

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

Potential Contamination

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

APPENDIX E

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

APPENDIX E

SoBRO Strategic Site Case Study:

Gas Station @ Bruckner Boulevard / East 138th Street¹

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

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

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

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

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

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

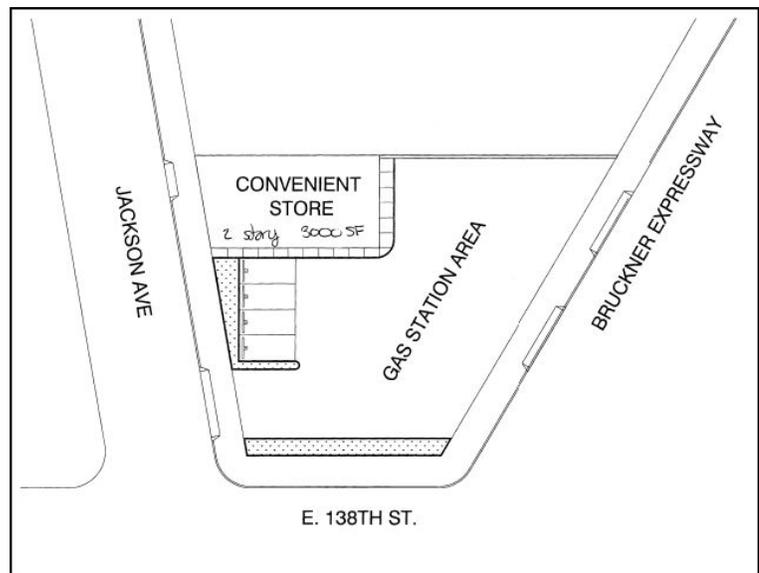
To assist with the redevelopment of this brownfield, SoBRO hired with BOA funds an architectural firm to undertake a basic zoning and design study of the property to determine viable development alternatives. Given the site's M-1 zoning, size, and triangular configuration, redevelopment options were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

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

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

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

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



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

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

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

APPENDIX F

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

Area Overview

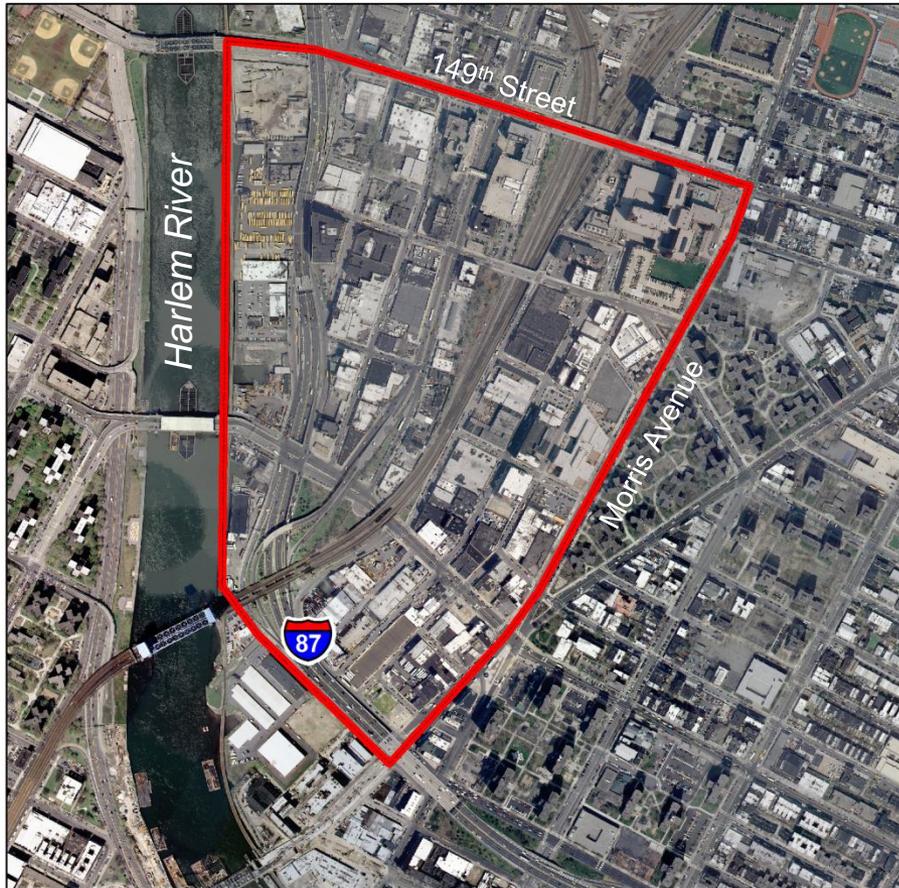


The Port Morris Rezoning Area is located at the southwestern tip of the Bronx.

