the New York City Fire Code Section 503.1.1 (Fire apparatus access roads). In addition, the roadbed material of a fire apparatus access road leading to a vehicular turnaround may be extended into the turnaround provided the area of the turnaround paved with such material is not wider than the roadbed leading to the turnaround. The remaining portions of the turnaround shall be paved with distinct materials to facilitate pedestrian usage. In addition, the level of the area within the turnaround shall be raised to be flush of the level of adjoining sidewalks.

87-64

Declaration of Restrictions

For any fire apparatus access road proposed for certification pursuant to Sections 87-62 or 87-63, a declaration of restrictions shall be provided to guarantee the construction, improvement, operation, maintenance and repair of such road, to guarantee that such road remains open, unobstructed and accessible to all members of the public, except as necessary to avoid public dedication, and to ensure compliance with all applicable provisions. Such declaration of restrictions shall be prepared in a form acceptable to the Department of City Planning, shall be filed and duly recorded in the Borough Office of the Register of the City of New York and indexed against the property. Filing and recording of the declaration of restrictions shall be a precondition for the Chairperson's certification under Section 87-62 and 87-63, where applicable.

For certifications proposed pursuant to Section 87-63, at the time a declaration of restrictions has been provided by the adjacent #development#, pursuant to this section, permitting vehicular connection between #zoning lots#, the #zoning lot# containing a previously constructed fire apparatus access turnaround shall be responsible for the following actions on the portion of the connection on such #zoning lot#:

- (a) deconstructing the fire apparatus access road turnaround; and
- (b) re-landscaping the area that had extended into the #shore public walkway#, so as to create the conditions of the immediately surrounding #shore public walkway#, which may include any combination of tree planting, laying sod, removing pavers, or any other required landscaping action; and
- (c) extending all required sidewalks that had remained short of the #lot line# to the shared #lot line# to connect to the required adjacent sidewalks and enable pedestrian movement across #developments#; and
- (d) complying with all applicable waterfront rules, street regulations and the New York City Fire Code.

87-65

Applicability of Waterfront Regulations

In the event that #streets# are mapped on Parcels 1, 2, 3 and 4 after (effective date of amendment), the area within such #streets# may continue to be considered part of the #zoning lot# for the purposes of applying all waterfront regulations of the Zoning Resolution.

87-66

Connection with Adjacent Zoning Lots




The following provisions apply to #developments# pursuing certification pursuant to either Section 87-62 (Certification to Waive Supplemental Public Access Area Requirement) or Section 87-63 (Certification to Allow Fire Apparatus Access Road Turnaround in Shore Public Walkways).

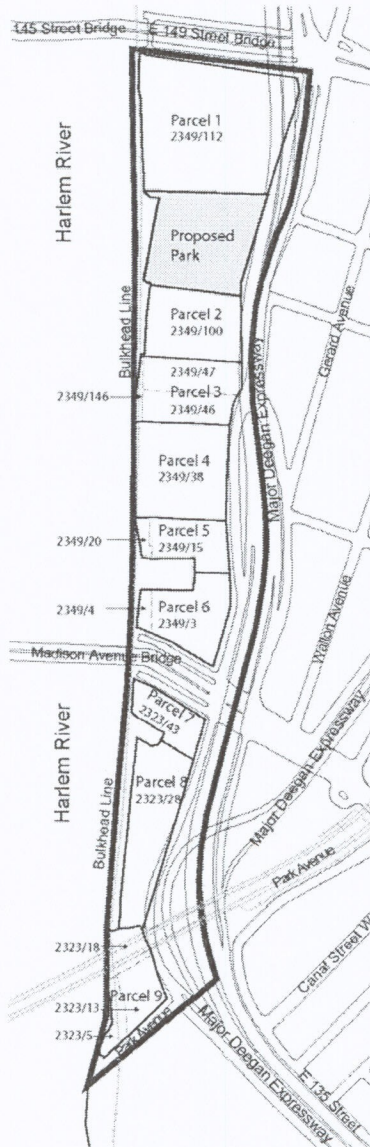
On each of Parcels 2, 3 and 4, and only among Parcels 2, 3 and 4, a #development# shall provide a connection for bidirectional vehicular travel at an adjacent #zoning lot line# if such adjacent #zoning lot# has previously constructed a connection that terminates at the shared #lot line#. Any connection of fire apparatus access roads across a shared #zoning lot line# must meet the grade of and maintain the street width of the existing adjacent private street. In addition to such physical shared #lot line# connection, a private road declaration shall be provided pursuant to the provisions of Section 87-74 of this Chapter. A connection need not be opened unless and until such declaration of restrictions, in accordance with 87-74, has been recorded against the adjacent #zoning lot#.

When no connection for vehicular travel terminating at the opposite side of a shared #zoning lot line# exists, one may, by certification pursuant to Section 87-63, construct a dead-end fire apparatus access road turnaround that may extend into the designated #shore public walkway#. Such certification is also contingent upon providing a declaration of restrictions, in accordance with Section 87-64.








APPENDIX

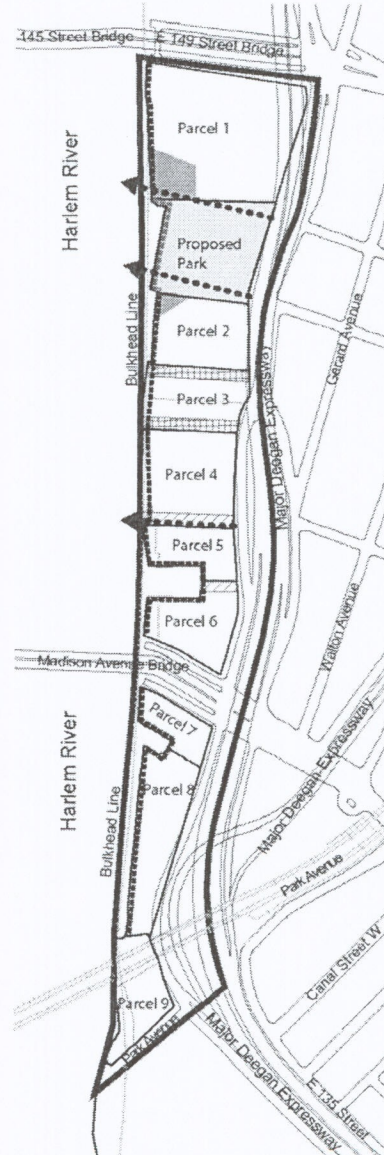
Map 1: Special Harlem River
Waterfront District and Parcels

-  Special Harlem River District
-  Parcel line
-  Tax lot line
- 2349/112 Tax block/Lot number



Map 2: Waterfront Access Plan : Public Access Elements

-  Special Harlem River District
-  Shore Public Walkway / Waterfront Yard
-  Shore Public Walkway in Park
-  Visual Corridor (Designated Location)
-  Upland Connection (Designated Location)
-  Upland Connection (Variable Location)
-  Supplemental Public Access Area (Designated Location)



* * *

Note: Only underlined text is new in the following Section.

Article XII - Special Purpose Districts

* * *

Chapter 3

Special Mixed Use District

* * *

123-66

Height and Setback Regulations

* * *

123-662

All buildings in Special Mixed Use Districts with R6, R7, R8, R9 and R10 District designations

* * *

TABLE B

* * *

In addition, in #Special Mixed-Use District# 13 in the Borough of The Bronx, at least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and shall extend to at least the minimum base height specified for the applicable district as set forth in Table B above, or the height of the #building#, whichever is less. The remaining 30 percent of the #aggregate width of street walls# may be located beyond eight feet of the #street line#. Existing #buildings# may be vertically #enlarged# by up to one #story# or 15 feet without regard to the #street wall# location provisions of this paragraph.

* * *

123-90

SPECIAL MIXED USE DISTRICTS SPECIFIED

The #Special Mixed Use District# is mapped in the following areas:

* * *

#Special Mixed Use District# - 13: (effective date)

Lower Concourse, Bronx

The #Special Mixed Use District# - 13 is established in the Lower Concourse in The Bronx as indicated on the #zoning maps#.

