

Regional Plan Association

Atlantic Yards Statement August 22, 2006

Regional Plan Association's goals for Downtown Brooklyn and the area of Atlantic Terminal emanate from the principle that high-value, high-density development is most appropriate in the region's urban core and in transit-accessible centers. This maximizes economic benefits by making the most efficient use of existing infrastructure and the agglomeration of diverse activities that is as essential to attracting high-value economic activity as it is difficult to replicate. It serves social equity goals by making jobs and services more accessible to low-income residents, who are predominantly located in New York City and older urban centers, such as Newark and Bridgeport. It safeguards the region's environment by limiting development in environmentally sensitive areas and the depletion of open space.

However, this overarching objective needs to be tempered with other objectives of sound and equitable urban planning. In particular, projects that address regional needs should also maximize benefits to neighboring communities. Too often, development does not provide affordable housing, jobs, open space, services or other neighborhood needs, particularly in disadvantaged communities, or brings excessive burdens that damage quality of life in these neighborhoods. The need to satisfy both regional and neighborhood needs is particularly high when there is the use of eminent domain or extensive public subsidy, as is the case with the Atlantic Yards redevelopment project. Finally, the larger the project, the more important it is to have exemplary urban design. Quality design can make the difference in whether a project improves the public realm or erodes neighborhood character.

Regional and Community Needs

While the proposed Atlantic Yards development is bounded by Atlantic, Flatbush, Vanderbilt and Dean, it also exists in the context of the adjacent neighborhoods, the borough of Brooklyn, the City of New York and the entire metropolitan region. A project of this magnitude has a legitimate impact on each level, and any analysis must take all of these perspectives into account.

The New York-New Jersey-Connecticut region is already among the densest in the United States and has defied expectations of stagnation in the early 1990s and after September 11, 2001. In fact, New York City has added more residents than any other

municipality since 1990, including hotbeds of growth like Las Vegas and Phoenix. And the growth is expected to continue apace, with the metropolitan region projected to add 4 million additional residents and 3 million additional jobs by 2030. These growth pressures require ambitious strategies to provide the housing, office and infrastructure capacity to accommodate sustainable economic development that also enhances social equity and environmental stewardship. Without this capacity, housing prices, office rents and congestion will increase, choking off needed job growth and further limiting the availability of affordable housing. And without strategies that are guided by principles of smart growth and sustainable development, continued sprawl and inequitable development will erode our quality of life.

A map of the region shows that the area is rapidly running out of developable land. To support an expanding economy, we are going to have to develop in new and creative ways in both city and suburbs. In a very real sense, New York City, and particularly its outer borough neighborhoods of single-family homes, is going through what Nassau, Westchester and Bergen counties have already experienced. Residents in Queens, Brooklyn and Staten Island often see new growth as threatening to the quality of their communities as every sliver of space is seemingly being developed and as pressure builds for taller buildings. While we can't pull up the drawbridge and just say no to future growth, we must design solutions that preserve and enhance the character of these neighborhoods as we find places to add additional density.

The only way that this growth can be accommodated is to focus much of it around the region's transportation hubs. These centers, which include downtown Brooklyn and Long Island City in New York City, and Newark, Bridgeport, Stamford and White Plains throughout the region, have the infrastructure to support dense development. Convenient transit access allows many – if not most – of the new residents to commute to jobs and entertainment by mass transit, limiting the strain on the region's roads and air quality. One of the largest of these hubs is Atlantic Terminal, which sits beneath and adjacent to the proposed Atlantic Yards development.

As in many of these centers, the existing fabric around the Atlantic Yards features a diverse and successful collection of low-to-mid rise neighborhoods. In fact, Brownstone Brooklyn is one of the best examples of a thriving urban community in the country. With its proximity to millions of jobs in Downtown and Midtown Manhattan, access to world class parks and schools, and an excellent urban fabric and housing stock, the area has attracted a diverse group of residents. Single professionals, young couples and growing families have joined the area's lifelong residents to create a mixed-use district that now features some of the region's most vibrant residential communities.

Still, this prosperity has not spread to everyone in this part of Brooklyn. In the neighborhoods surrounding the project, nearly 20% of residents live below the poverty line, and many lower-income residents suffer from a lack of affordable housing, limited job opportunities and poor access to services and amenities. For the Atlantic Yards development to succeed in this context, it must both protect the thriving neighborhoods of

Brownstone Brooklyn and provide the surrounding communities with affordable housing, jobs, quality public spaces and services.

