4506 PARK AVENUE REZONING
BRONX, NEW YORK
SEPTEMBER 2026

LR ITEM 3 DESCRIPTION OF PROPOSAL

1. INTRODUCTION

Rocky & Brothers Realty LLC (the "Applicant"), the owner of Block 3038, Lots 5, 7, 8, and 9 within Bronx Community District 6, requests approval of several actions (the "Proposed Actions") from the New York City Planning Commission (the "CPC") including:

1) a zoning map amendment from an existing M1-1 zoning district to an R7X zoning district with a C2-4 commercial overlay encompassing Block 3038, Lots 1, 3, 7, 8, 9, 11, 12, 13, 14, 16, 87, 187, p/o 5, p/o 20, p/o 29, and p/o 45;
2) a zoning map amendment from an existing R6A zoning district to an R7A zoning district with a C2-4 commercial overlay encompassing Block 3038, Lots 38 and p/o 45 (Block 3038, Lots 1, 3, 7, 8, 9, 11, 12, 13, 14, 16, 38, 87, 187, p/o 5, p/o 20, p/o 29, and p/o 45 collectively known as the "Project Area"); and
3) a zoning text amendment to Appendix F to establish a Mandatory Inclusionary Housing ("MIH") Area mapping Option 1 and Option 2.

The Proposed Actions would facilitate the development of two new buildings within the Project Area. The first building ("Proposed Development Building 1") will be a new 14-story mixed-use building containing approximately 146,990 square feet. This building will include approximately 142,490 square feet of residential floor area (179 total dwelling units) and 4,500 square feet of commercial space. The second building ("Proposed Development Building 2") will be a new 9-story mixed-use building containing approximately 105,256 square feet. This building will include approximately 99,843 square feet of residential floor area (129 total dwelling units) and 5,413 square feet of commercial floor area. The Proposed Development will contain 121 parking spaces spread throughout both buildings (Proposed Development Building 1 and Proposed Development Building 2, collectively, the "Proposed Development"). Pursuant to the requirements of the MIH program, the Proposed Development will provide approximately 77 to 92 permanently affordable units in accordance with MIH Option 1 or Option 2, at an average of 60-80% of area median income ("AMI"), depending on the Option selected.

The Proposed Actions are intended to build upon and further the land use goals of the Third Avenue/Tremont Avenue Rezoning, and increase the development potential of the underutilized western half of Block 3038, several parcels of which are owned or controlled by the Applicant. New mixed-use development facilitated by the Proposed Actions would complement and strengthen the residential and commercial character of this area of the Bronx, in addition to creating new affordable housing opportunities pursuant to the provisions of the City's Mandatory Inclusionary Housing program.

2. BACKGROUND

On October 13, 2010, the City Council approved the Third Avenue/Tremont Avenue Rezoning which rezoned all or portions of 75 blocks, including the eastern half of Block 3038 (through mid-block), to provide new opportunities for residential and commercial development (ULURP# N 100408 ZRX). Inclusionary Housing Designated Areas and Special Mixed-Use Districts were also created.

3. DESCRIPTION OF THE SURROUNDING AREA

Land Uses

The proposed Project Area is in the Belmont neighborhood of Bronx Community District 6. The area within a 600-foot radius of the Project Area ("the Surrounding Area") is characterized by a mix of land uses including one and two family residential buildings, multifamily elevator and walkup buildings, mixed commercial and residential uses, commercial and office uses, industrial and manufacturing uses, transportation and utility uses, community facility buildings, parking facilities, open space and outdoor recreation, and vacant land. The Surrounding Area includes the following zoning districts: M1-1, M1-4/R7A, MX-14, R5, R6A, R7-1, C2-4, C4-4D, and C8-3. The built character varies with buildings ranging from one to 14 stories in height.