APPENDIX H

PRELIMINARY DEVELOPMENT MATERIALS FOR PROJECTS AT STRATEGIC SITES # 1, 3, 4, AND 5

STRATEGIC SITE #1 - RIDER AVENUE

Feasibility Analysis: Affordable Housing + Ground-Floor Commercial

STRATEGIC SITES #3 AND #4 - VISTA 1 & 2

Feasibility Analysis, Preliminary Design (Schemes A & B): Mixed Income Housing + Commercial and Community Space

STRATEGIC SITE #5 - 2568 PARK AVENUE

Project Narrative, Projected Development Budget: New Warehouse for Lumber Company

BOA STRATEGIC SITE 1
Rider Avenue

DRAFT

SOURCES AND USES			
Construction Sources			
		per DU	% of total
Construction Bond Amount	2,324,729	\$41,513	14.07%
HDC Second Mortgage	4,200,000	\$75,000	25.43%
HPD Third Mortgage (HTF)	2,800,000	\$50,000	16.95%
HPD Fourth Mortgage (PLP)	4,200,000	\$75,000	25.43%
Deferred Developer's Fee	841,121	\$15,020	5.09%
Developer Equity	2,152,888	\$38,444	13.03%
NYS Tax Credit	-		
TOTAL SOURCES	16,518,738	\$294,977	100.00%
Permanent Sources			
HDC First Mortgage	\$5,467,738	\$97,638	32.80%
HDC Second Mortgage	\$4,200,000	\$75,000	25.20%
HPD Third Mortgage (HTF)	\$2,800,000	\$50,000	16.80%
HPD Fourth Mortgage (PLP)	\$4,200,000	\$75,000	25.20%
NYS Tax Credit	\$0		
TOTAL SOURCES	\$16,667,738	\$297,638	100.00%
USES			
Acquisition Cost	\$1,200,000	\$21,429	7.35%
Construction Cost	\$12,075,000	\$215,625	73.96%
Soft Costs	\$2,551,617	\$45,565	15.63%
Developer's Fee	\$500,000	\$8,929	3.06%
TOTAL USES	\$16,326,617	\$291,547	100.00%

CASH FLOW		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15	Year 16	Year 17	Year 18	Year 19	Year 20
	% Increases																				
EFFECTIVE INCOMES																					
Residential Income	2%	739,586	754,378	769,466	784,855	800,552	816,563	832,894	849,552	866,543	883,874	901,552	919,583	937,974	956,734	975,869	995,386	1,015,294	1,035,600	1,056,312	1,077,438
Parking Income	5%	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Commercial Income	5%	121,500	121,500	127,575	127,575	133,954	133,954	140,651	140,651	147,684	147,684	155,068	155,068	162,822	162,822	170,963	170,963	179,511	179,511	188,486	188,486
Community Space Income	5%	15,750	15,750	16,538	16,538	17,364	17,364	18,233	18,233	19,144	19,144	20,101	20,101	20,101	20,101	20,101	20,101	20,101	20,101	20,101	20,101
Ancillary Income	2%	7,280	7,426	7,574	7,726	7,880	8,038	8,198	8,362	8,530	8,700	8,874	9,052	9,233	9,417	9,606	9,798	9,994	10,194	10,398	10,606
Total Income		884,116	899,054	921,152	936,693	959,750	975,919	999,977	1,016,799	1,041,901	1,059,403	1,085,596	1,103,804	1,130,130	1,149,074	1,176,538	1,196,248	1,224,900	1,245,406	1,275,297	1,296,631
EXPENSES																					
M&O Expenses	5%	305,935	321,232	337,293	354,158	371,866	390,459	409,982	430,481	452,005	474,606	498,336	523,253	549,415	576,886	605,730	636,017	667,818	701,209	736,269	773,082
Building Reserve	2%	14,000	14,280	14,566	14,857	15,154	15,457	15,766	16,082	16,403	16,731	17,066	17,407	17,755	18,110	18,473	18,842	19,219	19,603	19,995	20,395
Total Expenses		319,935	335,512	351,859	369,015	387,020	405,916	425,748	446,563	468,409	491,337	515,402	540,660	567,171	594,997	624,203	654,859	687,037	720,812	756,264	793,478
NOI		564,181	563,542	569,293	567,678	572,730	570,003	574,228	570,236	573,493	568,066	570,194	563,144	562,960	554,078	552,335	541,389	537,863	524,594	519,032	503,153
Debt Service		542,153	542,153	542,153	542,153	542,153	542,153	542,153	542,153	542,153	542,153	542,153	542,153	542,153	542,153	542,153	542,153	542,153	542,153	542,153	542,153
Net Cash Flow		22,029	21,389	27,141	25,526	30,578	27,850	32,076	28,083	31,340	25,913	28,041	20,992	20,807	11,925	10,183	-764	-4,290	-17,559	-23,120	-38,999

12-year Cumulative Cash Flow: 320,957

DEVELOPMENT BUDGET			
	Developer	HDC	
Acquisition Cost	\$1,200,000		\$0 per sf - per du
Construction Cost			
Contractor Price	\$11,500,000		\$196 per sf
Remediation	\$750,000		\$0 per du
Contingency	\$575,000		5.00% of contractor px
Total Hard Cost	\$12,075,000		\$0 \$195/sq ft \$0 per du
Soft Costs			
<i>Soft Cost</i>			
Borrower's Legal	\$80,000		
Borrower's Engineer/Architect Fees	\$442,625		3.50% of total HC
Accounting (cost cert, 95/5, audit)	\$25,000		
BCP	\$125,000		
Zoning/Variance Consultant	\$0		
Owner's Rep	\$50,000		
421 A	\$65,306		0.40% of tot dev cost
421 Consultant	\$10,000		
Bank's Engineer	\$30,000		
Bank/HPD Legal	\$45,775		
Environmental Phase I,2 & EAS	\$55,000		
Borings	\$15,000		
Survey	\$10,000		
Title Insurance	\$121,723	\$121,723	0.90% HDC cons 1st & 2nd
Appraisal	\$12,000		
Development Consultant	\$0		
Variance (CERQ etc)	\$0		
NYSERDA Multifamily	\$40,000		
Other: DOB Filing Fees	\$40,000		
<i>Subtotal</i>	\$1,167,429		
<i>Fees & Cost of Issuance</i>			
Bank Commitment Fee	\$23,509	\$23,509	1.00% of LOC amt
HPD Bank Commitment & Legal	\$42,000	\$42,000	
Annual L/C Fee & Servicing Fee	\$51,426	\$51,426	1.25% of LOC amt
HDC Fee	\$17,435	\$17,435	0.75% of HDC cons 1st
Costs of Issuance	\$34,871	\$34,871	1.50% of HDC cons 1st
Mortgage Recording Tax	\$0		
Marketing	\$50,000		0 per du
<i>Subtotal</i>	\$219,241		
<i>Carrying Costs</i>			
Construction Interest	\$401,919	\$401,919	
Negative Arbitrage	\$47,948	\$47,948	
Real Estate Taxes	\$60,000		
Water and Sewer	\$10,000		
Acquisition Interest	\$200,000		
Utilities	\$38,500		
Security	\$60,000		
Insurance	\$70,000		
Operation during rent up	\$60,000		
<i>Subtotal</i>	\$948,367		
<i>Reserves</i>			
HPD Social Service Reserve			- per homeless du
Capitalized Operating Reserve	\$75,000		- per du
Replacement Reserve	\$14,000	\$14,000	
<i>Subtotal</i>	\$89,000		
Soft Cost Contingency	\$127,581		5.0% of soft costs
Total Soft Costs	\$2,551,617		
Subtotal Development Costs	\$15,826,617		
Developer's Fee	\$500,000		0.00% of TDC less Dev Fee
Total Development Cost:	\$16,326,617	\$16,326,617	

BOA STRATEGIC SITES # 3 & 4
Vista 1 & 2
2401 Third Avenue, 101 Lincoln Ave.
Mixed-Use

DRAFT

Sources of Funds	
HDC 1st	176,954,934
HDC 2nd	54,862,500
HPD - MIRP	66,500,000
HPD -BP	0
NYC Housing Trust Fund	33,250,000
Deferred Dev. Fee	0
Tax Credit Raise (100% of units)	78,307,176
	409,874,610
Uses	420,679,502
Difference	(10,804,892) Excess /(Shortfall)

Assumptions	
Number of Buildings	Tbd
Number of Units	1,330
Number of Rooms	4,658
Acquisition	37,000,000
Construction Cost/du	229,451
Rent/Rm/Mo	0
Number zoning rooms	
M&O per rm/year	1,212
(calculated at right-->)	
Commercial s.f.	160,000
Operating Reserve/du	
Permanent interest rate	%
Years of Cash Flow	30

Income and Expense			
Gross Income	17,051,196		
Less 5% Vacancy	(852,560)		
Eff. Commercial Income	0		
Eff. Ancillary Income	33,300		
Effective Gross Income	16,231,936		
Expenses			
Real Estate Tax	0	only on retail portion	
Water & Sewer	605,540		
Insurance	731,500		
Staff	123,000		
Elevator	20,000		
Cleaning	232,900		
Heat	1,164,500		
Gas & electric	609,440		
Management (6%)	971,918		
Painting	186,320		
 Repairs & replacement	 532,000		
 Telephone	 0		
LIHTC Monitor Fee	0		
Professional Fees	137,500		
Building Reserve	332,500		
 Total Expenses	 5,647,118	209,153	
Expenses per room	1,212		
Net Available	10,584,818		
Minimum DSC	1.15		
Maximum Debt Service	9,204,190		
 HDC Loan	 176,954,934	Debt Service	
HDC Sub Loan	54,862,500	Debt Service	
MIRP Loan	66,500,000		
 Total Loan	 298,317,434		

