

**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	<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. 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

<input type="checkbox"/> Manufacturing	<input type="checkbox"/> Wholesale/Distribution
<input type="checkbox"/> Retail	<input checked="" type="checkbox"/> 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.	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
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.



<b>SUITABILITY ASSESSMENT</b>							
<b>Land Use</b>	<b>Site Score</b>	<b>Industrial</b>		<b>Residential</b>		<b>Retail</b>	
		<b>Weight</b>	<b>Total</b>	<b>Weight</b>	<b>Total</b>	<b>Weight</b>	<b>Total</b>
<b>Site Characteristics</b>							
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
<b>Sub Total</b>			<b>45</b>		<b>44</b>		<b>47</b>
<b>Strategic Location Characteristics</b>							
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
<b>Sub Total</b>			<b>47</b>		<b>71</b>		<b>50</b>
<b>Environmental Constraints</b>							
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
<b>Sub Total</b>			<b>-18</b>		<b>-30</b>		<b>-26</b>
<b>TOTAL SCORE</b>			<b>74</b>		<b>85</b>		<b>71</b>
<b>Notes:</b> 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

☐ Retail

☐ Wholesale/Distribution

☒ 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 side redevelopment.



SUITABILITY ASSESSMENT							
Land Use	Site Score	Industrial Weight	Total	Residential Weight	Total	Retail Weight	Total
<b>Site Characteristics</b>							
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
<b>Sub Total</b>			<b>78</b>		<b>66</b>		<b>73</b>
<b>Strategic Location Characteristics</b>							
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
<b>Sub Total</b>			<b>48</b>		<b>74</b>		<b>52</b>
<b>Environmental Constraints</b>							
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
<b>Sub Total</b>			<b>-18</b>		<b>-30</b>		<b>-26</b>
<b>TOTAL SCORE</b>			<b>108</b>		<b>110</b>		<b>99</b>
<b>Notes:</b> 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 Tenant: NA

Current use: Vacant  
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	<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. 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

<input type="checkbox"/> Manufacturing	<input type="checkbox"/> Wholesale/Distribution
<input type="checkbox"/> Retail	<input checked="" type="checkbox"/> 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
<b>Site Characteristics</b>							
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
<b>Sub Total</b>			<b>51</b>		<b>48</b>		<b>52</b>
<b>Strategic Location Characteristics</b>							
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
<b>Sub Total</b>			<b>43</b>		<b>56</b>		<b>46</b>
<b>Environmental Constraints</b>							
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
<b>Sub Total</b>			<b>-19</b>		<b>-32</b>		<b>-29</b>
<b>TOTAL SCORE</b>			<b>75</b>		<b>72</b>		<b>69</b>
<b>Notes:</b> 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
<b>Site Characteristics</b>							
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
<b>Sub Total</b>			<b>56</b>		<b>52</b>		<b>53</b>
<b>Strategic Location Characteristics</b>							
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
<b>Sub Total</b>			<b>45</b>		<b>69</b>		<b>50</b>
<b>Environmental Constraints</b>							
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)
<b>Sub Total</b>			<b>(18)</b>		<b>(30)</b>		<b>(26)</b>
<b>TOTAL SCORE</b>			<b>83</b>		<b>91</b>		<b>77</b>

### 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 149<sup>th</sup> 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 149<sup>th</sup> 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.”<sup>1</sup>

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

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<sup>1</sup> 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](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.<sup>2</sup>

<b>RATING CLASSIFICATION</b>		
<b>Site Characteristics</b>		
	<b>Bad</b>	<b>Good</b>
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
<b>Strategic Location Characteristics</b>		
	<b>Bad</b>	<b>Good</b>
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
<b>Environmental Constraints</b>		
	<b>Good</b>	<b>Bad</b>
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.

<sup>2</sup> 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 138<sup>TH</sup> STREET**



## APPENDIX E

### SoBRO Strategic Site Case Study:

#### Gas Station @ Bruckner Boulevard / East 138<sup>th</sup> Street<sup>1</sup>

**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 138<sup>th</sup> 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.

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<sup>1</sup> 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.

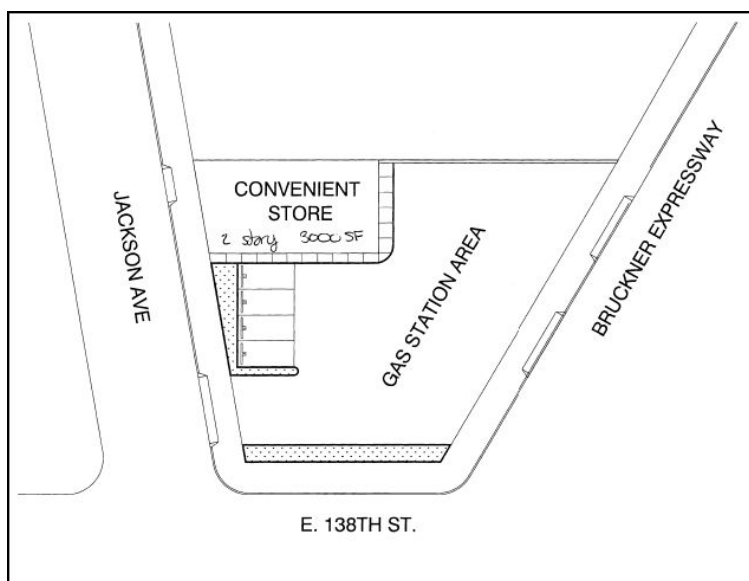
To assist with the redevelopment of this brownfield, SoBRO hired with BOA funds an architectural firm to undertake a basic zoning and design study of the property to determine viable development alternatives. Given the site's M-1 zoning, size, and triangular configuration, redevelopment options were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

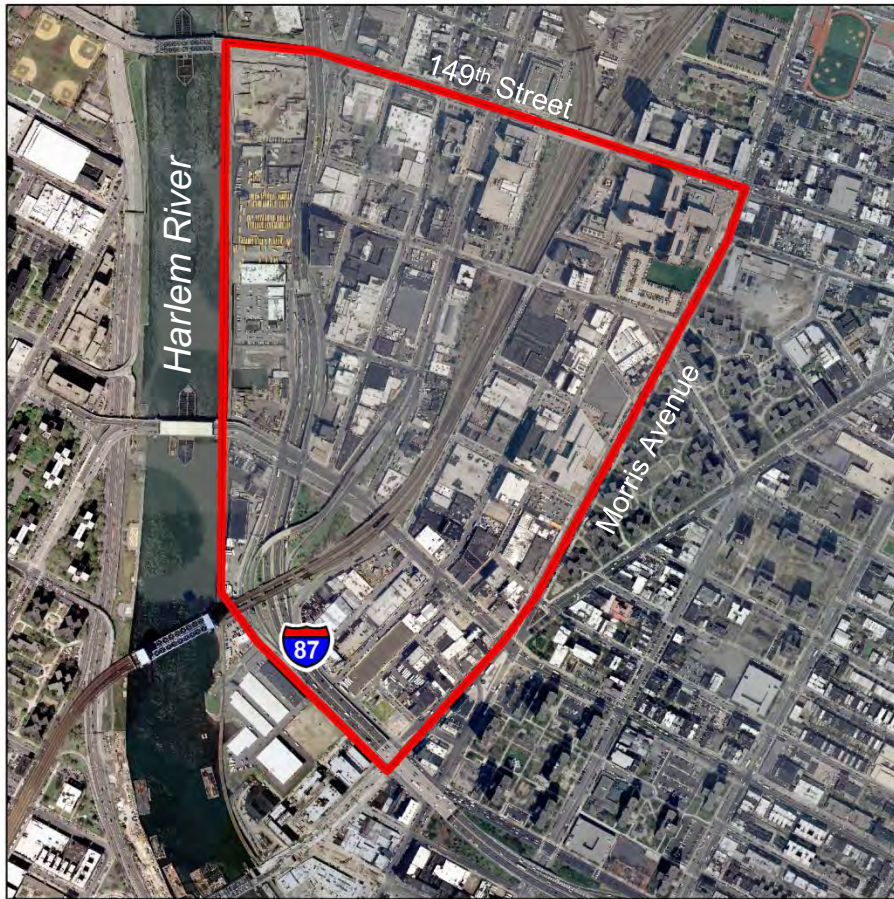


The Port Morris Rezoning Area is located at the southwestern tip of the Bronx.

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

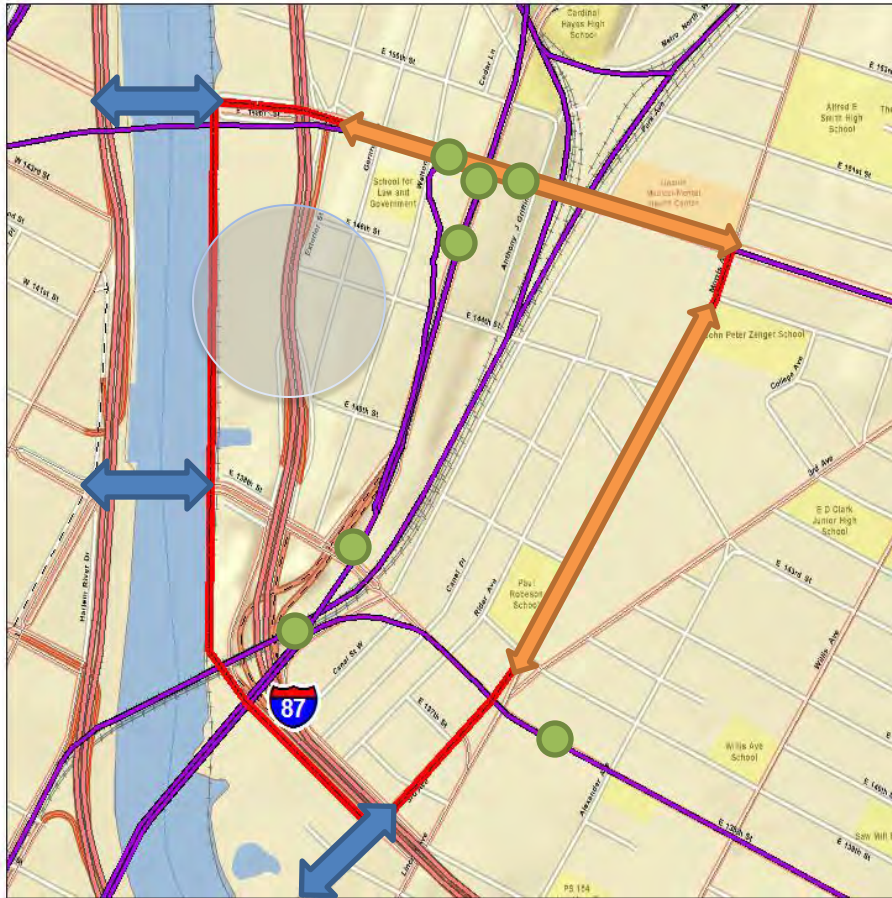
# Area Introduction - Detail



- The area is bound by I 87, Harlem River, 149<sup>th</sup> 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