Public Process

As housing and commercial demand seeks out increasingly scarce development sites, many neighborhoods will be asked to accept portions of the growth that will fuel the regional economy. While this is a necessary part of a growing economy, large-scale development can have large-scale impacts on mixed-use neighborhoods, and mega-projects should not be entered into lightly. This is one of the reasons that each state and municipality in the region has a public process for approval and regulation of major development proposals. These processes generally allow for public input in the early stages, to ensure that all voices are heard before irreversible decisions are made.

In New York City, the Uniform Land Use Review Procedure (ULURP) is the mechanism for review and public comment. While the process is far from perfect, it provides a standard six-month process that begins with an environmental review and systematically incorporates input from residents, the local community board, the borough president and finally the city planning commission. ULURP subjects every project to intense scrutiny, providing the needed time and resources to educate the public about each project's impacts, both positive and negative.

Development on state-owned land, such as the Atlantic Yards, is exempt from ULURP, and can be developed through an expedited state review process. While an environmental review still takes place, opportunities for public comment are extremely limited and no local elected official is officially included in the process. There are certain cases where the state can utilize the expedited process to pursue projects that promote the public good, but the process is often abused simply to avoid public scrutiny.

Unfortunately, the public review process for the Atlantic Yards project is part of a pattern in which the State and the City enter into an agreement with a single developer prior to a full debate of alternatives. Ideally, this strategically vital piece of public real estate would have been the subject of a planning exercise to determine what would best serve the public interest and the private market. The property would then have been put up for open bidding, in an attempt to receive top dollar for the type of development that was most appropriate. Instead, the state worked exclusively with Forest City Ratner while the MTA entered into a truncated bidding process only after a memorandum of understanding had been signed by FCRC, the state and the city. The details of the project were largely devised behind closed doors by the developer, and only minor modifications have been made in response to public criticisms. While the developer has held numerous public meetings and provided information to the community, most of the decisions regarding the site had already been made.

As a result, the public has no way of knowing if this project is the best possible one for the site. It is greatly handicapped in assessing potential alternatives, and has less leverage for negotiating changes that would add to its community benefits. While a Community

Benefits Agreement was signed, it was negotiated with a small number of organizations and the key elements of the project were never really up for debate.

In this instance, however, it would not be in the public interest to start from scratch. Even an improved process should still likely result in a project approximating the scale and ambition of the Forest City Ratner proposal. The city and the region need to aggressively develop offices, housing, retail and entertainment in appropriate locations, and there are few locations more suited for dense, mixed-use development than the Atlantic Yards. This location at the crossroads of Flatbush and Atlantic Avenues, at the edge of Brooklyn's commercial core and in the heart of a burgeoning cultural district, is also the perfect site for a signature project that could elevate Downtown Brooklyn as a destination and a true third Central Business District for the city. Finally, developing a site of this size and complexity over a working rail yard requires a very high level of density to justify the upfront investments and long-term risks. Any project meeting these requirements is likely to appear out of scale with the surrounding low-to-mid rise neighborhoods. Within reason, this "Manhattan-ization" that is proposed for Downtown Brooklyn is part of an ongoing and necessary process that will affect communities in downtowns and transit hubs across the region. However, it can and should be a process that successfully integrates large, iconic buildings with their surroundings and provides benefits that compensate for the increased congestion, noise and visual impacts that accompany these projects.

Recommendations

The principles and needs outlined above argue for an intense development on the Atlantic Yards of the kind that Forest City Ratner has proposed. They also suggest that such a profound attempt at "city-making" in the midst of residents that cherish the existing scale and character of their neighborhoods requires careful scrutiny and continuous public oversight.

From both a regional and neighborhood perspective, there are many benefits of the project as proposed. Needed housing, both market rate and subsidized, would be built in an area that has the infrastructure to support it. This construction, and the buildings that it will produce, will provide thousands of jobs to fuel Brooklyn's economy. And the development will create a long-desired signature destination for Brooklyn, bringing people from across the region and country and strengthening the borough's identity and pride. In addition to the affordable housing, the local community would benefit from added open space and a new sports and entertainment facility designed by one of the world's leading architects.

At the same time, the project will have significant negative impacts on several thriving neighborhoods. An already congested section of Brooklyn will become increasingly crowded, especially before and after major events at the arena. The scale of the development will loom over the surrounding low- and mid-rise neighborhoods, casting long shadows in many places. The decade of construction will add noise, traffic and pollution to the entire area.

