

ATTACHMENT E
***Port Morris Harlem Riverfront - Brownfield
Opportunity Area***

Port Morris Harlem Riverfront Brownfield Opportunity Area

-

Step 2 NOMINATION REPORT

New York City, Bronx County

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

Grantee: South Bronx Overall Economic Development
Corporation (SoBRO)

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Table of Contents

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

Table of Contents

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

List of Appendices

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

List of Images and Figures

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

List of Tables

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

INTRODUCTION

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

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

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

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

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

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

SOBRO - ORGANIZATIONAL BACKGROUND AND QUALIFICATION

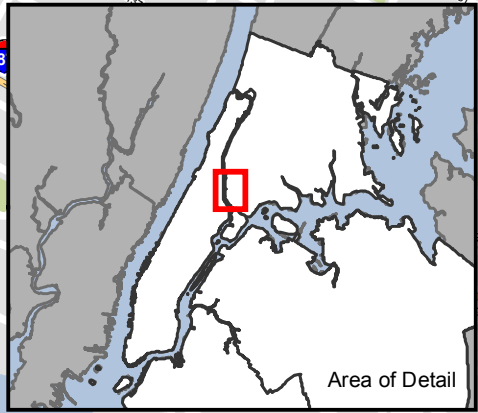
SoBRO is uniquely qualified to administer the BOA Program in Port Morris due to its long-standing 36-year history as a local community development organization and agent of community revitalization in the South Bronx. SoBRO has successfully transformed numerous blighted properties into productive use,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

COMMUNITY ENGAGEMENT

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

PORT MORRIS HARLEM RIVERFRONT BOA BOUNDARY

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



 Proposed Port Morris Harlem Riverfront BOA Boundary

 Feet
0 1,500

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

EXISTING CONDITIONS AND STRATEGIC SITES

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

LAND USE

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

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

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

ZONING

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

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

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

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

OTHER

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

STRATEGIC SITES

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

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

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

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

FINDINGS AND RECOMMENDATIONS

KEY FINDINGS

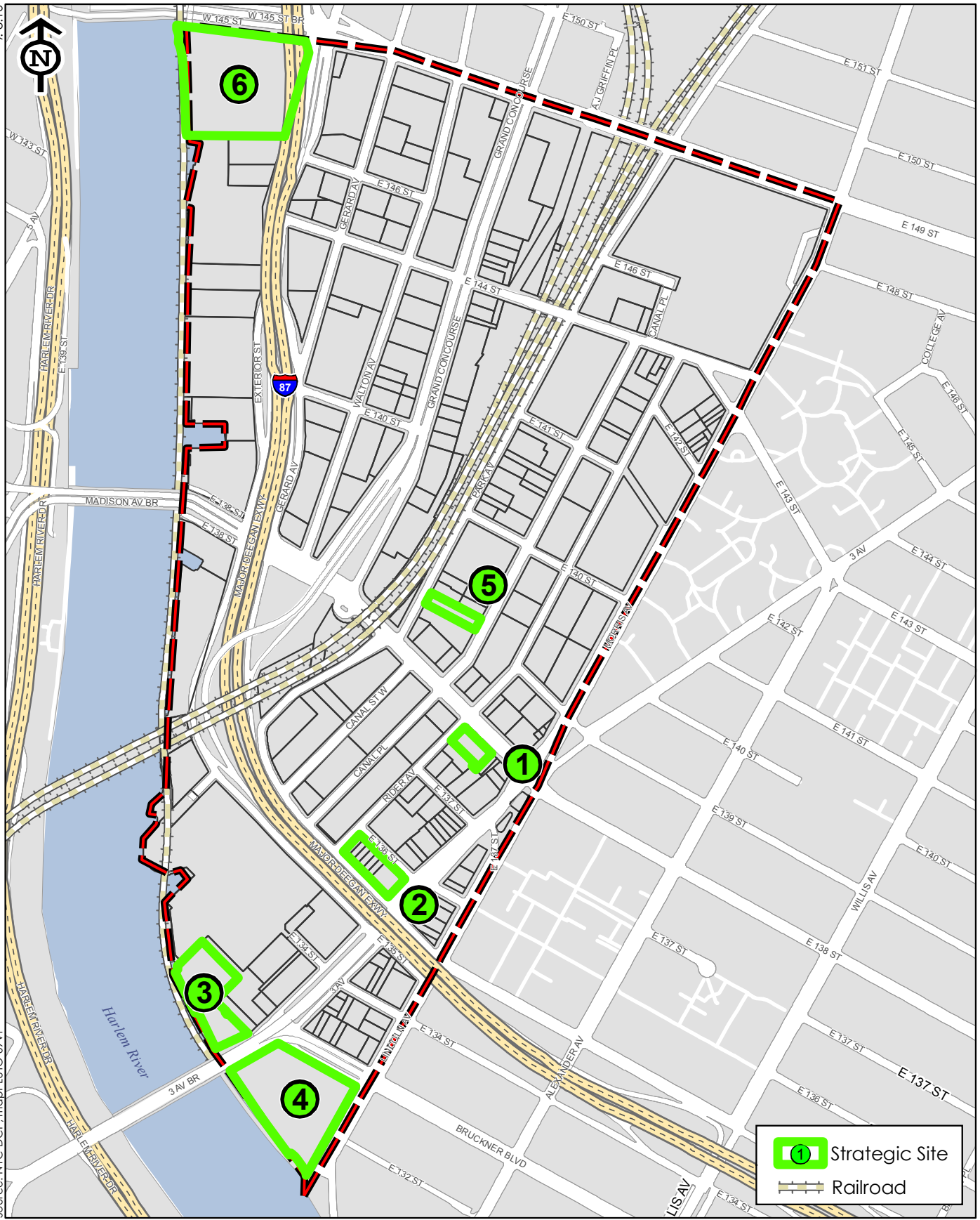
Environmental Constraints

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

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

Land Use and Zoning

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



 Proposed Port Morris Harlem Riverfront BOA Boundary

0 1,000 Feet

Strategic Site Locations
Figure S-2

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

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

Waterfront and Open Space Development

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

Transportation and Infrastructure

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

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

Business and Employment

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

RECOMMENDATIONS: ADVANCING TO STEP 3

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

- Activity 1.** Identifying and engaging property owners;
- Activity 2.** Defining brownfield remediation issues at a site;
- Activity 3.** Identifying financial and related barriers to redevelopment; and
- Activity 4.** Creating site-specific redevelopment plans.

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

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

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

Port Morris Harlem Riverfront BOA – Step 2 Nomination Report

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

A. INTRODUCTION

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

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

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

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

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

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

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

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

The BOA Program consists of three major steps:

1) Step 1 - Pre-Nomination Study

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

2) Step 2 - Nomination Study

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

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

3) Step 3 - Implementation Strategy

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

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

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

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

C. PORT MORRIS BOA PROGRAM INTENT & PURPOSE

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

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

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

D. LEAD PROJECT SPONSORS

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

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

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

ORGANIZATIONAL BACKGROUND

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

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

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

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

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

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

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

RELEVANT COMMUNITY REVITALIZATION AND BROWNFIELD DEVELOPMENT EXPERIENCE

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

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

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

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

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

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

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

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

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

RELATIONSHIP TO LOCAL GOVERNMENT AND CIVIC ORGANIZATIONS

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

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

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

Elected Officials:

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

Government Agencies:

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

Community Partners:

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

E. COMMUNITY VISION, GOALS AND OBJECTIVES

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

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

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

IDENTIFICATION OF COMMUNITY VISION IN RELATION TO THE BOA PROGRAM

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

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

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

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

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

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

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

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

COMMUNITY VISIONING FINDINGS

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

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

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

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

SOBRO'S GOALS

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

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

F. PROJECT BACKGROUND, OVERVIEW, AND DESCRIPTION

PROJECT BACKGROUND AND HISTORY

GREATER PORT MORRIS BOA

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

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

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

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

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

SUBDIVISION INTO INDIVIDUAL ZONES

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

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

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

7.8.10



NEW JERSEY

Westchester

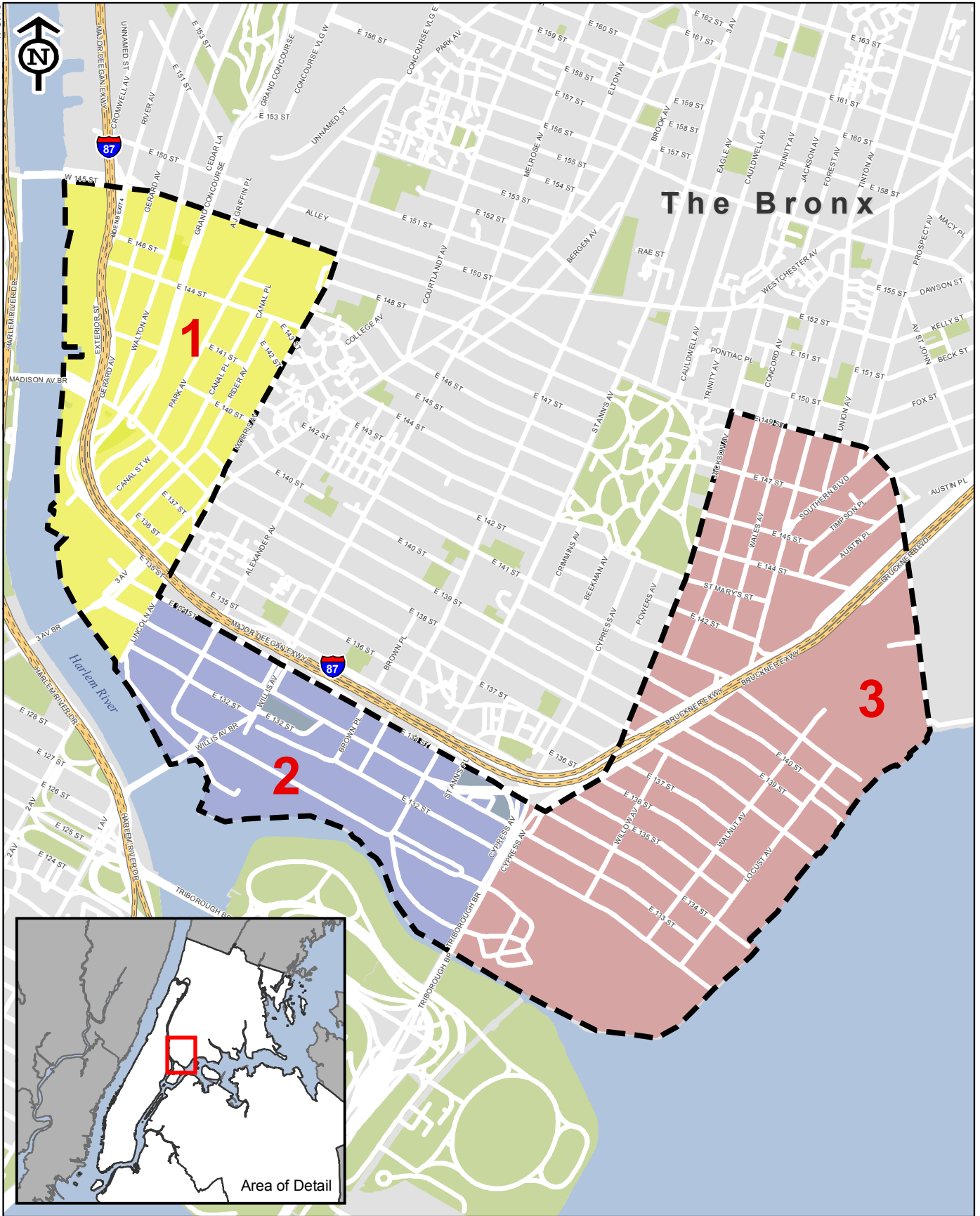
The Bronx

Manhattan

Queens

 Greater Port Morris Boundary

 Miles
0 3



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



Greater Port Morris BOA - Individual Zones
Figure 1-2

G. BROWNFIELD OPPORTUNITY AREA BOUNDARY DESCRIPTION AND JUSTIFICATION

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

BOUNDARY DESCRIPTION

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

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

BOUNDARY JUSTIFICATION

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

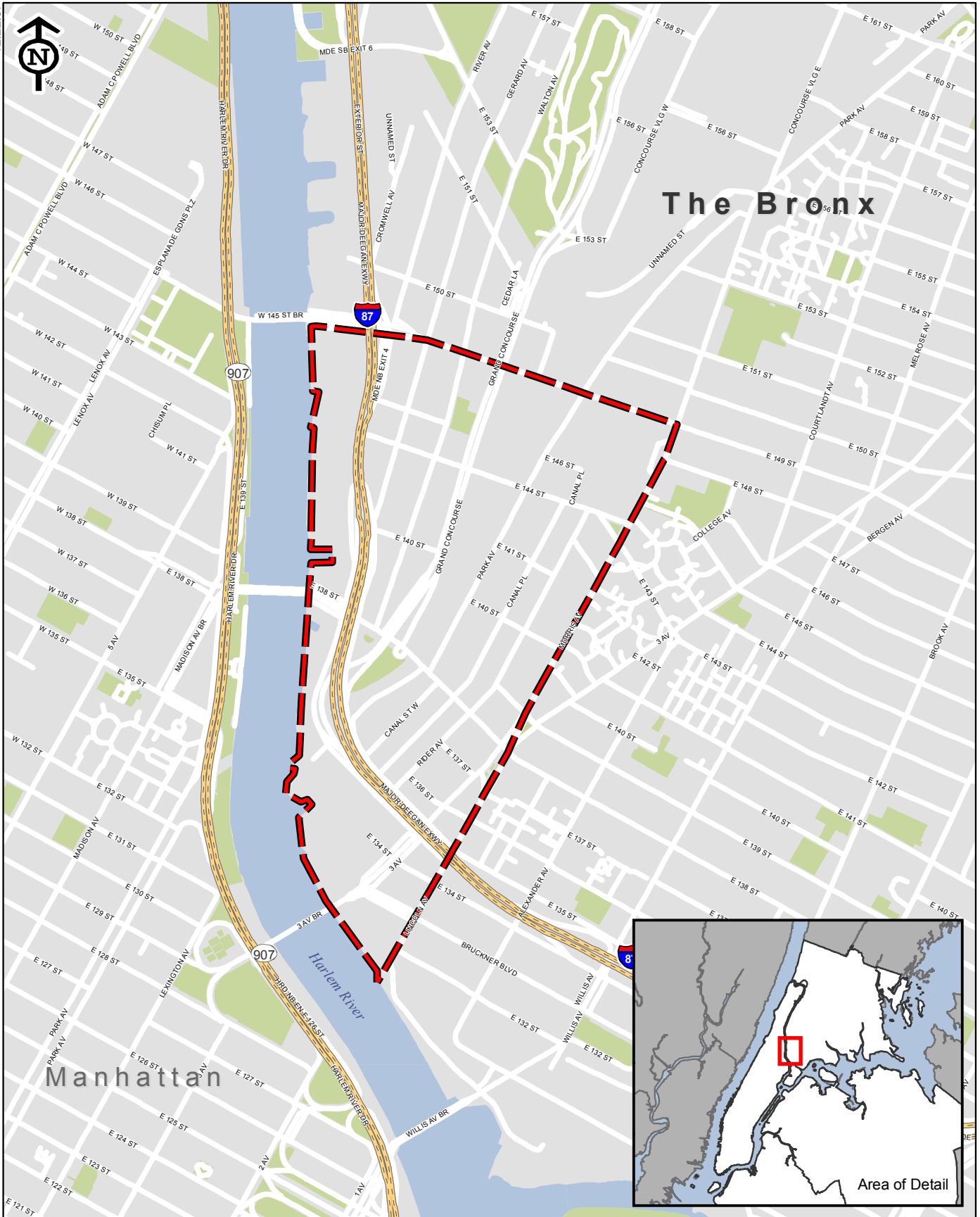
A number of recently certified rezoning actions and developments contribute to the revitalization opportunities in the Harlem Riverfront BOA area. Among these are the following notable key efforts that have recently been put in place or are in the process of being realized:

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

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

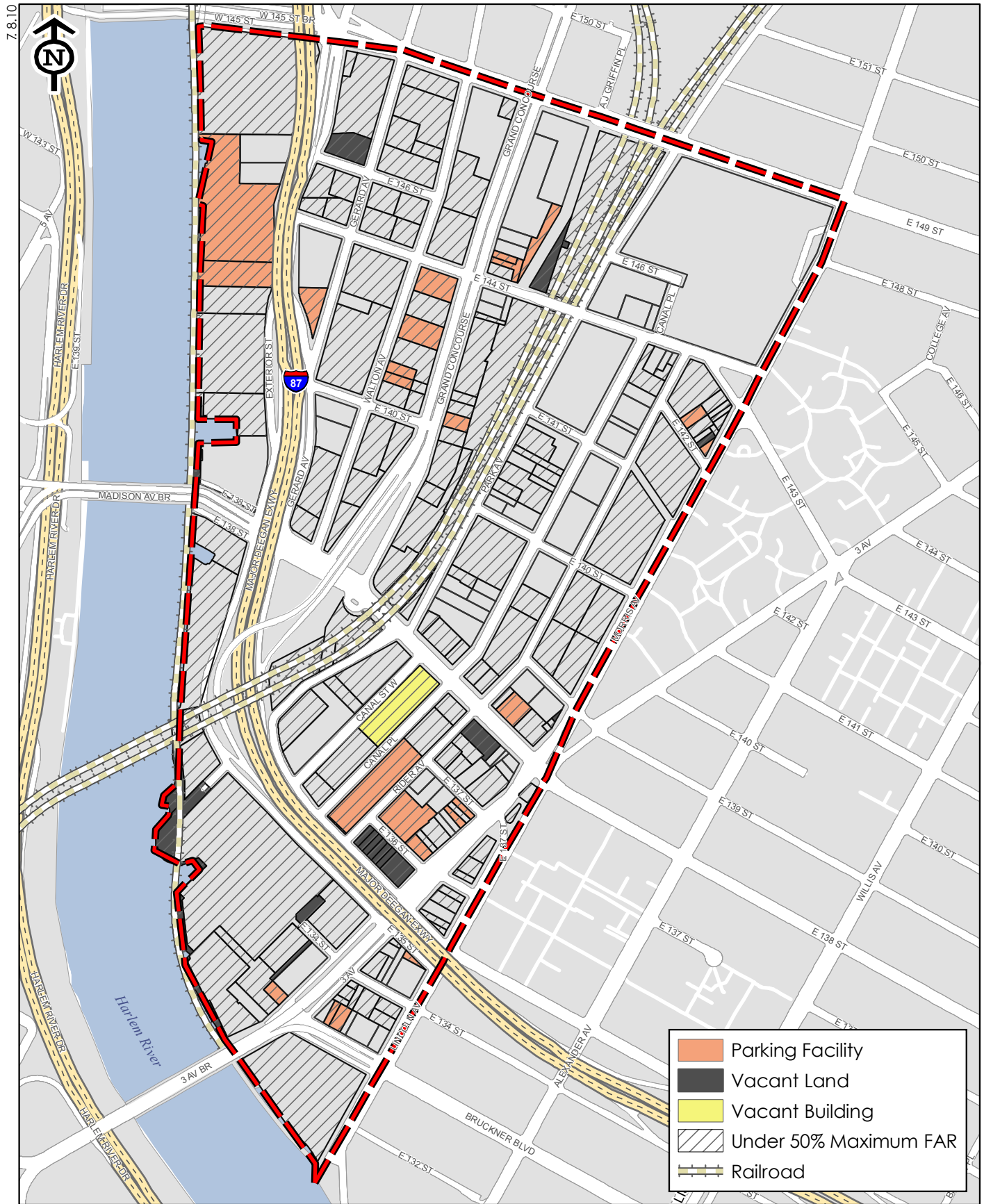
the environmental impacts of developing the identified Strategic Sites and development sites targeted by the City within the rezoned area. SoBRO, through the BOA Program, is well positioned to help guide some of the development that is likely to occur because of this recently enacted zoning change. The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