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

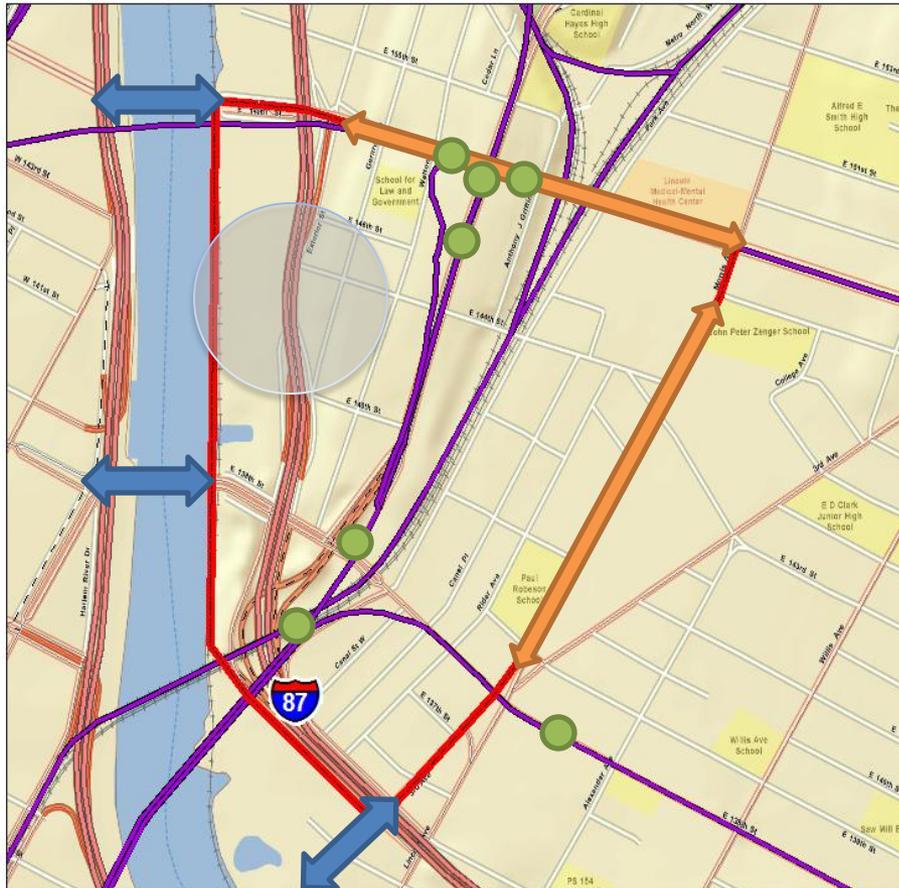
- George Washington Bridge
- Robert F. Kennedy Bridge
- Bridges to Manhattan
- Major Deegan Expressway (i.e., Interstate 87)
- Interstate 95

