

# 2226 Third Avenue Rezoning

Proposed Rezoning from R7B to C4-6 (EHC)  
C230344ZMM, N230345ZRM, C230346ZSM

Subcommittee on Zoning & Franchises  
Tuesday, January 23rd

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akerman

Prepared by: Urban Cartographics



# Project Overview

## Existing Conditions

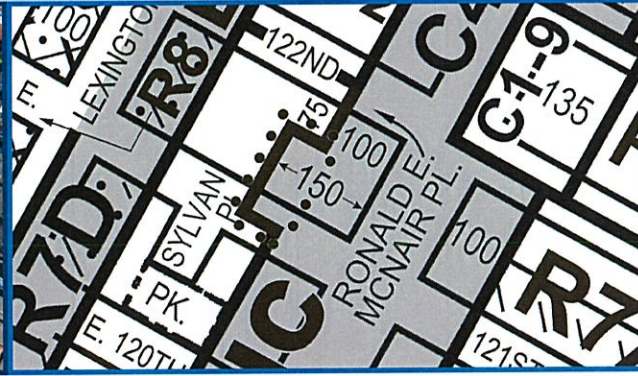
- Development Site: Block 1770, Lot 36
- Total Lot Area: 18,922 sf
- Existing Uses: Commercial, Community Facility (Under Construction)
- Existing Zoning: C4-6 (EHC) / R7B
- Maximum Permitted FAR: C4-6 (EHC), 9.0 (Resi.); 3.4 (Comm.); 9.0 (Comm. Fac.) / R7B, 3.0 (Resi.); 3.0 (Comm. Fac.)
- Neighborhood: East Harlem
- Community District: MN 11
- City Council District: 8 - Diana Ayala

## Proposed Actions

- Proposed rezoning from R7B to C4-6 (EHC) which would encompass the western portion of Block 1770, Lot 36.
- Zoning Text Amendment to Appendix F to make a Mandatory Inclusionary Housing Area coterminous with the Project Area.
- Zoning Text Amendments to extend the EHC Special District (& height subdistrict) boundary to include the Site, to make 7.2 the maximum commercial FAR in the area of the Site, and to create a CPC special permit to allow for reduced commercial loading berths.
- Special permit pursuant to ZR 138-42 to allow a reduction in the number of required accessory off street loading berths from 3 to 1.

## Proposed Development

- 10-story commercial development
  - Use group 9A, life sciences
- 133,426 sf of total floor area (7.06 FAR)
- 145' / 10-stories
- 1 commercial loading berth

