

5.2 LAND USE AND ZONING

This section describes the land use and zoning of the project site and surrounding area, followed by an analysis of the potential for incompatibility or adverse impact on prevailing land use patterns and zoning (land use considerations are also addressed in Section 5.19: Consistency with Local Plans, as appropriate).

5.2.1 Existing Land Use

5.2.1.1 Project Site

As discussed in Section 1.6, the Proposed Action consists of the construction of a new bellmouth and fan plant (located at the intersection of Battery Place and Greenwich Street), new approach tunnels, and a new South Ferry Terminal. With the exception of aboveground ancillary facilities, the project would be located entirely underground, having limits of construction approximately 1,700 feet in length, and extending from just north of the Battery Place/Greenwich Street intersection to Peter Minuit Plaza.

Land uses directly within the project construction limits, from north to south, include portions of Greenwich Street and Battery Place, Battery Park, State Street, and Peter Minuit Plaza. Greenwich Street is a two-lane street which starts at Battery Place and runs north to the WTC site. It resumes on the north side of the WTC site and continues north through the west side of Manhattan to 14th Street. Battery Place is an east-west thoroughfare and bus route connecting West Street with State Street. Battery Place forms the northern boundary of Battery Park. A traffic island used for parking is located in the center of Battery Place just west of Greenwich Street.

The northwest corner of the Battery Place/Greenwich Street intersection contains the portal of the Brooklyn-Battery Tunnel. The northeast corner of this intersection contains commercial use (office buildings with ground-floor bank and retail uses) at the historic International Mercantile Marine Building at One Broadway. South of Battery Place, Battery Park extends from State Street to the Hudson River.

Battery Park is a city-owned, passive-use park containing walkways, grassy areas, trees, monuments, statues, vendors, and benches. The park also contains the Castle Clinton National Monument, which is located west of the project construction limits. Castle Clinton National Monument is listed on the National Register of Historic Places, and is partially used for ticket sales for the Statue of Liberty and Ellis Island ferry services. For a detailed description of the park, see Section 5.3 Public Open Space.

Existing area transportation uses include the Whitehall subway station of the **N** **R** line, the Bowling Green subway station of the **4** **5** line at the northeastern corner of Battery Park, and the Staten Island and Brooklyn Army Terminal (58th Street) ferries at Whitehall Ferry Terminal.

Peter Minuit Plaza is located in the southeast portion of the project limits, between State, Whitehall, and South Streets. The Plaza consists of paved traffic islands currently in use as a construction staging area for the Whitehall Ferry Terminal reconstruction project. Figures 15a and 15b provide photographs of land uses within and near the project limits.

5.2.1.2 Study Area

The land use study area for the Proposed Action is bordered on the north by Morris Street, on the east by Broadway, Whitehall and Broad Streets, on the west by West Street and Battery Park City, and on the south by the Hudson River. Existing land use in the study area consists of a mixture of commercial, institutional, open space and parkland, transportation and some residential uses. Figure 16 shows existing land use in the study area. Following is a description of general land use patterns within the eastern and western areas of the study area. For analysis purposes, the study area is bisected into eastern and western sections by Greenwich Street.

East of Greenwich Street and Battery Park

- *Commercial Use* – Office buildings with ground floor retail are located in the blocks bounded by Bridge, State and Whitehall Streets. North of the project limits along Greenwich Street, between Morris Street and Battery Place, commercial use is located in the One Broadway Building. High rise office buildings with first floor retail stores are located primarily east of Whitehall Street, and north of Greenwich Street.
- *Institutional Use* – Institutional buildings include the Alexander Hamilton U.S. Custom House at Bowling Green and State Street, which houses the National Museum of the American Indian, the U.S. Bankruptcy Court, and other governmental offices. The place of worship closest to the project limits is the James Watson House, which contains the Church of Our Lady of the Rosary, located at 7 State Street north of Peter Minuit Plaza. Other institutional uses (museums, day care centers, etc.) are located outside of the study area, east of Broad Street.
- *Residential Use* - The only residential land use located east of Greenwich Street within the study area is the rectory at the Church of Our Lady of the Rosary.
- *Open Space and Parkland Use* – East of Greenwich Street and Battery Park, open space and parkland includes Bowling Green. Located at Whitehall Street and Broadway, north of the U.S. Custom House, Bowling Green is New York City's oldest park. The park currently is comprised of interior walkways, benches, a central fountain, and landscape plantings.
- *Transportation Use* – Existing transportation facilities east of Greenwich Street include the 4 5 subway line's Bowling Green station and the N R line's Whitehall Street station. The Whitehall Ferry Terminal is located just south of Peter Minuit Plaza.

