

Monday, August 4, 2003

These comments are presented on behalf of New York New Visions, a pro bono coalition of architects, planners, landscape architects, engineers, and other design professionals. Since very soon after September 11, New York New Visions has worked to provide an independent professional perspective on issues surrounding the redevelopment of the World Trade Center site and lower Manhattan, offering planning and design principles to guide redevelopment, as well as analyses of the process and plans through which the redevelopment is being carried out. *We welcome this opportunity to comment on the overall approach to the redevelopment of the World Trade Center site at this critical point in the redevelopment process.*

We believe it is crucial at this juncture in the process to restate emphatically, that the redevelopment of this site must be driven by a broad conception of the public interest--not by private interests nor by the parochial goals and interests of individual public agencies. The redevelopment of this site is not a standard real estate transaction. The World Trade Center was not built originally to guarantee a revenue stream to the Port Authority, nor to maximize return to private investors in a real estate deal-- it was built in an effort to rejuvenate lower Manhattan and to build the city's and the region's economic health. And it was built with public money and through the exercise of public powers.

The magnitude and urgency of the public interest in the World Trade Center site has only increased with the events of September 11. How well redevelopment plans serve the public interest; how well they contribute to rebuilding the economic health of New York and the region, and how powerfully they memorialize the lives lost and lives changed through the events of September 11--is the standard by which the redevelopment process and plans must be judged.

With that overarching concern in mind, we offer the following comments about the proposed Environment Impact Statement (EIS) that is the subject of this hearing.

The Environmental Impact Statement Process

We commend LMDC, the Port Authority and the City for undertaking this EIS process, but we urge them to take it seriously rather than as a political pro forma. The EIS process should be used as a way to examine options that can better inform and justify the final program and design decisions, thereby ensuring that the right decisions are being made for the right reasons, establishing a comfort level for the public.

Specifically we urge LMDC, as lead agency for the EIS, to make sure that real alternatives are defined and evaluated, and that the results make their way into the final plan itself.

While recent events seem to have worked out for the best— the selected Libeskind scheme is an excellent framework for development—this resolution has emerged from a unclear process, based on an unrealistic program and an undefined context.

In lieu of rational, step by step planning, a less organized approach has been the rule for the Trade Center site. To some degree, this approach has been driven by the normal realities of political jealousy, institutional rivalry, media excitability, and a fear of public involvement, all of which are part of doing business in New York. But even the selected Libeskind scheme reflects its development in a vacuum.

At no time were true options examined to the given density, infrastructure, or use. The Environmental Impact process now represents the last best hope to examine alternatives to those disputed assumptions that underlie the preferred scheme. Looked at in the cold light of day, these disputed assumptions include too much density, too rigid a program, and too small a site.

We should use the opportunity granted us by the horrific events of September 2001 to correct mistakes made in the initial site plan and building of the World Trade Center. At the same time, we must begin to seriously look at the site in the context of what is occurring around it. At the very least, this means that the findings of the various studies currently being performed by consultants to the City, MTA, Port Authority and LMDC as well as the terms of the lease with Larry Silverstein be made public for public review and discussion as part of the EIS.

It also means— as NYNV and its constituent members have been saying for over a year— that a transparent public review and approval process for the site's redevelopment must be put in place. The role of the City— through its elected officials— must be institutionally recognized and strengthened.

Immutable—and Mutable-- Aspects of the Master Plan

A master plan such as the Studio Libeskind plan lays out broad parameters for future development. It contains 'immutable' elements, which are essential to the overall concept, whose modification will jeopardize the underlying vision, and which should be changed only after serious public scrutiny and debate. We can also define those other 'mutable' elements that should be considered flexible, responsive to market and other evolving contextual factors during the extended period of building out the site. These mutable elements can (and possibly should) be modified, based on more detailed examination of alternatives in the EIS process.

These elements are discussed below.

- ***Program and Density***

Mutable elements: Program and density in the current scheme for the site are the ultimate mutable elements-- the current scheme demonstrates that the given program and density is wrong, and should be amenable to change as conditions change.