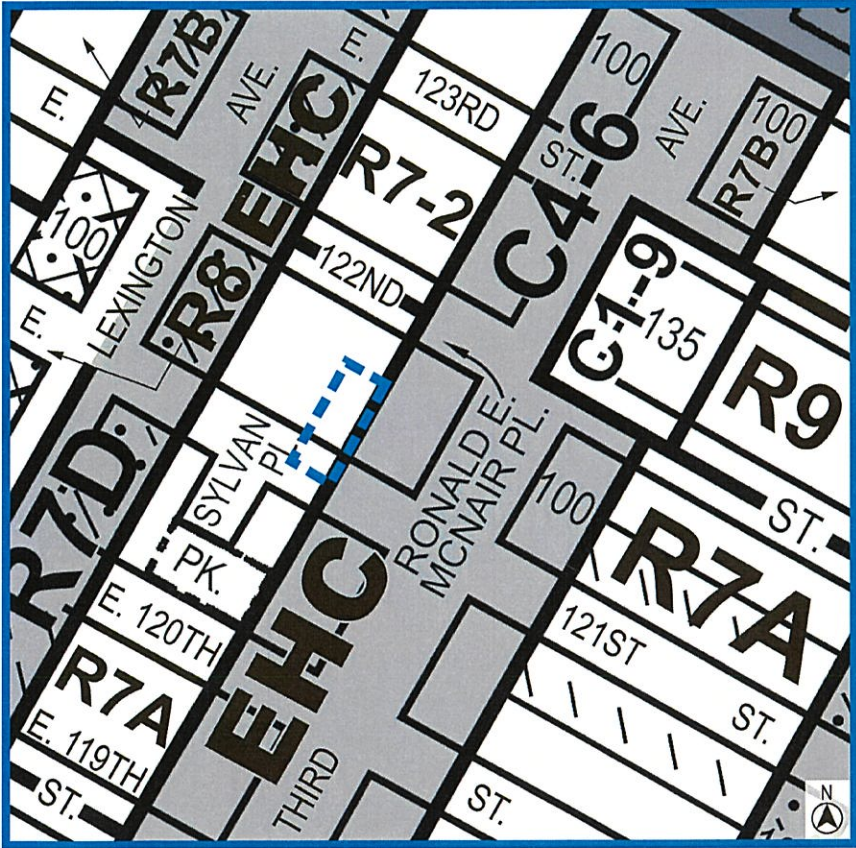




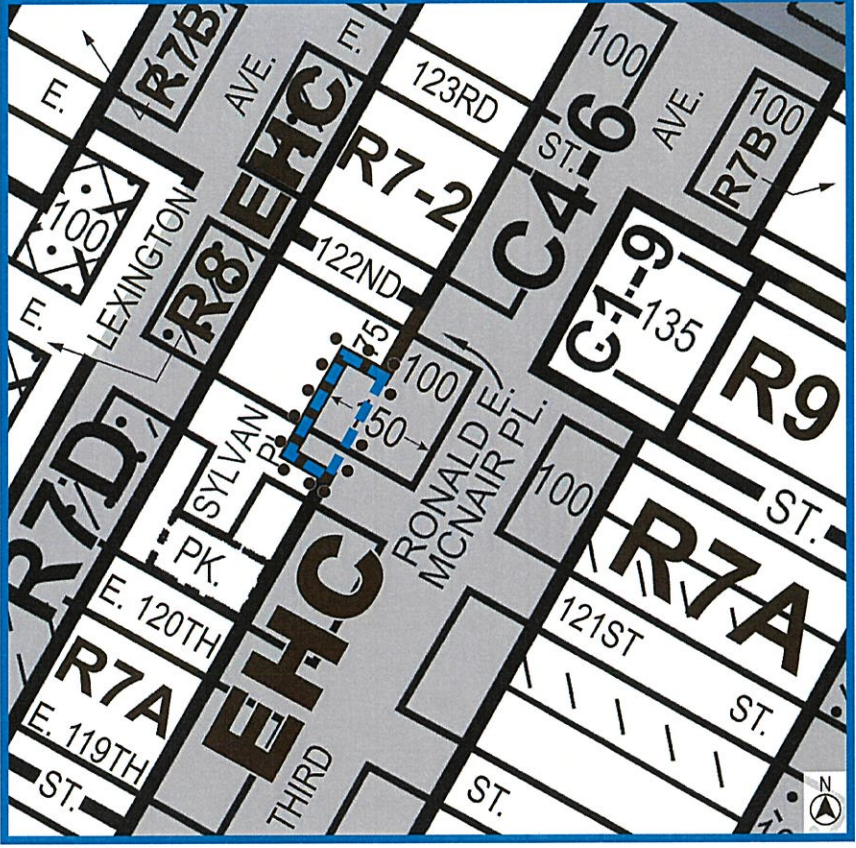
# Proposed Rezoning

Rezoning from R7B to C4-6 (EHC)

Existing



Proposed





# C4-6 (EHC) / R7B

## Permitted by Existing Zoning

- Use Groups: C4-6 (EHC) 1-10, 12; R7B 1-4
- Permitted Max. Total FAR: C4-6 (EHC) 9.0 / R7B 3.0
- Permitted Residential FAR: C4-6 (EHC) 9.0 / R7B 3.0
- Permitted Comm. Fac. FAR: C4-6 (EHC) 9.0 / R7B 3.0
- Permitted Commercial FAR: C4-6 (EHC) 3.4 / R7B none
- Permitted Building Height: C4-6 (EHC) 215 / R7B 75 Ft
- Permitted Dwelling Units: 680 sf/ dwelling unit
- Required Parking: none
- Required Loading Berths: 3 (Existing Requirement)

# C4-6 (EHC)

## Permitted by Proposed Zoning

- Use Groups: 1-10, 12
- Permitted Max. Total FAR: 10.0
- Permitted Residential FAR: 10.0
- Permitted Community Facility FAR: 10.0
- Permitted Commercial FAR: 7.2\*
- Permitted Building Height: 235 Ft
- Permitted Dwelling Units: 680 sf/ dwelling unit
- Required Parking: none
- Required Loading Berths: 1 (Special Permit)\*

*\*Reflects Proposed Zoning Text Amendment*

# C4-6 (EHC)

## Proposed Development

- Proposed Use Groups: 9A
- Proposed Total FAR: 7.06
- Proposed Residential FAR: 0.0
- Proposed Community Facility FAR: 0.0
- Proposed Commercial FAR: 7.06
- Proposed Building Height: 145 Ft
- Proposed Dwelling Units: n/a
- Proposed Parking: none
- Proposed Loading Berths: 1



# Rezoning Area



2226 Third Avenue



# Proposed Development

## *10-Story Commercial Building*



- Proposed Use: Commercial
- Proposed FAR: 7.06
- Proposed Total Floor Area: 133,426 sf
- Proposed Building Height: 145 feet / 10-stories



# Commitments to Community Board 11 and Manhattan Borough President

## 1. Union labor is utilized for the building staff.

- Union labor was used during some aspects of the construction, including the International Union of Elevator Constructors Local One (IUEC One). The Applicant has committed to using 32BJ once the building is operational. After a tenant is selected and there is an interior fit out scope of work, the Applicant will solicit a proposal from Local 79.

## 2. Maintain the existing 9.0 FAR and 215' height, pursuant to Maps 2 and 3 of the Special East Harlem Corridors District Plan.

- The applicant has no objection to this request, 2226 Third Avenue is already built with an FAR of 7.06 and a height of 145 feet. The applicant will work with the City Planning Commission (CPC) and City Council to maintain the FAR and height.

## 3. Remove lots not controlled by the Applicant from the rezoning action.

- The applicant has no objection to removing Block 1770, Lots 38, 39 & 40 from the proposed actions. The Applicant will work with the CPC and City Council to remove the non-applicant controlled tax lots.