The Surrounding Area is served by several local and regional roadways including Park Avenue, the Cross Bronx Expressway, the Bronx River Parkway, East Fordham Road, and Webster Avenue. Public transportation in the Surrounding Area includes the Bx41 bus, which runs along Webster Avenue, and the Bx15 bus, which runs along Third Avenue. The Development Site is approximately 0.6 miles to the Fordham Metro North station, and 0.6 miles to the 182nd - 183rd Street subway station (B and D lines). The Surrounding Area is within the Transit Zone and FRESH Zone.

Directly north of the Project Area, land uses include one and two family residential buildings, multifamily walkup buildings, mixed residential and commercial buildings, commercial and office buildings, public facilities and institutions, parking facilities, vacant land, and open space. The prevailing built form varies from low-rise buildings ranging from one to two stories in height, to mid-rise buildings ranging from three to eight stories in height.

To the south of the Project Area, there are one and two family residential buildings, multifamily walkup and elevator buildings, mixed residential and commercial buildings, public facilities and institutions, industrial and manufacturing uses, transportation and utility uses, open space, parking facilities, and vacant land. Other notable uses include the Bathgate Playground, which is located one block south of the Project Area, and Washington Park, which is located one block north of the Project Area.

To the east of the Project Area along Washington Avenue and Bassford Avenue are mixed residential and commercial buildings with ground-floor retail that serves local needs and includes uses such as grocery stores, delis, restaurants, convenience stores, and hair salons. Buildings to

the east range in height from one to 14 stories, including 2271 Washington Avenue (14 stories) and 2277 Bathgate Avenue (13 stories).

The area to the west of the Project Area across Park Avenue is comprised of a mix of land uses including public facilities and institutional uses, commercial and office uses, mixed commercial and residential uses, one to two family residential uses, multi-family elevator uses, open space, and vacant land. Buildings range from one to 14 stories in height, including 373 East 183rd Street which is a 14-story mixed residential and commercial building.

Zoning

The Surrounding Area is mapped with residential, commercial, light manufacturing, and special mixed-use zoning districts of varying density including M1-1, M1-4/R7A, MX-14, R5, R6A, R7-1, C2-4, C4-4D, and C8-3. The Project Area is currently zoned M1-1, R6A, and C2-4. A description of the zoning regulations within each of these districts is provided below.

M1-1

M1-1 zoning districts permit a maximum floor area ratio ("FAR") of 1.0 for light manufacturing and commercial uses, and a maximum FAR of 2.4 for community facility uses. Residential uses are not permitted. Height and setbacks are governed by a sky exposure plane beginning at 30 feet or two stories above the street line, whichever is less. Required off-street accessory parking varies by use and may be waived if fewer than 15 parking spaces are required.

M1-4/R7A (MX-14)

The Special Mixed-Use District (MX) was established in 1997 to encourage investment in, and enhance the vitality of, existing neighborhoods with mixed residential and industrial uses in close proximity. The MX district was also meant to create expanded opportunities for new mixed-use communities. The Special Mixed-Use Districts are mapped in all boroughs except Staten Island. New residential and non-residential uses including commercial, community facility and light industrial uses, can be developed as-of-right and can be located within the same building or side-by-side. Within MX districts, residential uses are generally subject to the bulk controls of the governing residence district. Commercial, community facility, and industrial uses are subject to the M1 district bulk controls, except that community facilities are subject to residential FAR limits. Most light industrial uses are permitted in MX districts as-of-right, others are subject to restrictions and certain uses are excluded altogether. M1-4/R7A (MX-14) allows a maximum residential FAR of 5.01 for qualifying affordable housing, commercial FAR of 2.0, community facility FAR of 4.0 and manufacturing FAR of 2.0. M1-4/R7A allows a maximum base height of 75 feet and maximum building height of 85 feet. For qualifying affordable housing, the maximum base height is 85 feet.

R5

R5 is a medium-density residential district that allows all housing types and certain community facility uses. No commercial or industrial/manufacturing uses are permitted. R5 districts have a maximum residential FAR of 2.0 with qualifying residential sites and a maximum community

facility FAR of 2.0. The maximum permitted building height is 55 feet for qualifying residential sites. Within the Outer Transit Zone, off-street parking is required at a rate of 35 percent for standard dwelling units, with no parking required for income-restricted units in qualifying housing or qualifying senior housing. These requirements are waived where the resulting number of parking spaces is 10 or fewer.