Area Introduction - Detail



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

Locational Assets

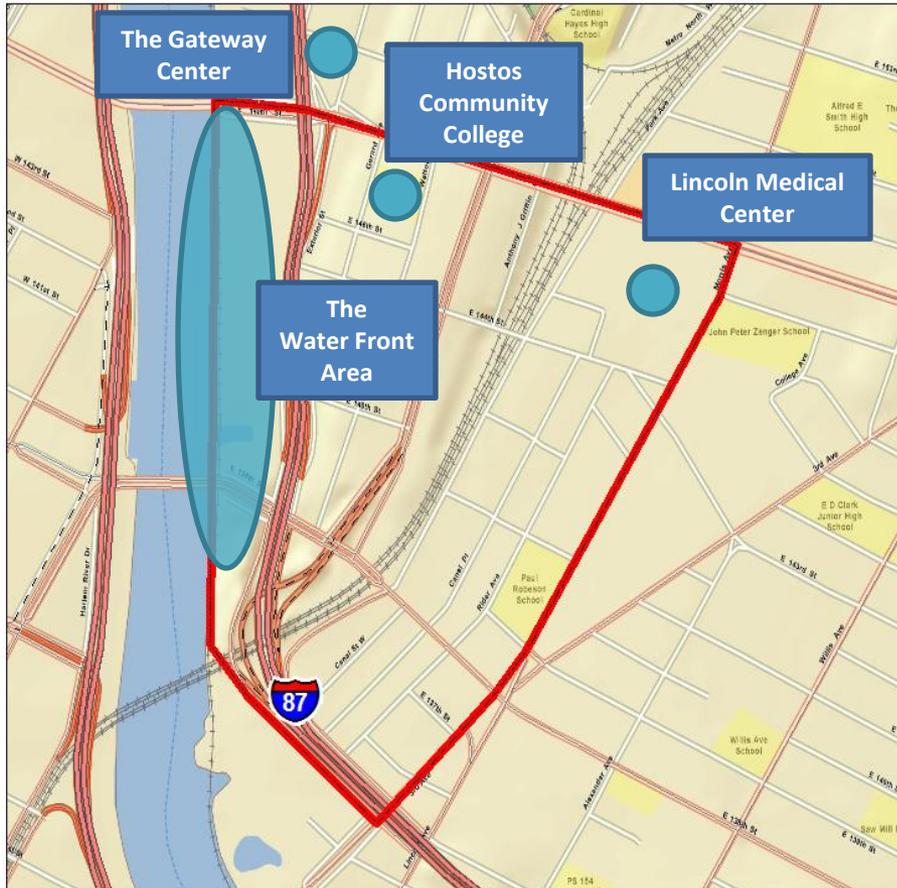


Connectivity

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



Locational Assets



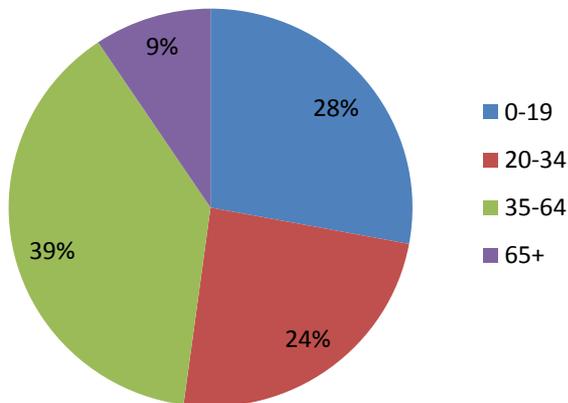
Other Local Assets

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

2008 Demographics - Extract

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

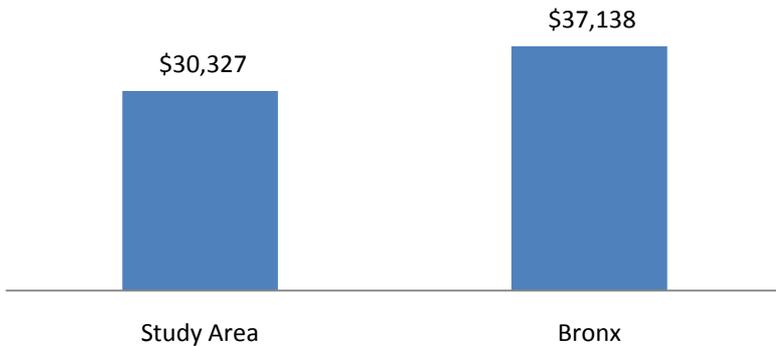
Age of Population



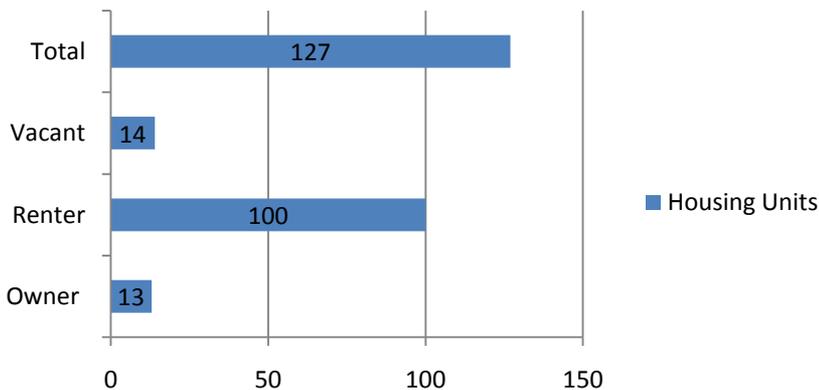
- The study area is characterized by non-residential uses.
- In 2008, the area was home to approximately 113 households with a total population of 351.
- The area has a very low population density of 2,700 people per square mile (e.g., the Bronx has a population density of approximately 31,000 people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

