

A. INTRODUCTION

The project site is located in the Borough of Manhattan and includes the median malls on Allen Street between Delancey Street and East Broadway and on Pike Street between East Broadway and South Streets (see **Figure 2A-1**). The Proposed Project would reconstruct the median mall sections to provide public green space, recreational space, and amenities, would improve the overall visual character of Allen and Pike Streets between Delancey and South Streets, and would serve as a gateway to the East River Esplanade from interior blocks.

This section considers existing land use, zoning, and public land use policies for the project site and the surrounding 400-foot study area. Land use issues associated with the Proposed Project include potential changes in local land uses and neighborhood land use patterns. Zoning and public policy issues include the compatibility of the proposed modifications to the median malls with existing zoning and public policies.

PRINCIPAL CONCLUSIONS

As described below, this analysis concludes that the Proposed Project would be in keeping with and supportive of existing land uses in the study area, and that it would be consistent with zoning and public policy for the area. Overall, the Proposed Project would not result in any significant adverse impacts to land use, zoning or public policy.

B. EXISTING CONDITIONS**LAND USE***PROJECT SITE*

The project site includes the Allen and Pike Street malls and the adjacent travel lanes. The Allen Street malls are located between Delancey Street and East Broadway. The Pike Street malls are located between East Broadway and South Street. The Allen and Pike Street malls are owned by the City of New York and are under the jurisdiction of the New York City Department of Parks and Recreation (DPR). Most sections of the malls are paved with some benches and trees. DPR constructed a Demonstration Mall on the section between Delancey and Broome Streets in 2008. The Demonstration Mall contains decorative pavements and fences, planted areas, and benches. South of Monroe Street, the mall sections end and the project site becomes a narrow, concrete median.

As described in Chapter 1, “Project Description,” the project site is overlaid on the New York City Department of Transportation’s Interim Plan. Constructed for temporary usage under the Interim Plan are bike lanes with painted buffers adjacent to each side of the median malls and plaza connectors at Broome, Hester, and Monroe Streets. The plaza connectors permit only pedestrian and emergency vehicle access across Allen and Pike Streets and are marked with color seal paint and temporary planters.

The Reconstruction of the Pike and Allen Street Median Malls

STUDY AREA

The study area is a dense, mixed-use urban neighborhood of transportation, residential, commercial, institutional, and manufacturing uses (see **Figure 2A-1**). The approach to the Manhattan Bridge is a defining land use in the area and a bridge anchorage straddles Cherry Street, just to the west of Pike Slip. Another transportation use is the FDR Drive that runs through the southernmost portion of the study area.

Residential uses include walk-up tenements, apartment buildings, and large-scale housing complexes like Rutgers Houses, a New York City Housing Authority complex of five 20-story buildings on the block bounded by Pike, Madison, Rutgers, and Cherry Streets. Schools located in the study include P.S. 2 (the Meyer London School) at Henry and Pike Streets, P.S. 42 (the Benjamin Altman School) on Hester Street between Orchard and Ludlow Streets, and M.S. 131 on Hester Street between Forsythe and Eldridge Streets, which also includes the Chinatown YMCA Hester Street Center. Commercial uses include a wide variety of stores and restaurants, many of which are located on the ground-floors of residential buildings, and a large PATHMARK supermarket on Pike Slip between Cherry and South Streets. Art galleries are found throughout the study area north of Henry Street.

Notable cultural facilities include the Lower East Side Tenement Museum at 97 Orchard Street (located between Delancey and Broome Streets) and the Museum at Eldridge Street, which is located in the former Eldridge Street Synagogue at 12 Eldridge Street between Canal and Division Streets. Numerous synagogues, churches, and temples are located within the study area. In addition to the Allen Malls segments on the project site, the only publicly accessible open spaces in the study area include the Allen Mall segments between Delancey and Houston Streets and the Coleman Square Playground on the west side of the Manhattan Bridge between Monroe and Cherry Streets. The playground includes a baseball diamond, playground equipment, a dog run, and basketball and handball courts. The Murry Bergtraum High School Recreation and Athletic Field, which is located on South Street between the Manhattan Bridge/Pike Slip and Market Slip, is sometimes made available for non-school athletics.

The study area also includes a Consolidated Edison facility on Cherry Street between Pike and Rutgers Streets, a repair facility for the New York City's water supply on Pike Street between Henry and Madison Streets, a gas station, auto repair shops and parking lots, and a salt storage shed underneath the Manhattan Bridge on South Street.

ZONING

PROJECT SITE

The median malls on Allen Street between Delancey Street and East Broadway are developed as parkland under the jurisdiction of DPR, but they are located within the following zoning districts: C6-1G, C6-2, C6-2G, and C4-4A (see **Figure 2A-2**). The project site between East Broadway and Cherry Street is located in an R7-2 district and the project site between Cherry and South Streets is located in a C6-4 district.

