2226 Third Avenue Rezoning
Special Permit Pursuant to ZR Section 138-42

Applicant's Statement of Findings

138-42
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

Third Avenue is a 100' wide street that contains a 70' wide roadbed and two 15' wide sidewalks. Third Avenue operates as a one-way, northbound arterial with five traffic lanes and one parking lane along each curb. Approaching delivery vehicles would likely utilize east/west arterials such as 116th Street or 125th Street to reach the site from the Bruckner Expressway (I-278) and other nearby arterials. A travel demand forecast determined that the proposed development is expected to generate no more than 0.8 delivery vehicles during any hour on a typical day and the proposed loading berth could accommodate all demand from delivery vehicles. In the event that an arriving delivery vehicle is unable to access the loading berth, it is anticipated that deliveries could be accommodated curbside within the "No Parking Anytime" zone located on the west side of Third Avenue directly north of the proposed loading berth. Curbside loading and unloading of packages and merchandise is permitted in "No Parking Anytime" zones. Curbside deliveries are expected to be infrequent and limited to short periods of time (e.g. parcel delivery) and would not contribute to serious traffic congestion along Third Avenue, an arterial with a total of five northbound traffic lanes.

In order to maximize the utility of the proposed loading berth and further minimize the potential for curbside deliveries, the proposed development will incorporate an efficient goods receiving system that is managed by a dedicated dock master, as described in greater detail below. The principal duty of the dock master will be to coordinate all incoming and outgoing deliveries, ensuring the efficient use of the loading berth and the safety of pedestrians utilizing the adjacent sidewalk. The loading berth will also incorporate audio and visual warnings to alert pedestrians of entering and exiting vehicles. Based on pedestrian data collected in October 2022, the west sidewalk of Third Avenue adjacent to the development site experiences relatively low pedestrian volumes and pedestrian movements are generally fluid and uncongested. Therefore, it is anticipated that 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.

(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 proposed development will incorporate an efficient goods receiving system that will maximize the utility of the proposed loading berth and minimize the potential for curbside deliveries. The loading dock will be staffed during all hours of operation by a dock master who will be stationed within an office located adjacent to the loading dock. As mentioned previously, the principal duty of the dock master will be to coordinate all incoming and outgoing deliveries, ensuring the efficient use of the loading berth and the safety of pedestrians utilizing the adjacent sidewalk.

The loading dock will be supported by dedicated goods receiving and holding spaces, comprised of a lab receiving/loading holding space and a hazardous storage/loading holding space. These dedicated spaces will be located adjacent to the loading dock and freight elevator. A swing storage space will be located adjacent to the loading dock to accommodate the swift offloading of materials from arriving delivery vehicles. These

offloaded materials will be held in a freight elevator queue located within the dedicated storage spaces adjacent to the loading dock to minimize the dwell time of delivery vehicles.

In addition to the dedicated goods receiving and holding spaces located adjacent to the loading dock, each upper floor would contain a tenant receiving/loading storage space adjacent to the freight elevator. The dock master would manage each of these spaces to ensure items unloaded at the ground floor would be received and stored quickly at their designated floor, allowing the freight elevator to be returned to the loading dock without delay. Similarly, items scheduled for pick up would remain on their designated floor until the dock master moves these items from their floor of origin via the freight elevator to the loading berth for loading onto arriving delivery vehicles. The provision of these dedicated tenant receiving/loading storage spaces would complement the dedicated goods receiving and holding spaces located on the ground floor and would help avoid bottlenecks at the ground level.

These dedicated goods receiving and holding spaces, in concert with the dock master's effective management of all incoming and outgoing deliveries, would expedite the movement of goods to and from delivery vehicles and would reduce the potential for curbside deliveries.

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

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