# Floor Area Breakdown

**Total Floor Area**  
133,426 sf

**Total FAR**  
7.06

**Commercial  
Floor Area**  
133,426 sf

|                                   |                              |                                   |
|-----------------------------------|------------------------------|-----------------------------------|
|                                   | <b>10<sup>TH</sup> FLOOR</b> | <i>Commercial</i>                 |
|                                   | <b>9<sup>TH</sup> FLOOR</b>  | <i>Commercial</i>                 |
|                                   | <b>8<sup>TH</sup> FLOOR</b>  | <i>Commercial</i>                 |
|                                   | <b>7<sup>TH</sup> FLOOR</b>  | <i>Commercial</i>                 |
|                                   | <b>6<sup>TH</sup> FLOOR</b>  | <i>Commercial</i>                 |
| <i>Commercial</i>                 | <b>5<sup>TH</sup> FLOOR</b>  | <i>Commercial</i>                 |
| <i>Commercial</i>                 | <b>4<sup>TH</sup> FLOOR</b>  | <i>Commercial</i>                 |
| <i>Commercial</i>                 | <b>3<sup>RD</sup> FLOOR</b>  | <i>Commercial</i>                 |
| <i>Commercial</i>                 | <b>2<sup>ND</sup> FLOOR</b>  | <i>Commercial</i>                 |
| <i>Commercial</i>                 | <b>1<sup>ST</sup> FLOOR</b>  | <i>Commercial</i>                 |
| <i>Commercial/<br/>Mechanical</i> | <b>CELLAR</b>                | <i>Commercial/<br/>Mechanical</i> |



# Appendix



# Sustainability Features

*Environmentally Conscious Design*

**Energy  
Efficient  
Lighting**



**Green Roof**



**High Efficiency  
Heating &  
Cooling**





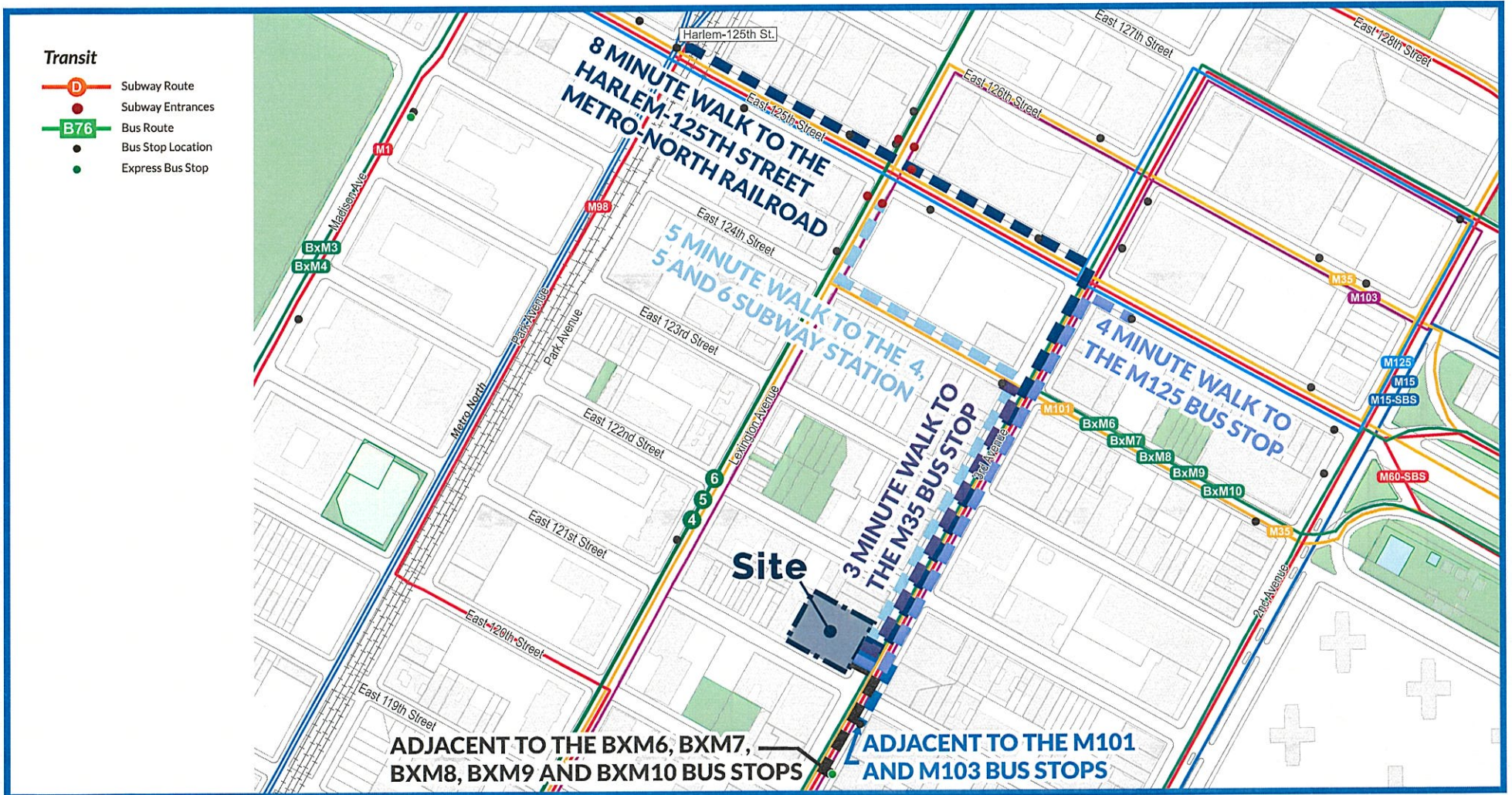
# Comparable Surrounding Building Heights