West of Greenwich Street

- *Commercial Use* – Commercial and mixed-use office buildings are located on the block between Battery Place and Morris Street, west of the Brooklyn Battery Tunnel portal. The Ritz Carlton Hotel is located just west of the study area boundary, at the corner of West Street and First Place.
- *Institutional Use* – The U.S. Coast Guard building is located at the southern edge of Battery Park adjacent to New York Harbor. Institutional uses, including the Museum of Jewish Heritage, are located outside of the study area in Battery Park City to the west, and other areas north of the study area boundaries. The Museum of Jewish Heritage is scheduled to open in June 2004.
- *Residential Use* - Two residential buildings are located within the study area. The “Ocean” apartment building is located at One West Street/17 Battery Place, west of the Brooklyn Battery Tunnel portal. Another residential building is located along Morris Street at 21 West Street, near the northwest corner of the Brooklyn Battery Tunnel portal. The Ritz Carlton Hotel, which contains residential units on its upper floors, is located just west of the study area boundary. Battery Park City, although not within the boundaries of the study area, contains a high concentration of residential buildings. The vacant parcel located just north of the Ritz Carlton Hotel, on the west side of West Street between First and Third Places, is known as Battery Park City Site 2 and will be developed with residential units.
- *Open Space and Parkland Use* – The majority of the study area includes Battery Park, with pedestrian paths, sitting areas, memorials and public art, Castle Clinton National Monument, large tree-canopied areas, and passageways to several ferry services. Other open space and parks outside of the study area include Robert F. Wagner Jr. Park and the Esplanade along the Hudson River adjacent to Battery Park City.
- *Transportation Use* - The Brooklyn Battery Tunnel portal is located along Greenwich Street and fronts onto Battery Place. Other transportation uses include ferries to Ellis and Liberty Islands from Battery Park and Pier A, and express and local bus stops along Battery Place.

5.2.2 Existing Zoning

5.2.2.1 Project Site

The project site is located within the C5-5 zoning district, which permits the highest density commercial, mixed-use, and residential development. Figure 17 shows the existing zoning of the project site and the study area.

5.2.2.2 Study Area

The study area contains four zoning districts: C6-4, C5-5, M1-4, and LM. The majority of the study area, from West Street to Peter Minuit Plaza, is in the C5-5 district which, as indicated above, permits the highest density commercial, mixed-use, and residential land use. Typical uses in a C5-5 district are retail department stores, large office buildings, and mixed-use buildings with residential space.

The northwest corner of the study area along West Street is in the C6-4 district, which allows for moderate commercial density and highest density residential development. Typical uses in the C6-4 district are large corporate, hotel, and entertainment facilities, as well as residential uses within mixed-use buildings.

The M1-4 district, which is the only manufacturing district in lower Manhattan, covers the majority of the Whitehall Ferry Terminal and the U.S. Coast Guard building properties south of the project site. The M1-4 district typically serves as a buffer between heavier manufacturing zones and adjacent residential or commercial districts.

The project corridor is also located in the “Special Lower Manhattan” District (LM). The Special Lower Manhattan District is a Special Purpose District and was established by the New York City Department of City Planning (NYCDCP) in 1998 to oversee development of Lower Manhattan south of Murray Street and east of West Street. The LM District appears on the Zoning Map superimposed on the other districts, and its regulations supplement or modify those of the districts on which it is superimposed. Specific goals of the LM District, among others, are improved waterfront access, enhanced pedestrian environments, the development of public spaces and amenities with associated cultural and recreational activities, and the promotion of the most desirable use of City land.

