

WTC Redevelopment: A Blueprint for Livability First

Now that the World Trade Center site plan has been selected, the redevelopment effort will proceed on the all-important details. As we design, livability should be and must be the overarching framework going forward. The attacks of that infamous day were an assault by those who view life as expendable. Putting livability first as we redevelop – in both what we build and the way we build it – would be the clearest demonstration that our city, in contrast, places a supreme value on human life. A commitment to Livability First, before the eyes of the world, would serve as the most powerful and lasting possible monument of our society's best values and to the heroes and victims who perished.

Livability means assuring the safety, health and quality of life for residents who live near the site, for people who work and do business there, and for the uniformed officers who will continue to protect the site. In our quest to rebuild, we must remember all the residents of lower Manhattan: the children who grow up downtown; our seniors who retire in lower Manhattan, and individuals of all ages, backgrounds, incomes, lifestyles and physical conditions who live here. For them, rebuilding means much more than a new skyline or grand buildings. For them, it means a community to live in. Governor Pataki recently unveiled his plan for lower Manhattan. In it, he has adopted some of the initiatives proposed by the community and our office, which are set forth below. We now call upon the LMDC and the Governor, along with the Mayor and the Port Authority, to adopt this Livability First proposal in its entirety.

In the context of lower Manhattan, a framework of livability requires the following principles:

1). Building Safety:

All new structures must incorporate the lessons of 9/11 and be built in compliance with the most advanced building structure and fire codes which go beyond the current city codes.

- a). **Independent panel:** The LMDC should convene an independent panel of experts to amalgamate and evaluate the best of the municipal and international building codes. The panel must assess the best of the current city codes, the International code, the NFPA code, as well as

other sources. The codes utilized in the rebuilding of the World Trade Center site, should become the reference point for building and fire safety the world over.

b). **Safety and accessibility:** The building and fire codes must incorporate provisions that assure full safety and accessibility for all, including persons with disabilities and special physical conditions. Further, these codes must include requirements for building evacuation plans, both for fire and other emergencies, for all persons.

c). **Enforcement:** Enforcement must be assigned to the appropriate city agencies, rather than left to self-verification by owners, as was partially the case with the Port Authority during and after the construction of the World Trade Center.

2). **Environmental Health:**

With the eyes of the world on it, Ground Zero should provide a paragon of environmental consciousness and green building. In addition, the still needed completion of the clean-up of residential and public spaces must be assured. Vigilance in the monitoring of air must be continued. The rebuilding process must insure that what was here before, is made safe for those who were here before.

a). **Environmental impact:** The LMDC must fulfill its pledge, made at a recent City Council hearing, to conduct a full environmental impact assessment of all building plans. New buildings and activities at the WTC site must not inflict area residents with excessive noise, air pollution, traffic congestion, excessive shadows, or interference with air flow.

b). **Green building:** All new structures should be built in accordance with the most advanced green building principles. Specifically, all buildings must adhere to the highest level of Leadership in Energy and Environmental Design (LEED) certification, unless technical reasons warrant specific exceptions. In so doing, the Ground Zero development would follow the lead of its Battery Park City neighbors.

c). **Construction phase, air protection:** All construction must take place in an environmentally safe and sensible manner during what will

be a very lengthy process. All construction vehicles, equipment and trucks must utilize only low-sulphur diesel fuel.

d). **Construction phase, noise protection:** Noisy work should be confined to the normal weekday construction hours—7:00 am-7:00 pm. Non-emergency work performed after 7:00 pm should only be done with advance notice and the concurrence of the affected community and community board.

e). **Continued clean-up:** Asbestos and other toxic substances, spread by the 9/11 disaster through open windows or other building portals or cracks into residential or commercial units, constitute inert substances which could remain in place for years, decades or generations. They must be properly and thoroughly cleaned to avoid their gradual inhalation, fiber by fiber, or by gulping inhalation of clusters of fibers as they become slowly or suddenly stirred up—by a child playing, for example. Accordingly, the City Department of Environmental Protection (DEP), must assure the completion of the clean-up that the Environmental Protection Agency (EPA) began. Reports still surface about contamination in buildings. The DEP must specifically undertake the following:

- Facades: The DEP must systematically check and maintain a registry of all building facades, including those still not yet checked. Visual inspections utilized to date have proved unreliable—as shown by the Southbridge case, where scientific testing countermanded DEP visual observation.