C6 districts are high-density central commercial districts. C6-1G and C6-2G are commercial loft districts outside the central business district with special regulations governing the conversion of non-residential space to residential use. C6-1G districts have a maximum commercial floor area ratio (FAR) of 6.0 and a maximum residential FAR range of 0.87 to 3.44 (R7 equivalent). C6-2G districts have a maximum commercial FAR of 6.0, a residential FAR of 6.02 (R8 equivalent), and a community facility FAR of 6.5. C6-2 is a high-density commercial district

that permits commercial use up to 6.0 FAR, residential use up to 6.02 FAR, and community facility use up to 6.5 FAR. C6-4 districts are medium-bulk office districts and have a maximum commercial and community facility FAR of 10 and high-density residential development is permitted up to 10 FAR (R10 equivalent).

C4-4A is a contextual commercial district that allows department stores, theaters, and other commercial uses that serve a larger area and encourages shorter, higher coverage buildings. They have a maximum commercial FAR of 3.4 and a maximum residential FAR of 10.0 (R7A equivalent) with a bonus for the provision of lower-income housing.

R7 districts are medium-density residential districts. The maximum allowable FAR in R7-2 districts ranges from 0.87 to 3.44. Parking is required for 50 percent of the dwelling units. The parking requirement is waived if 15 or fewer spaces would be required or if the zoning lot is 10,000 square feet or less, and it is decreased to 30 percent on zoning lots between 10,001 and 15,000 square feet.

STUDY AREA

The study area includes an M1-4 manufacturing district, an R7-2 residential district, and the following commercial districts: C2-8, C4-4A, C6-1G, C6-2, C6-2A, C6-2G, C6-4, and C8-4.

M1 manufacturing districts are often buffers between M2 or M3 districts and adjacent residential or commercial districts, and they contain light industrial uses and permit retail and office uses. The maximum FAR in M1-4 districts is 2.0 and parking is not required. Residential uses are not permitted.

C2-8 districts are local shopping and services districts that are intended to serve a wider neighborhood. In a C2-8 district, the maximum commercial FAR is 2.0 and the maximum residential FAR is 10.0 (R10 equivalent). There are no parking requirements.

C6-2A is a contextual commercial district that is the equivalent of an R8 contextual district. It permits commercial use up to 6.0 FAR and residential use up to 6.02 FAR.

C8 districts form a bridge between commercial and manufacturing districts and contain automotive service facilities and warehouses. Residential uses are not permitted. In a C8-4 district, the maximum commercial FAR is 5.0. C8-4 districts are usually exempt from parking requirements.

R7-2, C4-4A, C6-1G, C6-2, C6-2G, and C6-4 districts are described above in the discussion of the project site.

PUBLIC POLICY

Public policy at multiple levels of government supports the expedited redevelopment of Lower Manhattan. Public policies that affect the project site and study area by encouraging development and revitalization are outlined below.

LOWER MANHATTAN DEVELOPMENT CORPORATION

The Lower Manhattan Development Corporation (LMDC) was created in November 2001 as a subsidiary of the Empire State Development Corporation to help plan and coordinate the rebuilding of Lower Manhattan south of Houston Street. LMDC is charged with assisting New York City in recovering from the terrorist attacks on the World Trade Center, and ensuring that Lower Manhattan emerges as a strong and vibrant 24-hour community. The centerpiece of

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LMDC's efforts is the creation of a permanent Memorial for the World Trade Center site. In addition, LMDC has funded numerous projects to enhance access to the waterfront, including the development of the East River Esplanade, pathways to the water at Catherine, Montgomery, Peck and Rutgers Slips; as well as the Pike and Allen Malls.

NEW YORK CITY'S VISION FOR LOWER MANHATTAN

On December 12, 2002, Mayor Michael Bloomberg released New York City's Vision for Lower Manhattan with the stated purpose of connecting Lower Manhattan to the world around it, building new neighborhoods, and creating public places that make Lower Manhattan one of the most appealing places in the world. The Vision discusses various recommendations to help revitalize and improve Lower Manhattan as a global center of business by creating new regional transportation links. Other goals include improvements to streetscapes, the expansion and creation of public plazas and parks, and the continued revitalization of and enhanced access to the waterfront. The Vision aims to spark private market reactions from these public investments.