Civic and professional groups have called since the beginning of the redevelopment process for economic analysis and public discussion to determine a viable and desirable program for the site. This call for public discussion was certainly heard at Listening to the City last July. However, This analysis and discussion has never been carried out. Instead, the Port Authority appears to have insisted throughout the process on a program of “Replacement Plus” (10 million square feet for office/commercial use, 1 million square feet for retail (as opposed to the pre-existing 400,00), 1 million square feet for conference/ hotel. These commercial uses are in addition to the preservation of the footprints, the memorial and cultural uses that have been added to the site, and to the transit and infrastructure uses, including the reopening of several streets--all of which reduce the buildable area of the site.

This is too much office, commercial and retail space for this site, both in terms of the sheer density of the buildings and conditions it will produce, and in relation to the need for development in other areas of lower Manhattan. We calculate that this would represent a density of over 30 FAR. This is out of proportion for even this high density area. The density of the original World Trade Center complex was 27, and as a basis of comparison, Rockefeller Center has an allowable density of 12-15 FAR. This arbitrary density, selected without any justification as to need or market, distorts the planning and design for the site.

In the proposed scope for the EIS, no Alternative that suggests lower density for the site is offered. At the least, we urge the LMDC and Port Authority to follow Mayor Bloomberg’s call for 10 million square feet of new office space in Lower Manhattan, rather than just on this site. The definition of the site boundaries, potentially including sites beyond the 16 acres, can be part of this relaxation of density on the immediate site.

Further, we question the addition of 400,000 square feet of retail space on the site, beyond the 600,000 that existed at the time the World Trade Center was destroyed. Whatever retail space is built on the site needs to serve the interests of the city and its citizens and visitors, not solely a developer’s bottom line. It needs to be street-based, not located in a largely underground mall. The EIS must detail the impact of the addition of retail space to the site and consider the economic impact and site planning implications of smaller amounts of retail.

The EIS should provide a wider scope of alternatives to investigate the feasibility and impact of other locations for off-street bus parking for both commuters and visitors to the site. This is an issue of great emotional, symbolic, and practical importance. It may be that there are no feasible alternatives, but to date no studies have been made public to document this. The EIS represents the best and perhaps the last opportunity to put this issue to rest.

□ ***Memorial Setting***

Immutable Elements: The Libeskind plan calls for a memorial precinct separated from the world around by being approximately 30’ below grade, which provides an

opportunity to view the slurry wall and descend down to bedrock. This Memorial space is buffered by cultural institutions from other uses west of Greenwich Street and south of Fulton Street. The distinguishing feature of the Libeskind scheme is that the overall site plan was generated from this memorial approach. Modifications to this central aspect will affect all other elements of the plan.

□ **Open Space**

Immutable Elements: A series of open spaces in the site plan, centered on Fulton Street, connect St. Paul's Chapel, City Hall Park and the Brooklyn Bridge/ Civic Center with the Winter Garden and the River. This strong idea was foreshadowed by the proposal shown in NYNV's *Possible Futures* Report, issued early in 2002. A "town square" is created at the intersections of Fulton and Greenwich Streets, adjacent to the cultural institutions and the memorial precinct. This linked system of open spaces that draws the public through the site stands in marked contrast to the large and inhospitable open space that previously existed at the World Trade Center.

Mutable Elements: The specific treatment of open space is not part of the Master Plan, but must relate to the specific treatment of the design guidelines, treatment of ground floor uses in the buildings, and the connections both underground and above ground on the site.

□ **Configuration/Location of the Towers**

Immutable Elements The new office towers and the 1,776-foot tall tower, in the context of the existing World Financial Center, create a spiraling composition of spaces that helps to both recreate the skyline and also integrates the new buildings into its surroundings. We applaud this aspect of the site plan and in particular the location of the largest tower: it reflects our own analysis, as presented in NYNV's *Possible Futures* report, in which NYNV recognized the importance and visibility of northwest corner of the site on or near the axis of West Street.

Mutable Elements: There are many aspects of architectural design of the buildings themselves that must evolve through a dynamic relationship between client and architect, based on the related needs and economics involved in building and marketing commercial space. The building program and design must be able to evolve over time in response to changing conditions and detailed design options.

□ **Connections**

Immutable Elements: Bringing Fulton and Greenwich Streets through the site are key NYNV principles and expressed in all NYNV documents. Having the PATH station open to light and air above and not below an office tower is also key, much as it was when proposals were made 25 years ago to build over Grand Central Terminal.

Connections also means underground connections. We have long had strong concerns about the effect of this element on street-level uses. It may now be a foregone conclusion that it will be built in some form. It may even be more useful

now that the largest office tower is sited on West Street away from the Transit Hub. Any underground connections must be coherent, well connected with street level circulation routes and uses, have access to natural light, and serve to reinforce other project goals.

□ **West Street**

Immutable Elements: West Street effectively cuts Battery Park City off from the World Trade Center and the rest of Lower Manhattan. This barrier must be dealt with in order to connect the World Trade Center site with Battery Park City and the waterfront and to reduce traffic directly adjacent to the site. Depressing West Street presents many opportunities; however, the question of whether the two-block approaches north and south of the bypass will create additional barriers to pedestrian crossings must be explored. We recommend that the traffic impacts of the At-Grade and Short Bypass Alternatives be evaluated within the scope of the EIS..

Mutable elements: We acknowledge the question regarding the availability of funding for depressing all or a portion of West Street. We recommend that this project be evaluated in light of other important transportation projects that can increase mobility to and around Manhattan..

□ **Street Level Retail**

Immutable Elements: Sound planning based upon practical experience (not the least with the former retail mall at the World Trade Center) leads us to stress once again that there must be an appropriate balance between street level retail and entry and below-grade access to space. The bulk of retail must not be allowed to exist underground in an anti-urban mall. Retail uses must activate and animate the streets at ground level as much as they activate and animate the below grade concourse. This is a principle from which only minor deviations based upon serious analysis and public discussion should be made. These concerns are closely related to our concerns regarding open space and connections: these are elements that are all interconnected.

□ **Design Guidelines**

Immutable Elements: A master plan is a road map for how a site will be developed over time. It does not deal with aesthetics or design, except insofar as it lays out a sensitive street grid, open space network, building location and bulk that create a harmonious whole. Design guidelines are required to ensure that individual buildings and structures comply with the underlying planning vision for the site. The development of design guidelines for the site—by Studio Libeskind, in a healthy dialogue with client and stakeholder interests, including the public— must be completed before detailed building design occurs..

Mutable Elements: Guidelines are not preliminary building designs, which require a client, program and budget. Rather, they are a set of rules that both establish the

themes of the project as a whole but also leave open the potential for future interaction between future designers and developers to relate to potentially changing contextual conditions. Guidelines should therefore contain both mandatory and discretionary aspects. Mandatory criteria establish the framework for the complex so that the individual parts form a related and harmonious whole, while discretionary aspects provide flexibility for programmatic change and architectural creativity.

□ **Sustainability**

Mutable elements: This is the missing element of the Plan. It is immutable in that the redevelopment of the site set a new benchmark for environmentally responsible design, but mutable in that there are many methods to achieve this objective that need to be examined. These methods include: onsite power generation; alternative renewable energy uses; building operations, maintenance and materials; minimal energy use; pollutant control; building operation and maintenance; neighborhood light and air impacts; interior environmental quality; material resources; construction methodology; public access; bird migration impact; water conservation; and waste management. To date, we have not seen these issues addressed.

All of the above are vital elements that must be addressed in the ongoing planning and design process. We urge LMDC to seize the opportunity presented by the Environmental Impact process to analyze alternatives that explore the implications of the elements and to use the results to refine the development framework—the master plan, design guidelines and building plans— for the WTC Site.