12.22.09



 Proposed Port Morris Harlem Riverfront BOA Boundary

 Feet
0 1,500



7.8.10



- Parking Facility
- Vacant Land
- Vacant Building
- Under 50% Maximum FAR
- Railroad

Proposed Port Morris Harlem Riverfront BOA Boundary

0 Feet
1,000

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

Chapter 2: Public Participation Plan and Techniques to Enlist Partners

A. INTRODUCTION

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

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

B. PUBLIC PARTICIPATION PLAN

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

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

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

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

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

BOA COMMUNITY COALITION AND PUBLIC VISIONING MEETINGS

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

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

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

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

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

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

COMMUNITY BOARD 1

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

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

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

BOA STEERING COMMITTEE

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

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

C. TECHNIQUES TO ENLIST PARTNERS

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

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

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

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

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

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

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

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

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

Port Morris Harlem Riverfront BOA – Step 2 Nomination Report

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

A. INTRODUCTION

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

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

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

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

B. COMMUNITY AND REGIONAL SETTING

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

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

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

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

PORT MORRIS

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

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

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

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

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

MOTT HAVEN

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

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

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

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

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

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

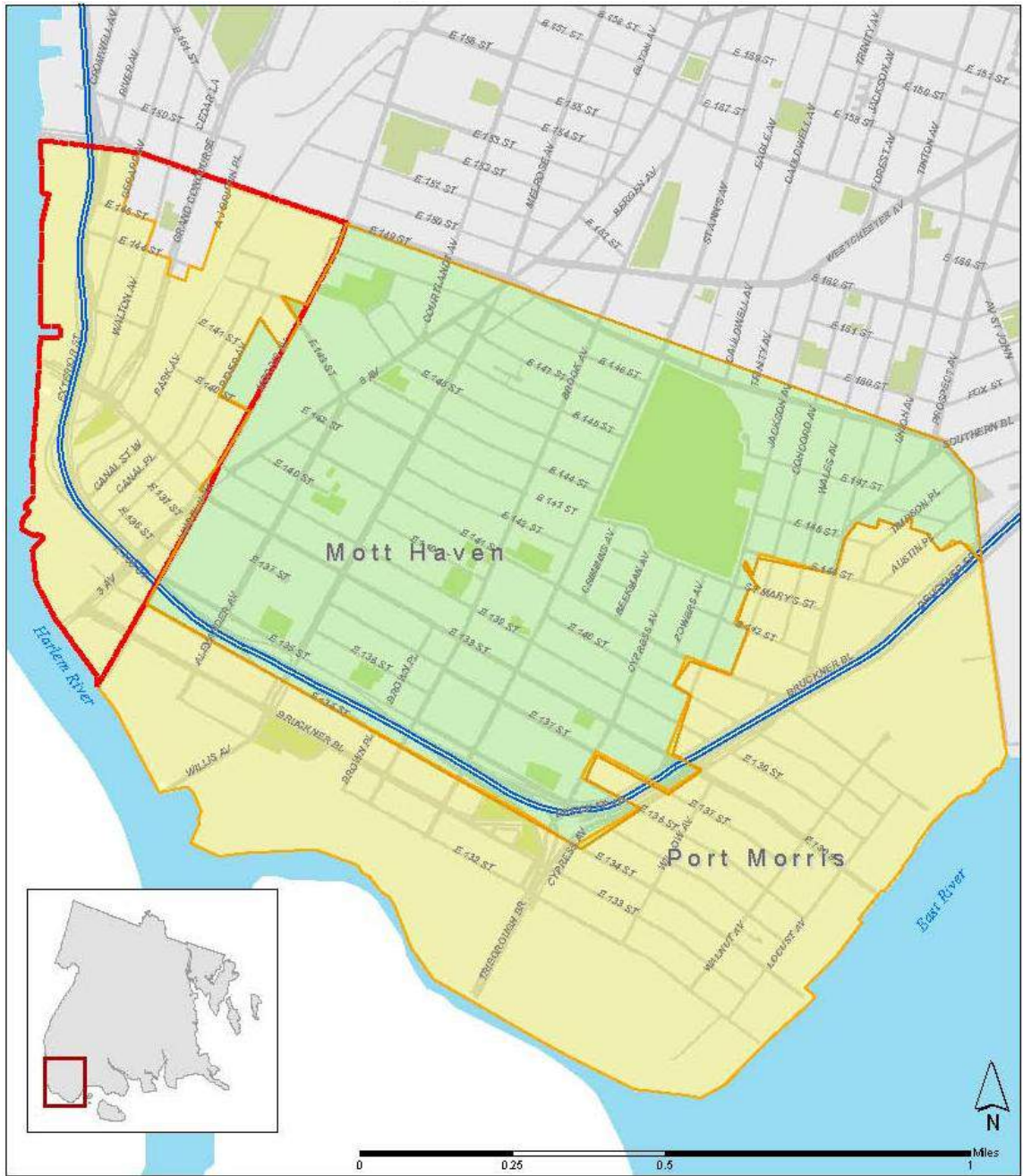
large formerly underutilized site into active retail use, and is currently in the process of restoring public access to the Harlem River waterfront.