2008 Demographics - Extract

Median Household Income



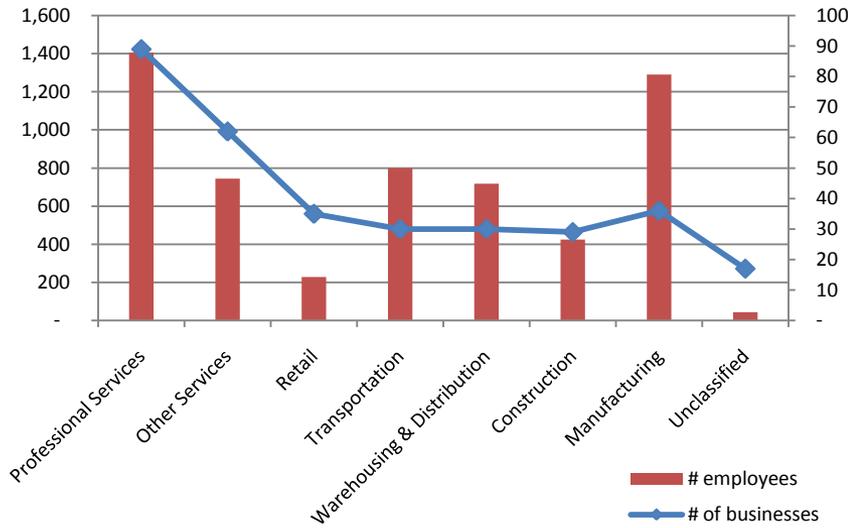
Housing Units



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

Business & Employment Environment

Business Establishments & Employment by Sector

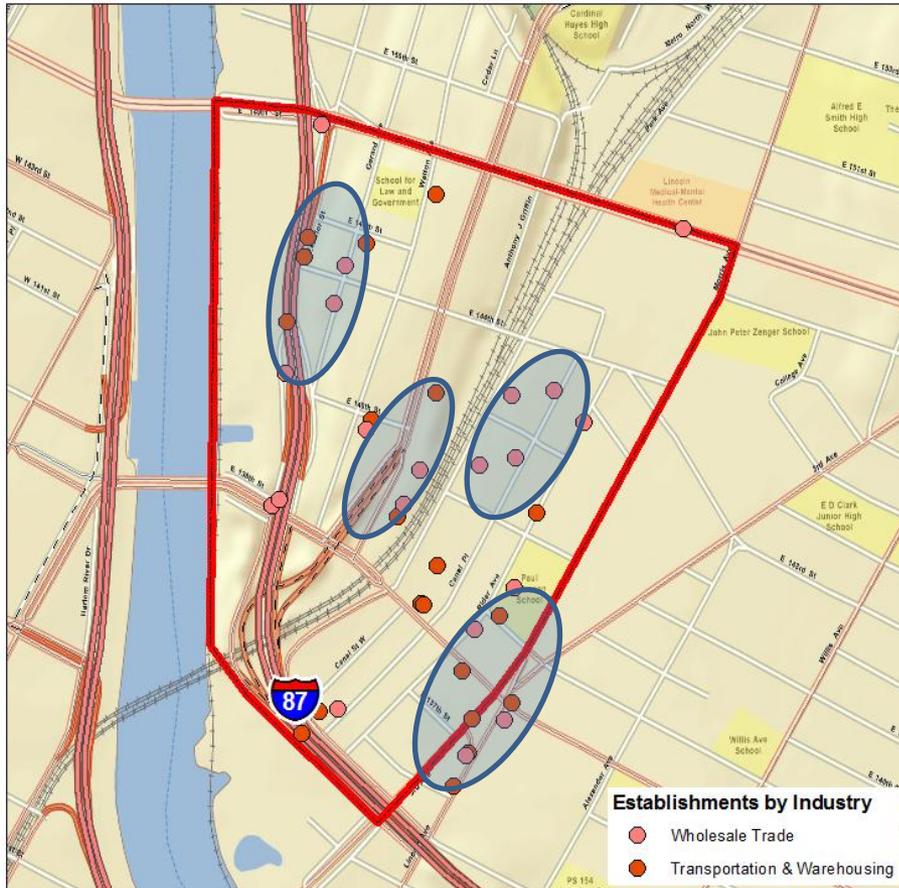


- The professional service sector has the largest number of establishments and employees.
- The manufacturing sector has fewer (but larger) establishments but a comparable number of employees.
- Transportation and Warehousing combined provide the most jobs (approximately 1,500).
- The retail sector is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

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

* Professional Services exclude Lincoln Hospital and Transportation excludes Bus Company