On balance, the project's regional and neighborhood benefits justify the public costs and negative impacts. However, there is more that can and should be done to maximize the public benefits and more fully integrate the project with its surroundings.

RPA's recommendations thus break down into three categories: parts of the project that RPA supports and should move ahead without major changes; areas that RPA cannot support without major changes from the developer; and policies that must be implemented by the public sector to ensure that the project is a success.

Build the Arena Block

Regional Plan Association supports construction of the signature western block of the project largely as proposed. This block, featuring the basketball arena and four towers, is an excellent example of city-making that will bring tremendous benefits to the area. These initial towers have been designed by the expert hand of Frank Gehry and, along with the arena, will become iconic images representing the borough soon after their construction.

While we believe that these activities make sense in this location and can be supported by existing infrastructure, there are a number of improvements that can be made. In particular, additional steps can and should minimize traffic and ensure that the arena functions safely and effectively. Most of the traffic generated by the project is generated by the buildings in this first phase of the project, primarily the arena but also the commercial development proposed under both the residential and commercial mixed-use alternatives analyzed in the Environmental Impact Statement. While many of the proposed mitigation measures should be effective, others need to be fully evaluated or improved.

Specifically, the Draft Environmental Impact Statement does not convincingly address the following problems, and Forest City Ratner should show more conclusively how the proposed mitigation measures address these issues:

- Demonstrate that the surges of crowds before and after arena events will not create hazardous conditions on subway platforms, stairways and escalators. If conditions are inadequate, then access/egress to subway stations should be redesigned in coordination with the MTA.
- Demonstrate that the parking system, particularly the stacked parking garages and pre-assignment of reserved parking at remote locations, will be effective. Details are lacking, and it is not clear that patrons will use stacked or remote parking.
- Demonstrate that shuttle vehicles to remote parking will be attractive to users. These vehicles will be subject to the same traffic congestion as other cars. For this and the previous issue, what are the contingencies if they fail to work as planned?
- The width of sidewalks in the immediate vicinity of the arena should be tested for adequate pedestrian level of service and, if found wanting, added setbacks and less vehicle space should be considered.

Improve the Plan for Residential Development and Open Space in Phase II

The eastern portion of the project, stretching from Sixth Avenue east to Vanderbilt Avenue, is an appropriate location for dense residential development and the open space that is so critical to the success of the venture. Unfortunately, while this part of the plan features the bulk of the development, it is also the riskiest part of the project from both the public and private perspective.

The current site plan calls for an experimental series of Frank Gehry-designed residential buildings connected by a non-traditional Laurie Olin-designed network of open spaces. Whether one likes the architecture or not, no one would deny that it is highly idiosyncratic. Two outstanding designers have struggled to find an accommodation between the highly figurative massing of the buildings and the need to create an easily comprehended and rational network of public open spaces. In spite of the quality of the design, this tension results in two significant risks – that its open space plan will not successfully attract residents from outside of the project buildings themselves, and that the entire plan will not be built as designed.

The open space design has many attractive elements and makes a strong attempt to open the interior through wide street openings and pedestrian walkways. However, there are no precedents that demonstrate that this will be sufficient to keep the space from being overwhelmed by the massive buildings that contain it, and that it will invite public use in spite of the lack of street frontage.

Even if the quality of the open space overcomes these challenges, it is exceedingly doubtful that both the architecture and open space will ever be implemented without substantial revisions. Many unforeseen events, such as changes in the market place, the changing financial fortunes of the developer, or the contractual and working relationships between the architects and developers, could make the current plan unworkable. Few projects of this scale, complexity and duration reach final implementation without substantial change, and both the design and the process that manages it needs to have the flexibility to meet its objectives while adapting to evolving conditions. With full build-out of the project at least ten years away, several changes will undoubtedly be made to the design. The General Project Plan (GPP) currently fails to provide sufficient guarantees to the public that the project will live up to its promises.

To overcome these risks – and to gain the support of Regional Plan Association – we propose three major changes. First, the open space plan should be altered to make it both unambiguously public and compatible with the variety of building footprints allowed in the GPP. Second, the open space should be mapped as City park land and maintained either by the Parks Department or an independent non-profit with representative public and community participation in its Board of Directors through funding from the developer. Third, a design review process similar to Battery Park City should be established to ensure design excellence during build-out. This process will help guarantee that the finished product will meet a high standard, even as the market and the architects change.