\*Proposed Building Height

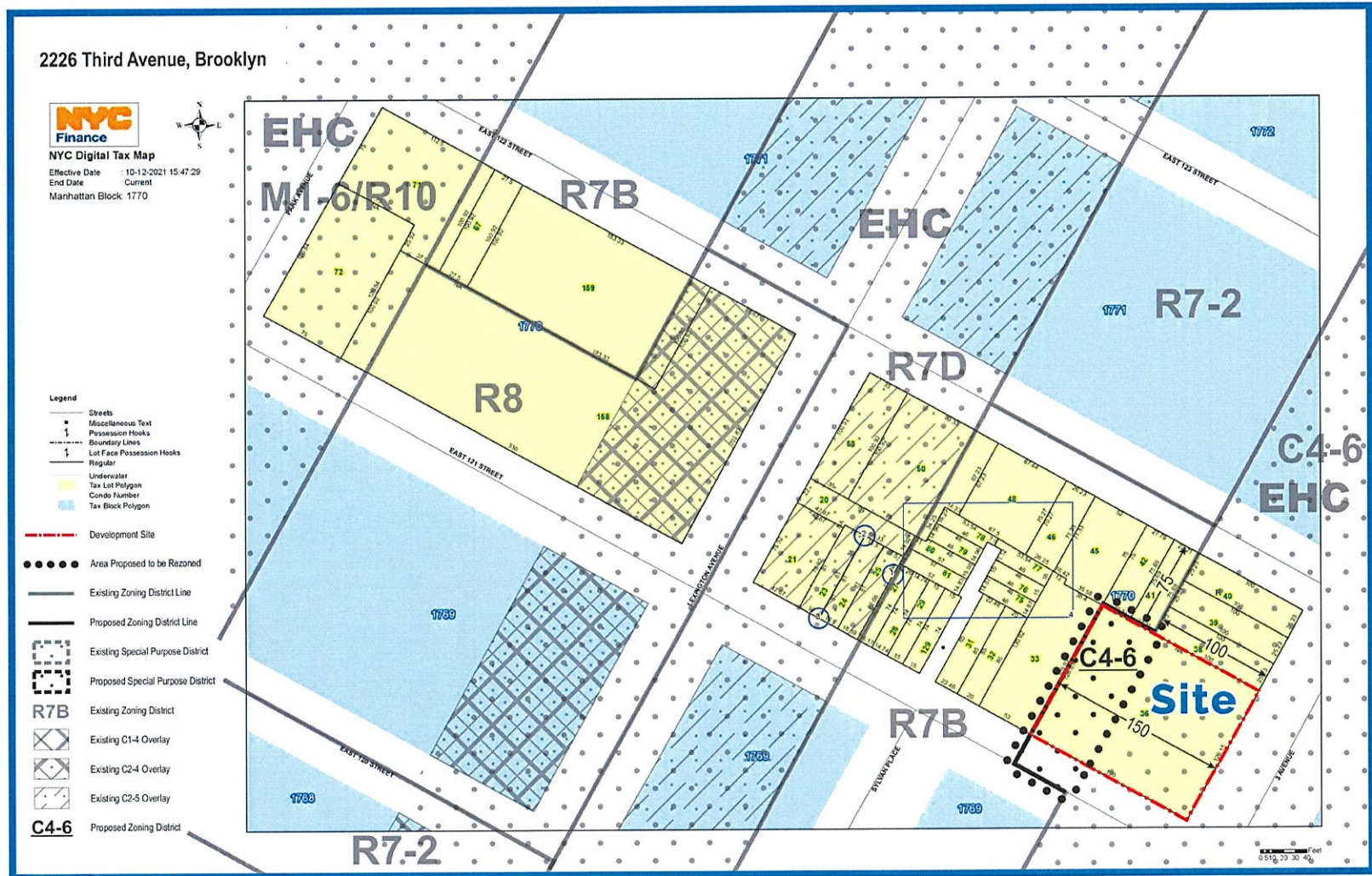


# Access To Many Transit Options



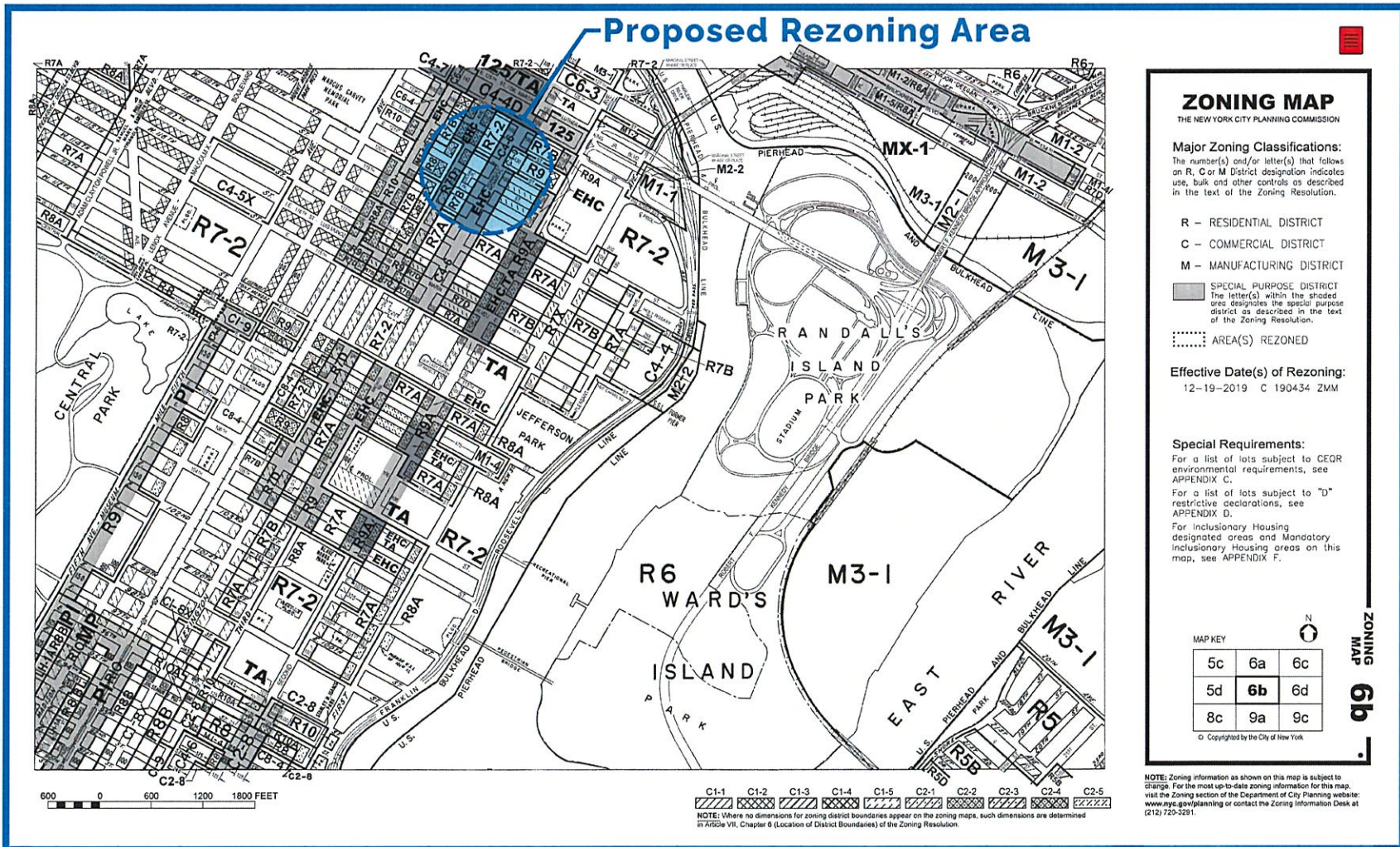


# Tax Map





# Zoning Sectional Map





# Zoning Text Amendments – MIH



## Appendix F | Inclusionary Housing Designated Area and Mandatory