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

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

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

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



 Port Morris Harlem Riverfront BOA



Source: NYC Dept. of City Planning
Monetta Wils on 5.27.2010

C. EXISTING CONDITIONS INVENTORY AND ANALYSIS

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

PART I: LAND USE, ZONING, AND STRATEGIC SITES

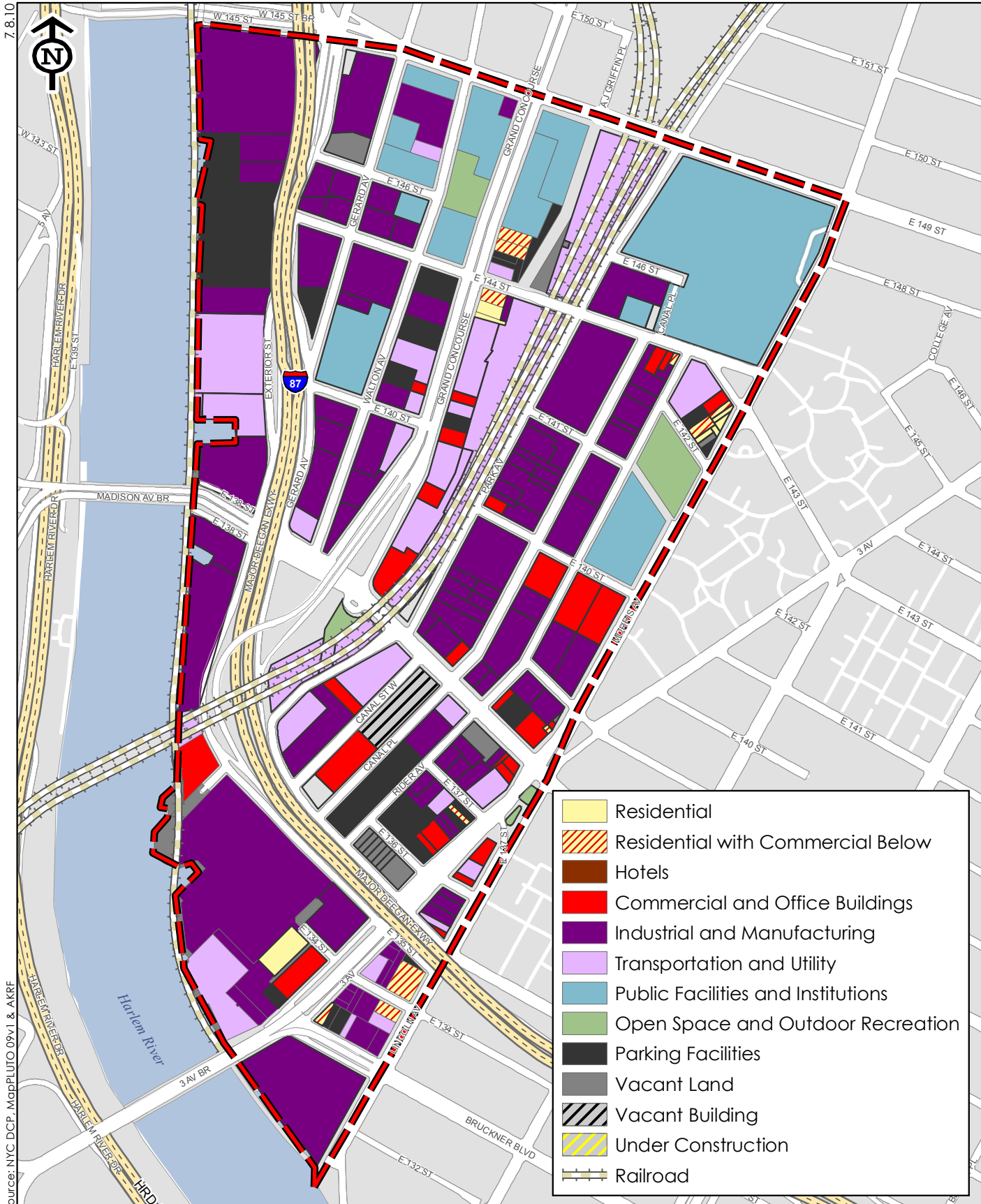
LAND USE

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

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

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

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



Source: NYC DCP, MapPLUTO 09V1 & AKRF

 Proposed Port Morris Harlem Riverfront BOA Boundary



Existing Land Use
Figure 3-1

ZONING

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

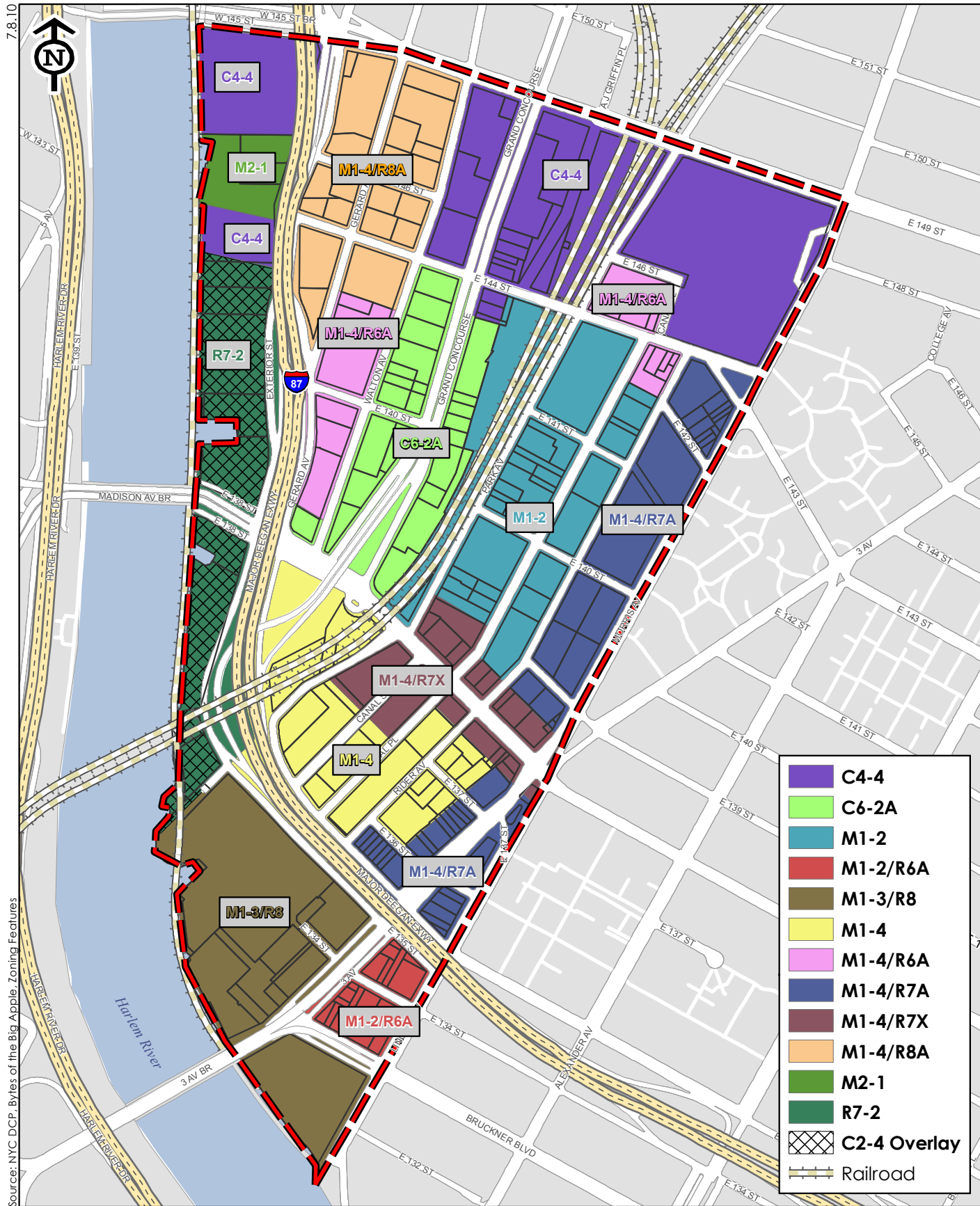
Table 3-1
Zoning Districts in Harlem Riverfront BOA Study Area

Zoning District	Use Groups Allowed ¹	Allowed Maximum FAR				Base Height	Maximum Building Height
		Residential	Commercial	Manufacturing	Community Facility	Min to Max	
M1-2	4-14, 16, 17	X	2.00	2.00	4.80	*	*
M1-4	4-14, 16, 17	X	2.00	2.00	6.50	*	*
M2-1	6-14, 16, 17	X	2.00	2.00	X	*	*
MX (R6A/ M1-2)	1-14, 16-17	3.00	2.00	2.00	3.00	40 to 60 ft	70 ft
MX (R6A/ M1-4)	1-14, 16-17	2.7 (3.6 with inclusionary housing)	2.00	2.00	3.00	40 to 60 ft	70 ft
MX (R7A/ M1-4)	1-14, 16-17	3.45 (4.6 with inclusionary housing)	2.00	2.00	4.00	40 to 65 ft	80 ft
MX (R7X/ M1-4)	1-14, 16-17	3.75 (5.0 with inclusionary housing)	2.00	2.00	5.00	60 to 85 ft	125 ft
MX (R8/ M1-3)	1-14, 16-17	6.02	5.00	5.00	6.50	*	*
MX (R8A/ M1-4)	1-14, 16-17	5.4 (7.2 with inclusionary housing)	2.00	2.00	6.50	60 to 85 ft	120 ft
R7-2/ C2-4	1-9, 14	3.0 (4.0 with inclusionary housing)	2.00	X	4.80	**	**
C4-4	1-6, 8-10, 12	3.0 (4.0 with inclusionary housing)	3.40	X	6.50	**	**
C6-2A	1-12	5.4 (7.2 with inclusionary housing)	6.00	X	6.50	60 to 85 ft	120 ft

Notes: The zoning districts in this table include those adopted in June, 2009 as part of the Lower Concourse Rezoning. The rezoning is discussed in detail in the following section.
¹Uses that have similar functional characteristics and/or nuisance impacts and are generally compatible with each other are listed in one or more of 18 groups that are ranked from residential uses (Use Groups 1–2), community facility uses (Use Groups 3–4), retail and service uses (Use Groups 5–9), regional commercial centers/amusement uses (Use Groups 10–12), waterfront/recreation uses (Use Groups 13–15), heavy automotive uses (Use Group 16), to manufacturing uses (Use Groups 17–18). Use group charts can be found in Chapter 2 of Articles II, III and IV of the City’s Zoning Resolution.
 *Governed by the Sky Exposure Plane.
 **Bulk controlled by Waterfront Access Plan.

Sources: Department of City Planning, Bronx Borough Office, March 2008.