- The DEP must still conduct thorough, random dust and particle sampling of residential and business premises for asbestos and other possible toxins.

- All parks and playgrounds must be sampled and, where necessary, cleaned.

- The DEP must conduct thorough, random sampling of downtown air vents, including all vents requested by residents or owners.

- Outdoor air sampling for asbestos, diesel, and the range of possible toxins must continue at random, scientifically selected sites.

f). **Safeguard and remove stored diesel:** Any significant quantity of stored diesel fuel does not belong near where people live. Yet an

investigation revealed that tens of thousands of gallons of diesel fuel are stored in “telecom hotels” in lower Manhattan. Immediately, these must be inspected and safeguarded with maximum protection. In the not-too-long run, government must put in place a program to either convert the diesel users to fuel cell technology, or move the diesel and new dependent users to non-residential areas.

3). **Culture and Community:**

Lower Manhattan requires venues for theater, performing arts, exhibitions, public forums, children’s activities, and recreational facilities. New facilities and additional services are pivotal to retaining and attracting residents, businesses and visitors. Their significance in helping to achieve the goal of creating a dynamic, 24/7 downtown community cannot be overstated.

a). **Cultural center:** Plans for downtown must include a cultural facility that incorporates a significant center on the WTC site. A truly significant cultural center must be designed and housed in an inspirational structure between the memorial and commercial space. This would serve as a spiritual bridge between the solemnity of the memorial and the bustle of commerce, and would constitute an affirmation of life that culture celebrates.

b). **Civic amenities:** We must also insure that the civic amenities required to support a vibrant, growing and diverse community are provided. The plan for lower Manhattan must include:

- The proposed Millennium High School (which has received the support of Governor Pataki)
- Schools that meet the projected needs throughout lower Manhattan
- A major recreational center such as the proposed new “Y”
- A new library in the Battery Park City area
- Increased open space (which has received the support of Governor Pataki)
- Expanded postal services on the West Side
- A significant children’s destination

c). **Institutional needs:**

▪Fitterman Hall: BMCC's student union must be rebuilt as a state-of-the-art facility. An effort should be made to explore inclusion of community facilities, including possibly the recreation center. A proposal by the Council Member's office will be submitted to LMDC.

▪ Religious Institutions: St. Nicholas Church, the only house of worship destroyed by 9/11, must be rebuilt at or near its original site. The area around St. Paul's Chapel must be respected with compatible planning and development. Within the framework of the separation of church and state, downtown plans must facilitate and support requests for preservation of existing, and creation of new houses of worship.

d). **Hospital and medical center:** Lower Manhattan is now served by NYU Downtown and St. Vincent's, two excellent facilities.

Gouverneur Hospital provides non-emergency service to the Lower East Side, as well. Any or all would require public support to continue and expand to meet the needs of a growing downtown residential and business community. One way would be to develop a world-class treatment and research center in pulmonary or urban environmental health. This would serve important area health needs, bring financial resources to the sponsoring institution, and contribute to the overall economy and attraction of lower Manhattan.