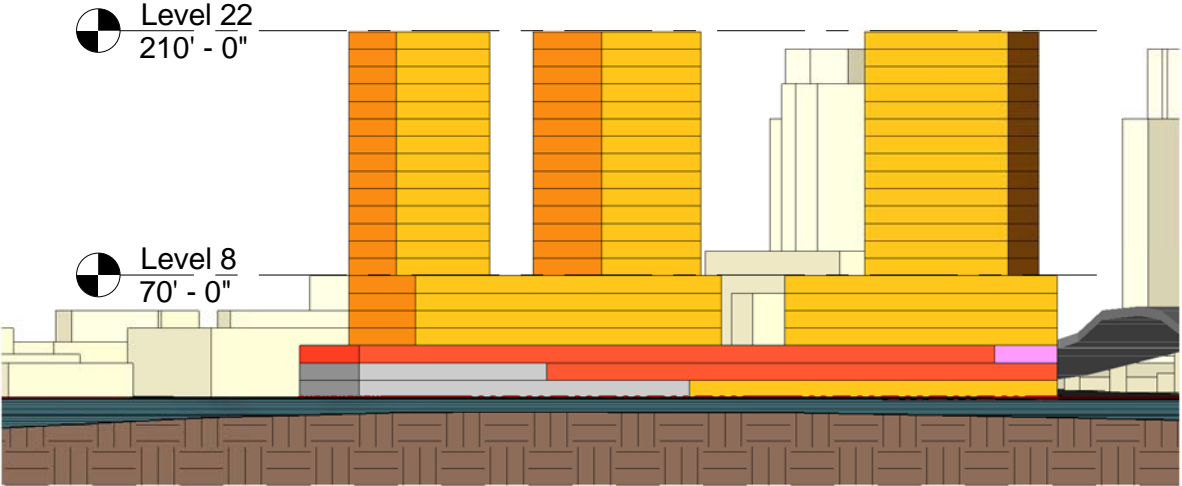
Mortgage Schedule		39%
		Eligible
Acquisition	37,000,000	
Demolition	250,000	
Green Roof	835,625	835,625
Environ. Remediation	4,000,000	0
Construction (Residential)	221,382,000	166,036,500
Commercial Space	16,000,000	
CSF Space	2,000,000	
Structured Parking	42,412,500	12,506,453
Contingency	14,289,725	5,618,274
Fees:		
Architect	7,225,200	2,840,723
Borrower's Legal	750,000	294,877
Bank Legal	250,000	98,292
Bonds/Permits/DOB Fee	229,150	90,095
Bank Engineer	100,000	39,317
Survey	40,000	15,727
Environmental	125,000	49,146
L/C Fees	4,384,376	1,723,800
Borings	200,000	78,634
HDC fee	1,628,310	627,211
HDC Perm Loan Fee		
HTF costs	0	0
Appraisal	50,000	19,658
Title Insurance	3,046,235	0
Mortgage Recording Tax	0	0
SEQRA	200,700	78,909
420-c Fees & Consultant	100,000	39,317
Environmental Consultant	150,000	58,975
Bond Costs	3,256,620	1,254,423
Carry Costs:		
Construction Interest	19,521,241	7,675,143
HTF Construction Interest		
Negative Arbitrage	7,373,359	0
Real Estate Taxes	65,348	25,693
Insurance	4,057,783	1,595,393
Servicing Fee		
W & S Charges/Utilities	0	
Tax Credit Costs:		
Leasing and Marketing	1,330,000	
LIHC Fee		
License Agreement Ins.	0	
Tax credit costs	10,000	
Working Capital		
Partnership Mgmt Fee		
Acctng/Cost Cert.	400,000	
Partnership Publication & Other		
Syndication Tax Opinion		
Consultant	0	
Soft Cost Contingency	1,160,119	
Security	0	
Developer's Fee	25,526,211	2,036,386
Reserves:		
Additional Operating Reserve	0	
Operating /unit	1,330,000	
TOTAL DEVELOPMENT COST	420,679,502	203,638,570
		30,545,786

Vista 1 & 2 (continued)

CASH FLOW		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
	% Increases															
EFFECTIVE INCOMES																
Residential Income	2%	16,198,636	16,522,609	16,853,061	17,190,122	17,533,925	17,884,603	18,242,295	18,607,141	18,979,284	19,358,870	19,746,047	20,140,968	20,543,787	20,954,663	21,373,756
Parking Income	5%	758,100	758,100	796,005	796,005	835,805	835,805	877,596	877,596	921,475	921,475	967,549	967,549	967,549	967,549	967,549
Commercial Income	2%	5,320,000	5,320,000	5,426,400	5,426,400	5,534,928	5,534,928	5,645,627	5,645,627	5,758,539	5,758,539	5,873,710	5,873,710	5,873,710	5,873,710	5,873,710
Community Space Income	3%	285,000	293,550	302,357	302,357	311,427	311,427	320,770	320,770	330,393	330,393	340,305	340,305	340,305	0	0
Ancillary Income	2%	33,300	33,966	34,645	35,338	36,045	36,766	37,501	38,251	39,016	39,797	40,593	41,404	42,232	43,077	43,939
Total Income		22,595,036	22,928,225	23,412,468	23,750,222	24,252,130	24,603,530	25,123,789	25,489,385	26,028,708	26,409,074	26,968,203	27,363,936	27,427,279	27,838,999	28,258,954
EXPENSES																
M&O Expenses	3%	6,292,884	6,481,671	6,676,121	6,876,405	7,082,697	7,295,178	7,514,033	7,739,454	7,971,637	8,210,787	8,457,110	8,710,824	8,972,148	9,241,313	9,518,552
Building Reserve	1%	332,500	335,825	339,183	342,575	346,001	349,461	352,955	356,485	360,050	363,650	367,287	370,960	374,669	378,416	382,200
Total Expenses		6,625,384	6,817,496	7,015,304	7,218,980	7,428,697	7,644,638	7,866,988	8,095,939	8,331,687	8,574,437	8,824,397	9,081,783	9,346,818	9,619,729	9,900,752
NOI		15,969,652	16,110,729	16,397,164	16,531,242	16,823,433	16,958,891	17,256,800	17,393,446	17,697,020	17,834,637	18,143,806	18,282,153	18,080,461	18,219,271	18,358,202
Debt Service		13,886,654	13,886,654	13,886,654	13,886,654	13,886,654	13,886,654	13,886,654	13,886,654	13,886,654	13,886,654	13,886,654	13,886,654	13,886,654	13,886,654	13,886,654
DSCR		1.15	1.16	1.18	1.19	1.21	1.22	1.24	1.25	1.27	1.28	1.31	1.32	1.30	1.31	1.32
HPD Debt Service (includes deferral)		0	0	0	0	0	0	0	0	0	0	0	0	756,832	756,832	756,832
Net Cash Flow		2,082,998	2,224,075	2,510,510	2,644,589	2,936,779	3,072,237	3,370,146	3,506,792	3,810,367	3,947,983	4,257,153	4,395,499	3,436,975	3,575,785	3,714,716

Net Cash Flow in 10 Years: \$30,106,476
 Net Cash Flow in 12 years: \$38,759,127
 Net Cash Flow in 13 years: \$42,196,103
 Net Cash Flow in 15 years: \$49,486,603