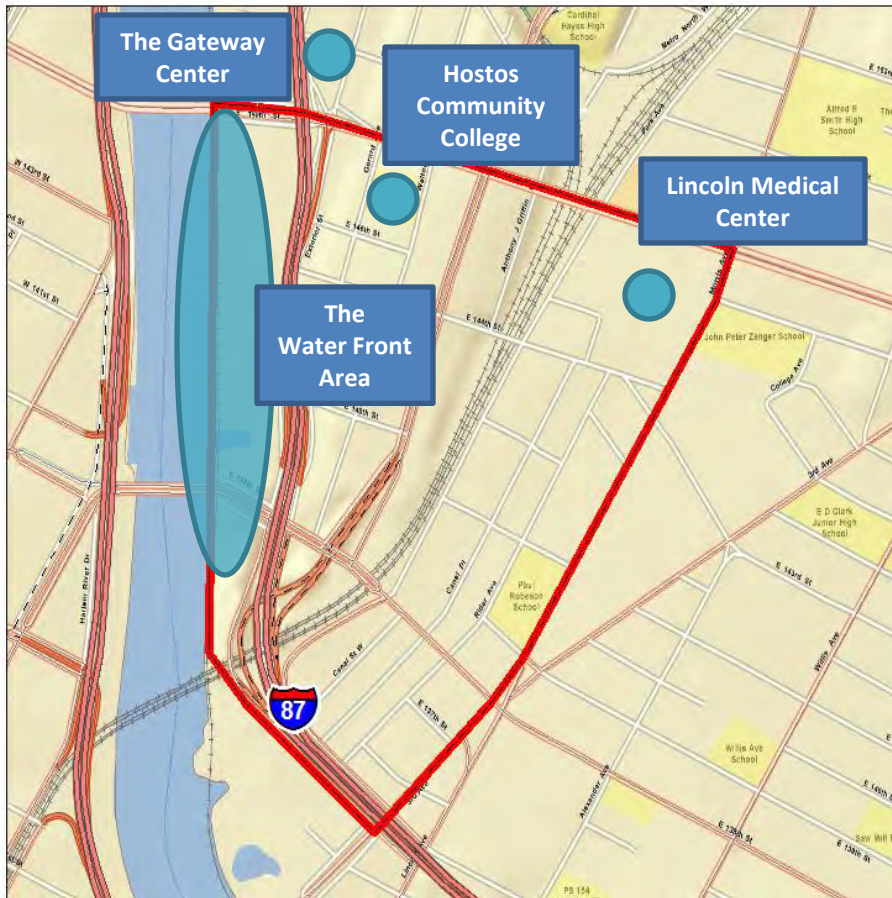


## Connectivity

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



# Locational Assets



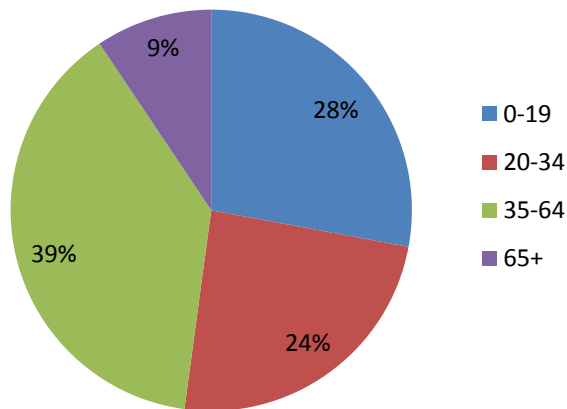
## Other Local Assets

- 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



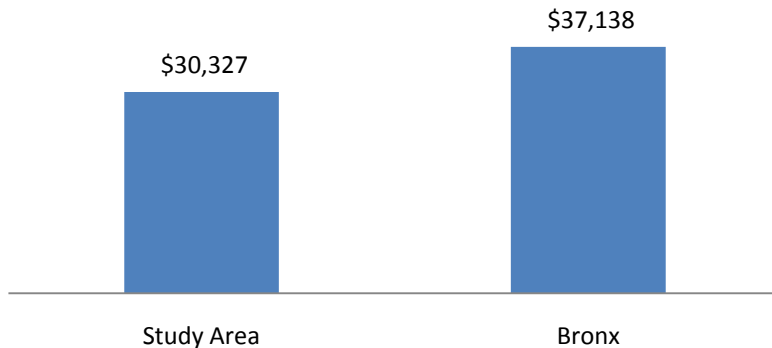
- The study area is characterized by non-residential uses.
- In 2008, the area was home to approximately 113 households with a total population of 351.
- The area has a very low population density of 2,700 people per square mile (e.g., the Bronx has a population density of approximately 31,000 people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

\*2008 demographic forecasts provided by ESRI Business Analyst, Copyright 2007.

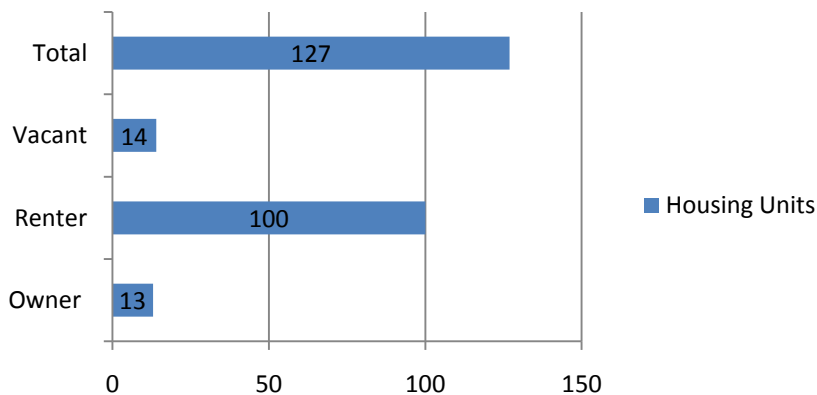


# 2008 Demographics - Extract

## Median Household Income



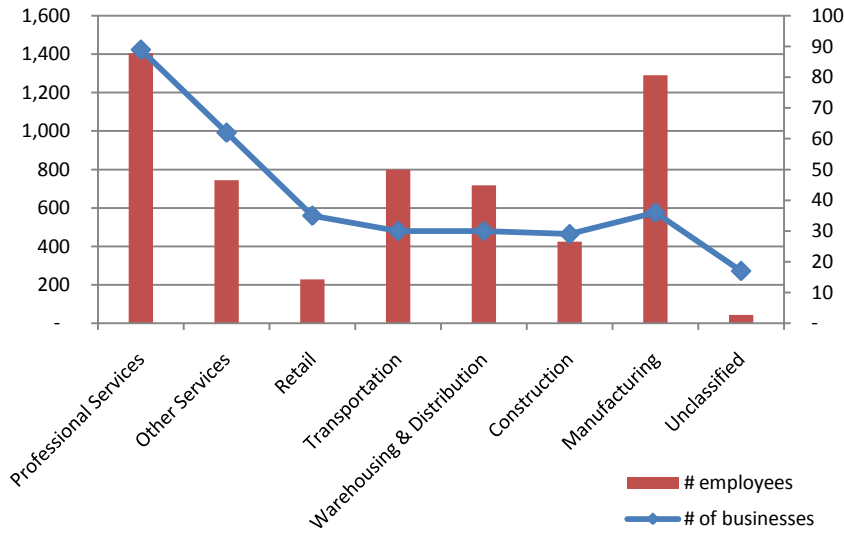
## Housing Units



- 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

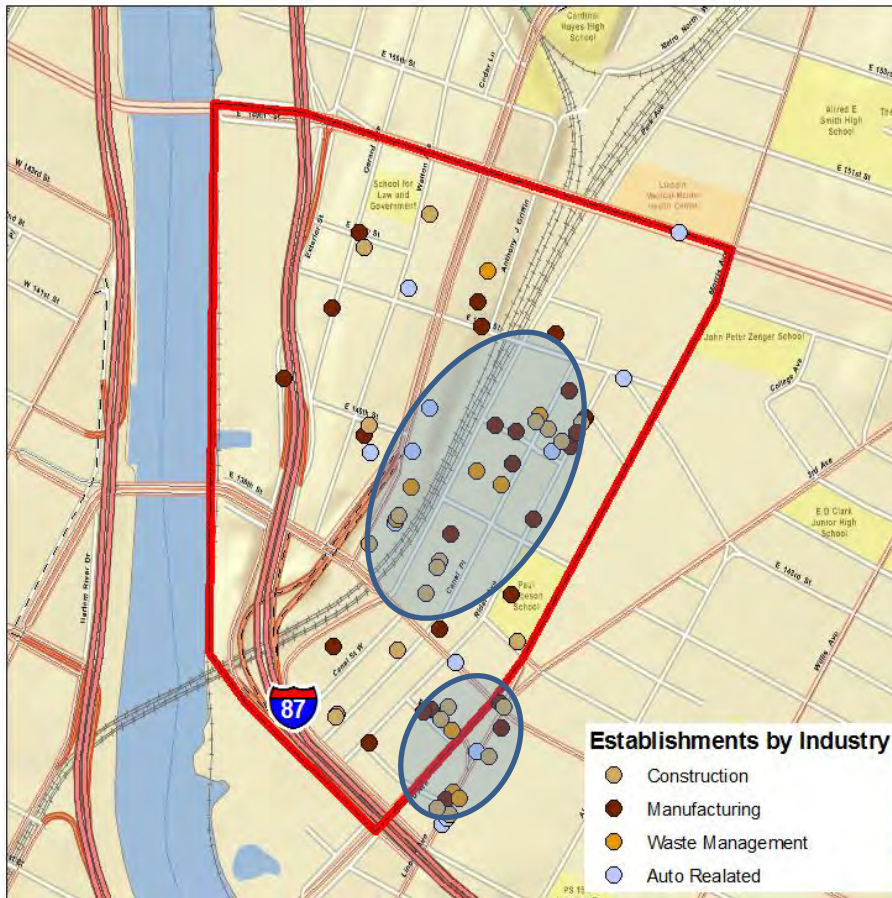


Largest Sectors	# of businesses
Ambulatory Health Care Services	29
Specialty Trade Contractors	22
Truck Transportation	21
Merchant Wholesalers, Durable Goods	20
Food Services and Drinking Places	16
Repair and Maintenance	16
Professional, Scientific, and Technical Services	15
Real Estate	12
<b>Total</b>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

\* 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.