The project corridor is also located within New York City’s designated Coastal Zone Management boundaries. The coastal zone management program does not directly restrict any activities on the coast, but it ensures that all water-related permits are consistent with coastal management efforts. See Section 5.5: Navigable Waters and Coastal Zone for a discussion of how the project would comply with applicable coastal zone management policies.

5.2.3 Potential Environmental Impacts

5.2.3.1 Analysis Year 2005/2006 (Construction)

No Build Condition

Under the No Build Condition, the South Ferry Terminal Project would not be under construction, and the existing subway station would be expected to continue to function in its current capacity. It is anticipated that existing land uses within and adjacent to the project corridor would remain. As such, the No Build Condition would not have an effect on land use and zoning on the project site or in the study area.

Proposed Action

During the construction period, land uses at the project site (public streets, Battery Park, and Peter Minuit Plaza) would be temporarily disturbed to accommodate the cut and cover construction activities (refer to Section 4.3 for discussion of construction schedule). However, it is not anticipated that these temporary construction activities would produce effects that would induce a permanent change in land use within or adjacent to the project corridor during the 2005/2006 period.

5.2.3.2 Analysis Year 2008 (Initial Operation)*No Build Condition*

Under the No Build Condition, the South Ferry Terminal Project would not be built at its proposed location, and the existing subway station would be expected to continue to function in its current capacity. In 2008, land use within and adjacent to the project corridor is expected to continue to follow established trends. It is possible that modifications and improvements to Battery Park, consistent with the Battery Park Master Plan, would occur, including redevelopment of Castle Clinton (see Section 5.3 Public Open Space). The Battery Place segment of NYSDOT's Route 9A project would be completed.

Proposed Action

The Proposed Action is principally the replacement of an existing subway station with an improved terminal in the same general location as the existing station. As all of the terminal facilities, except three entry/exit points and vent facilities, would be constructed below ground, the project would not appreciably change existing land uses. The introduction of subway entrances within the paved Peter Minuit Plaza are intended to enhance the intermodal function of this area, which contains subway, ferry, bus, bicycle, and pedestrian facilities. Permanent easements would be required in Peter Minuit Plaza and in the sidewalk at the eastern edge of Battery Park for entry/exit points and ventilation facilities. These easements would require alienation of approximately 0.07 acre of mapped parkland. The required easements would not interfere with existing land uses nor would the easements generate a land use that is incompatible with surrounding uses.

The Proposed Action does not require any Zoning Map changes. Replacement of the existing South Ferry Station with a new terminal would be consistent with existing zoning.

5.2.3.3 Analysis Year 2025 (Long-Term Operation)*No Build Condition*

Under the No Build Condition, the South Ferry Terminal Project would not be built at its proposed location, and the existing subway station would be expected to continue to function in its current capacity. In 2025, land use within and adjacent to the project corridor is expected to continue to follow established trends. By 2025, it is possible that

Battery Park would have been redeveloped consistent with the Battery Park Master Plan, and that the redevelopment of Castle Clinton would have occurred.

Proposed Action

In 2025, the South Ferry Terminal would have been in operation for 17 years. The project would be consistent with stated Federal, State and City public policy, in that it would support the revitalization of Lower Manhattan and improve the condition of transit infrastructure. The South Ferry Terminal Project is not expected to induce indirect or secondary land use changes within the study area. Secondary development is defined as changes in land use that could be fostered indirectly by the implementation of a mass transportation project on properties adjacent or near to it (Urban Mass Transit Administration (UMTA) Circular 5630.1). The South Ferry Terminal Project involves the construction of a modern subway terminal to replace a substandard station that has operated in the same location since the early 20th century. As such, the existing station already serves the local area, but is not expected to generate secondary development. The operation of the South Ferry Terminal Project would be directly responsive to Federal, State, and City-stated public policy in that it would improve accessibility to Lower Manhattan, and facilitate the movement of pedestrians between destinations within Lower Manhattan.