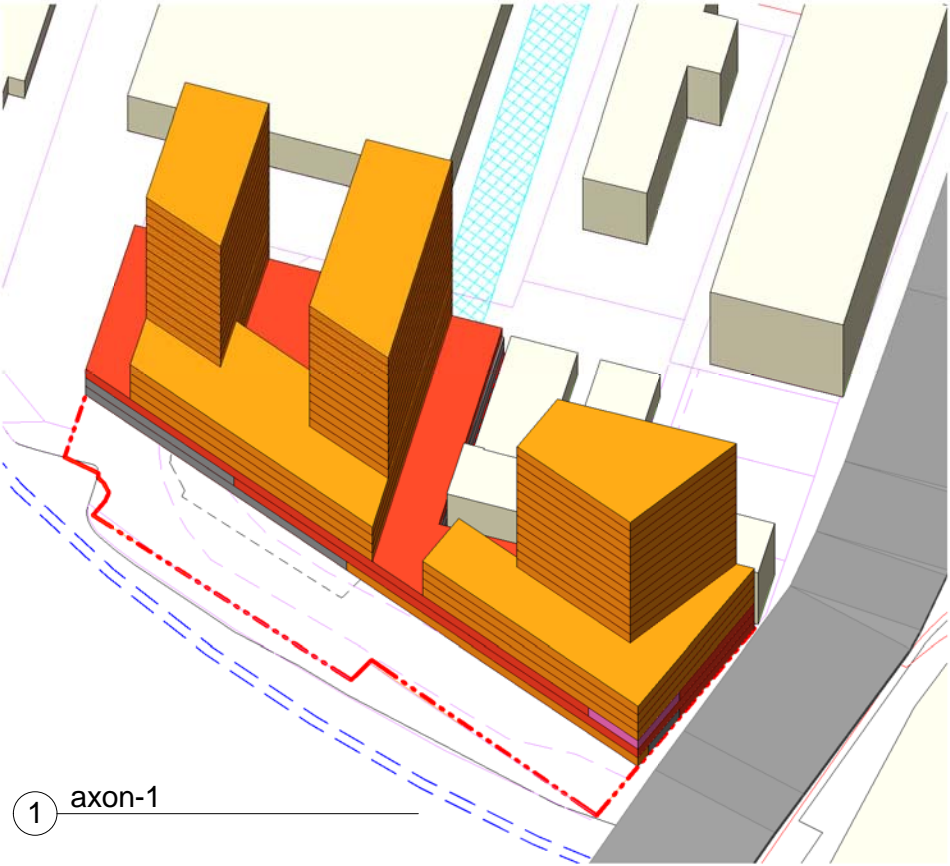
Mass Floor Schedule		
Mass: Family	Level	Floor Area
COMMERCIAL	ground floor	4580 SF
COMMERCIAL	Level 2	16966 SF
COMMERCIAL	Level 3	42950 SF
		64496 SF
COMMUNITY FACILITY	Level 3	1435 SF
		1435 SF
PARKING	ground floor	37517 SF
PARKING	Level 2	27499 SF
		65016 SF
RES - TOWER	Level 8	16069 SF
RES - TOWER	Level 9	16069 SF
RES - TOWER	Level 10	16069 SF
RES - TOWER	Level 11	16069 SF
RES - TOWER	Level 12	16069 SF
RES - TOWER	Level 13	16069 SF
RES - TOWER	Level 14	16069 SF
RES - TOWER	Level 15	16069 SF
RES - TOWER	Level 16	16069 SF
RES - TOWER	Level 17	16069 SF
RES - TOWER	Level 18	16069 SF
RES - TOWER	Level 19	16069 SF
RES - TOWER	Level 20	16069 SF
RES - TOWER	Level 21	16069 SF
		224968 SF
RESIDENTIAL	ground floor	2343 SF
RESIDENTIAL	Level 4	29744 SF
RESIDENTIAL	Level 5	29744 SF
RESIDENTIAL	Level 6	29744 SF
RESIDENTIAL	Level 7	29744 SF
		121320 SF
		477236 SF



2 Elevation 2 - a
1" = 100'-0"

2401 3RD AVE
BLOCK: 2319
LOT: 2
477,236 - 65,016 = 412,220 ACTUAL ZONING GSF
BUILDING - PARKING = ZONING

FAR		LOT AREA	SF	
6.5	X	67,000	435,500	MAX ZONING AREA
6.02	X	67,000	403,340	MAX RES AREA
.48	X	67,000	32,160	CF + COMM + OTHER



1 axon-1



7 Level 16
1" = 100'-0"



3 ground floor
1" = 300'-0"



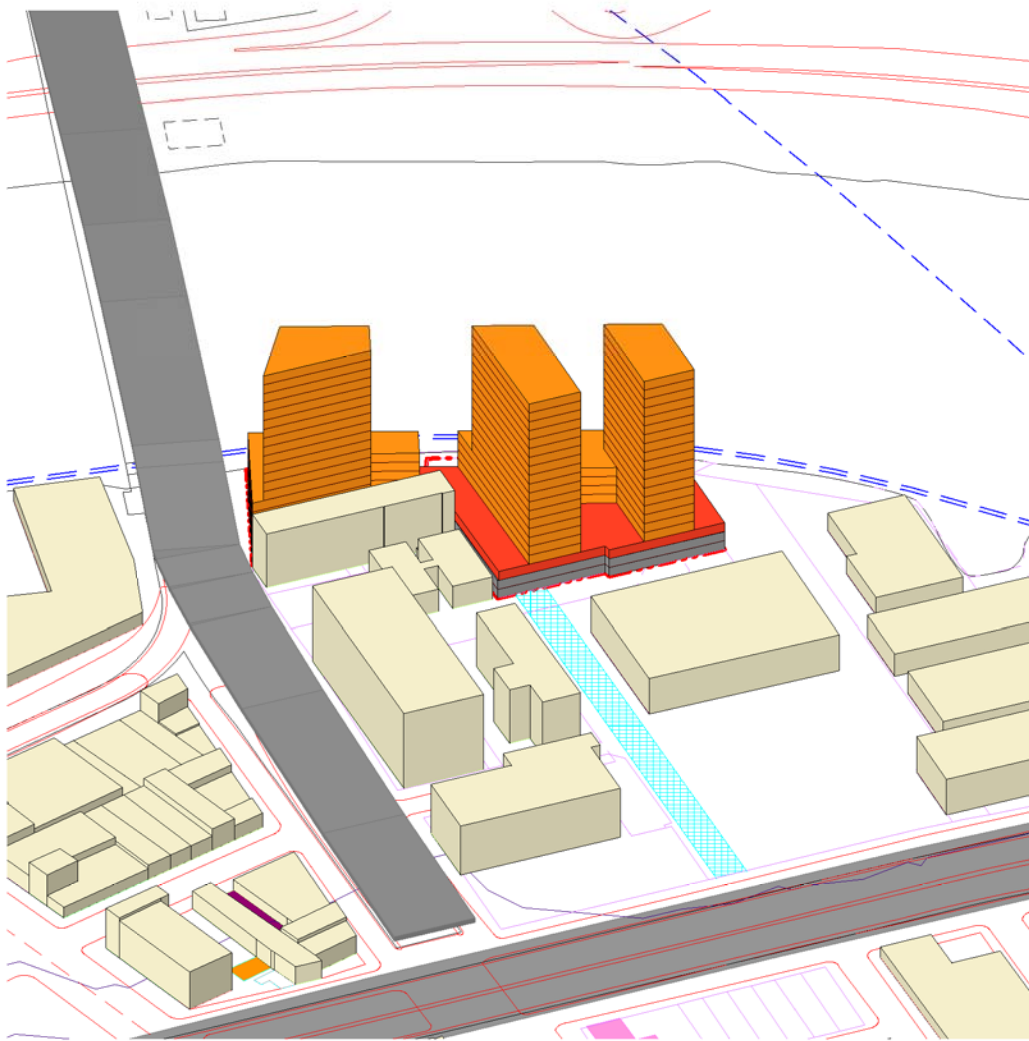
4 Level 2
1" = 300'-0"



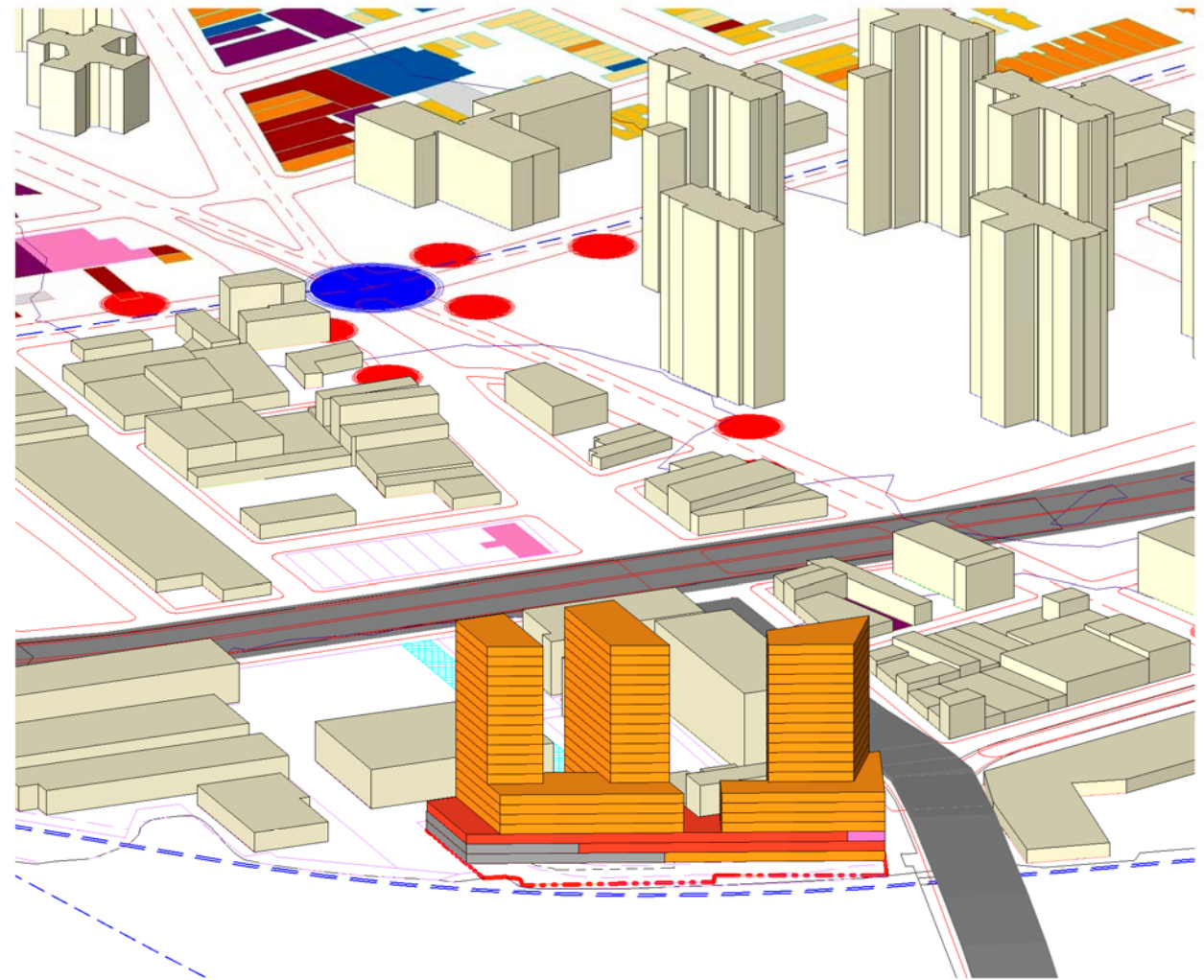
5 Level 3
1" = 300'-0"