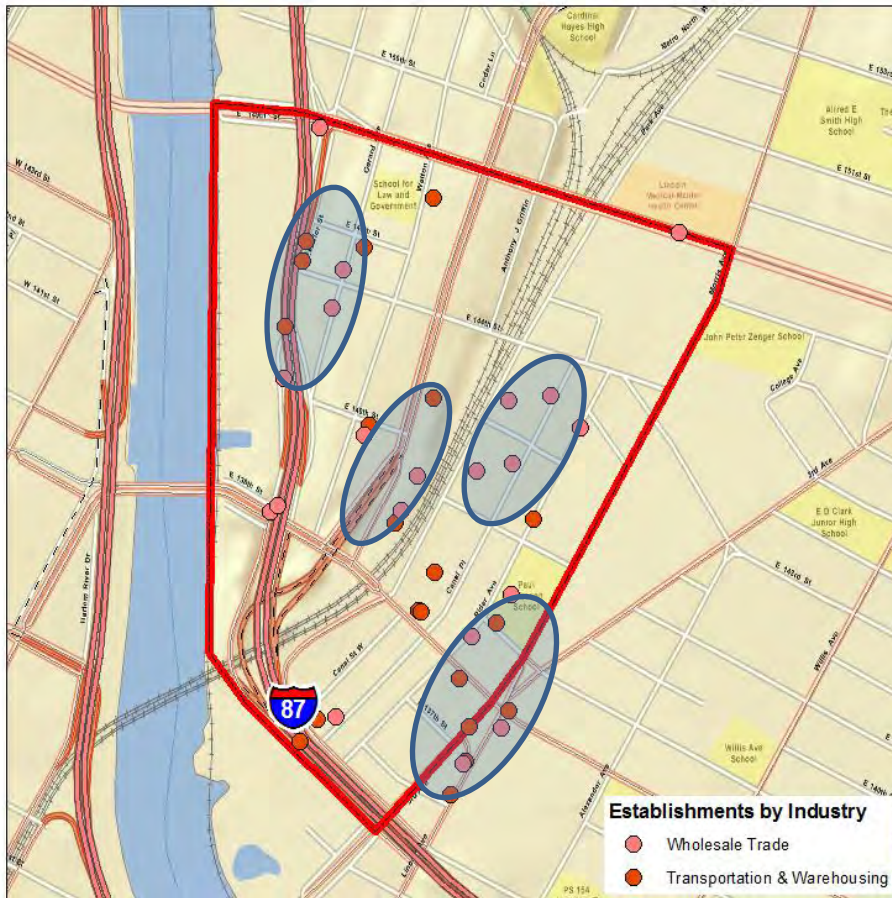
# Business & Employment Environment



## 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

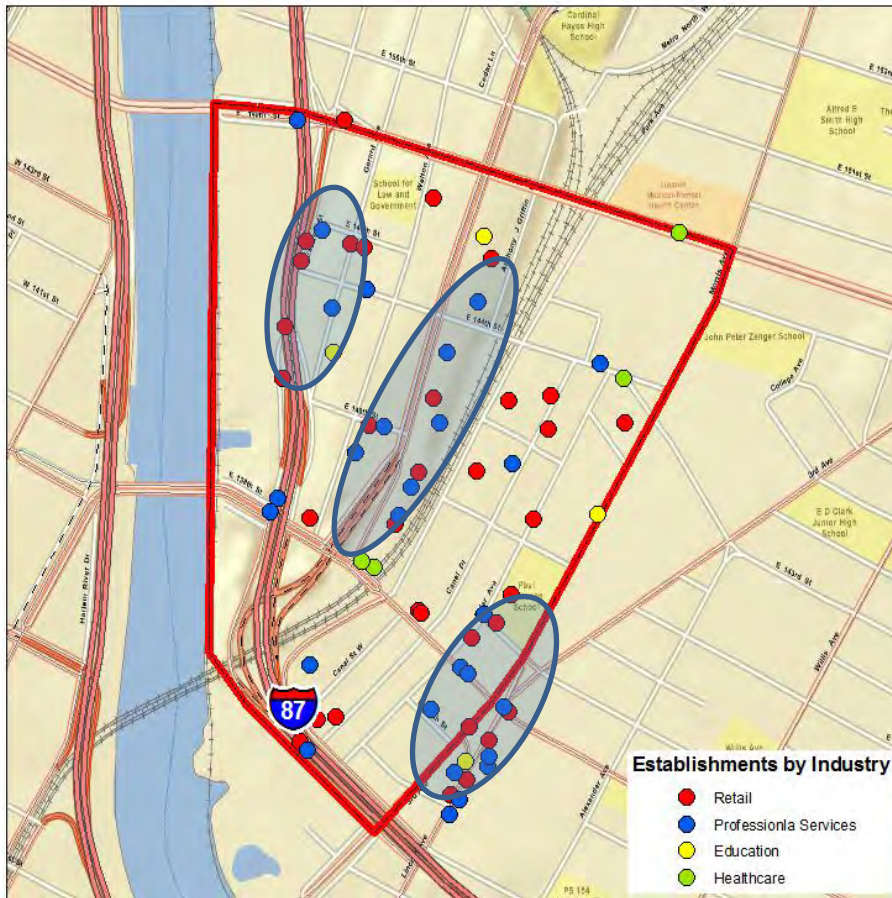


## Wholesale Trade, Warehousing, and Transportation Establishments

- 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

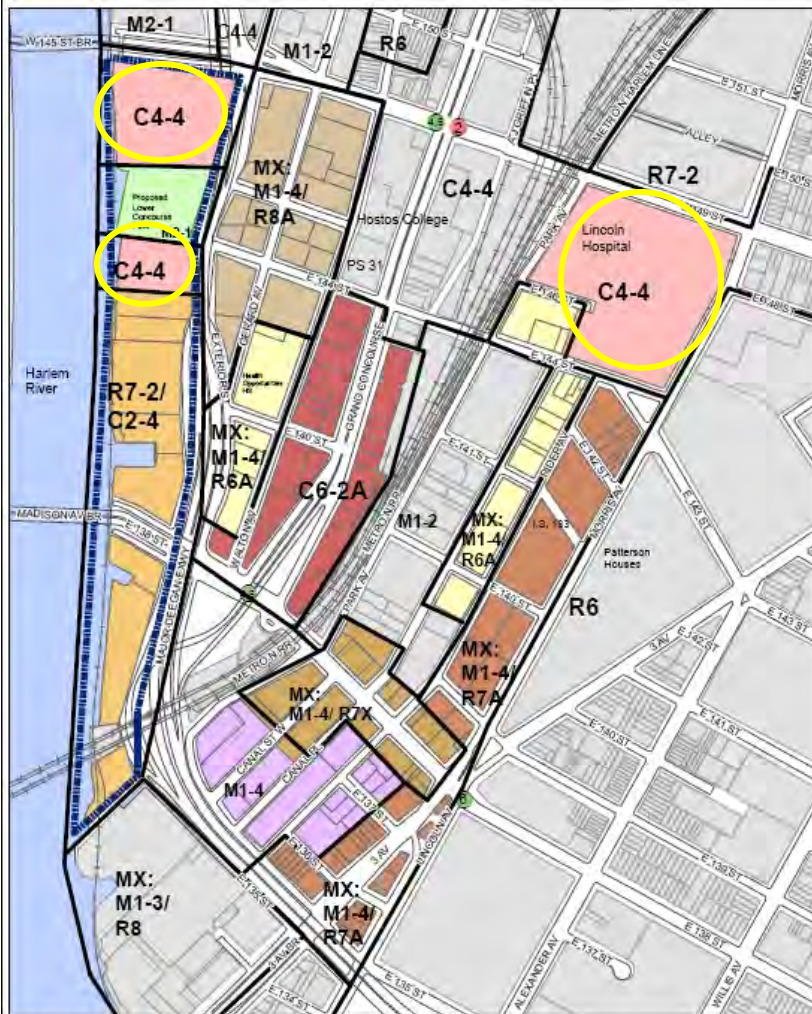


## Retail and Professional Services

- 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.

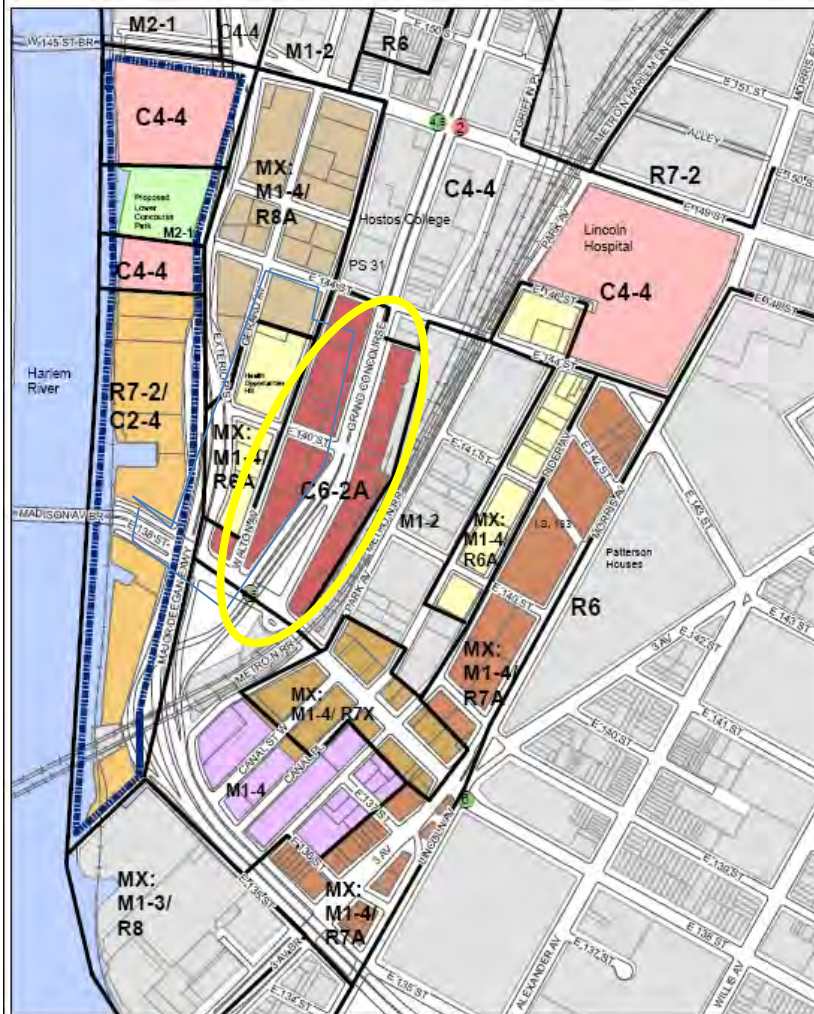
## New Permitted Uses:

**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:

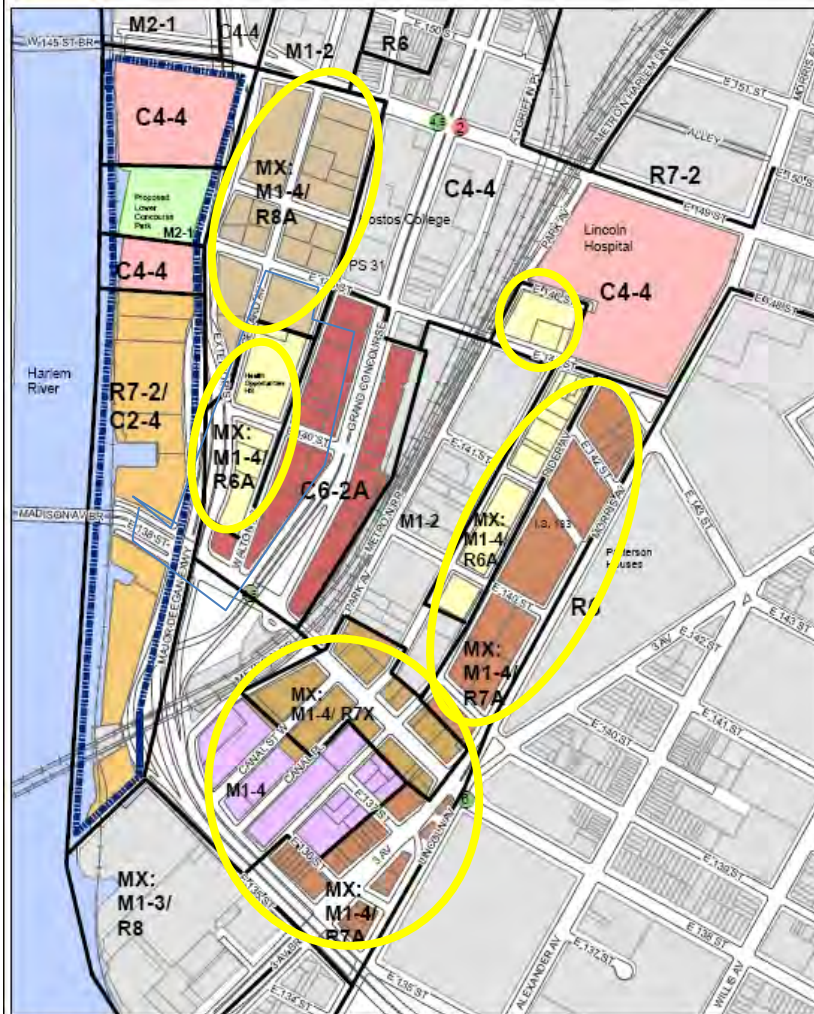
- M2-1 District FAR is 2.0, with current built FARs ranging from 0 to 2.24.

### 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.

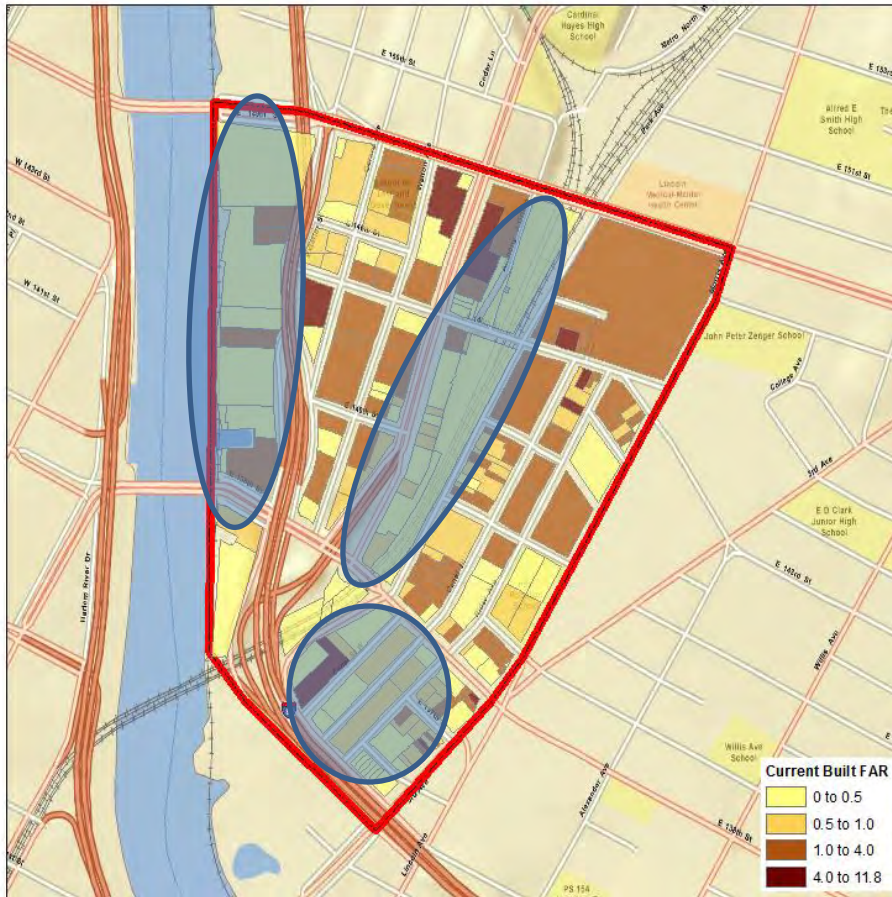
### New Permitted Uses:

**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

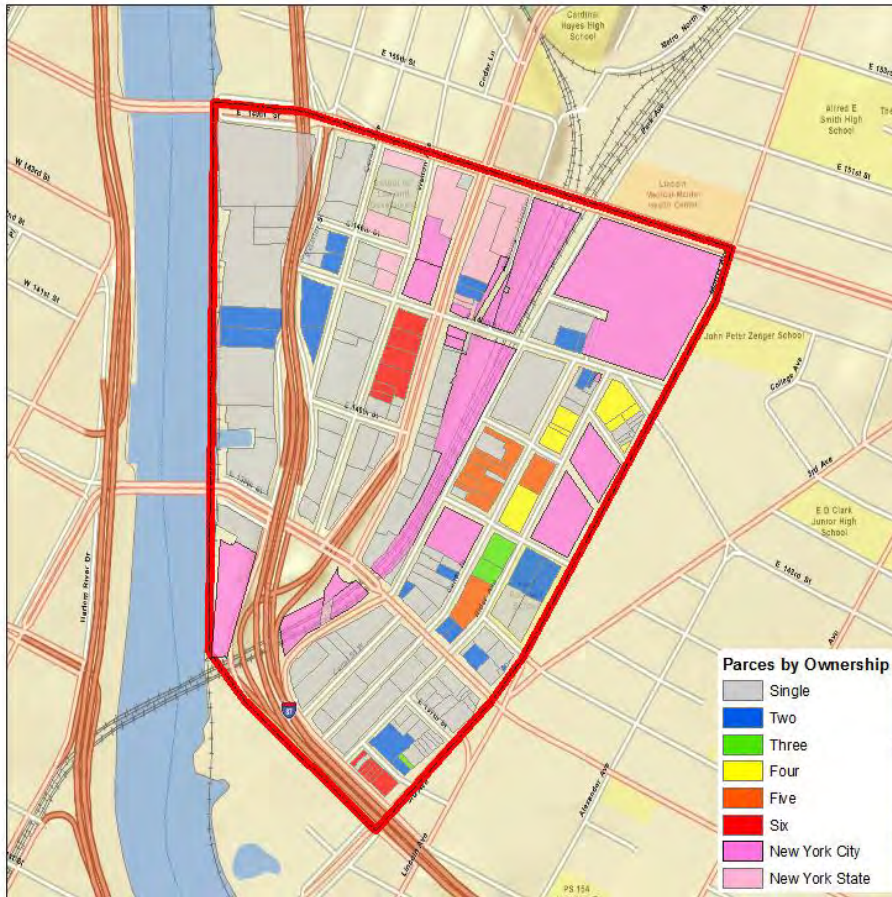


## Unimproved and Underutilized Parcels

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



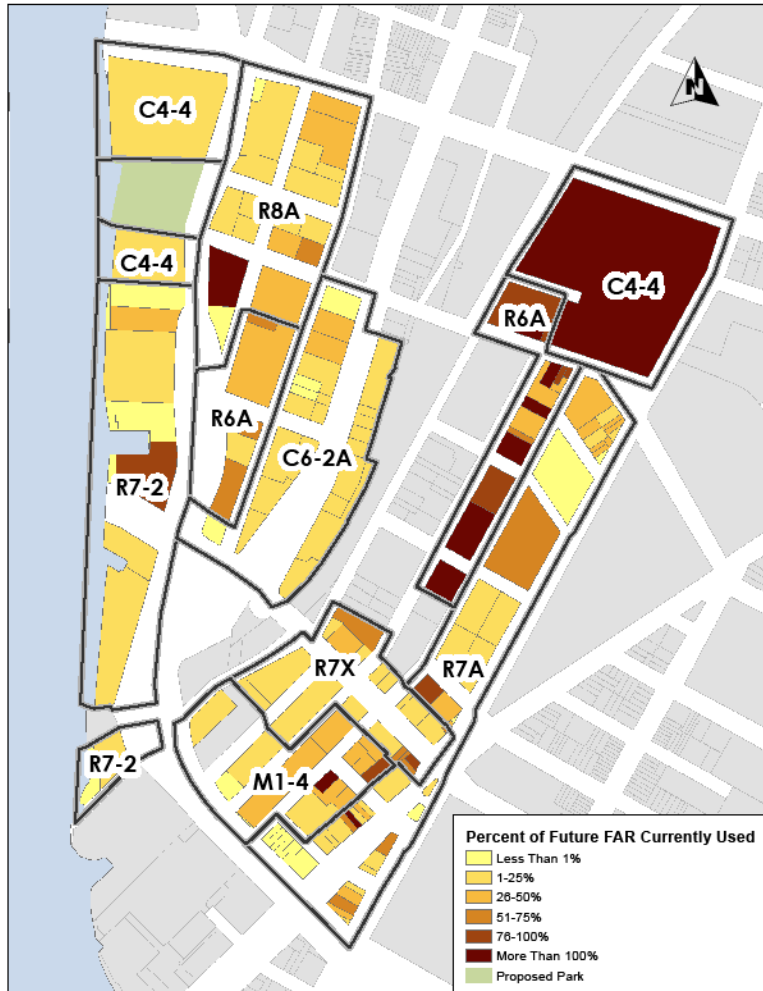
# Land Use and Zoning Overview



## 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

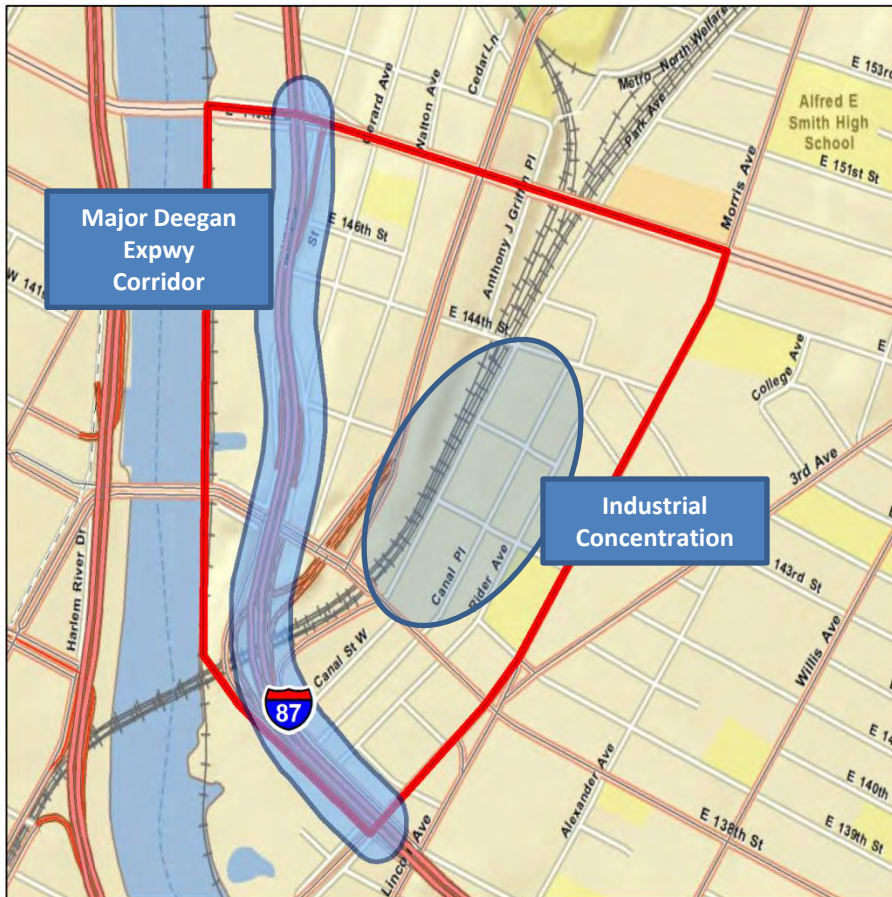


## Build out opportunities under planned zoning:

- Lots along the waterfront and East 136<sup>th</sup> 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 138<sup>th</sup> 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

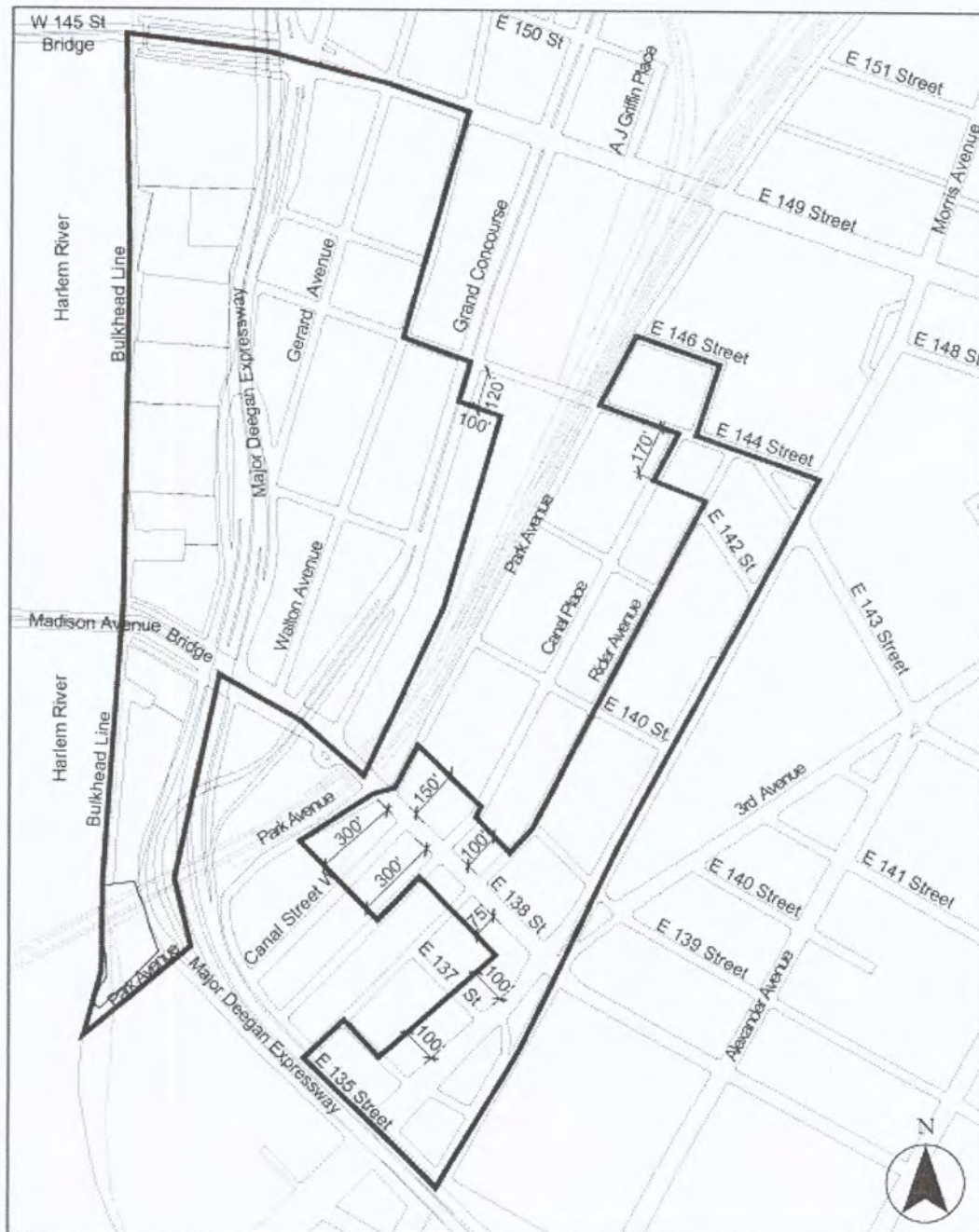
#### Inclusionary housing designated areas

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 149<sup>th</sup> 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 149<sup>th</sup> 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 138<sup>th</sup> 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 138<sup>th</sup> 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 149<sup>th</sup> 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 144<sup>th</sup> 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).

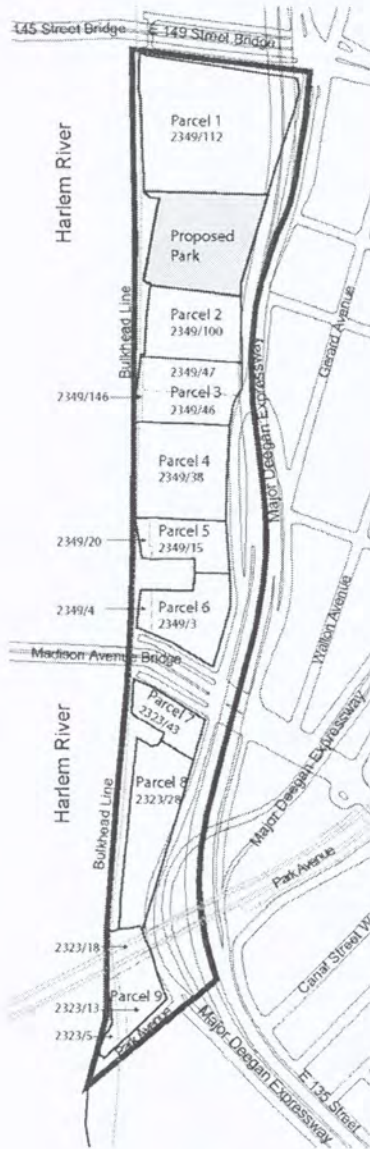
On each of Parcels 2, 3 and 4, and only among Parcels 2, 3 and 4, a #development# shall provide a connection for bidirectional vehicular travel at an adjacent #zoning lot line# if such adjacent #zoning lot# has previously constructed a connection that terminates at the shared #lot line#. Any connection 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

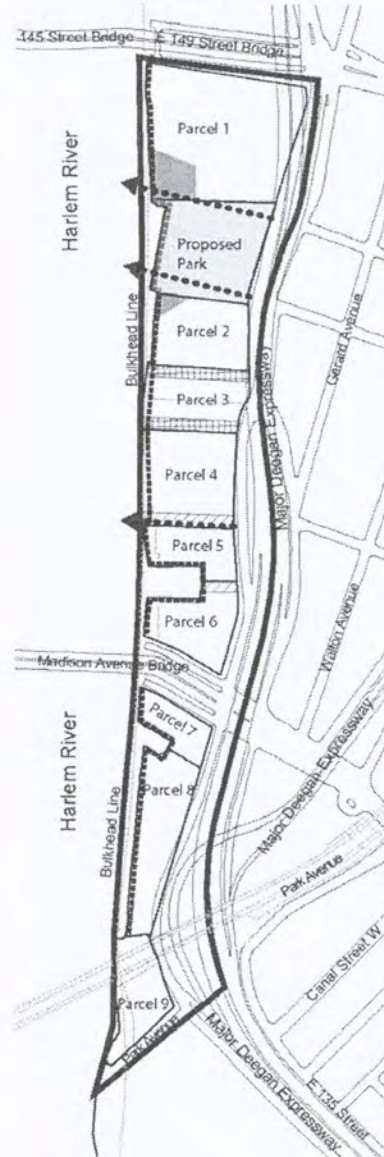
Map 1: Special Harlem River  
Waterfront District and Parcels