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



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

Lower Concourse Rezoning

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

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

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

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

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

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

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

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

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

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

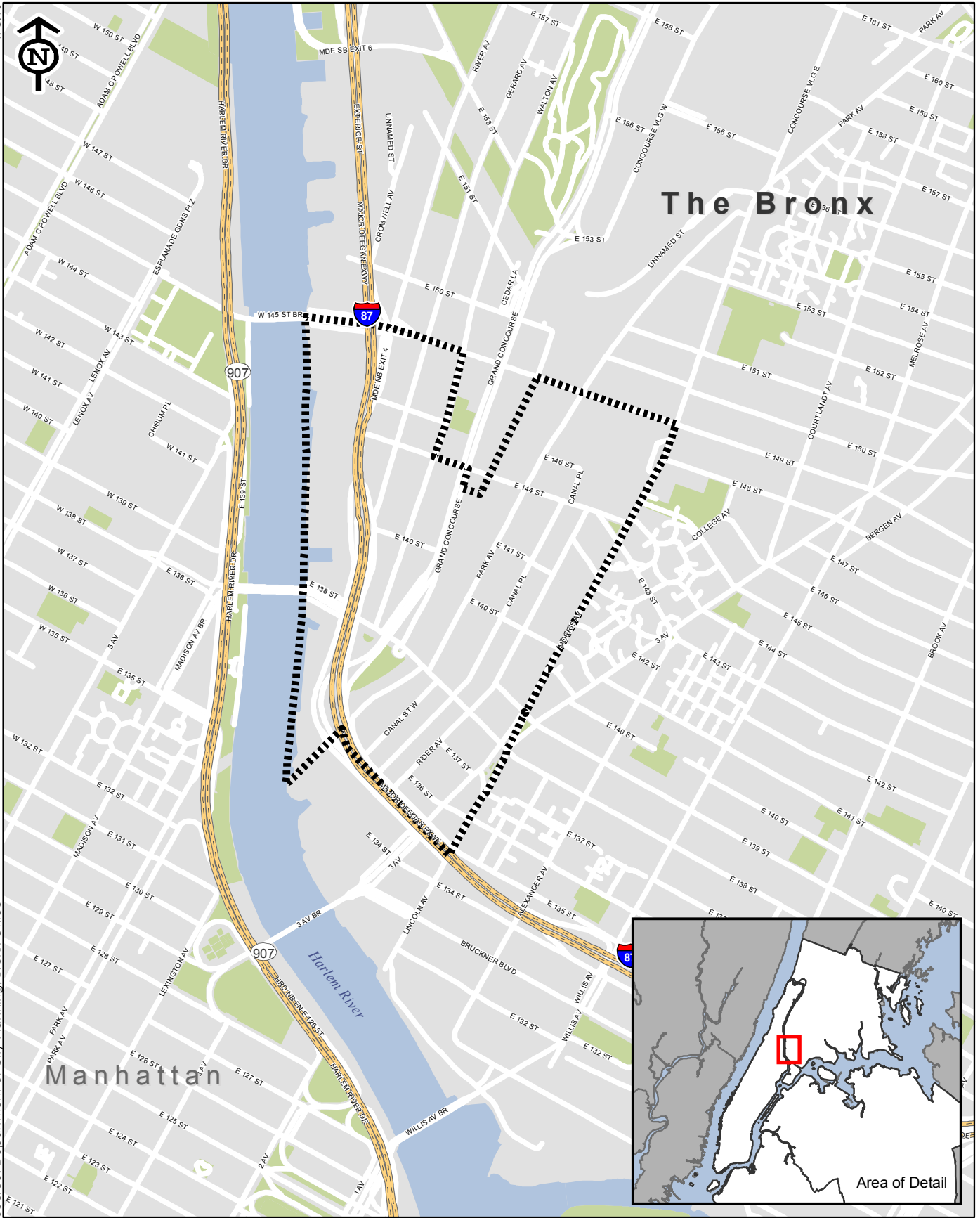
Port Morris Harlem Riverfront BOA – Step 2 Nomination Report

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

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

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

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

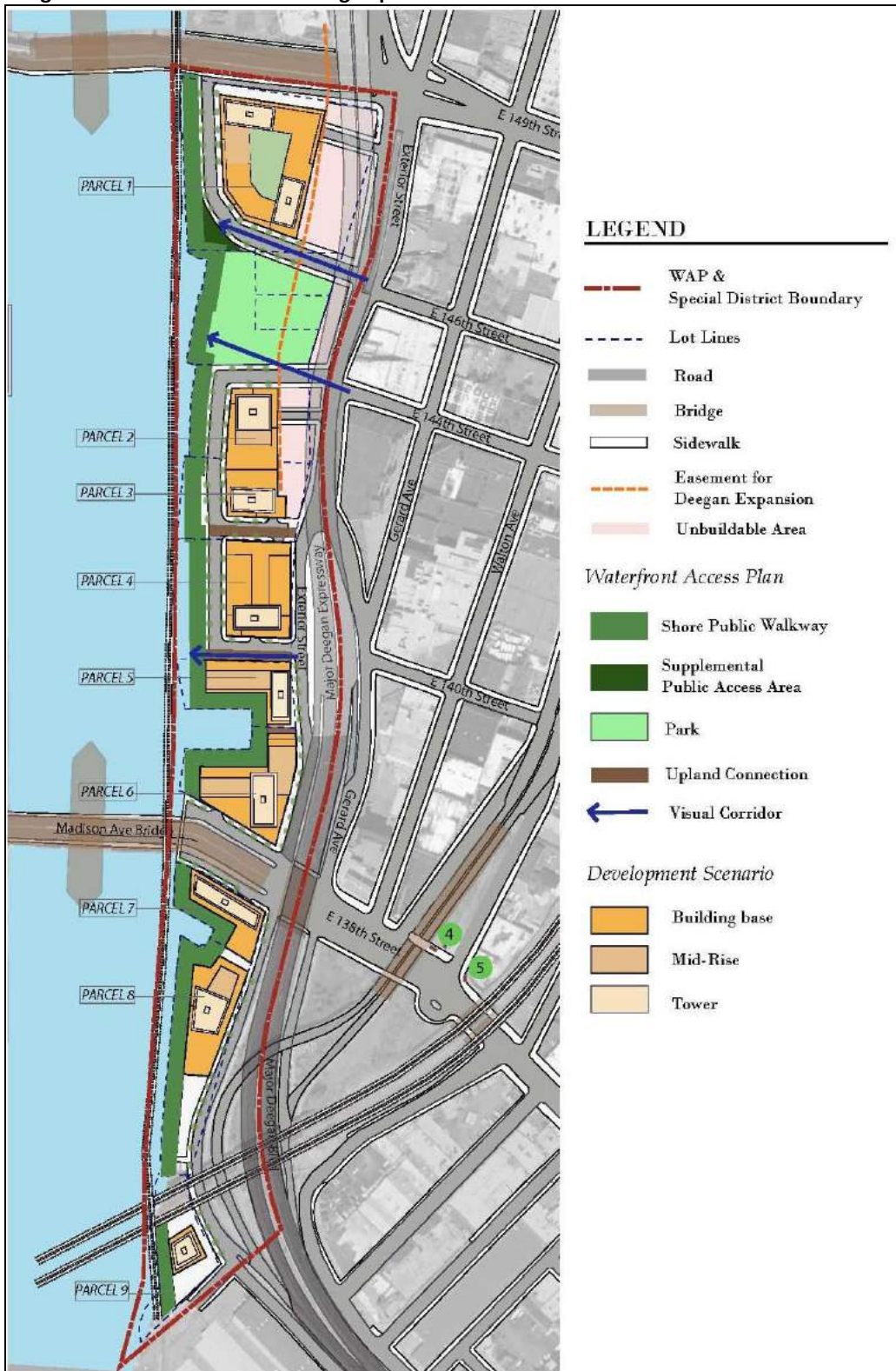


Rezoning Boundary

0 1,500 Feet

Lower Concourse Rezoning Boundary
Figure 3-4

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



BROWNFIELD, ABANDONED, AND VACANT SITES

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

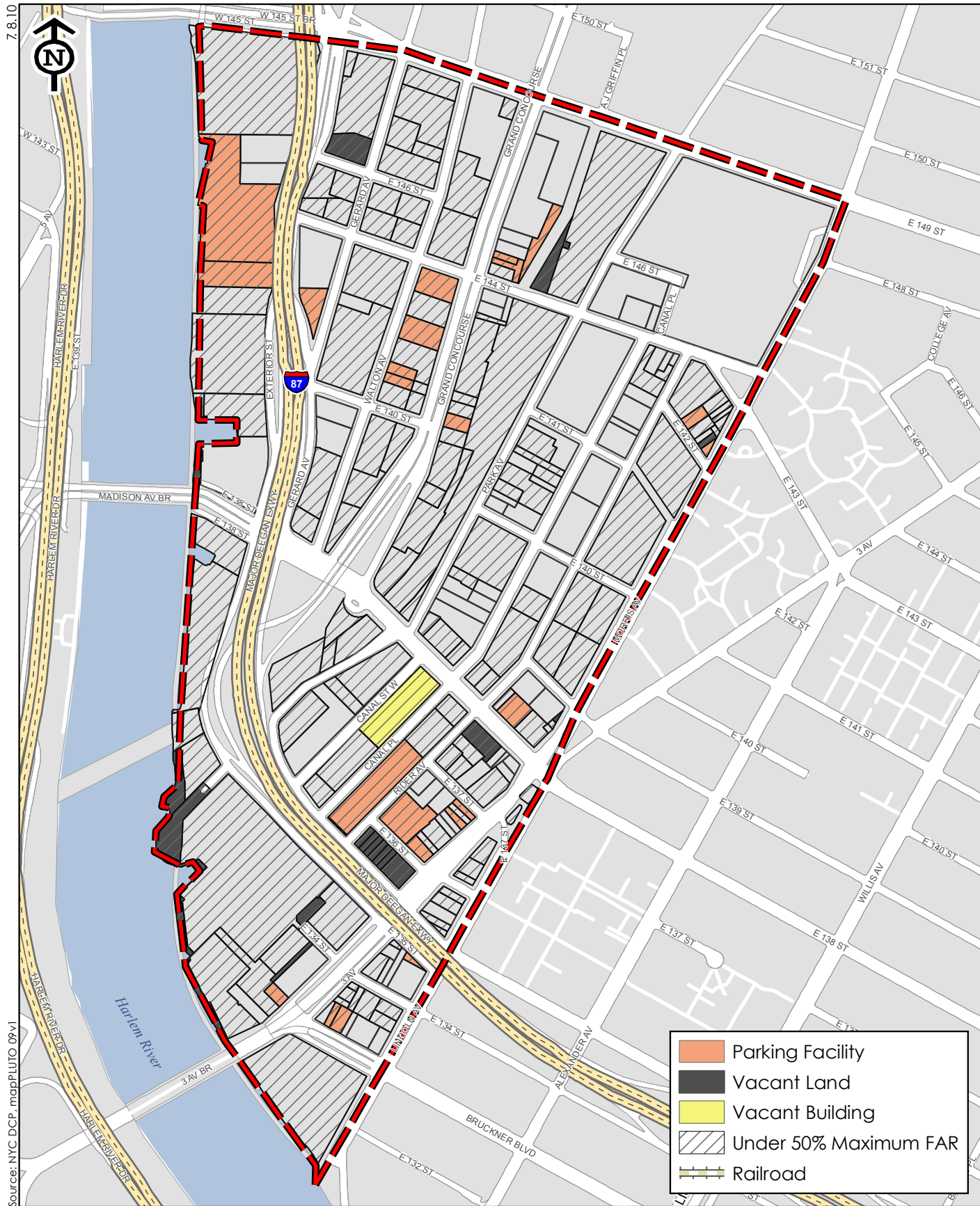
To identify brownfield sites within the BOA suitable for redevelopment, SoBRO conducted an inventory of vacant or underutilized lots, which were anticipated to have contamination issues resulting from on-site or nearby industrial, manufacturing, or auto-related uses. Using data from the New York State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