Inclusionary Housing Areas

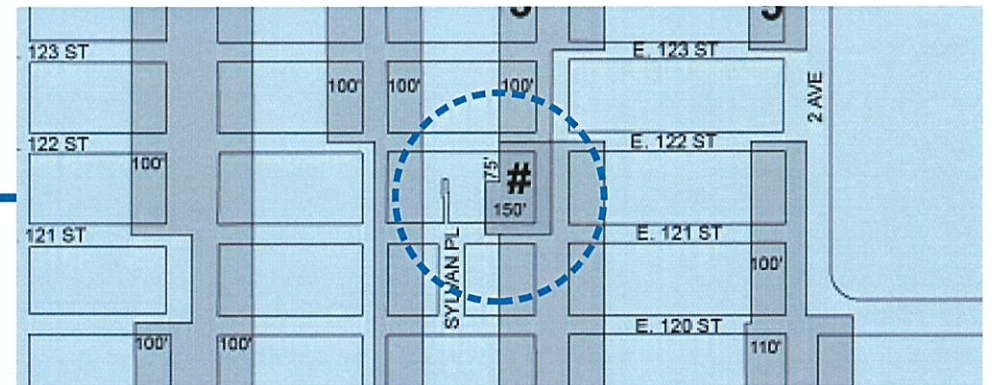
To designate the development site under Mandatory Inclusionary Housing area:

### Option 1:

25% of units permanently affordable at 60% of average monthly income (AMI) with a minimum of 10% affordable at 40% of AMI