- 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			
<b>Construction Sources</b>			
		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%
<b>Permanent Sources</b>			
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%
<b>USES</b>			
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																				
<b>EFFECTIVE INCOMES</b>																					
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
<b>EXPENSES</b>																					
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	
<b>Acquisition Cost</b>	\$1,200,000		\$0 per sf - per du
<b>Construction Cost</b>			
Contractor Price	\$11,500,000		\$196 per sf
Remediation	\$750,000		\$0 per du
Contingency	\$575,000		5.00% of contractor px
<b>Total Hard Cost</b>	<b>\$12,075,000</b>		\$0 \$195/sq ft \$0 per du
<b>Soft Costs</b>			
<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>	<b>\$1,167,429</b>		
<i>Fees &amp; 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>	<b>\$219,241</b>		
<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>	<b>\$948,367</b>		
<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>	<b>\$89,000</b>		
Soft Cost Contingency	\$127,581		5.0% of soft costs
<b>Total Soft Costs</b>	<b>\$2,551,617</b>		
<b>Subtotal Development Costs</b>	<b>\$15,826,617</b>		
<b>Developer's Fee</b>	<b>\$500,000</b>		0.00% of TDC less Dev Fee
<b>Total Development Cost:</b>	<b>\$16,326,617</b>	<b>\$16,326,617</b>	

**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
<b>Uses</b>	420,679,502
<b>Difference</b>	(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		
<b>Expenses</b>			
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			
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
<b>Acquisition</b>	37,000,000	
<b>Demolition</b>	250,000	
<b>Green Roof</b>	835,625	835,625
<b>Environ. Remediation</b>	4,000,000	0
<b>Construction (Residential)</b>	221,382,000	166,036,500
<b>Commercial Space</b>	16,000,000	
<b>CSF Space</b>	2,000,000	
<b>Structured Parking</b>	42,412,500	12,506,453
<b>Contingency</b>	14,289,725	5,618,274
<b>Fees:</b>		
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
<b>Carry Costs:</b>		
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	
<b>Tax Credit Costs:</b>		
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
<b>Reserves:</b>		
Additional Operating Reserve	0	
Operating /unit	1,330,000	
<b>TOTAL DEVELOPMENT COST</b>	420,679,502	203,638,570
		30,545,786

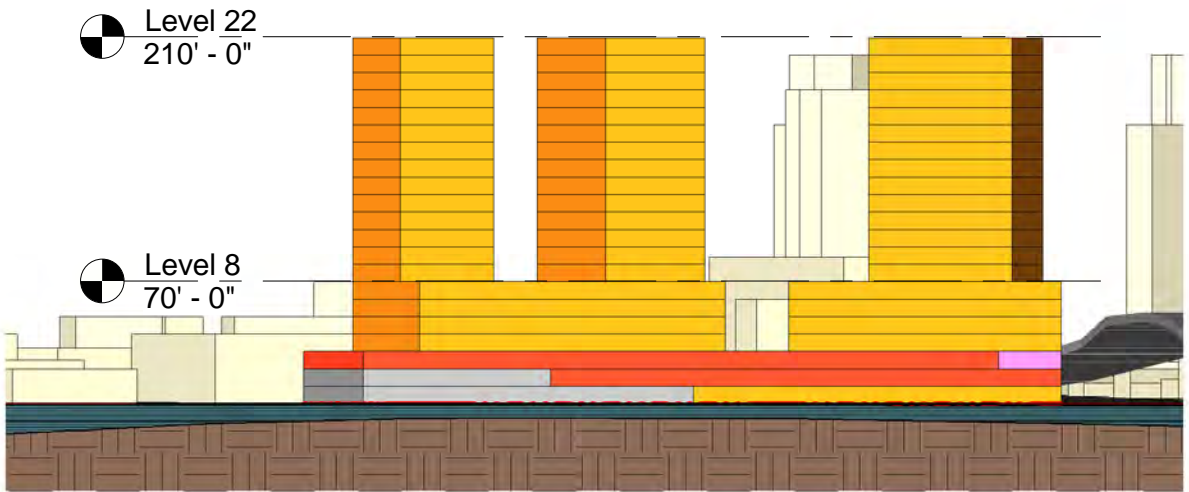
Vista 1 & 2 (continued)

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															
<b>EFFECTIVE INCOMES</b>																
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
<b>EXPENSES</b>																
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
<b>NOI</b>		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
<b>Net Cash Flow</b>		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



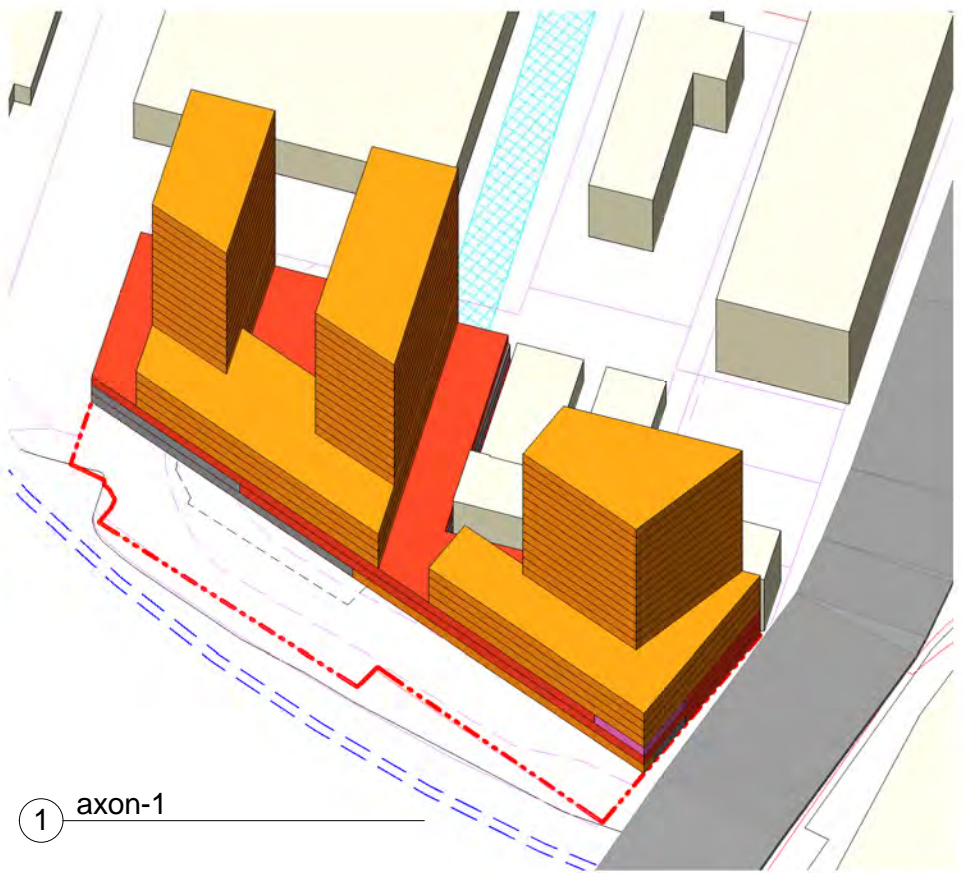
Mass Floor Schedule		
Mass: Family	Level	Floor Area
COMMERCIAL	ground floor	4580 SF
COMMERCIAL	Level 2	16966 SF
COMMERCIAL	Level 3	42950 SF
		64496 SF
COMMUNITY FACILITY	Level 3	1435 SF
		1435 SF
PARKING	ground floor	37517 SF
PARKING	Level 2	27499 SF
		65016 SF
RES - TOWER	Level 8	16069 SF
RES - TOWER	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



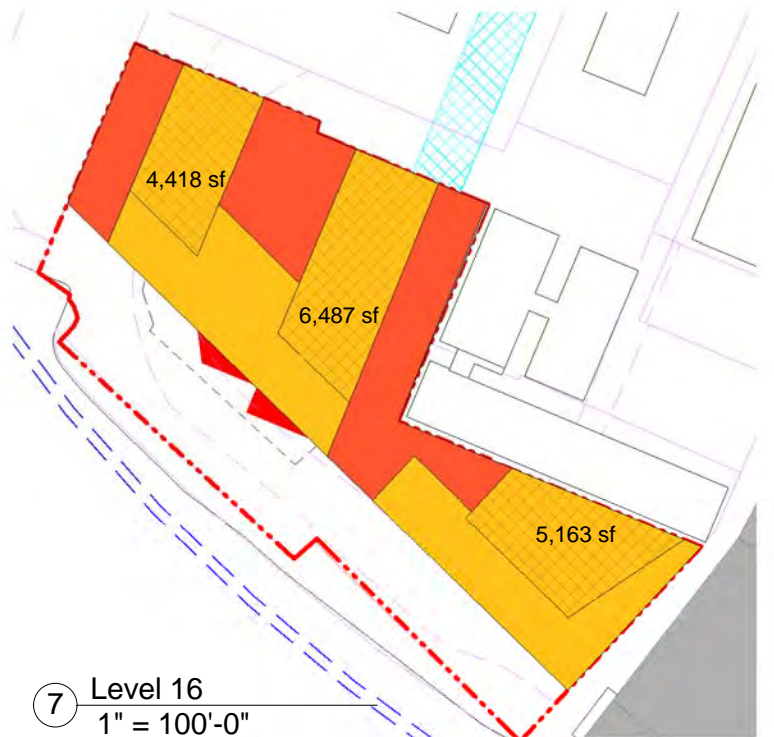
② Elevation 2 - a  
1" = 100'-0"