6 Level 4
1" = 300'-0"

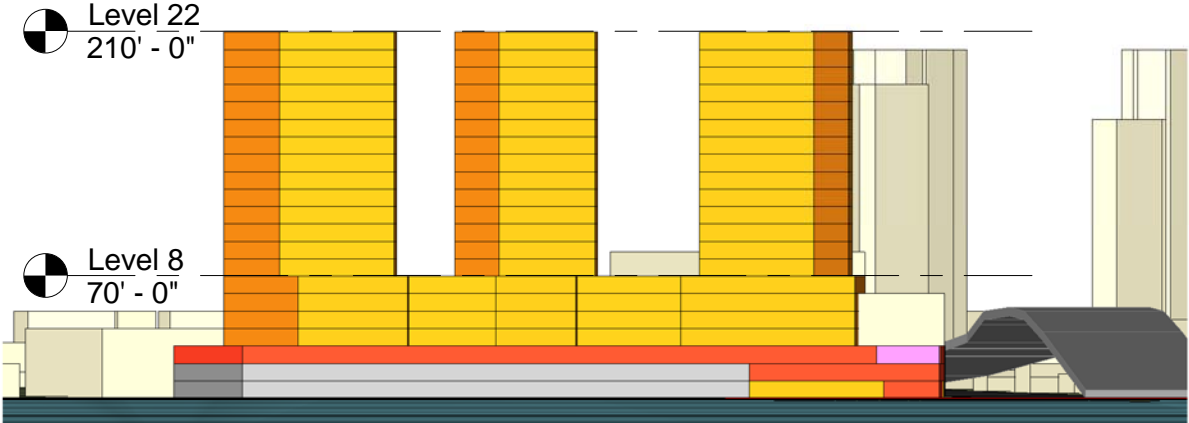


② working view 2



① working view 1

Mass Floor Schedule		
Mass: Family	Level	Floor Area
COMMERCIAL	ground floor	12330 SF
COMMERCIAL	Level 2	21280 SF
COMMERCIAL	Level 3	60300 SF
		93910 SF
COMMUNITY FACILITY	Level 3	1430 SF
		1430 SF
PARKING	ground floor	63960 SF
PARKING	Level 2	62160 SF
		126120 SF
RES_BASE	Level 4	45000 SF
RES_BASE	Level 5	45000 SF
RES_BASE	Level 6	45000 SF
RES_BASE	Level 7	45000 SF
		180020 SF
RESIDENTIAL	ground floor	7150 SF
RESIDENTIAL	Level 8	23700 SF
RESIDENTIAL	Level 9	23700 SF
RESIDENTIAL	Level 10	23700 SF
RESIDENTIAL	Level 11	23700 SF
RESIDENTIAL	Level 12	23700 SF
RESIDENTIAL	Level 13	23700 SF
RESIDENTIAL	Level 14	23700 SF
RESIDENTIAL	Level 15	23700 SF
RESIDENTIAL	Level 16	23700 SF
RESIDENTIAL	Level 17	23700 SF
RESIDENTIAL	Level 18	23700 SF
RESIDENTIAL	Level 19	23700 SF
RESIDENTIAL	Level 20	23700 SF
RESIDENTIAL	Level 21	23700 SF
		338990 SF
		740470 SF



② Elevation 2 - a
1" = 100'-0"

2401 3RD AVE
BLOCK: 2319
LOT: 2, 108, 109, 112

740,470 - 126,120 = 614,350 ACTUAL ZONING GSF				
BUILDING - PARKING = ZONING				
FAR		LOT AREA	SF	
6.5	X	104,701	680,556	MAX ZONING AREA
6.02	X	104,701	630,000	MAX RES AREA
.48	X	104,701	50,256	CF and ALT USE



① axon-1



⑧ Level 16
1" = 100'-0"



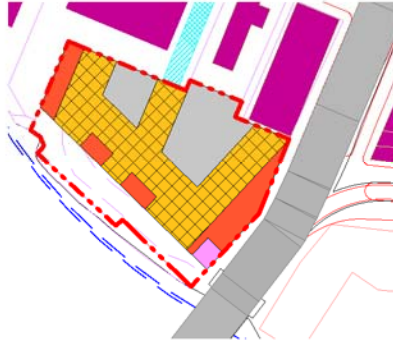
③ ground floor
1" = 300'-0"



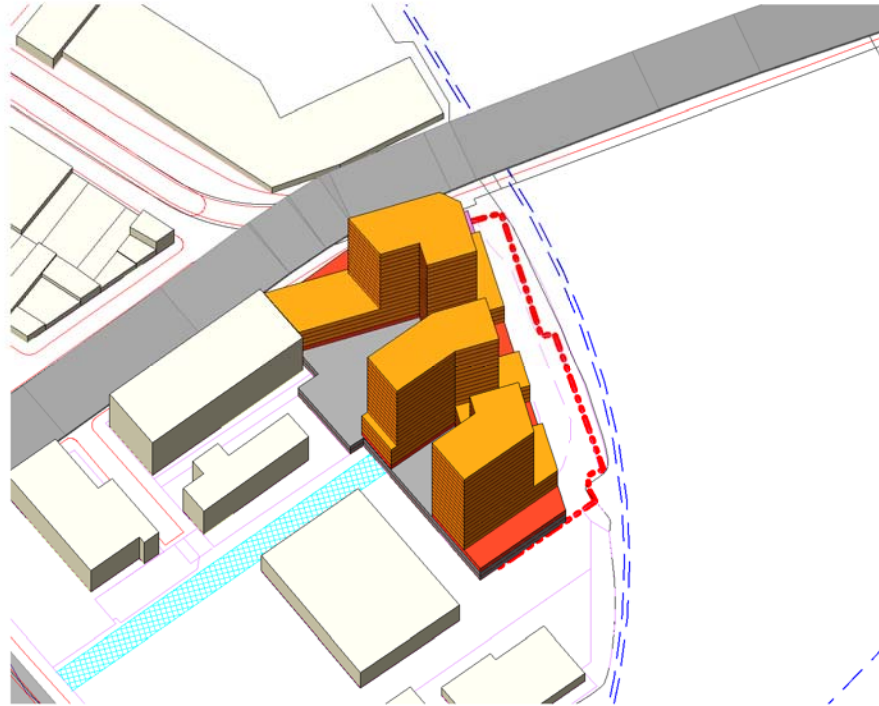
④ Level 2
1" = 300'-0"



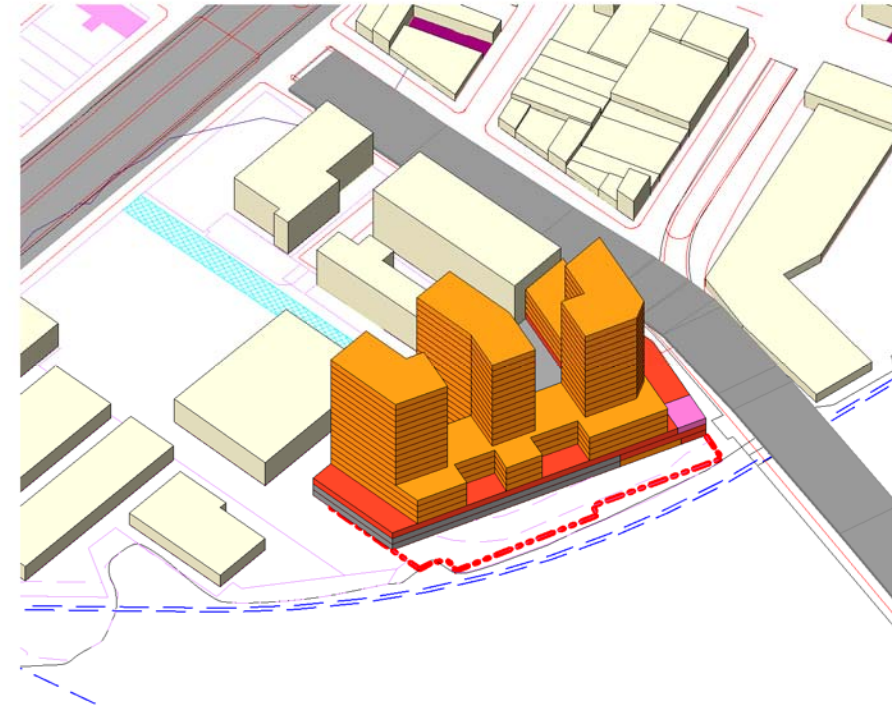
⑤ Level 3
1" = 300'-0"