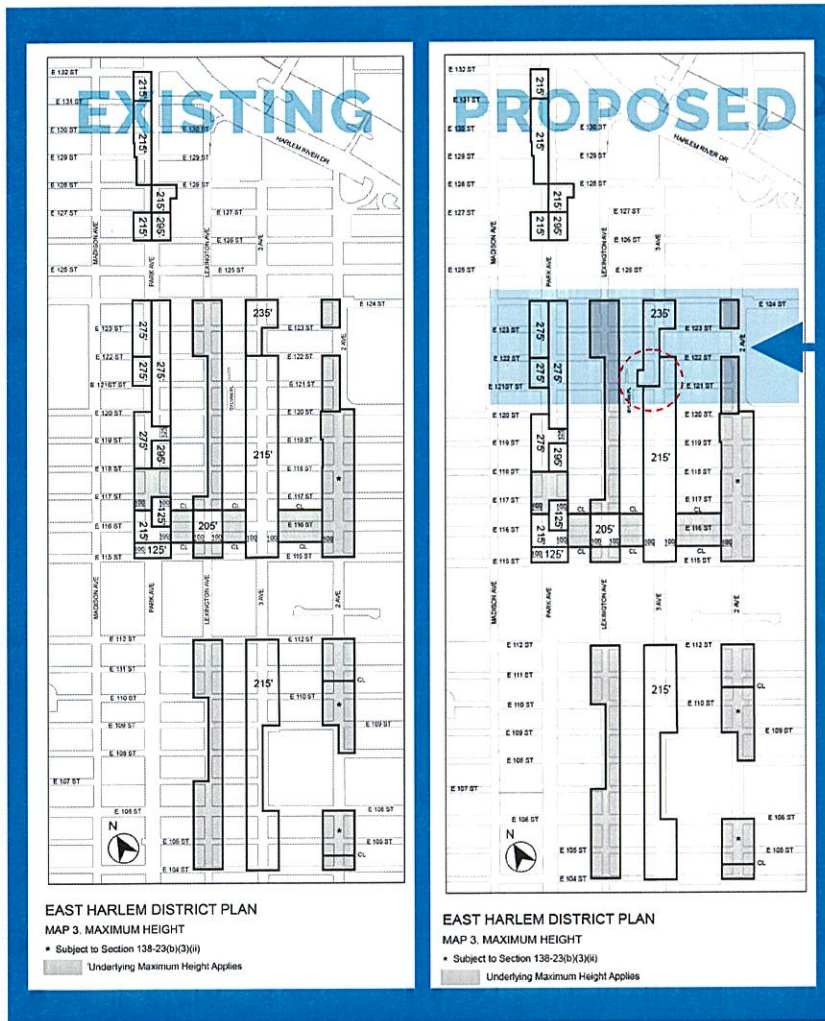
### Deep Affordability Option:

20% of units permanently affordable at an average of 40% of AMI





# Zoning Text Amendments – EHC (Boundary)

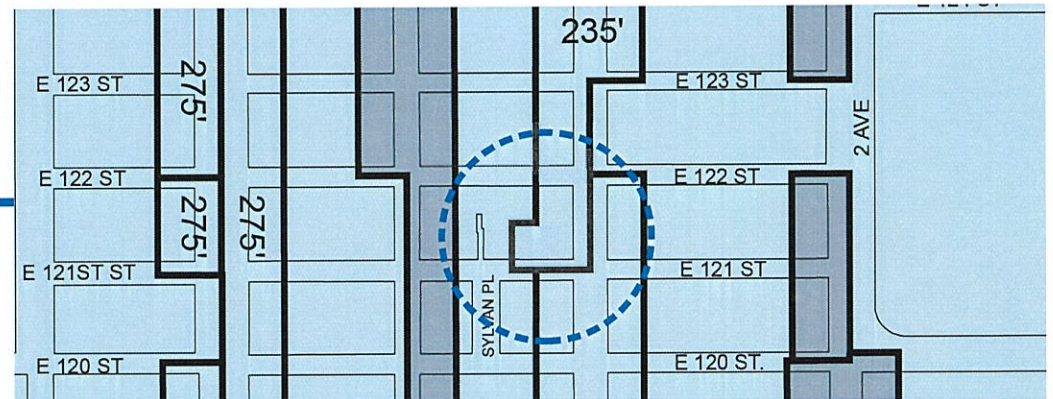


## Article XII, Chapter 8: Special East Harlem Corridors District (EHC)

### Appendix | Maps: Special East Harlem Corridors District and Subdistrict

#### Proposed Changes to Special District and Subdistrict Maps:

- Extend special district boundary to include the entirety of the Development Site.
- The Development Site will be included in the subdistrict with a 235 ft maximum height limit.





# Zoning Text Amendments – EHC (Floor Area)

**138-21 Floor Area Regulations** LAST AMENDED 11/30/2017 HISTORY

Within the *Special East Harlem Corridors District*, the underlying *floor area* regulations shall apply as modified in this Section, inclusive.

**138-211 Special floor area regulations** LAST AMENDED 10/7/2021 HISTORY

(a) In certain *Commercial Districts* and in *Manufacturing Districts* paired with a *Residence District*, as shown on Map 2 of the Appendix to this Chapter, for any *zoning lot* containing *residential floor area*, the maximum *residential floor area ratio* shall be modified as follows:

- (1) for *zoning lots* complying with the applicable provisions of paragraph (d)(3) of Section 23-154 (Inclusionary Housing) or, for *affordable independent residences for seniors*, the maximum *residential floor area ratio* set forth on Map 2 shall apply;
- (2) for *zoning lots* utilizing the provisions of paragraphs (d)(4)(i) or (d)(4)(iii) of Section 23-154, the maximum *residential floor area ratio* shall apply as modified in the table below:

| Maximum <i>residential floor area ratio</i> shown on Map 2 | Modified maximum <i>residential floor area ratio</i> |
|--|--|
| 8.5  | 7.52   |
| 9.0  | 7.52   |
| 10.0   | 9.0  |

(3) except in C2 Districts subject to the provisions of paragraph (b) of this Section, the maximum *floor area ratio* for any combination of *uses* shall be the maximum *floor area ratio* specified in paragraphs (a)(1) or (a)(2) of this Section, whichever is applicable; and

(4) in C4-6 Districts and in C2 Districts mapped within an R9 or R10 District, the *floor area* provisions of Sections 33-13 (Floor Area Bonus for a Public Plaza) or 33-14 (Floor Area Bonus for Arcades) shall not apply.