R6A

R6A is a medium-density contextual residential district that generally allows all housing types at a maximum residential FAR of 3.90 for qualifying affordable housing and a maximum FAR of up to 3.0 for buildings containing certain community facility uses. Commercial and industrial/manufacturing uses are not permitted. Qualifying affordable housing has a maximum base height of 65 feet and maximum building height of 75 feet. Within the Outer Transit Zone, off-street parking is required at a rate of 25 percent of standard dwelling units, with no parking required for income-restricted units in qualifying affordable housing or qualifying senior housing. These requirements are waived where the resulting number of parking spaces is 15 or fewer.

R7-1

R7-1 is a medium-density residential district that allows all housing types at a maximum FAR of up to 5.01 for qualifying affordable housing and a maximum FAR of up to 4.8 for buildings containing certain community facility uses. Commercial and industrial/manufacturing uses are not permitted. In R7-1 districts, buildings may be constructed according to either the optional Quality Housing regulations or height factor regulations. Qualifying affordable housing has a maximum base height of 75 feet and maximum building height of 85 feet. Within the Outer Transit Zone, off-street parking is required at a rate of 25 percent for standard dwelling units, with no parking required for income-restricted units in qualifying affordable housing or qualifying senior housing. These requirements are waived where the resulting number of parking spaces is 15 or fewer.

C2-4

C2-4 commercial overlay districts allow local retail and service uses with a maximum commercial FAR that varies by the underlying residential district: 2.0 in R4 through R10 districts, 1.6 in R3-2 districts, and 1.0 in R1, R2, and other R3 districts. However, in mixed residential and commercial buildings, commercial uses are limited to the ground floor and must always be located below residential use. The C2-4 overlay generally requires one accessory off-street parking space per 1,000 square feet of floor area for general retail or service uses. A waiver is available for up to 40 required commercial accessory off-street parking spaces.

C4-4D

C4-4D is a general commercial contextual zoning district typically mapped in regional commercial centers located outside of central business districts. The C4-4D district permits a variety of commercial building uses, community facilities, and residential buildings. C4-4D has a residential equivalent of R8A and a maximum commercial FAR of 3.4. A variety of uses and building types are permitted including commercial, community facility, residential, and mixed-use. As a

contextual zoning district, developers are required to comply with the Quality Housing Program for residential use.

C8-3

C8-3 districts are mapped along major traffic arteries where concentrations of automotive and heavy commercial uses have developed. C8-3 districts permit most commercial and semi-industrial uses and certain community facility uses. Residential uses are not permitted. The maximum permitted FAR is 2.0 for commercial uses and 6.5 for community facility uses. Height and setbacks are governed by a sky exposure plane beginning at 60 feet above the street line. Off-street parking is required and varies by use.

4. DESCRIPTION OF THE PROPOSED PROJECT AREA AND DEVELOPMENT SITE

The proposed Project Area is comprised of Lots 1, 3, 7, 8, 9, 11, 12, 13, 14, 16, 38, 87, 187, p/o 5, p/o 20, p/o 29, and p/o 45 on Block 3038. Block 3038 is generally bounded by East 183rd Street to the north, Park Avenue to the west, East 182nd Street to the south, and Washington Avenue to the east. The majority of the Project Area is within an M1-1 zoning district; p/o lot 5, p/o 20, p/o 29, and p/o 45 are split zoning lots (M1-1/R6A); p/o 20 is mapped with a C2-4 commercial overlay; and Lot 38 is within the R6A zoning district.