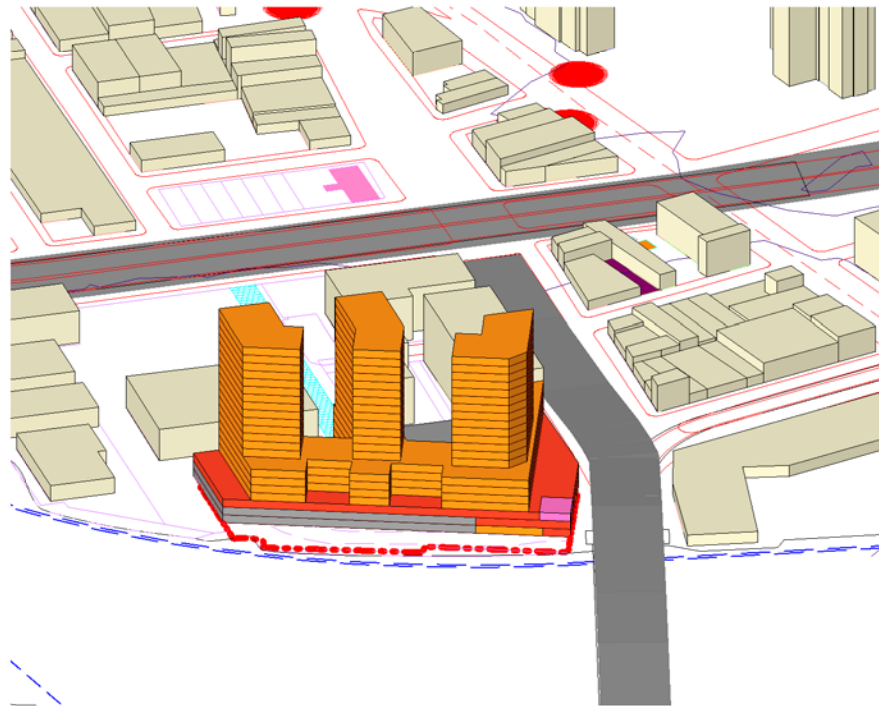
⑥ Level 4
1" = 300'-0"



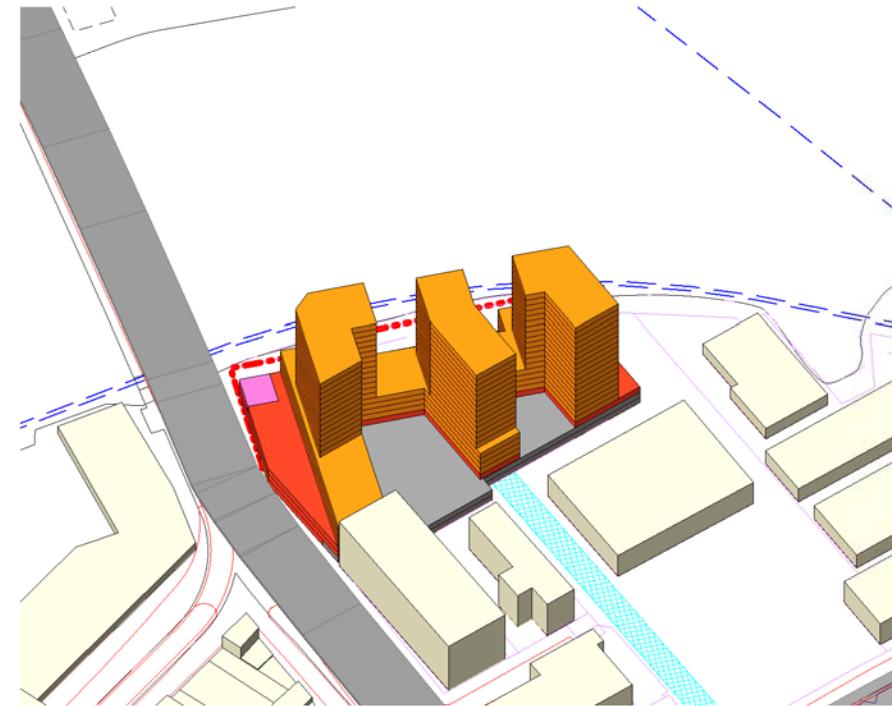
④ View 4



③ View 3



② View 2



① View 1



Real Estate Development

2568 Park Avenue, Bronx, NY 10451

Currently zoned M1-2 for manufacturing, the area around E 138th and Park is being rezoned and is expected to spur dramatic development. New York City Planning maps show that the immediate area around the lot will allow residential use when the rezoning is finalized in approximately 6 months. There are developers poised to develop mixed use residential and commercial buildings in the area as soon as the rezoning is formally adopted by the City. Securing this location between Park and Canal provides the opportunity to get in early at a most advantageous time, especially since the City clearly intends to make the area more "mainstream." Once these anticipated changes occur, this location may, in fact, become unaffordable for the purpose of manufacturing as it will become much more attractive to retailers seeking space and those interested in residential development opportunities. The location of this site is also visible from the Metro North rail, providing opportunities for creative signage and marketing.

Below are preliminary numbers based on discussions with one contractor to construct an approximately 11,000 SF new warehouse at the site. The building would feature a 1,000 SF office space, with truck entrances on either Park Ave or Canal St, or both. Our current estimate for the development of the warehouse is as follows:

Warehouse	\$160,000
Foundation	\$235,000
Contingency	\$ 35,000
Soft Costs	\$ 70,000
Dev Fee	<u>\$ 40,000</u>
Total	\$540,000

SoBro proposes to develop this property on the behalf of a tenant and will design the building to the tenant's specifications. We have negotiated with the land owner for a \$50,000 per year (approx. \$4.50 per SF) long term, triple net, land lease. The specifics of the lease will be worked out, but the tenant would be required to pay the taxes, maintenance and insurance. We expect the taxes on the land to be approximately \$3,500. The new building will be eligible for a 15 to 20-year tax abatement through the City's Industrial Commercial Access Program (ICAP), which will eliminate real estate taxes on the building itself. A benefit schedule and additional information for the ICAP program are available via the following web site:

http://www.nyc.gov/html/dof/html/property/property_tax_reduc_incentive.shtml.

Note that the estimated total annual cost for this new warehouse would be approximately \$115,000 (50k lease + 3,500 taxes + 62k 15-year mortgage). The going rate for existing warehouse space in the South Bronx is \$12 to \$15 per square foot. For an 11,000 SF site (such as the proposed), rental rates would total \$132,000-\$165,000 per year.

Please contact us to discuss how we can assist you in securing and building on this site.

APPENDIX I

PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORTS - EXECUTIVE SUMMARIES

STRATEGIC SITES #2, 3, AND 4

Major Deegan & Third Avenue

BRONX, NEW YORK

Phase I Environmental Site Assessment

AKRF Project Number: 10948



Prepared for:

SoBRO
555 Bergen Avenue, 3rd Floor
Bronx, NY 10455

Prepared by:



AKRF, Inc.
440 Park Avenue South, 7th Floor
New York, NY 10016
(212) 696-0670

FEBRUARY 2009

EXECUTIVE SUMMARY

AKRF, Inc. (AKRF) was retained by the South Bronx Overall Economic Development Corporation (SoBRO) to perform an Environmental Site Assessment of the property located between Third Avenue and Rider Avenue along the northern side of the Major Deegan Expressway in the Bronx, New York. The legal definition of the Property is Tax Block 2320, Lots 5 through 11. At the time of AKRF's reconnaissance, the Property comprised approximately 23,250 square-feet and was enclosed by a six-foot chain-link fence.

This Phase I Environmental Site Assessment was performed in conformance with ASTM Standard E1527-05, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Practice*. Any exceptions to, or deletions from, this practice are described in Section 7.0. The term "Recognized Environmental Condition" means the presence or likely presence of hazardous substances or petroleum at the property, including the ground, groundwater, or surface water at or under the property.