(b) In C2 Districts mapped within an R7D District that is also located within 100 feet of Park Avenue, the maximum *community facility floor area ratio* shall be 6.5, except that the applicable provisions of paragraph (d) of Section 33-121 (In districts with bulk governed by Residence District bulk regulations) shall apply to *zoning lots* containing philanthropic or non-profit institutions with sleeping accommodations or *long term care facilities*.

(c) For *transit adjacent sites* or *qualifying transit improvement sites*, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI, Chapter 6 shall control. For the purposes of this paragraph, defined terms additionally include those in Section 66-11 (Definitions).

## ZR Section 138 - 21 | Floor Area Regulations

Within the Special East Harlem Corridors District, the underlying floor area regulations shall apply as modified in this Section, inclusive.

## ZR Section 138 - 211 | Special Floor Area Regulations Added Text:

c) In the C4-6 District that is located on the west side of Third Avenue between East 121st Street and East 122nd Street, the maximum #commercial# #floor area ratio# shall be 7.2



# Zoning Text Amendments – EHC (Special Permit)

## 138-40 OFF-STREET PARKING AND LOADING REGULATIONS

LAST AMENDED 11/30/2017 HISTORY

The applicable parking and loading regulations of Article II, Chapter 5, Article III, Chapter 6, Article IV, Chapter 4 (ACCESSORY OFF-STREET PARKING AND LOADING REGULATIONS) or Section 123-70 (PARKING AND LOADING), inclusive, shall be modified in this Section, inclusive.

## 138-41 Accessory Off-street Parking Spaces for Residences

LAST AMENDED 11/30/2017 HISTORY

In the *Special East Harlem Corridors District*, no *accessory* off-street parking shall be required for *residences*. Off-street parking shall be permitted in accordance with the underlying district regulations.

## ZR Section 138-40: Off-Street Parking and Loading Regulations

### ZR Section 138 - 211 | Special Permit For Accessory Off-Street Commercial Loading Spaces - Added Text:

#### 138-40: Special Permit For Accessory Off-Street Commercial Loading Spaces

Within C4-6 Districts, the City Planning Commission may, by special permit, allow a reduction or waiver in the number of required loading berths, provided that:

a) curbside deliveries will not create or contribute to serious traffic congestion or unduly inhibit vehicular or pedestrian movement and will not interfere with the efficient functioning of nearby #uses#; and

b) an efficient goods receiving system will be implemented within the #commercial# establishment to expedite the movement of goods from the curb to areas within the establishment.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.



# Special Permit Details

## Without Special Permit

Required Accessory Off-Street Loading Berths (ZR§36-62):

All retail or service uses listed in Use Group: 6A, 6C, 7B, 8B, 9A, 9B, 10A, 12B, 14A or 16A

| Floor Area                                     | Required Loading Berths |
|--|-------------------------|
| First 25,000 sf                                | None                    |
| Next 15,000 sf                                 | +1                      |
| Next 60,000 sf                                 | +1                      |
| Each Additional 150,000 sf or Fraction Thereof | +1                      |

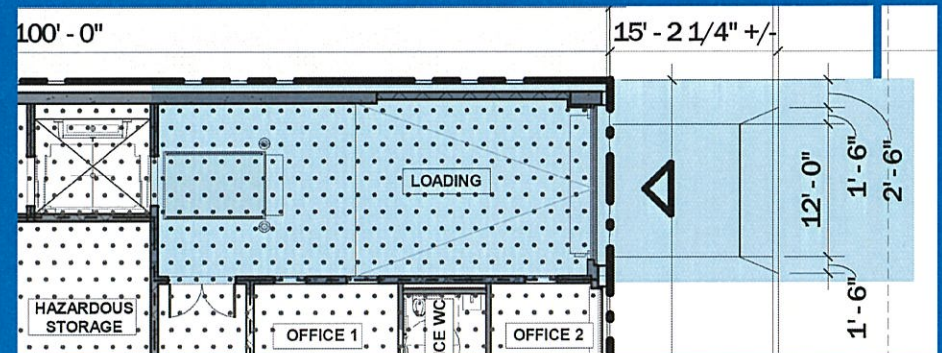
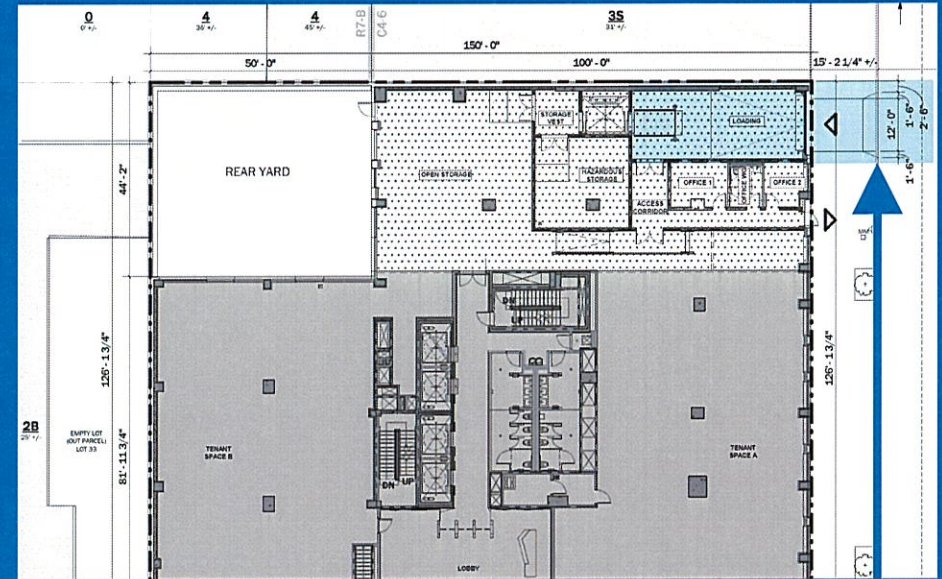
Proposed Development:

| Floor Area | Required Loading Berths |
|------------|-------------------------|
| 133,426 sf | 3                       |

## With Special Permit

If granted the proposed CPC special permit, pursuant to ZR§138-42:

Only 1 loading berth would be required for the Proposed Development.



## To Meet the Findings of the Proposed Special Permit:

- One dock master
- Audio and visual alerts
- No parking anytime curbside delivery
- Establishment of an efficient goods receiving system





1. View of the Development Site facing northwest from the intersection of Third Avenue and East 121st Street.



2. View of the Development Site facing north from Third Avenue between East 120th and East 121st Streets.



3. View of the Development Site facing east from East 121st Street.



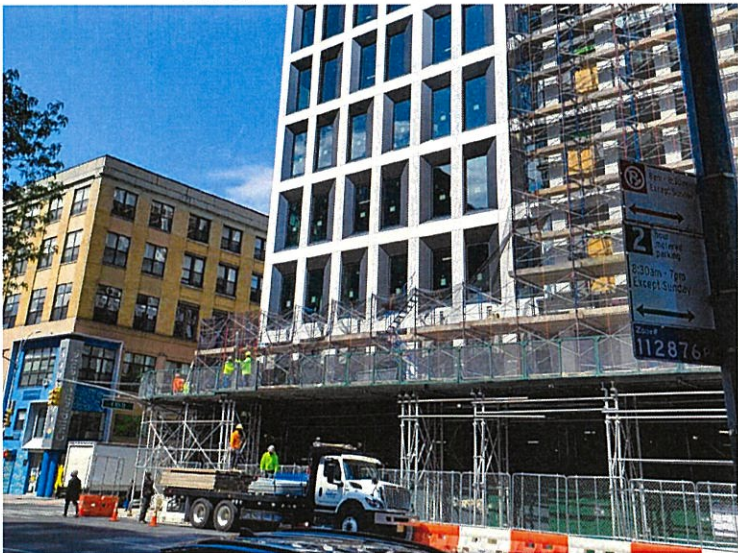




4. View of the Development Site facing north from Third Avenue between East 120th and East 121st Streets.



5. View of the Development Site facing northwest from the intersection of Third Avenue and East 121st Street.



6. View of the Development Site facing west from Third Avenue.







7. View of the Development Site facing north from Third Avenue between East 120th and East 121st Streets.



8. View of the Development Site facing northwest from East 121st Street.



9. View of the Development Site facing southwest from the intersection of Third Avenue and East 122nd Street.



Development Site      Rezoning Area







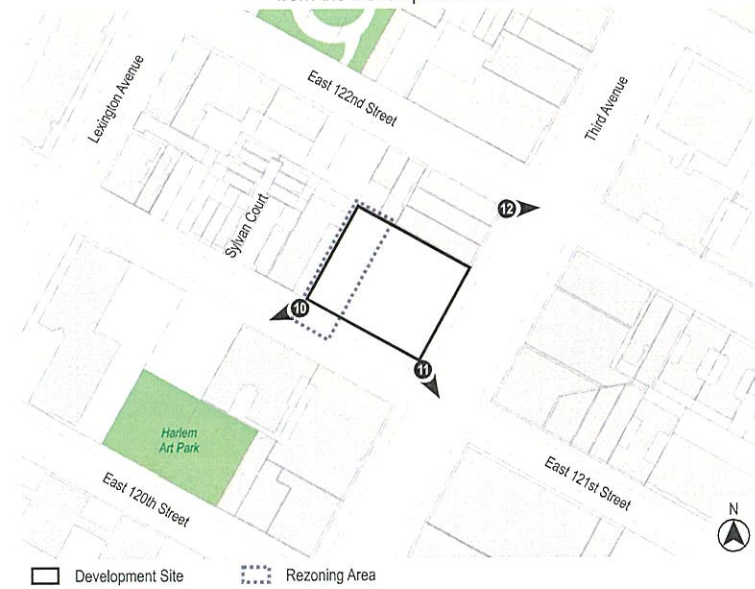
10. View of the south side of East 121st Street facing southwest from the Development Site.



11. View of the intersection of Third Avenue and East 121st Street facing southeast from the Development Site.



12. View of the intersection of Third Avenue and East 122nd Street facing east.





**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor     in opposition

Date: \_\_\_\_\_

Name: RICHARD BASS (PLEASE PRINT)

Address: \_\_\_\_\_

I represent: 2726 3<sup>RD</sup>

Address: \_\_\_\_\_

▶ Please complete this card and return to the Sergeant-at-Arms ◀