The goal of the open space design should be to create an armature of unambiguously public spaces in each phase of the build-out around which the buildings will be designed. There are several ways in which the proposed site plan for the eastern blocks could be modified, including strategies that would be within the framework of building footprints permitted by the General Project Plan. It would be possible, for example, to create an open space network that has frontage along public streets, including Atlantic Avenue and Dean Street and is framed by buildings with a clear orientation towards that space. This strategy can be used to create a series of indisputably public spaces within each of the blocks of the development. It would likely require some revisions to the allowable building envelopes around a new open space configuration, but the organizing principal should be to design the buildings around the open space, not the other way around. Of course, any revised plan would have to account for the existing infrastructure constraints, including the rail yards and the project's ambitious stormwater management system.

In addition, to the extent that some of the towers become either slimmer or shorter, the shadow impacts are reduced. Several other solutions may be possible, and any should be phased so that coherent, usable open space is created with each phase of development. In the current plan, the portion of the Olin plan that would be created with each new building is unlikely to result in spaces that form a coherent whole until most of the project is built.

With this public space armature in place, and public control of its use guaranteed by City ownership, both the public and developer interests would be met more successfully with more flexible building design guidelines and discretionary public review. As currently written, the design guidelines can only succeed if there are no deviations in the program and Frank Gehry designs every building. And this does not allow any government entity to make modifications based on the evolving needs of the surrounding neighborhoods. A more rational approach would be modeled after Battery Park City, in which a simpler set of building guidelines are combined with a detailed set of objectives, architect criteria and discretionary approval by a subsidiary of the Empire State Development Corporation.

In addition to these design criteria, the project could be enhanced with a reduction in the overall scale of the buildings. While there is no formula for determining optimum size, the impacts of shadows and transitions to the surrounding neighborhood would be improved through either a reduction or redistribution of density. There are any number of possibilities that should be explored which could reduce neighborhood impacts, including adjustments to both the height and width of buildings within the project.

Necessary Public Actions

With New York City expected to add more than one million new residents over the next quarter century, significant infrastructure investments will be needed to accommodate this population growth, from additional transit capacity to new schools, libraries and power plants. Even the addition of the approximately 15,000 new residents proposed in

the Atlantic Yards plan will put a strain on the area's infrastructure, making the surrounding neighborhoods more congested. In addition to the Atlantic Yards project, millions of square feet of new commercial and residential development is anticipated in Downtown Brooklyn in the coming years.

The developer should not be punished, however, for the public sector's failure to provide the necessary improvements. Instead, the City and State should be held accountable for ensuring that sufficient infrastructure is in place not only to accommodate the growth but to do so with limited impact on the quality of life of existing residents and neighborhoods. In addition to big ticket investments – like power plants and schools – needed to handle the citywide growth, several specific traffic and transit improvements should be implemented before the project's full build-out to allow for its success. First, the City must meet its responsibilities in advancing the highway improvements assumed in the Draft Environmental Impact Statement. Beyond these actions, the City and the MTA need to devise and implement a comprehensive transportation plan that would include the following:

- Congestion pricing: The traffic that currently chokes Flatbush, Atlantic and so many of the streets running through downtown Brooklyn and the project area is not new and will only get worse. Rather than putting a halt to all development, proactive steps must be taken to limit the congestion and allow growth. Much of the traffic that ties up this part of Brooklyn for much of the day is generated by cars and trucks going to and from the free bridges over the East River. Over the long-term, the most effective way to reduce this congestion will be to implement a congestion charge for entering the Manhattan CBD from all directions that provides incentives for traveling in non-peak times and taking transit. This may not be a solution for this year, but if it is not in place by the time the bulk of this or any other development comes on line, the area's congestion may become untenable.
- Improved transit capacity and access: While Atlantic Terminal is Brooklyn's leading transit hub, arena patrons and additional workers and residents, both from the project and Brooklyn's continued development, will put a strain on its many subway lines and crowd its platforms. To maintain the current level of service and safety, the MTA must
 - complete a more comprehensive study of how it can achieve a comfortable level of service on all lines passing through downtown Brooklyn;
 - accelerate its study of bus rapid transit in Brooklyn, especially along Flatbush Avenue;
 - consider how the Atlantic Branch of the Long Island Rail Road can be made a more effective system for delivering large numbers of riders from the eastern and southern portions of Brooklyn, and from Queens and Long Island;
 - and examine each of the proposed subway transfer points in Brooklyn to determine their cost-effectiveness and network benefits.