LOWER EAST SIDE BUSINESS IMPROVEMENT DISTRICT

The Lower East Side Business Improvement District (BID) was established in 1992 to revitalize the Orchard Street Shopping District while preserving its unique and diverse character. The BID consists of more than 400 merchants and property owners and includes the following areas: Orchard Street from East Houston to Canal Streets; Delancey Street from Allen to Clinton Streets; and Grand Street from Forsyth to Clinton Streets. The Lower East Side BID promotes local businesses, hosts events, and provides various community beautification services, including maintenance of the Orchard Street Pedestrian Mall.

NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM

Because the Proposed Project would occur within the City's Coastal Zone, it is subject to the policies of the *New York City Waterfront Revitalization Program* (WRP). The WRP was originally adopted in 1982 and approved by the New York State Department of State (NYS DOS) for inclusion in the New York State Coastal Management Program. The WRP establishes the City's policies for development and use of the waterfront and provides a framework for evaluating activities proposed in the Coastal Zone. The City's WRP was revised to include 10 consolidated policies and adopted by the City Council in October 1999. In May 2002, NYS DOS approved the City's new WRP, and the United States Department of Commerce concurred in August 2002.

PLAN NYC

In April 2007, the Mayor's Office of Long Term Planning and Sustainability released *PlaNYC: A Greener, Greater New York*. It includes policies to address three key challenges that the City faces over the next twenty years: 1) population growth; 2) aging infrastructure; and 3) global climate change. Elements of the plan are organized into six categories—land, water, transportation, energy, air quality, and climate change—with corresponding goals and objectives for each.

CHINATOWN ACCESS AND CIRCULATION STUDY

The LMDC Chinatown Access and Circulation Study addresses transportation and access issues in the area generally bounded by Rivington Street to the north, the East River to the east and

south, and Centre Street to the west. This study proposes seven recommendations: (1) improvements at Park Row; (2) physical reconfiguration of Chatham Square; (3) a new bus plaza at Forsyth Street; (4) consolidation of commuter van stops; (5) a new crosstown bus route; (6) streetscape enhancements; and (7) parking improvements.

For the crosstown bus route, the desire and potential need for which was recognized from community outreach efforts, the study recommends Grand/Broome Streets and Canal Street as the two most likely routes. These streets traverse the project site. The study also recommends the creation of an outdoor bus plaza along Forsyth Street between Canal Street and East Broadway just outside the study area to consolidate intercity coach bus operations. The new plaza would improve coach bus operations and passenger access to the coaches and reduce vehicular and sidewalk congestion elsewhere—primarily at the various bus terminal points located throughout Chinatown—in the community.

C. THE FUTURE WITHOUT THE PROPOSED PROJECT

LAND USE

There are five developments currently under construction in the study area that are expected to be complete by 2011 in the future without the Proposed Project. These projects are:

- A 6,500-square-foot vertical addition to the existing building at 60 Orchard Street between Grand and Hester Streets. This residential building will contain seven dwelling units;
- A new 16-story building at 86 Canal Street, west of Eldridge Street. This 73,514-square-foot building will contain 23 dwelling units, ground-floor commercial space, and community facility space;
- A new 7-story 38,878-square-foot building at 1 Orchard Street (at Division Street) for commercial and community facility use;
- A new 13-story building at 136-138 East Broadway between Pike and Rutgers Streets. This 35,932-square-foot building will contain 22 dwelling units and ground floor commercial space; and
- A recently completed 16-story 123,134-square-foot building at 38 Delancey Street. Located at Forsyth Street at the northwest edge of the study area, this building contains 57 dwelling units, ground-floor commercial space, and 34 accessory parking spaces.

ZONING AND PUBLIC POLICY

There are no known changes to zoning or public policy currently being contemplated in the study area.

D. PROBABLE IMPACTS OF THE PROPOSED PROJECT

LAND USE

As described in Chapter 1, “Project Description,” the Proposed Project would reconstruct the median malls on Allen Street between Delancey Street and East Broadway and on Pike Street between East Broadway and South Streets. This reconstruction would create a linear park linking the adjacent neighborhoods and the East River and providing expanded public green space, recreational space, and amenities, and protected bike lanes. The Proposed Project would be consistent with surrounding residential, retail, and institutional uses and would enhance the Allen and Pike Street corridor for the enjoyment of the area’s many residents, workers, and

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visitors. In addition, it would be consistent with the current trend of residential, commercial, and community facility development in the study area.

ZONING AND PUBLIC POLICY

The Proposed Project would not entail any changes to zoning or public policy on the project site or in the study area and would be consistent with the area's residential and commercial zoning districts. By providing expanded public open space with new plantings and street trees to an area currently underserved by open space and by creating enhanced linkage to the East River waterfront, the Proposed Project would be consistent with the multiple initiatives described above to improve the quality of life in Lower Manhattan and would promote waterfront access for pedestrians and cyclists. Therefore, the Proposed Project would not result in any significant adverse impacts to zoning or public policy. *