4). **Street Configuration, Street Life and West Street:**

As downtown is developed and rebuilt, we must avoid the mistakes of the past by insuring that artificial barriers do not separate neighborhoods. At the same time, we must respect the physical integrity of our neighborhoods. Residential life downtown will be greatly affected by the decisions made about the streetscape. The potential effects on traffic flow, pollution and pedestrian accessibility are enormous. We need to provide walking routes to allow people to travel where they need to go and integrate them into our rebuilding.

a). **West Street:** At a recent hearing, the community voiced serious concerns over the range of rumored proposals and a lack of

information. Whatever the ultimate configuration of West Street, it must be designed in a community-friendly fashion and it must be designed as a whole, including the stretch from Vesey to Liberty Streets along the World Trade Center site. The majority opinion expressed both at that hearing, as well as in other venues, is that expensive tunneling must be avoided where viable alternatives exist.

Governor Pataki has called for a tunnel from Liberty to Vesey Streets. No plan for West Street should be adopted without the input from the community. The LMDC should launch a mini-design charrette on West Street for community input. The judging panel should include the Community Board, elected representatives and transportation officials.

b). **Church Street:** As the World Trade Center site is rebuilt, construction of overwhelmingly large structures along the western edge of Church Street must be avoided. As buildings are built, walls should not be created that would serve to cut it off from the rest of the community.

c). **Street level retail:** An active street life is critical to the building of a 24/7 community. Any underground retail should not compete with street life but, rather, should support and complement it. Multi-level stores, like the former Border's, might serve multiple needs. There should be a mix of small and large retailers whose offerings meet the needs of those who live, work and visit thereby contributing to the vitality of lower Manhattan and a 24/7 community.

d). **Public market:** A major public market, along the lines proposed by the City Council, must be incorporated into the lower Manhattan streetscape, near the former WTC site. In the interim, a reopening of the Greenmarket at a temporary location near Liberty Plaza, as suggested by the Governor, would be a great benefit to residents and workers in that area.

5. Bus and Limousine Parking:

It is known that redevelopment will precipitate an invasion of lower Manhattan by tour and commuter buses, vans and limos. Every effort should be made to encourage the use of public transit to decrease the use of private vehicles in lower Manhattan.

a). **Multilevel underground lots:** The World Trade Center site will be the destination of thousands of visitors. It is imperative that major underground bus parking lots be provided, at least in part, under the site with easy access to the site's facilities. Neighborhood-friendly route restrictions must be developed and imposed.

b). **Clean fuel:** The use of clean fuels must be required and incorporated into any lower Manhattan plan. With the number of vehicles expected into and around the downtown area, the level of pollution from vehicles could pose a serious health hazard to those living and working downtown. Clean fuel requirements should be applied to tour and commuter buses, as well as to all construction vehicles.

c). **Routing and a dispatch system:** An orderly dispatch system must be developed and implemented. This is necessary to reduce the pollution caused by idling motors and to prevent the congestion from buses and cars waiting for passengers.

6). **Affordable Housing Preservation:**

We cannot let the recovery accomplish what the terrorists could not – namely, force residents from their homes. It would be a moral outrage to create an inspired memorial and magnificent development at the World Trade Center site only to have the people living closest to the site, who endured the worst of 9/11, evicted by rent increases precipitated by a public-sector recovery. Governor Pataki and Mayor Bloomberg have both pledged to create housing diversity downtown, including affordable units. If they mean what they say, it is a far more efficient use of taxpayer dollars to preserve existing affordable units than build new ones.

a). **Independence Plaza North (IPN):** Four blocks north of the World Trade Center site, is Independence Plaza North (IPN), a 1,300-unit rental Mitchell Lama housing complex that is set to lose its affordability status. These residents endured the worst of 9/11, including evacuation and the barge removal operation. Nevertheless, longtime middle-income residents, who performed heroically, could face eviction, since units do not qualify for rent stabilization under current law. The tenants, working with the Community Preservation

Corporation, have developed a reasonable financial buyout package. The LMDC and other agencies of government need now to provide the necessary political and limited financial support to make this happen.