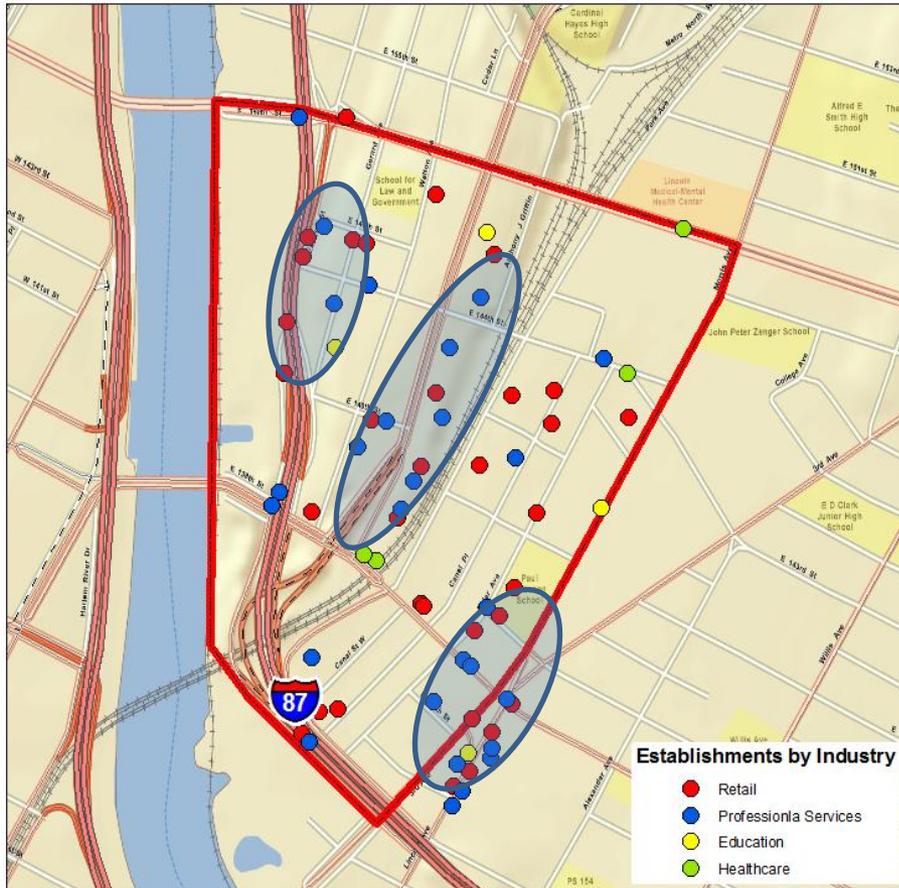
Business & Employment Environment



Wholesale Trade, Warehousing, and Transportation Establishments

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

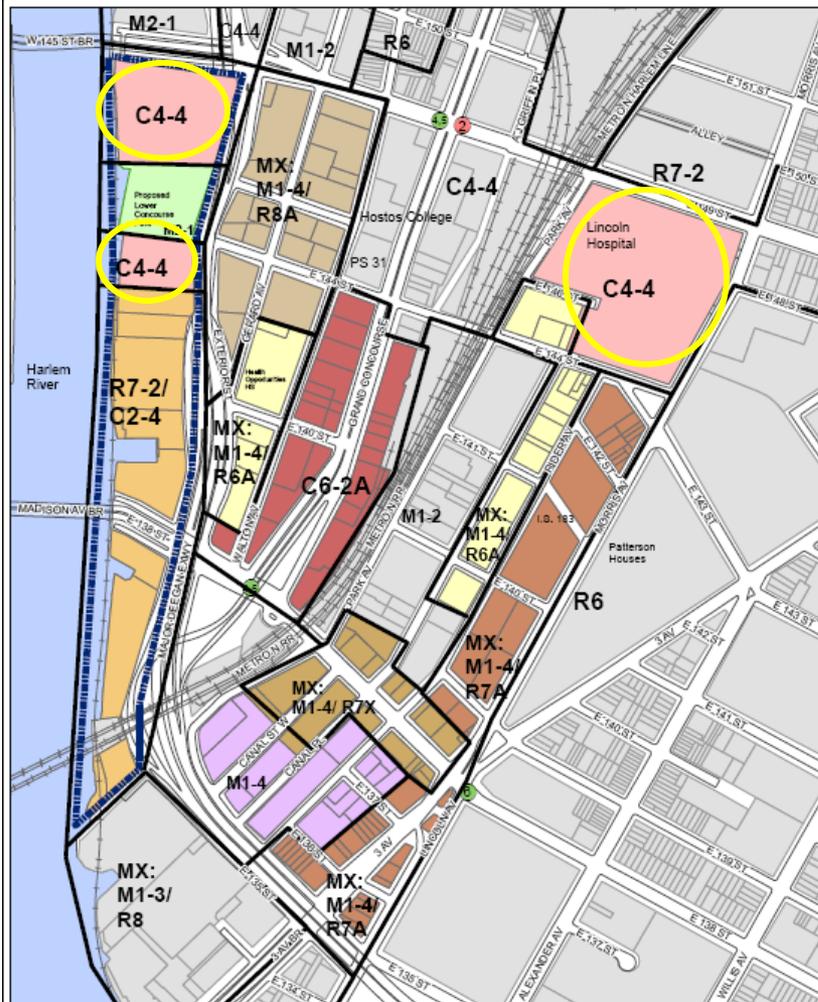
Business & Employment Environment



Retail and Professional Services

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

Land Use and Zoning Overview



Lower Concourse Rezoning
Proposed Zoning and Special District Bounds

Areas with Proposed C4-4 Zoning

Existing Zoning:

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

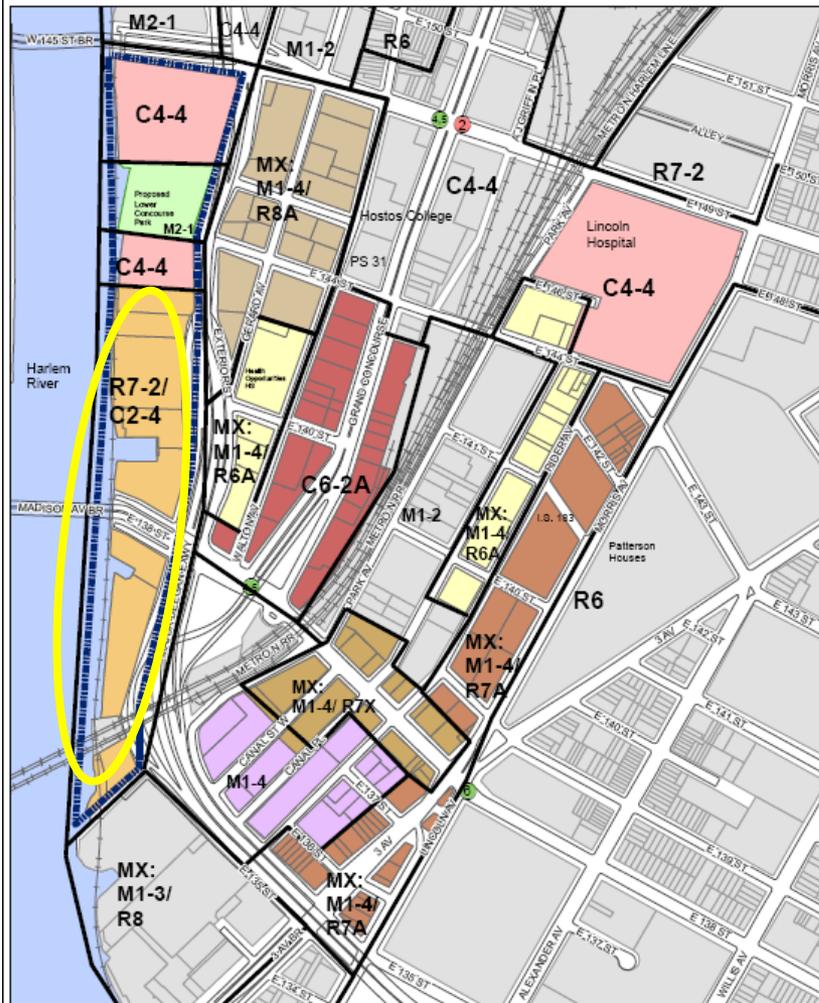
New permitted uses:

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

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

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

Land Use and Zoning Overview



Lower Concourse Rezoning
Proposed Zoning and Special District Bounds

Areas with Proposed R7-2/C2-4 Zoning

Existing Zoning:

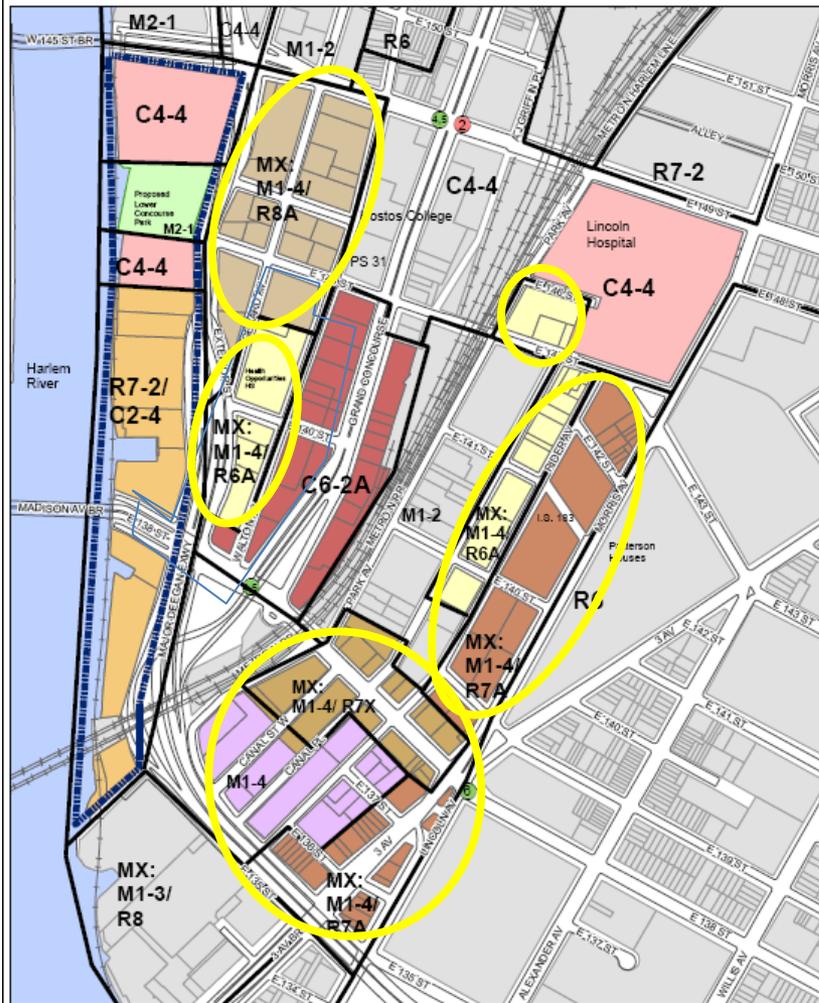
- M2-1 District FAR is 2.0, with current built FARs ranging from 0 to 2.88.