The Proposed Development Site consists of two parcels comprised of interior and corner lots. It consists of 4506-4522 Park Avenue, 449 East 182nd Street, and 2249 Washington Avenue (Block 3038, Lots 5, 7, 8, 9, 11, 38, and 45). It has a total lot area of 44,420 square feet. The Proposed Development Site has approximately 170 feet of frontage along Park Avenue and 195 feet of frontage on East 182nd Street and Washington Avenue. Park Avenue is a 50-foot wide street and runs parallel with the Metro North tracks. 4506 Park Avenue (Lot 5) is currently improved with a one-story, 8,590 gross square foot warehouse. 4510 Park Avenue (Lots 7, 8, and 9) contains unlicensed surface parking. 4522 Park Avenue (Lot 11) contains a one-story, 3,400 gross square foot autobody/repair facility. 2249 Washington Avenue (Lot 38) is currently improved with a one-story, 8,800 gross square foot warehouse and restaurant. Lastly, 449 East 182nd Street (Lot 45) contains a one-story, 9,800 square foot warehouse.

5. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The Proposed Actions would facilitate two new buildings on the Proposed Development Site, with a total floor area of approximately 252,246 square feet. The Proposed Development has a proposed FAR of 5.68. This will be a mixed-use residential and commercial development.

Proposed Development Building 1 will be a new 14-story mixed-use building (maximum height of 145 feet) with approximately 146,990 square feet fronting Park Avenue (Lots 5, 7, 8, 9, and 11). Proposed Development Building 1 would contain approximately 4,500 square feet of ground-floor commercial space and approximately 142,490 square feet of residential space with 179 dwelling units, of which 25-30% (45-54 dwelling units) would be affordable pursuant to MIH at an average of 60-80% AMI, depending on the Option selected. Approximately 71 accessory off-street parking

spaces would be provided in the cellar or ground floor (rear of building). One curb cut on Park Avenue would be installed in connection with the below-grade parking entrance.

Proposed Development Building 2 will be a new 9-story mixed-use building (maximum height of 95 feet) with approximately 105,256 square feet fronting East 182nd Street (Lot 45) and Washington Avenue (Lot 38). Proposed Development Building 2 would contain approximately 5,413 square feet of ground-floor commercial space and 99,843 square feet of residential space with 129 dwelling units, of which 25-30% (32-39 units) would be affordable pursuant to MIH at an average of 60-80% AMI, depending on the Option selected. Approximately 50 accessory off-street parking spaces would be provided on the cellar and ground floor levels. One curb cut would be installed on East 182nd Street in connection with the below-grade parking entrance.

6. ACTIONS NECESSARY TO FACILITATE THE PROJECT

Zoning Map Amendment

The proposed zoning map amendment to sectional map 3c would map the Project Area with R7A and R7X zoning districts, and a C2-4 commercial overlay. The Project Area is currently zoned M1-1 and R6A where the maximum permitted FAR is 1.0 for commercial and manufacturing uses, 2.4 (M1-1) and 3.0 (R6A) for community facility uses , and 2.0 for commercial uses within the C2-4 overlay. Residential uses are not permitted within the M1-1 district. Compared to existing zoning, the proposed R7A and R7X districts with the C2-4 commercial overlay would allow for residential use on the Project Area. The zoning map amendment would also allow higher density residential (maximum 6.0 FAR in the R7X district, and 5.01 in the R7A district for qualifying affordable housing), and community facility (maximum 4.0 FAR in the R7A district and 5.0 in the R7X district) uses. Any new buildings within the R7A and R7X districts must be constructed pursuant to Quality Housing regulations. For zoning lots containing qualifying affordable housing, R7X zoning districts allow a maximum base height of 105 feet and a maximum building height 145 feet. In R7A districts, qualifying affordable housing has a maximum base height of 85 feet and a maximum building height 115 feet. Within the Outer Transit Zone, off-street parking is required at a rate of 15 percent of standard dwelling units in R7A and R7X districts, with no parking required for income-restricted units in qualifying affordable housing or qualifying senior housing. These requirements are waived where the resulting number of parking spaces is 15 or fewer in R7A districts and 25 or fewer in R7X districts. For commercial and community facility uses, parking is generally required at a rate of 1 space per 1,000 square feet of floor area.