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

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

STRATEGIC SITES

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



Locations of Brownfield, Underutilized, and Vacant Sites

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

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

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

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

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

Methodology

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

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

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

Phase I Environmental Site Assessments

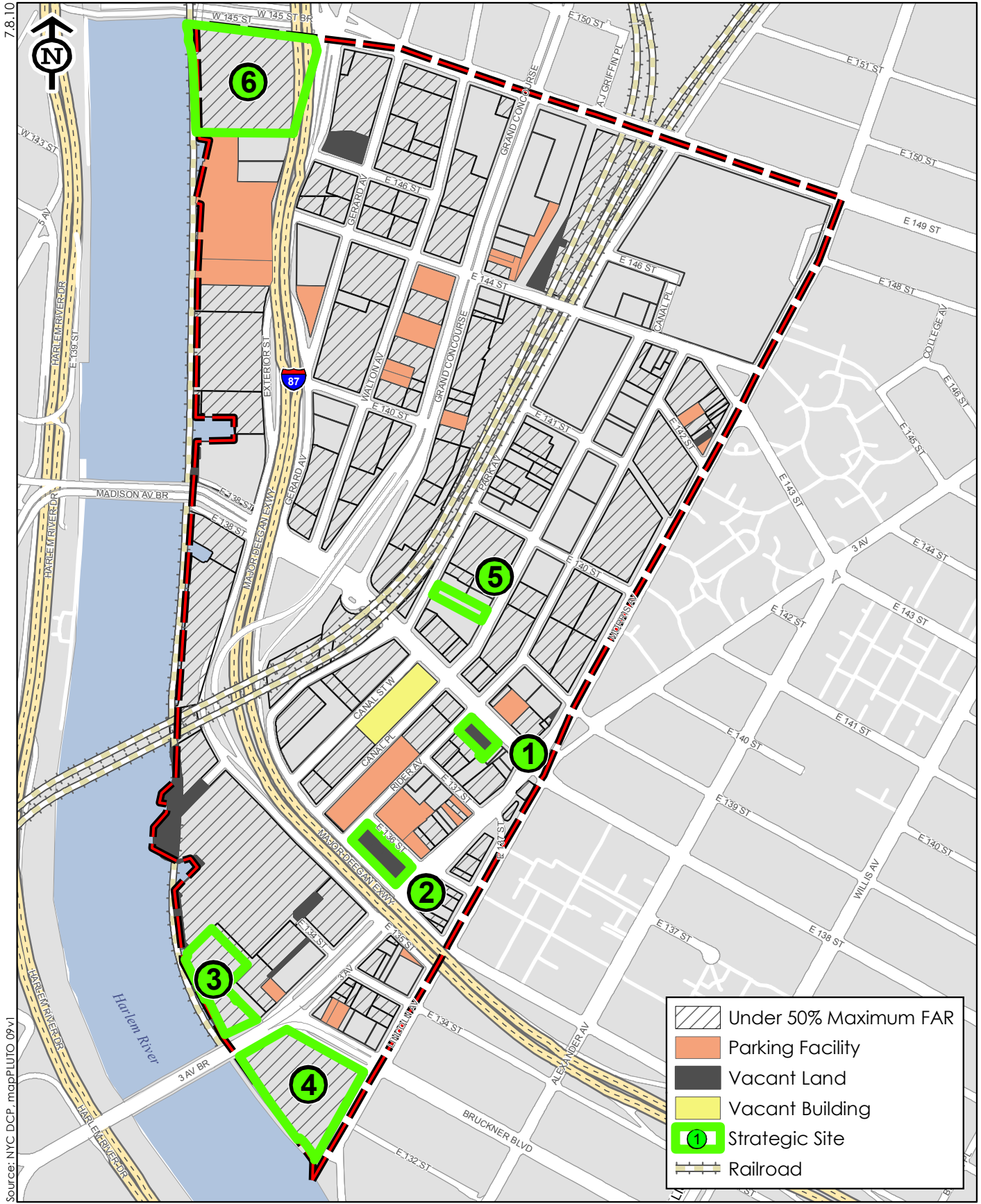
A Phase I Environmental Site Assessment (ESA) assesses the historical use of a site and gauges the likelihood that subsurface contamination is present. A Phase I ESA is used to determine if further site investigation and analysis, such as sampling and lab testing of soil and groundwater, is needed. SoBRO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

Strategic Site Profile Tool

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

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

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



 Proposed Port Morris Harlem Riverfront BOA Boundary

 0 1,000 Feet

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

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

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

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

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

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

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

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

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

Site Profile Key Findings

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

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

2472 – 2477 Third Avenue, Bronx, NY 10451

Block 2320, Lots 5 – 11

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

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

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

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

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

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

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

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

Vista 1:

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

Vista 2:

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

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

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

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

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

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

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

Site Profile Key Findings – Vista 1

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

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

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

Site Profile Key Findings – Vista 2

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

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

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

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

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

2568 Park Avenue, Bronx, NY 10451

Block 2340, Lot 14

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

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

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

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

Site Profile Key Findings

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

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

STRATEGIC SITE 6: BRONX COUNTY RECYCLING

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

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

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

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

Site Profile Key Findings

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

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

SPECIAL DISTRICT WATERFRONT DEVELOPMENT PARCELS

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

PART II: EXISTING CONDITIONS & AREA RESOURCES

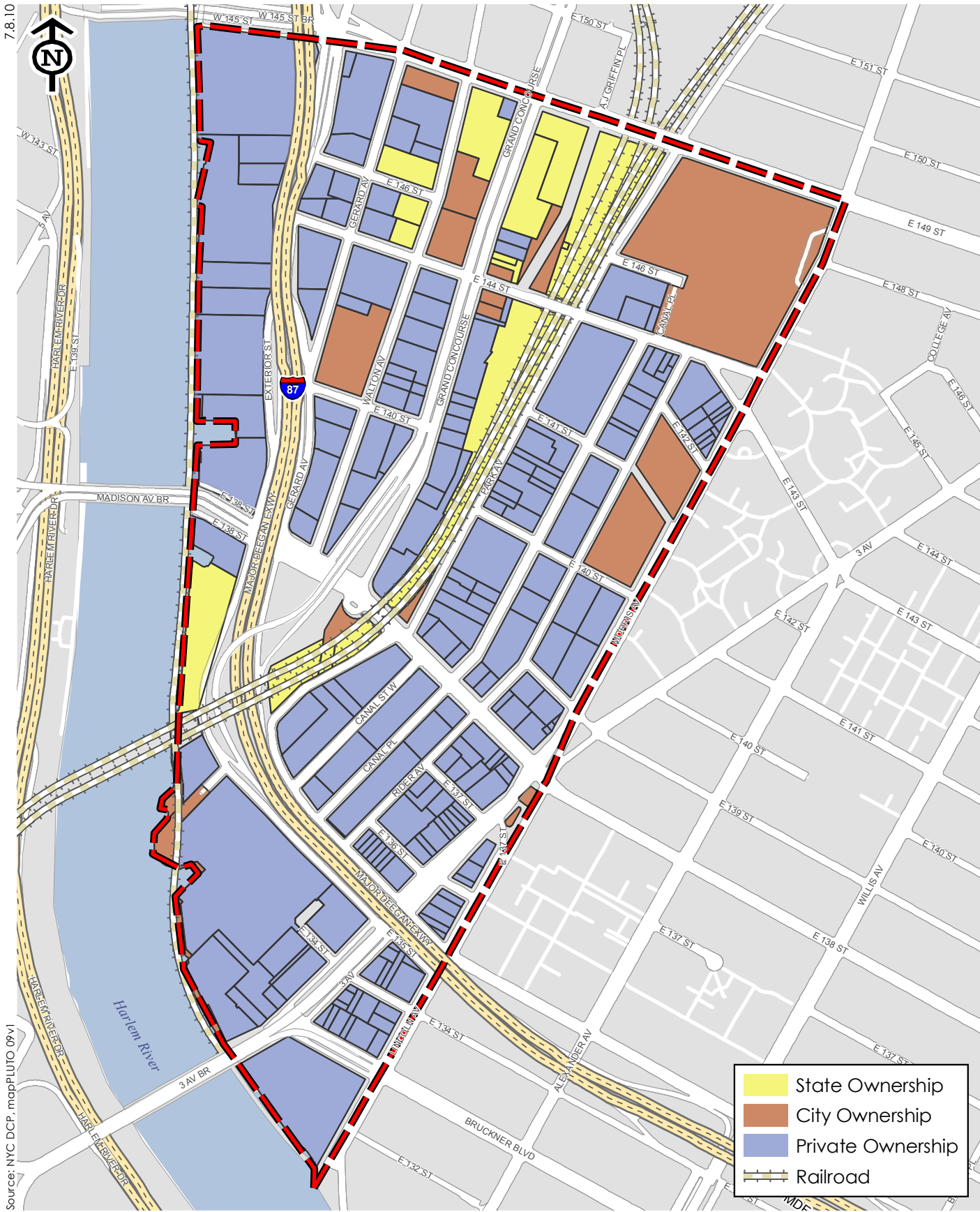
The following section further contextualizes SoBRO’s Port Morris Harlem Riverfront BOA work and the area in which the six Strategic Sites are located.

LAND OWNERSHIP

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

PARKS AND OPEN SPACE





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



Source: NYC DCP, mapPLUTO 09v1

 Proposed Port Morris Harlem Riverfront BOA Boundary



	State Ownership
	City Ownership
	Private Ownership
	Railroad



7.8.10

Source: NYC DoITT

 Proposed Port Morris Harlem Riverfront BOA Boundary

 Feet
0 1,000

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

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

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

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

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

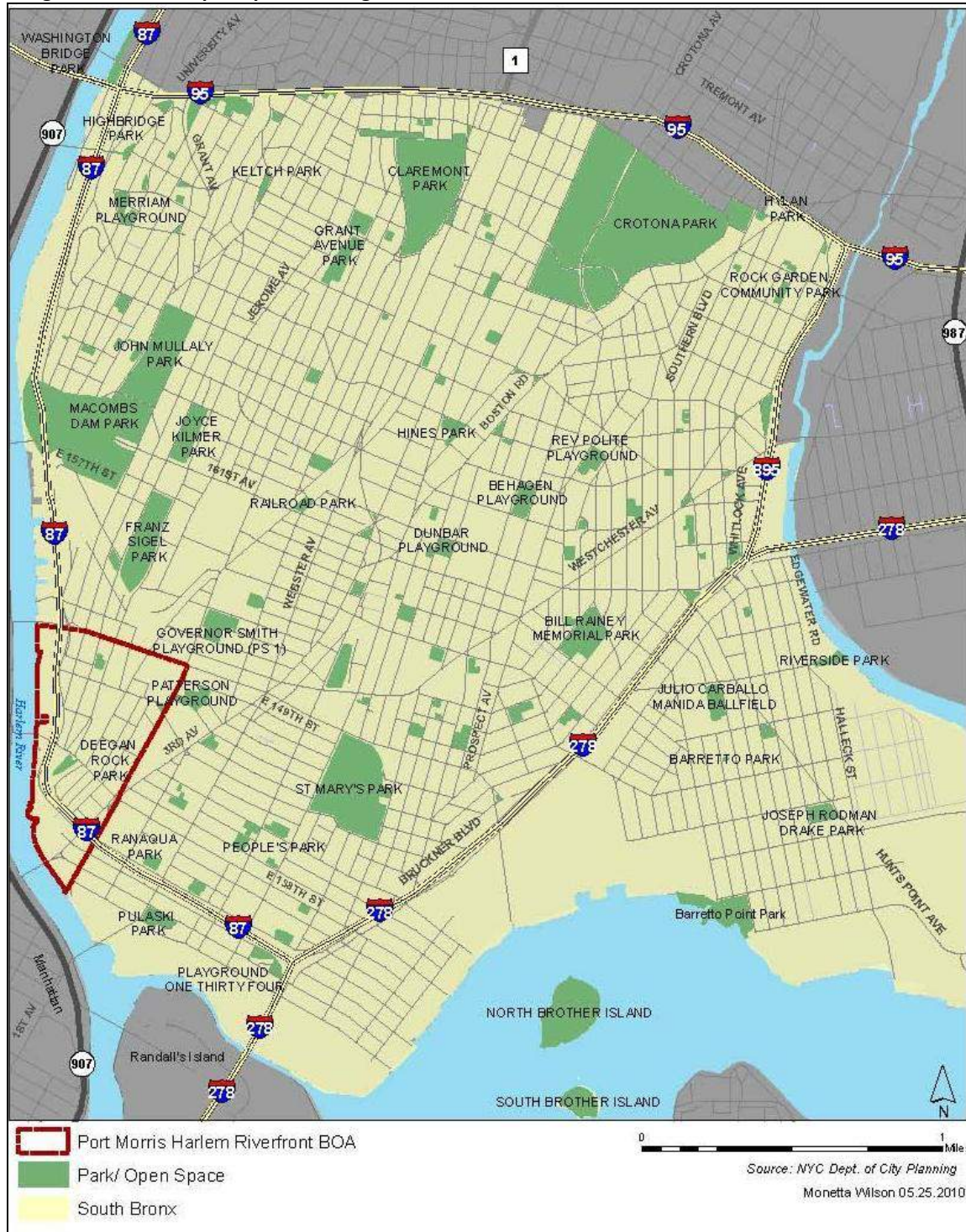


Image 4. New open space being developed above East 149th Street, in Yankees Stadium Area.



BUILDING INVENTORY

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

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

**Table 3-2
Key Buildings**

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

HISTORIC AND CULTURALLY SIGNIFICANT AREAS

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

Historic and Archeological Resources

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

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

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

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

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

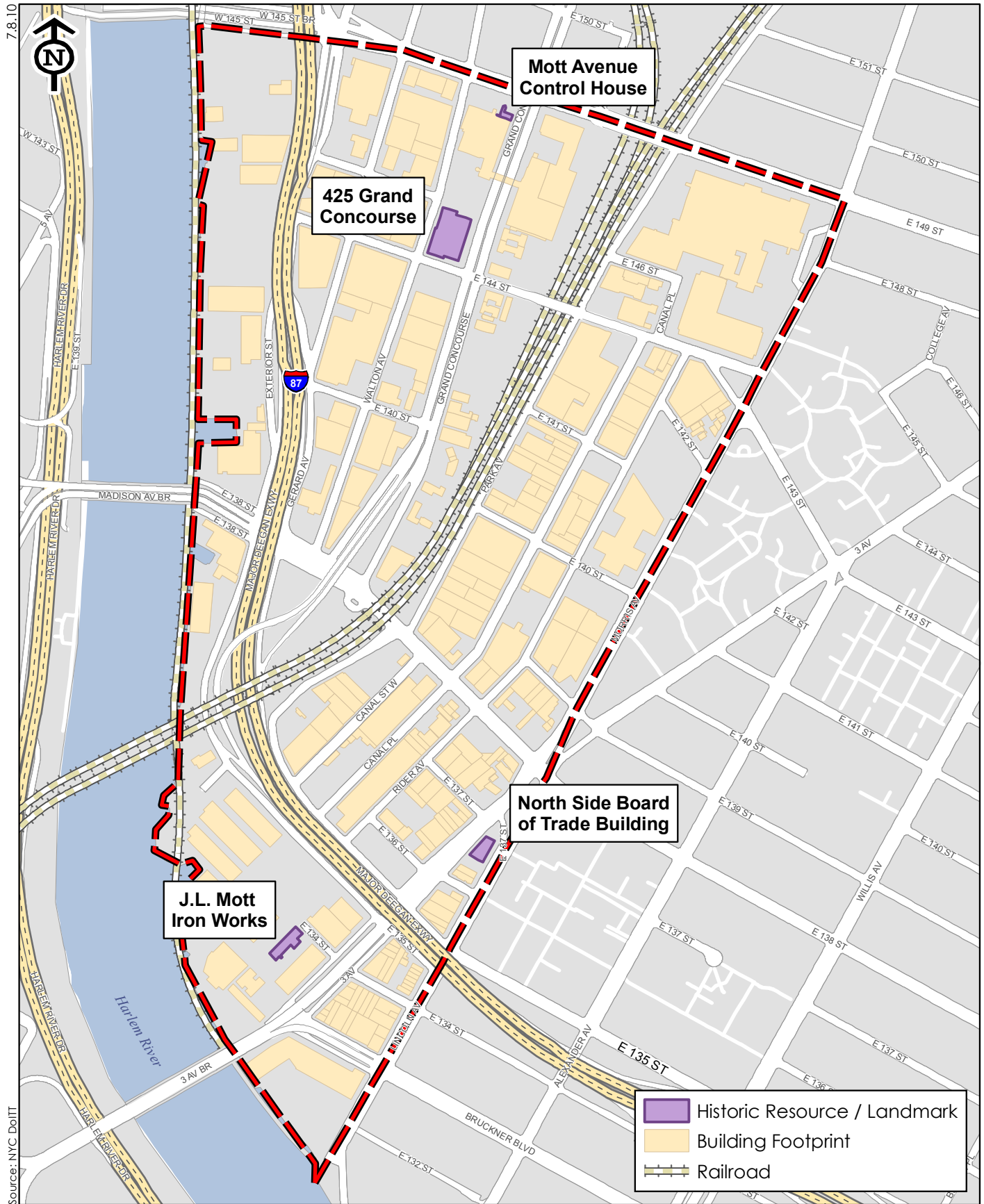
Several buildings of historic significance are located right outside the proposed Port Morris Harlem Riverfront BOA boundary, including the Estey Piano Company Factory at 112-128 Lincoln Avenue (also known as 15-19 Bruckner Boulevard and 270-278 East 134th Street) with New York City Landmark status.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