New Permitted Uses:

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

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

Land Use and Zoning Overview



Lower Concourse Rezoning
Proposed Zoning and Special District Bounds

Proposed Mixed Use Districts

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

Existing Zoning :

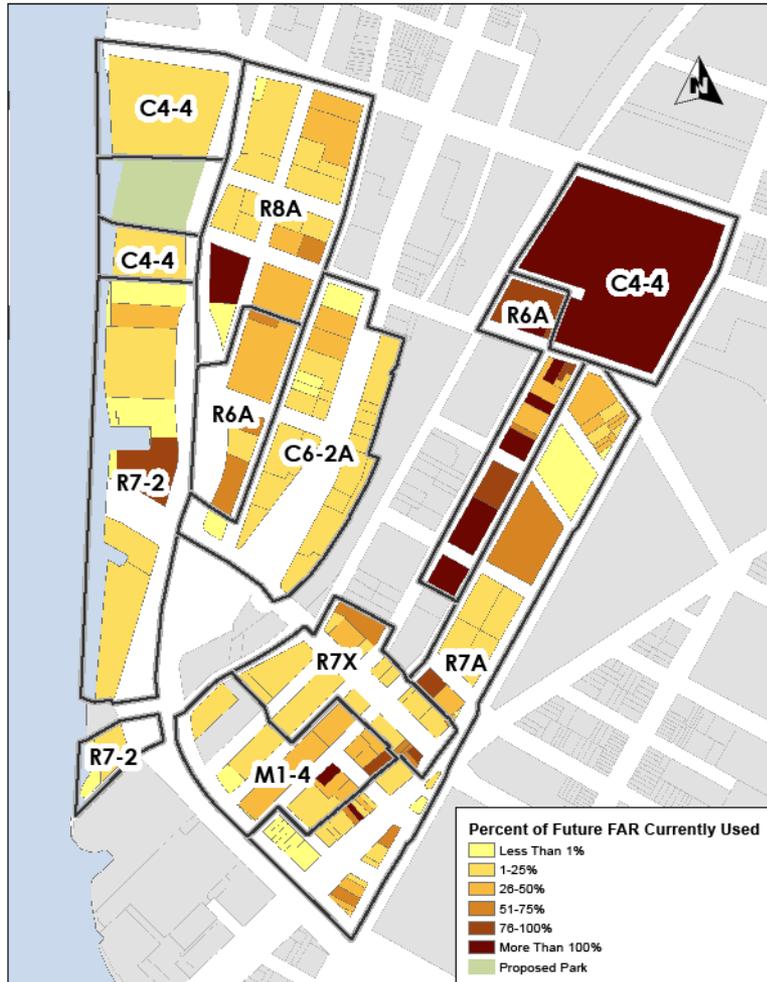
- M2-1- allowable FAR is 2.0; parking required; existing FARs range from 0 to 6.99.
- M1-2-District-allowable FAR of 2.0; existing FARs range from 0 to 11.76.
- R-6- Lots on proposed sites contain two lots with a 0 and 2.26 built FAR.
- C4-4- existing FAR ranges from .3 to 2.48.

New Permitted Uses:

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

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

Land Use and Zoning Overview

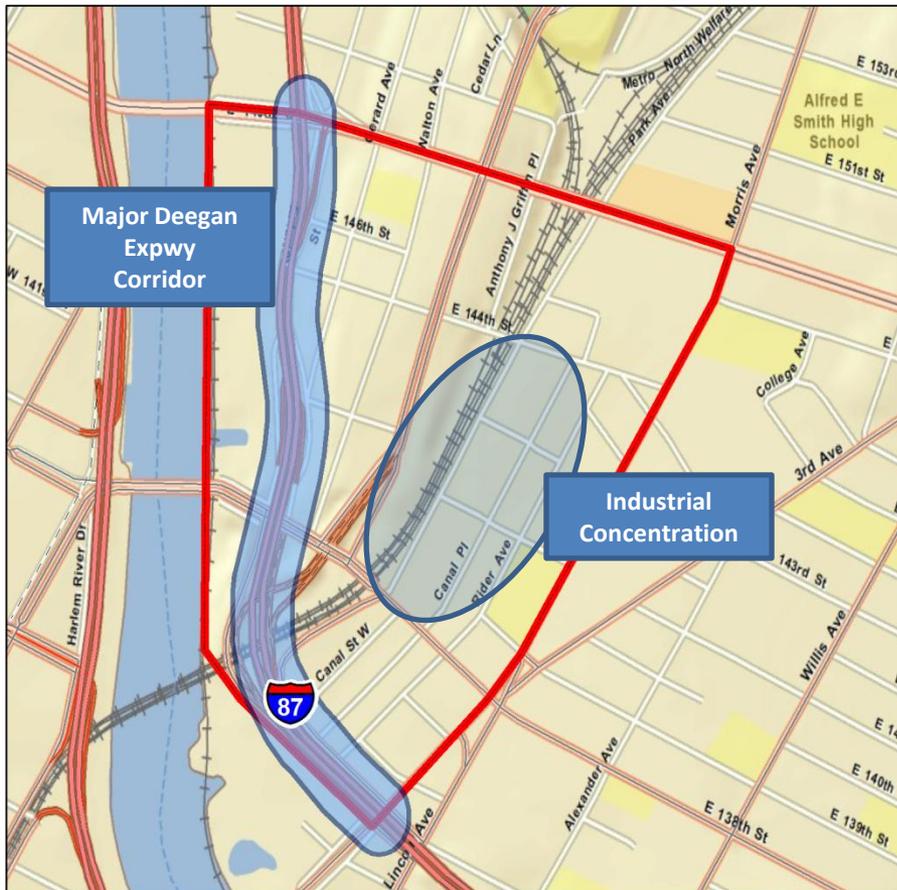


Build out opportunities under planned zoning:

- Lots along the waterfront and East 136th Street have the highest potential for growth.
- To the northeast, properties such as St. Francis Hospital and those along Canal Place would be fully built out.
- In general, a large portion of the study area lots will have the potential to increase their FAR by more than 50 percent.