The proposed R7A and R7X zoning districts with the C2-4 commercial overlay are appropriate as the Project Area is located in an area that is well served by public transportation, and well equipped to handle the proposed increase in density. The Project Area is adjacent to Park Avenue, a wide street that can support the increased density, and the open Metro North tracks. There is also an adjacent existing 14-story building located immediately abutting the rear of the proposed Development Site. The R7A and R7X districts allow for residential use and a higher FAR than the existing M1-1 and R6A zoning districts, which will provide more flexibility in providing larger units and will make housing development feasible, in a building with a height that is consistent with surrounding development. Mapping the commercial overlay will activate this block with local commercial uses.

Additionally, the Project Area is located in close proximity to several local and regional roadways including Park Avenue, the Cross Bronx Expressway, the Bronx River Parkway, East Fordham Road, and Webster Avenue. Public transportation in the Surrounding Area includes the Bx41 bus, which runs along Webster Avenue, and the Bx15 bus which runs along Third Avenue. The Development Site is approximately 0.6 miles to the Fordham Metro North station, and also 0.6 miles to the 182nd - 183rd Street subway station (B and D lines). Lastly, the Project Area is within the Transit Zone and FRESH Zone.

The proposed R7A and R7X zoning districts with a C2-4 commercial overlay would be consistent with existing zoning and land use patterns within the Surrounding Area. R7A and R7X zoning would allow a bulk and density that is consistent with what is currently permitted in the Surrounding Area, including the adjacent 14-story residential building located at 2271 Washington Avenue (Block 3038, Lot 29).

The proposed ground-floor retail uses would complement what is currently permitted throughout most of the Surrounding Area, and provide much needed services and amenities to existing and future residents of the area. Additionally, the proposed ground-floor retail uses would activate the streetscape along Park Avenue, East 182nd Street, and Washington Avenue and significantly improve the pedestrian experience.

Zoning Text Amendment

The proposed zoning text amendment to Appendix F of the Zoning Resolution is requested to designate the Project Area as a Mandatory Inclusionary Housing Area. According to the U.S. Census Bureau, approximately 50.7 percent of area households in Bronx Community District 6 are rent burdened and there is a strong need for affordable housing that reaches a broad range of incomes.[1]

The MIH program requires that permanently affordable housing be provided within new residential developments, enlargements, and conversions from non-residential to residential use within the mapped MIH areas. Within this MIH area, all housing developments, enlargements and conversions that meet the criteria set forth in the MIH program must comply with the requirements of either Option 1 or Option 2 described below.

- Option 1: 25 percent of the residential floor area shall be provided as housing affordable to households at an average of 60 percent of the Income Index (AMI), with no unit targeted at a level exceeding 130 percent of AMI.

- Option 2: 30 percent of the residential floor area shall be provided as housing affordable to households at an average of 80 percent of the Income Index (AMI), with no unit targeted at a level exceeding 130 percent of AMI.

[1] Based on American Community Survey 2014-2018 5-Year Estimates for PUMA 3705, which is an approximation of both Bronx Community District 6 and Bronx Community District 3, available at: https://communityprofiles.planning.nyc.gov/bronx/6.

The Applicant proposes to comply with MIH Option 1 or Option 2, where 25% or 30% of residential floor area would be affordable housing and rented to tenants with an income at or below 60% or 80% of AMI. Under the existing zoning, no residential floor area is required to be permanently affordable. Therefore, the proposed zoning text amendment would facilitate the construction of a significant amount of permanently affordable housing units in this area of the Bronx.

7. CONCLUSION

The proposed zoning map and zoning text amendments are consistent with existing land uses and zoning conditions within the Surrounding Area, and serve to further the objectives of the City's Mandatory Inclusionary Housing policy and City of Yes initiatives. The Proposed Actions would facilitate the construction of much-needed housing, including approximately 77-92 units of permanently affordable housing and commercial space in close proximity to public transportation. The Proposed Development would provide important services and amenities to the existing and future residents of the area. It would also enliven the neighborhood and create a more vibrant streetscape that would complement the ongoing community development and enrichment of the surrounding neighborhood.