b). **Gateway Plaza:** Just across West Street, in nearby Battery Park City, is Gateway Plaza, a 1700-unit apartment complex, which is owned by the Lefrak organization. Gateway was the first housing built in Battery Park City. Many of the city's rent stabilization guidelines have applied to a significant number of Gateway's tenants; they are set to expire in 2005. These tenants, like those at IPN, have endured the worst of 9/11. Many tenants were forced from their homes for months. We must insure that residents who have been protected, an increasing number of whom are seniors, are saved from rent increases that will force them from their homes.

c). **Lower Manhattan Housing Preservation Trust Fund:** In addition to the above, there are a few other affordable housing complexes in the LMDC catchment area that were affected by the events of 9/11. A Lower Manhattan Housing Preservation Trust Fund should be used to stabilize and perpetuate this affordable housing. This existing affordable housing can be saved with only a small fraction of the Liberty Bonds and federal funds available to the LMDC. Council Member Gerson's office is, however, preparing a formal proposal to establish the trust fund. In the interim, there should be a brief moratorium on the allotment of Liberty and capital funds to any housing project until a preservation plan is established.

7). **Human Services:**

In our haste to rebuild, we must not lose sight of the ongoing human needs that still must be filled. In the aftermath of 9/11, our youth, seniors and displaced workers continue to face emotional as well as economic difficulty daily. Mental health workers unanimously concur that the next 12-18 months are critical to the most vulnerable members of our community. However, at a recent City Council hearing, the 9/11 United Services Group, which represents many of the social service providers funded by the September 11th Fund, testified that many providers lacked sufficient resources to meet 9/11-related needs.

a). **LMDC Allocation:** LMDC should allocate one percent of Community Development Block Grant funds to support the needs of the most vulnerable in our communities. Alternatively, LMDC could seek funding from the September 11th Fund or other sources. This money would be used to fund after-school programs, anxiety relief programs for seniors, job retraining and counseling and counseling programs for area youth. This small percentage of monies would benefit many of the most vulnerable. The Human Services Proposal developed by Council Member Gerson, and presented to the LMDC, details the elements of the plan.

8). **Interim Steps:**

It will be many years before the World Trade Center site is redeveloped and before lower Manhattan fully revitalized. In the interim, it is important that the people who live and work in lower Manhattan see demonstrable signs of progress and enjoy the best possible quality of life.

a). **Open streets:** Efforts should be made to reopen streets that are still closed and avoid closing streets unnecessarily. Specifically, Park Row must be fully or partially reopened, or a mitigation plan must be developed and implemented to assure emergency access and mitigate harm to businesses and residents. Elected officials, the Administration, and the NYPD have established a task force to review this situation and make recommendations. The task force should get to work right away, community board representatives included, and LMDC should be represented on the task force.

b). **Security barriers:** Many downtown neighborhoods still have the appearance of being a war zone. While security is and will continue to be a concern, reducing the number of barriers and closed streets would be a welcome relief to those residing and working in lower Manhattan. Unsightly “Jersey” barriers should be replaced with other, more attractive barriers where they are deemed absolutely necessary. The Park Row task force’s role should be expanded to include a review of barricade and barrier plans and situations requiring special street security arrangements.

c). **Street repair:** Street repairs must be made with the needs of residents in mind and with consultation to develop a master plan with the affected community boards and local elected officials.

d). **Minimize street closures:** As the spring and summer approaches, special sensitivity should be demonstrated to the people of lower Manhattan by keeping “special events” that result in street closures to a minimum. Advance notice must always be posted around the community.

e). **Fix building eyesores:** There are buildings in and around the World Trade Center site, including Deutsche Bank, Fitterman Hall and Verizon that still show damage from 9/11. Moving forward on either repair or replacement of these buildings, including assurances to the public of environmental safety as in case of Deutsche Bank, should be made a priority. In particular, the shroud over Deutsche Bank should be removed or replaced as soon as safety permits. Replacing the shroud with a mural, as suggested by the Governor, might be an alternative.