This assessment revealed evidence of Recognized Environmental Conditions. A summary of the findings is as follows:

- Historical land use maps, the regulatory database search and previous environmental studies at the Property and adjacent areas indicated that the Property was developed with a filling station beginning circa 1951 until at least 2002 documented to have affected subsurface conditions beneath the site.
- One on-site active gasoline spill was reported for Lot 11 on January 31, 2002. A 2002 baseline assessment conducted by Delta Environmental found methyl tert-butyl ether (MTBE) contamination in on-site soil borings and benzene, toluene, ethylbenzene, and xylenes (BTEX) contamination in groundwater. At the time of Delta's 2002 assessment, the site was an active Gaseteria service station that contained three 4,000-gallon gasoline underground storage tanks and one 1,000-gallon fuel oil underground storage tank. In November of 2007, Advanced Site Restoration, LLC (ASR) installed four on-site groundwater monitoring wells and collected soil and groundwater samples for laboratory analysis. Laboratory results indicated elevated levels of volatile organic compounds (VOCs) including benzene, toluene, ethylbenzene, and xylenes (BTEX) and methyl tert-butyl ether (MTBE) and semi volatile organic compounds (SVOCs) in soil and groundwater. ASR installed and sampled four additional on-site and two off-site monitoring wells (installed on the southeastern sidewalk and across East 135th Street) between March and August 2008. ASR reported elevated VOC concentrations in soil and elevated levels of VOCs including BTEX in on- and off-site groundwater (and MTBE in an on-site monitoring well). ASR determined that a dissolved hydrocarbon plume migrating from the southeast corner of Lot 11 had not been fully delineated to the south. ASR recommended additional quarterly groundwater monitoring and consultation with the New York State Department of Environmental Conservation (NYSDEC) to determine whether additional downgradient monitoring well installations were required to further delineate off-site contamination.
- Five vent pipes were observed on the central portion of Lot 11 during the site reconnaissance and manhole covers, used to access underground storage tanks (USTs), were observed near the gasoline pumps, which had been filled with soil or asphalt. A review of the State regulatory records identified Lot 11 as a Petroleum Bulk Storage (PBS) facility containing three 4,000-gallon gasoline underground storage tanks, one 4,000-gallon diesel underground storage tank and three 12,000-gallon gasoline underground storage tanks. The tank status was listed in the PBS registration database as closed/removed. However, information cited in the NY Spills database indicated that the on-site underground storage tanks were in place, contrary to the PBS registration information. Moreover, at

the time of AKRF's site visit, man-way covers for the on-site underground storage tanks were observed to be intact, indicating that the tanks were not removed.

- Title information reviewed for the Property indicated that Lots 5, 7, 8, 9 and 10 were owned by Urban Cleaning Contractors, Inc. from 1987 through 2002. Interviews with knowledgeable personnel indicated that industrial solvents (i.e., chlorinated solvents and degreasing fluids) were stored on-site by Urban Cleaning Contractors, Inc., the previous owners of Lots 5, 7, 8, 9 and 10. Such uses may have affected soil and groundwater beneath the Property.
- Buildings formerly present on the Property contained basements. The site has been filled to grade with fill of an unknown origin.
- Lot 11, formerly utilized as a Gaseteria service station, contained several structures with painted surfaces. A review of historic Sanborn fire insurance maps and the regulatory database indicated that Lot 11 was occupied by a gasoline station since circa 1951 until at least 2002. Based on the age of these structures, lead-based paint may be present. Painted surfaces on the base of the highway advertising sign on Lot 6 were observed to be damaged and flaking.
- Lot 6 contained an approximately 50-foot tall highway advertising sign with fluorescent lighting. Fluorescent lights and equipment in electrical panels associated with advertising sign may include PCB-containing components.
- No buildings were located on the Property, however, suspect asbestos-containing materials (ACMs) may be present on product distribution lines.
- Historical land use maps, the regulatory database search, and results of the site reconnaissance indicated that the surrounding area has a long history of industrial, manufacturing and commercial operations, including auto-related facilities. Such uses would include gasoline storage tanks and the use of solvents and oils. Such facilities may have affected environmental conditions beneath the Property.

Recommendations:

- The underground storage tanks (USTs) located on Lot 11 of the Property should be removed and registered/deregistered in accordance with all applicable regulations along with any associated petroleum-contaminated soil or groundwater. Soil (including fill materials) intended for off-site disposal should be tested in accordance with the requirements of the intended receiving facility. Transportation of material leaving the site for off-site disposal must be in accordance with federal, state and local requirements covering including licensing of haulers and trucks, placarding, truck routes, manifesting, etc.
- A subsurface (Phase II) investigation should be conducted over the entire site to determine whether the historical uses of the project site and the surrounding properties have affected on-site environmental conditions.
- Renovation or demolition activities with the potential to disturb lead-based paint must be performed in accordance with the applicable Occupational Safety and Health Administration regulation (OSHA 29 CFR 1926.62 – *Lead Exposure in Construction*).

- Unless there is labeling or test data which indicates that the fluorescent lights and equipment in electrical panels associated with advertising sign do not contain PCBs, disposal should be performed in accordance with applicable federal, state and local regulations and guidelines.
- Any suspect asbestos-containing materials (ACM) encountered during excavation should be sampled and disposed of in accordance with applicable regulatory requirements.

2401 Third Avenue

Tax Block 2319, Lot 2

BRONX, NEW YORK

Phase I Environmental Site Assessment

AKRF Project Number: 11195



Prepared for:

SoBRO
555 Bergen Avenue, 3rd Floor
Bronx, NY 10455

Prepared by:



AKRF, Inc.
440 Park Avenue South
New York, NY 10016
212-696-0670

AUGUST 2009

EXECUTIVE SUMMARY

AKRF, Inc. (AKRF) was retained by the South Bronx Overall Economic Development Corporation (SoBRO) to perform an Environmental Site Assessment of the property located at 2401 3rd Avenue in the Bronx, New York (the Property). The legal definition of the Property is Tax Block 2319, Lot 2. At the time of AKRF's reconnaissance, the Property comprised a 67,000-square foot (SF) irregularly-shaped parcel developed with an approximately 19,000 SF single-story structure occupied by a construction shoring company with an associated paved storage yard and an asphalt-paved parking lot with an approximately 50-foot tall highway advertising sign. The Property was abutted by storage facilities to the north, a warehouse to the east, Third Avenue and the elevated Third Avenue Bridge approach to the south and the Harlem River to the west.

This Phase I Environmental Site Assessment was performed in conformance with ASTM Standard E1527-05, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Practice*. Any exceptions to, or deletions from, this practice are described in Section 7.0. The term "Recognized Environmental Condition" means the presence or likely presence of hazardous substances or petroleum at the property, including the ground, groundwater, or surface water at or under the property.

This assessment revealed evidence of Recognized Environmental Conditions. A summary of the findings is as follows:

- Historical Sanborn maps indicated that the Property was historically a part of the J.L. Mott Iron Works facility since prior to 1891 and included casting shops in the area of the current Property building. A 550-gallon buried gasoline tank was shown outside of the southwestern portion of the building on the 1935 and 1946 Sanborn maps. Four sheds were attached to the eastern portion of the structure (on the current east-adjacent lot) labeled "storage of lubricant oils" on the 1935 map, and three of the sheds were converted to a private garage and repair shop on the 1946 map. The eastern garage and repair shop were no longer shown in 1961. The lubricant oils shed was shown on the 1961 through 2006 maps. Releases from the former iron works and the on-site 550-gallon gasoline tank may have affected the Property subsurface. The repair shop and lubricant oil shed that were formerly shown abutting the east side of the current structure may have affected subsurface conditions beneath the Property.
- During the site inspection, a suspected fill port was noted in the ground proximal to the southwest corner of the building. Site personnel indicated that a former gasoline underground storage tank (UST) of an unknown size was located in this area and was filled with concrete approximately five years ago. A storm drain was noted to the northwest of the suspected fill port that was also reportedly filled with concrete at the same time. A small shed attached to the southwest side of the structure formerly contained gasoline dispenser pumps. Computerized New York City Fire Department records listed a 550-gallon tank for R.C. Mugler Co, Inc at 2401 3rd Avenue. The regulatory status, contents and disposition (above or below ground) of the tank was not listed.
- According to the New York City Department of Buildings and the Department of Planning and Zoning map, the Property is listed with a Hazardous Materials "E" Designation (E-143/underground storage tanks testing protocol). "E-designations" are given to development sites that have the potential to cause adverse environmental impacts during redevelopment or construction of new buildings. Implementation of subsurface soil and groundwater investigation and any necessary remediation, under the oversight of the New York City Department of Environmental Protection (NYCDEP) and/or NYC Office of Environmental Remediation (NYCOER), will be required prior to site redevelopment.