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



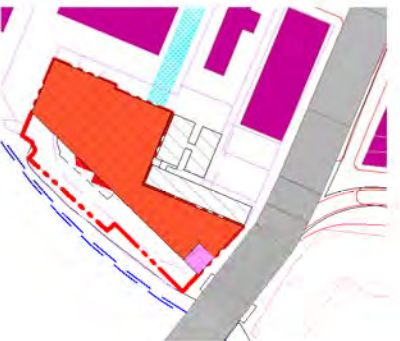
⑦ Level 16  
1" = 100'-0"



③ ground floor  
1" = 300'-0"



④ Level 2  
1" = 300'-0"

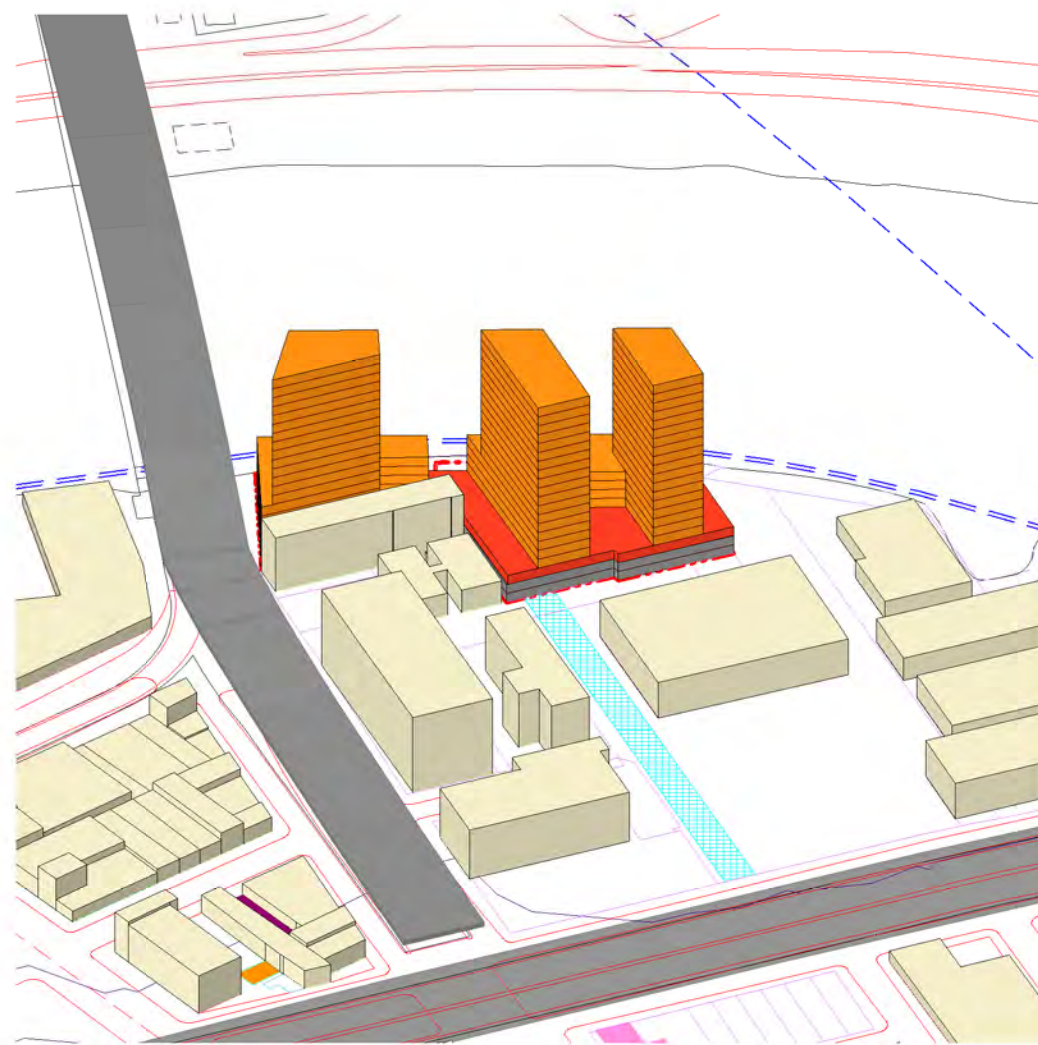


⑤ Level 3  
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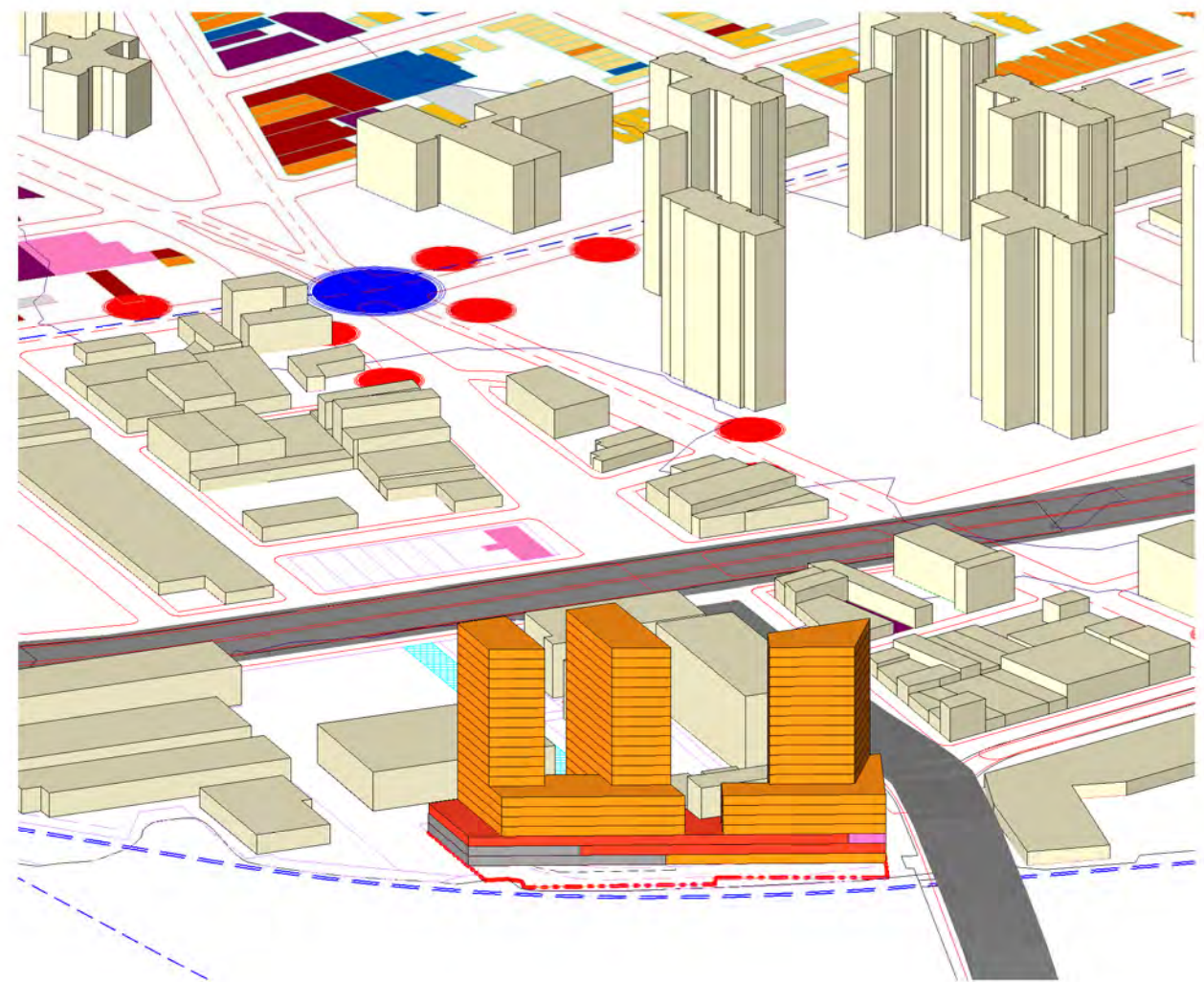


⑥ Level 4  
1" = 300'-0"





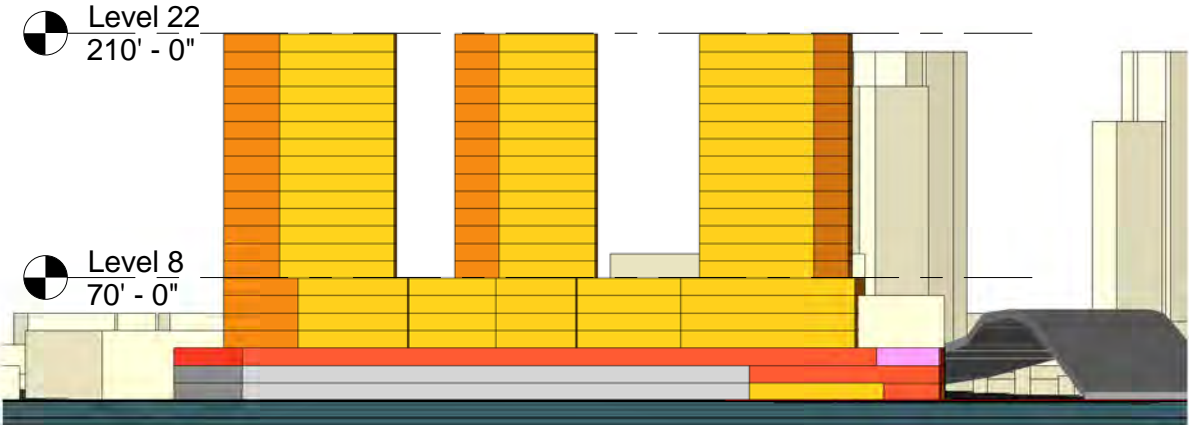
② working view 2



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

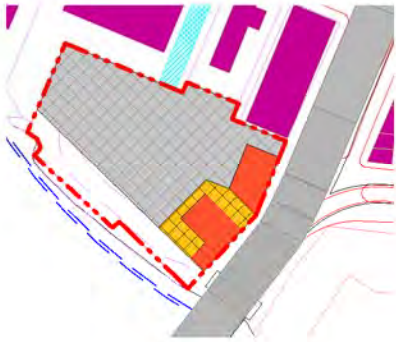
FAR		LOT AREA	SF	
6.5	X	104,701	680,556	MAX ZONING AREA
6.02	X	104,701	630,000	MAX RES AREA
.48	X	104,701	50,256	CF and ALT USE