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

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

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

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






7.8.10

Source: NYC DoITT

 Proposed Port Morris Harlem Riverfront BOA Boundary

 Feet
0 1,000

-  Historic Resource / Landmark
-  Building Footprint
-  Railroad

Cultural Resources

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

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

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


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

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

TRANSPORTATION SYSTEMS

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



 Proposed Port Morris Harlem Riverfront BOA Boundary

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

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

INFRASTRUCTURE

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

Water Supply

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

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

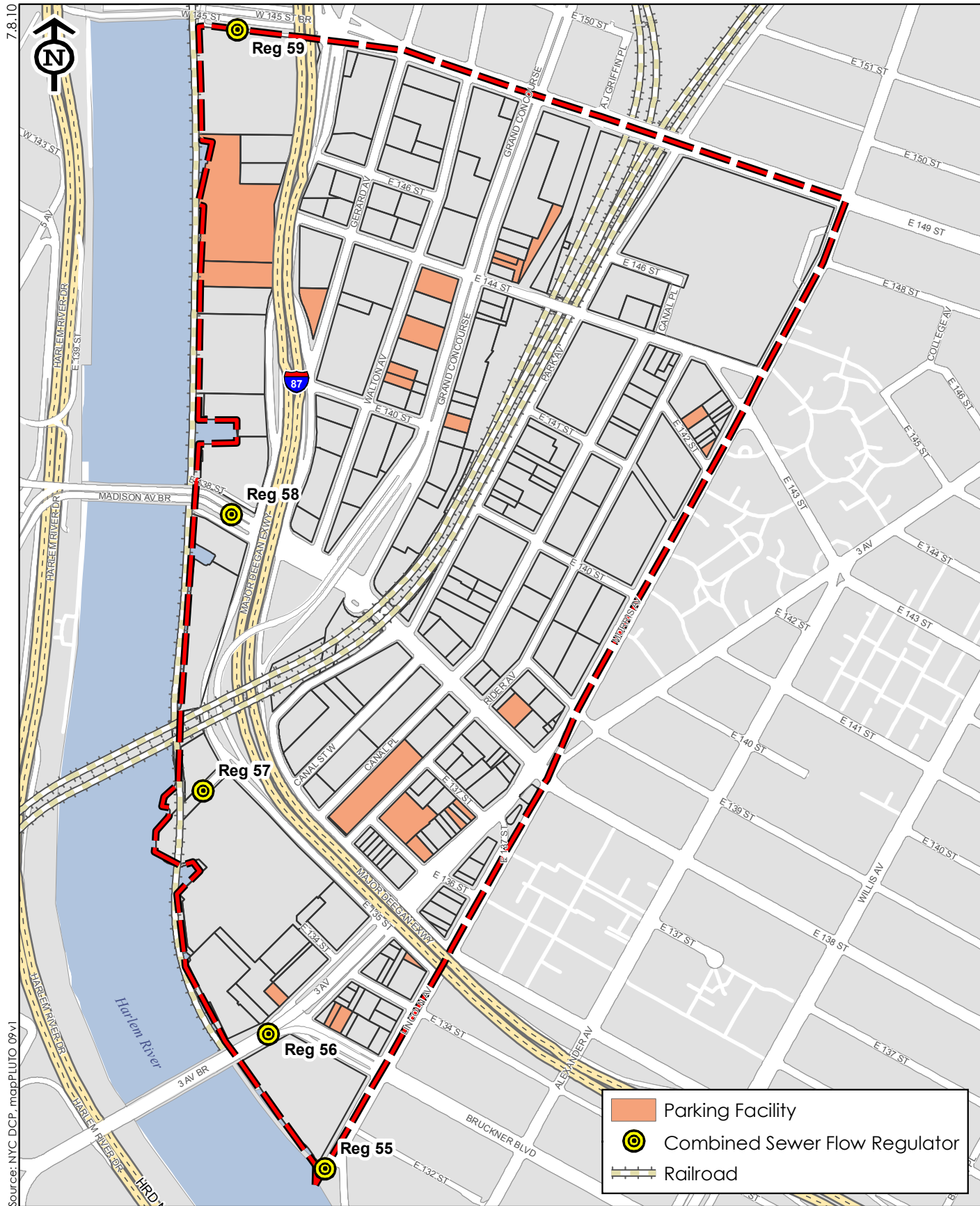
Sewage Treatment

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






 Proposed Port Morris Harlem Riverfront BOA Boundary

0  1,000 Feet



Source: NYC DCP, mapPLUTO 09v1

 Proposed Port Morris Harlem Riverfront BOA Boundary

	Parking Facility
	Combined Sewer Flow Regulator
	Railroad

 Feet
0 1,000

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

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

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

Stormwater

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

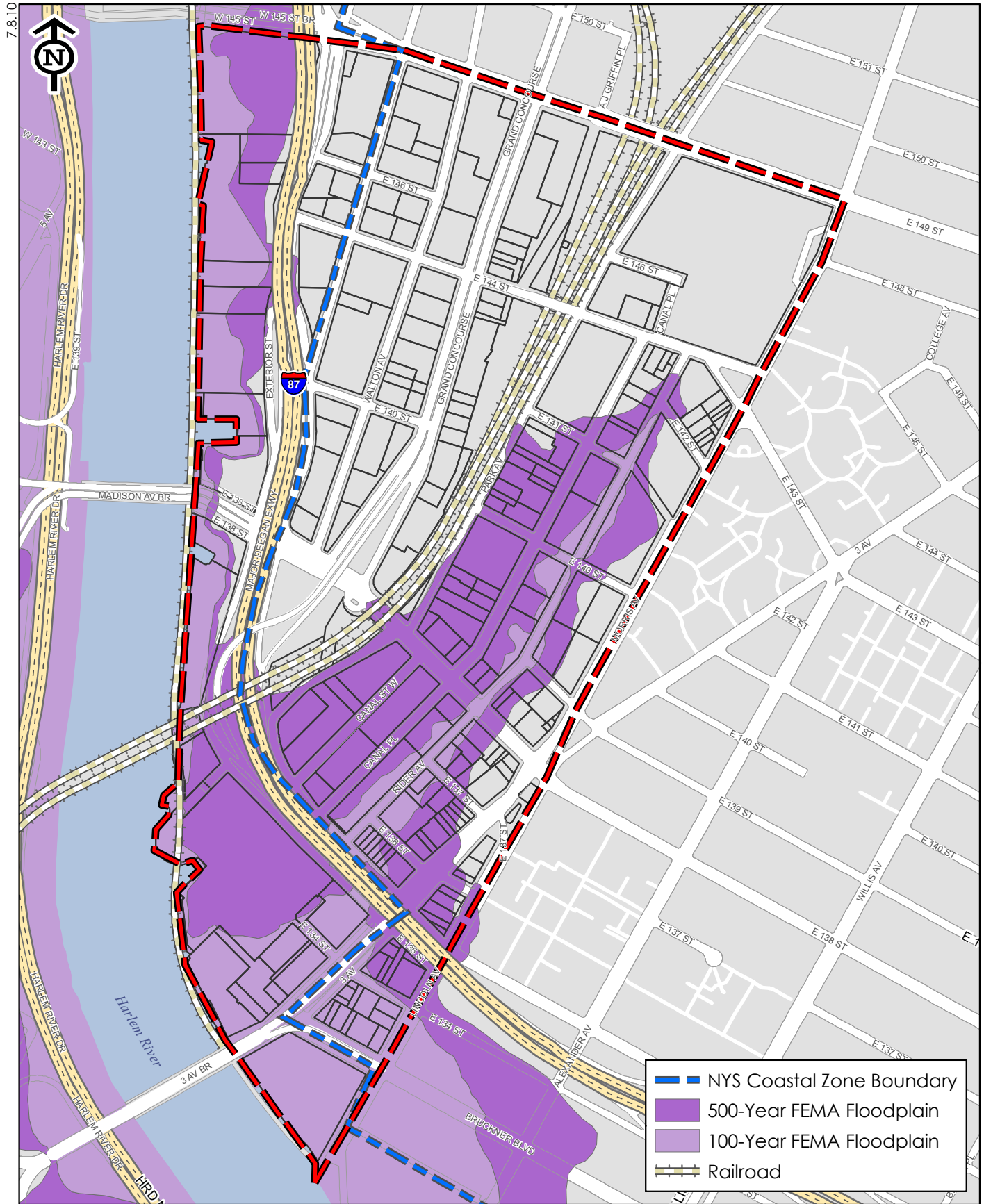
NATURAL RESOURCES AND ENVIRONMENTAL FEATURES

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

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

Coastal Zone and Waterfront

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



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

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

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

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

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

Floodplains

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

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

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

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

ECONOMIC AND MARKET TRENDS ANALYSIS

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

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

KEY FINDINGS FOR THE PORT MORRIS HARLEM RIVERFRONT BOA STUDY AREA

ENVIRONMENTAL CONSTRAINTS

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

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

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

LAND USE AND ZONING

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

WATERFRONT DEVELOPMENT

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

TRANSPORTATION AND INFRASTRUCTURE

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

BUSINESS AND EMPLOYMENT

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

RECOMMENDATIONS: ADVANCING TO STEP 3

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

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

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

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

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

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

THE FOUR-STEP STRATEGIC SITE PLANNING PROCESS

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

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

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

Activity 1. Identifying and engaging property owners;

Activity 2. Defining brownfield remediation issues at a site;

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

Activity 4. Creating site-specific redevelopment plans.

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

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

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

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

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

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

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

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

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

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

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

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

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

HIGHER-LEVEL ASSESSMENTS

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

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

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

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

PARTNERSHIPS

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

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

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

COMMUNITY PARTICIPATION

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

POTENTIAL STEP 3 CHALLENGES

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

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

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