- A floor drain with black staining was noted proximal to a forklift in the central portion of the structure. Multiple 55-gallon drums of hydraulic fluid, lubricant oil, antifreeze and cleaning fluids were stored on the concrete floor in the central portion of the structure. Minor staining was noted in the drum storage area on the concrete floor. A supply closet containing small containers (five gallons or less) of paints and roofing flashing was located on the east side of the building. The containers were in fair to poor condition with minor leakage noted. Two steel 55-gallon drums in poor condition were noted on a vegetated area north of the structure. One of the drums contained apparent household refuse and water, the contents of the other drum was unknown. The drums were rusted and in poor condition.
- Based on the age of the structure, roofing and building materials may contain asbestos. Suspect asbestos-containing materials (ACMs) were noted throughout the site building which included joint compound, caulking, brick and block mortar, transite in electrical panels and roofing materials. Additional suspect ACMs may be present above behind walls, floor tiles, on building roofs or in other hidden locations.
- Since the on-site building was constructed prior to 1978, lead-based paint may be present. Painted surfaces of the exterior of the building were noted to be in generally good condition. Painted surfaces of the interior walls, beams and floors were observed to be in fair to damaged condition.
- Electrical equipment and lighting fixtures utilized by the on-site structure and the highway advertising sign may contain mercury and/or PCB-containing components. No leakage was observed in connection with the lighting or electrical fixtures during the site investigation.
- Historical land use maps, the regulatory database search, and results of the site reconnaissance indicated that the surrounding area has a long history of industrial, manufacturing and commercial operations, including auto-related facilities. Such uses would include gasoline storage tanks and the use of solvents and oils. Such facilities may have affected environmental conditions beneath the Property.

Recommendations:

- A subsurface (Phase II) investigation should be conducted over the entire Property to determine whether the historical uses of the Property and the surrounding properties have affected on-site environmental conditions. Redevelopment of this e-designated site would require that testing (and any subsequent remediation) be conducted in accordance with NYCDEP and/or NYCOER guidelines and regulations, which would include approval of investigation work plans, health and safety plans and remediation plans prior to any development.
- All underground storage tanks should be removed and registered/deregistered in accordance with all applicable regulations along with any associated petroleum-contaminated soil or groundwater.
- All unused/unwanted drums or containers of suspect hazardous materials should be properly tested to confirm their contents, and then properly disposed of in accordance with all federal, state and local regulations.
- Prior to any renovation or demolition activities with the potential to disturb suspect ACMs, an asbestos survey should be conducted. If these materials prove to contain asbestos, they should be properly removed and disposed of in accordance with all local, state and federal requirements.
- Renovation or demolition activities with the potential to disturb lead-based paint must be performed in accordance with the applicable Occupational Safety and Health Administration regulation (OSHA 29 CFR 1926.62 – *Lead Exposure in Construction*).

- Unless there is labeling or test data which indicates that the fluorescent lights and electrical equipment in the site building or advertising sign do not contain PCBs, disposal should be performed in accordance with applicable federal, state and local regulations and guidelines.

101 Lincoln Avenue Avenue

BRONX, NEW YORK

Phase I Environmental Site Assessment

AKRF Project Number: 11213



Prepared for:

SoBRO
555 Bergen Avenue, 3rd Floor
Bronx, NY 10455

Prepared by:



AKRF, Inc.
440 Park Avenue South, 7th Floor
New York, NY 10016
(212) 696-0670

OCTOBER 2009

EXECUTIVE SUMMARY

AKRF, Inc. (AKRF) was retained by the South Bronx Overall Economic Development Corporation (SoBRO) to perform an Environmental Site Assessment of the property located at 101 Lincoln Avenue in the Bronx, New York (the Property). The Property is also identified as Tax Block 2319, Lot 2. The Phase I ESA was conducted to supplement a Brownfield Opportunity Area application being prepared by SoBRO for the Port Morris area. Access to the Property for a site inspection was not available during the preparation of this Phase I ESA. Therefore, the Property was only inspected from public rights-of-way.

At the time of AKRF's reconnaissance, the Property comprised an approximately 134,000-square foot irregularly-shaped parcel developed with a building and associated driveways and parking lot. The Property was operating as a transportation and warehousing facility. The Property was abutted by: Third Avenue and an elevated Third Avenue Bridge approach to the west; Lincoln Avenue to the east, Bruckner Boulevard and an elevated Third Avenue Bridge approach to the north, and railroad tracks and the Harlem River to the south.

This Phase I Environmental Site Assessment was performed in conformance with ASTM Standard E1527-05, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Practice*. Any exceptions to, or deletions from, this practice are described in Section 7.0. The term "Recognized Environmental Condition" means the presence or likely presence of hazardous substances or petroleum at the property, including the ground, groundwater, or surface water at or under the property.

This assessment revealed evidence of Recognized Environmental Conditions. A summary of the findings is as follows:

- A review of the State regulatory records identified fourteen 550-gallon underground storage tanks (USTs - 12 diesel and 2 gasoline) registered with the New York State Department of Environmental Conservation (NYSDEC). The record indicated that all 14 USTs were installed in March 1968 and removed in December 1991. During the site inspection, asphalt patches were observed in the parking areas that may be evidence of former UST locations. No closure documentation was available for review. Furthermore, the Property was identified in the registration as Verizon New York, Inc., suggesting that the Property may have operated as a service fleet facility for Verizon where automotive repair activities occurred. These activities may also have affected subsurface conditions at the Property.
- The Property is listed in the on-line NYC Department of Building (DOB) records with "E" Designations (E-143) for: 1) *Underground gasoline storage tanks testing protocol*; 2) *Air Quality – HVAC fuel limited to natural gas*; and 3) *Window wall attenuation and alternate ventilation*. The "E" Designation for Underground gasoline storage tanks testing protocol requires that prior to redevelopment of the Property (i.e., seeking permits that allow subsurface disturbance) the NYC Department of Environmental Protection (DEP) must review and approve subsurface testing of the Property and any associated remedial measures. The other E-designations do not relate to hazardous materials, but relate to requirements should a new building be constructed.
- A Sanborn map from 1891 indicated that the Property comprised a coal yard, a livery stable, a steamboat company, a building materials facility, four piers, and several small unidentified 1- and 2-story structures. Sanborn maps from 1908 to 1951 identified the Property as the Central Railroad of New Jersey Bronx Freight Terminal facility. The maps from 1968 to 1989 identified the Property as the Gerosa Haulage Corporation, which included a garage and repair facility, a blacksmith shop, a paint shop, a crane paint shop, a crane repair shop, and a storage yard. These past on-site operations

may have used petroleum, solvents or other chemicals that could have affected environmental conditions at the Property.

- The Property, identified as Felix Industries, was listed as a Resource Conservation and Recovery Act (RCRA) small-quantity generator (SQG) of hazardous waste; however, no waste activity was reported. Potential releases from on-site management of hazardous waste may have affected the Property.
- A spill was reported for the Property on August 3, 2003. The caller reported a puddle that smelled like raw sewage across the street from 101 Lincoln Drive. The spill was closed on August 4, 2003.
- An application to install an oil-water separator at the Property was filed with the Department of Buildings (DOB), which was approved in March 1997. Oil-water separators have the potential to release oil into the subsurface.
- Based on the lack of site access for the site inspection portion of this Phase I ESA, there is a potential for activities to be occurring on-site that include the use and/or storage of hazardous materials. Potential releases of such materials may have affected the Property.
- Sanborn maps indicated that the on-site building was constructed in 1966. Based on the age of the structure, suspect asbestos-containing materials (ACMs) may be present. However, without site access, AKRF was unable to inspect the Property for such materials or assess their condition.
- Since the on-site building was constructed prior to 1978, lead-based paint may be present. However, without access to the property, AKRF was unable to inspect the painted surfaces at the Property.
- Electrical equipment and lighting fixtures utilized by the Property may contain mercury and/or PCB-containing components. However, without access to the property, AKRF was unable to inspect for such materials.
- Historical land use maps, the regulatory database search, and results of the site reconnaissance indicated that the surrounding area has a long history of industrial, manufacturing and commercial operations, including auto-related facilities. These include petroleum storage tanks and the use of solvents and oils. Such off-site facilities may have affected environmental conditions beneath the Property.

Recommendations:

- Given the Property's history, a subsurface (Phase II) investigation should be conducted to determine whether the historical uses of the property or surrounding properties have affected on-site environmental conditions. Development of this "E" designated Property would require coordination with the Mayor's Office of Environmental Remediation (OER) in accordance with their guidelines and regulations. For the *Underground gasoline storage tanks testing protocol* "E" designation, subsurface (Phase II) investigation and associated remediation would be required, which would include preapproval of the investigation work plan, health and safety plan and remediation plans prior to any development.
- Prior to any redevelopment, any aboveground and underground storage tanks should be removed and registered/deregistered in accordance with all applicable regulatory requirements along with any associated petroleum-contaminated soil or groundwater.
- Prior to any renovation or demolition activities with the potential to disturb suspect ACMs, an asbestos survey should be conducted. If these materials prove to contain asbestos, they should be properly removed and disposed of in accordance with all local, state and federal requirements.

- Renovation or demolition activities with the potential to disturb lead-based paint must be performed in accordance with the applicable Occupational Safety and Health Administration regulation (OSHA 29 CFR 1926.62 – *Lead Exposure in Construction*).
- Unless there is labeling or test data which indicates that the fluorescent lights and electrical equipment in the Property building do not contain PCBs, disposal should be performed in accordance with applicable federal, state and local regulations and guidelines.