f). **Congestion prevention planning:** The LMDC deserves credit for its recent financing of the Chinatown Traffic and Parking Study. This study needs to be complemented and expanded in two critical respects:

-The geographic area must include the entire LMDC catchment area;

-The scope must be expanded to encompass a region-wide traffic management study to come up with recommendations for managing the region’s traffic flow, which uniquely impacts on the Canal/Broom Street corridor. This corridor connects the Manhattan and other East Side bridges with the Holland Tunnel, as well as linking the two crossings to the rest of lower Manhattan. It has been the site of some of the city’s worst congestion, and the resulting pollution, which should be expected to worsen without planning as lower Manhattan redevelops. The most cost-effective way to accomplish this congestion-prevention planning would be to assure that the Phase II CATS NYMTC study, set to start this June, incorporates the global, regional analysis proposed by Council

Member Gerson, endorsed by the entire City Council delegations of lower Manhattan, Staten Island and the Brooklyn area impacted by the regional traffic flow. During the interim period, it is imperative that truck restrictions for the Holland Tunnel remain in place.

9). **Appropriate Contextual Height and Bulk:**

Nothing can undermine a neighborhood and upset a good community quality of life more than out-of-sync height and bulk. We recognize the need for, and support construction of high-rises, including very high-rise skyscrapers, certainly as part of the reclamation of the skyline at ground zero, as well as elsewhere. The financial district, in or near Battery Park City (matching present heights), appropriate parts of Chinatown, and some of the wider streets of the Lower East Side and downtown, and the new high-rise neighborhoods designated in the Mayor's Vision Statement provide appropriate locations for higher-rise development. The heights and bulk of the buildings in these areas should be determined through the interplay of incentive programs, the real estate market, and the city's normal land-use processes. However, we insist that the LMDC and administration commit to special protections for the sensitive areas (within the LMDC catchment area) listed below. Ample opportunity exists for high-rise development elsewhere downtown.

a). **South Street Historic District:** Proposed downzoning, endorsed by the community board, all local elected officials and preservationists, remains indispensable to preserve our seafaring heritage--as described in Melville's Moby Dick--so future generations can understand and "walk back in time" to touch this part of our history. The City Council has voted unanimously to support the downzoning and the 120 foot height limitation. This vote, subject to approval by the mayor, will signal the importance of preservation, even as we develop.

b). **Sites 5B and 5C/TriBeCa:** It would be harmful to the young students and thus indefensible to build shadow-casting, over-imposing, congestion-creating high-rises adjoining PS234. Moreover, these sites sit in between low-rise, residential TriBeCa and the higher-rise financial district. The community and community board have proposed mid-rise buildings so that the west side of Greenwich Street conforms to the east side. This would allow for a gradual rise from

the low- to high-rise areas. The community's position needs to be followed.

c). **SoHo, Little Italy, TriBeCa, Lower East Side, the Chinatown Core:** The low-rise character of these historic areas constitute an integral component of their uniqueness, their historic and/or architectural distinction, and their appeal and attraction (with the exception of certain blocks on the East Side and in Chinatown as noted above in the introduction to this section). Many parts of these areas in fact lie within historic or landmarked districts. Destruction of these neighborhoods through short-sighted high-rise development cannot be permitted.

Conclusion:

Planners, architects and designers who will make the Libeskind plan a reality, have ample opportunity to evince their greatest creativity within the above framework of Livability First. The entities overseeing the redevelopment of lower Manhattan, must make a full fledged commitment to Livability First. The LMDC, the Port Authority, the Mayor and the Governor, must make a full-fledged commitment to livability and residential life before, during and after the building process.

This goal allows for and indeed would enhance a fitting memorial that pays eminent tribute to the victims of 9/11 and meets the needs of their families. But, prioritizing health, safety, and the daily quality of life would best preserve the legacy of New York's determination and resiliency – and, most of all, the spirit of compassion and mutual support our city so resoundingly revealed to the world in the aftermath of 9/11.