① axon-1



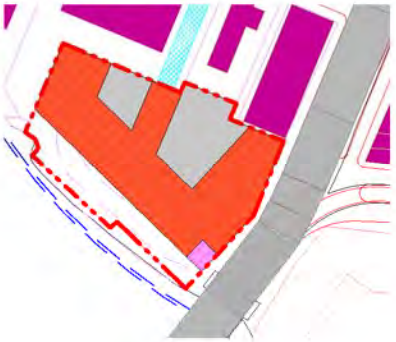
⑧ Level 16  
1" = 100'-0"



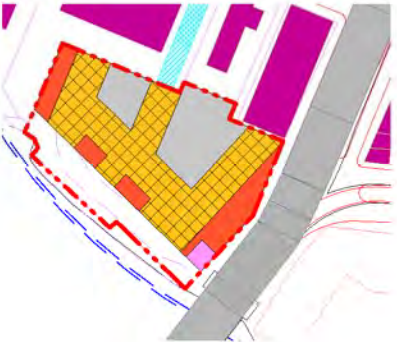
③ ground floor  
1" = 300'-0"



④ Level 2  
1" = 300'-0"

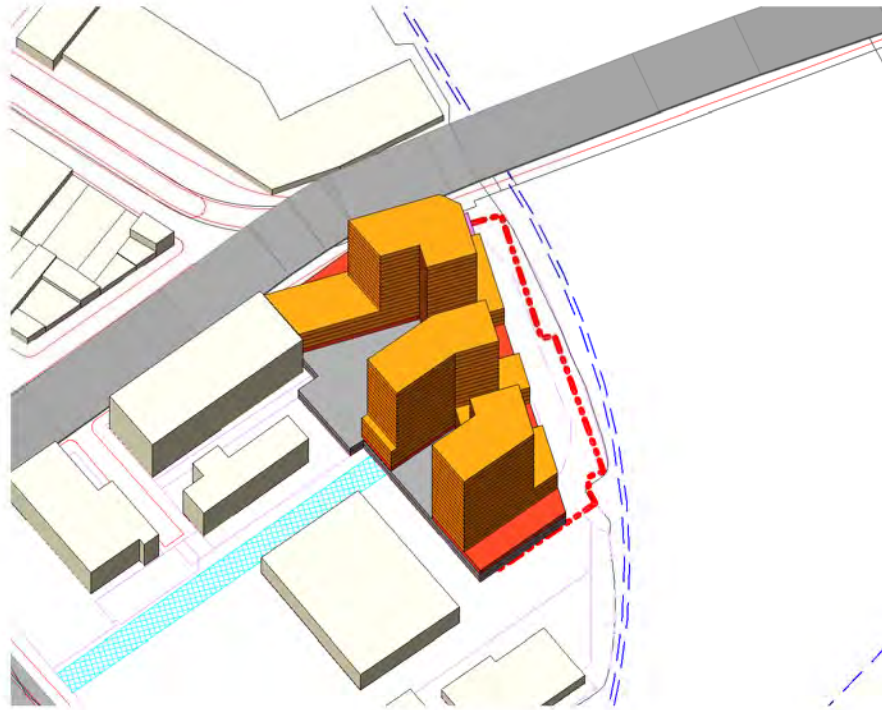


⑤ Level 3  
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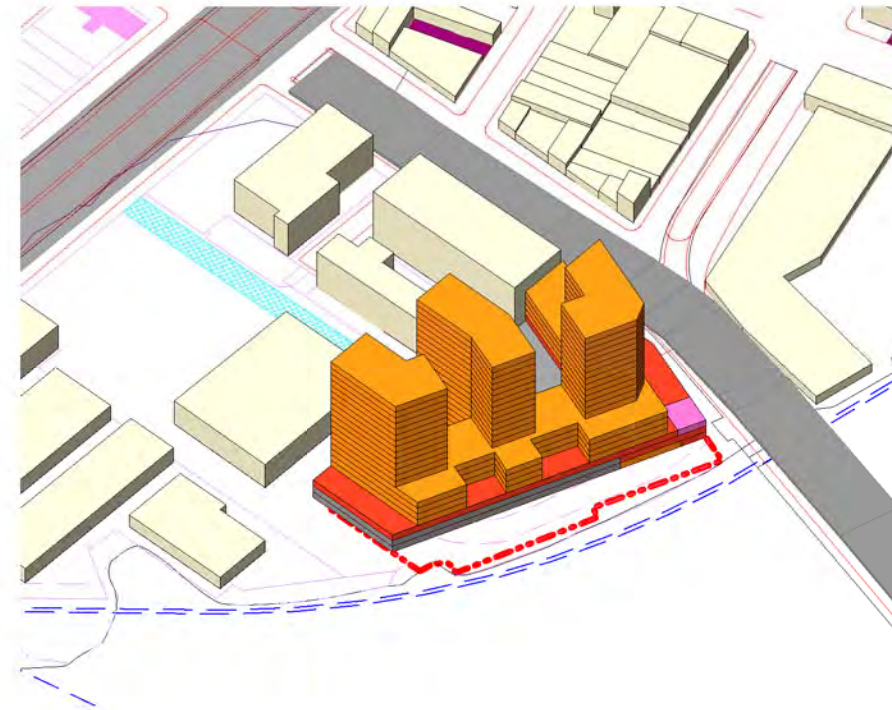


⑥ Level 4  
1" = 300'-0"

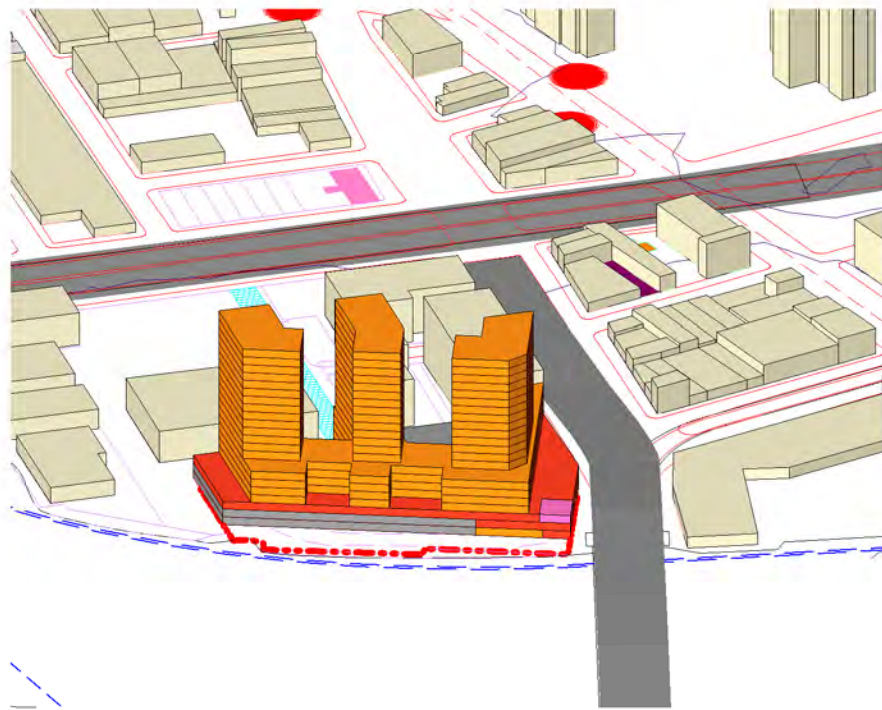




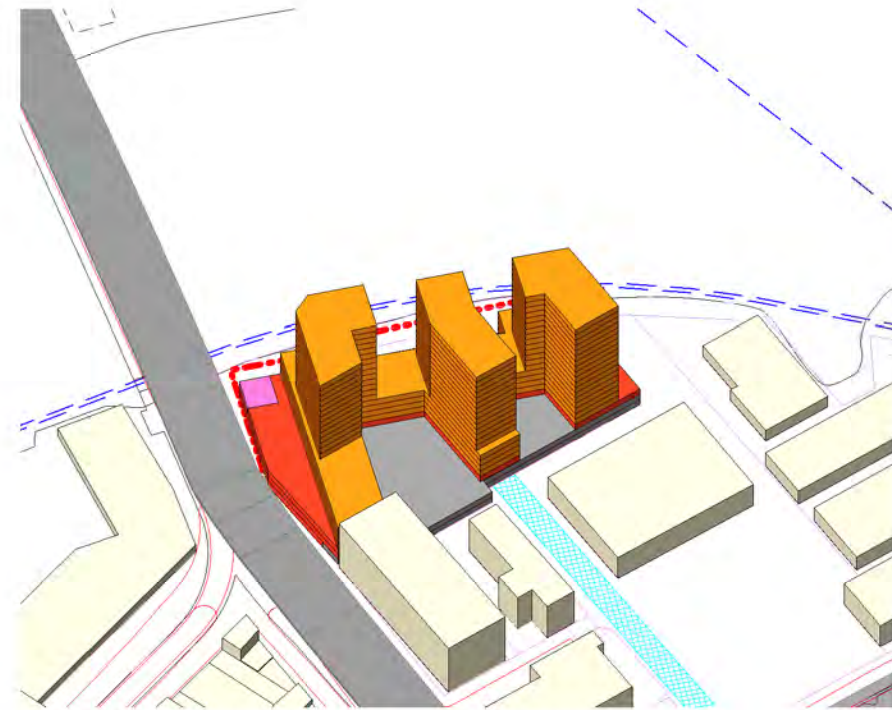
④ View 4



③ View 3



② View 2



① View 1



**Magnusson Architecture and Planning PC**  
 853 Broadway New York NY 10003  
 212 253 7820 t 212 253 1276 f  
[www.maparchitects.com](http://www.maparchitects.com)

## 2401 Third Ave.

Preliminary Planning/Design Study - SCHEME B



JOB NO:	10007	DRAWING NO:
DATE:	04.09.10	2
Author		



## *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>
<b>Total</b>	<b>\$540,000</b>

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](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

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## Phase I Environmental Site Assessment

AKRF Project Number: 10948



### Prepared for:

SoBRO  
555 Bergen Avenue, 3<sup>rd</sup> Floor  
Bronx, NY 10455

### Prepared by:



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**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 135<sup>th</sup> 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**

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## **Phase I Environmental Site Assessment**

**AKRF Project Number: 11195**



**Prepared for:**

SoBRO  
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**Prepared by:**



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**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 3<sup>rd</sup> 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 3<sup>rd</sup> 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**

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## **Phase I Environmental Site Assessment**

**AKRF Project Number: 11213**



### **Prepared for:**

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**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.