*Districts labeled with zoning designation allowing for highest possible FAR.

Environmental Constraints



- Within a 200 ft buffer of the Highway, exists the potential for noise and air pollution impacts.
- Although the potential for pollution from industrial activities exists throughout the entire area, the central area is more prone to contamination due to the high concentration of industrial businesses such as heavy manufacturing establishments and waste transfer stations.
- Other parcel specific uses such as gas stations and auto repair shops may also have caused contamination.

Major Existing Policies

Hunts Point Vision Plan- Sponsored by Hunts Point Community Development Corporation and Sustainable South Bronx , the plan seeks to improve the quality, and proposed a bicycle and pedestrian trail along the Hunts Point waterfront with a connection to Randall's Island.

South Bronx Greenway- The proposed waterfront greenway would provide waterfront access to the South Bronx, connect to the City's existing and proposed greenway projects, create alternative means of transportation, improve air quality, and provide opportunities for compatible economic development.

Port Morris Rezoning (1997)- Established a special district (MX), which encouraged the rehabilitation of approximately 42 rowhouses, the creation and reactivation of more than 150 residential units, including 50 lofts in the former Estey Piano Factory, and the opening of new ground floor retail and exhibit spaces.

Synthesis/Conclusion

- The study area is in a central location with great access to region's infrastructure network, which could be beneficial for a larger residential population commuting to the employment centers as well as commercial businesses that need to be close to their customer base.
- The distribution of existing commercial businesses and employment indicates an increasing influx of non-industrial uses (i.e. large share of professional service businesses and employment).
- The planned rezoning is expected to bring about much needed housing and employment to the area, while simultaneously accommodating existing manufacturing uses in the area.

Synthesis/Conclusion

- New zoning would permit a variety of residential and commercial opportunities. Densities under the highest allowable FAR could be increased on approximately 150 properties.
- The new zoning would promote a substantial increase in residential use. New residential construction could consist of a range of small rowhouses and large residential complexes.
- An increase in commercial uses would bring in a larger variety of activities and attracting more spending to the area. New uses could include neighborhood retail stores (e.g. restaurants, delis, beauty salons or repair services) or larger commercial users such as warehouses, hotels or entertainment facilities.
- Areas most prone to new development are the Harlem River waterfront and the area between 138th Street and the Bruckner Expressway.

APPENDIX G

LOWER CONCOURSE REZONING TEXT AMENDMENTS

Lower Concourse and Special Harlem River Waterfront District Text Amendment

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is to be deleted;

Matter with ## is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

* * *

Article I

General Provisions

Chapter 1

Title, Establishment of Controls and Interpretation of Regulations

* * *

11-12

Establishment of Districts

* * *

Establishment of the Special Grand Concourse Preservation District

* * *

Establishment of the Special Harlem River Waterfront District

In order to carry out the special purposes of this Resolution as set forth in Article VIII Chapter 7, the #Special Harlem River Waterfront District# is hereby established.

* * *

Chapter 2

Construction of Language and Definitions

* * *

12-10

DEFINITIONS

* * *

Special Harlem River Waterfront District

The "Special Harlem River Waterfront District" is a Special Purpose District designated by the letter "HRW" in which special regulations set forth in Article VIII Chapter 7 apply. The #Special Harlem River Waterfront District# appears on the #zoning maps# superimposed on other districts and its regulations supplement and supersede those of the districts on which it is superimposed.

* * *

**Article II
Residence District Regulations**

**Chapter 3
Bulk Regulations for Residential Buildings in Residence Districts**

* * *

**23-144
In designated areas where the Inclusionary Housing Program is applicable**

In #Inclusionary Housing designated areas#, as listed in the following table, the maximum permitted #floor area ratios# shall be as set forth in Section 23-942 (In Inclusionary Housing designated areas). The locations of such districts are specified in Section 23-922 (Inclusionary Housing designated areas).

Community District	Zoning District
Community District 1, Bronx	R6A R7-2 R7A R7X R8A
Community District 1, Brooklyn	R6 R6A R6B R7A
Community District 2, Brooklyn	R7A
Community District 3, Brooklyn	R7D
Community District 7, Brooklyn	R8A
Community District 6, Manhattan	R10
Community District 7, Manhattan	R9A
Community District 2, Queens	R7X

* * *

**23-90
INCLUSIONARY HOUSING**

* * *

**23-922
Inclusionary housing designated areas**

The Inclusionary Housing Program shall apply in the following areas:

* * *

- (17) In Community District 1, in the Borough of the Bronx, in the R6A, R7-2, R7A, R7X and R8A Districts within the areas shown on the following Map 17: