

Borough Board Atlantic Yards Committee

Summary of the February 2, 2006 Meeting on Urban Design, Visual Resources and Neighborhood Character

Borough Board Atlantic Yards Committee Members in Attendance:

Borough President Marty Markowitz
Council Member Letitia James
Assembly Member Joan Millman
Jerry Armer, Community Board 6
Robert Matthews, Community Board 8

Supporting Staff:

Greg Atkins, Office of Borough President Marty Markowitz
Richard Bearak, Office of Borough President Marty Markowitz
Ellen Oettinger, Office of Borough President Marty Markowitz
Mary Lou Bradley, Office of Council Member David Yassky
Irene Van Slyke, Office of State Senator Velmanette Montgomery
Sam Cooper, Office of Assembly Member Joan Millman
Irene Janner, Community Board 2
Craig Hammerman, Community Board 6
Doris Alexander, Community Board 8

Guest Panelists:

Winston Von Engel, Deputy Director of Brooklyn Office, Department of City Planning
Ethan Cohen, City College Architecture Center
Mark Ginsberg, New York American Institute Architects
Michael Kwartler, SIM Center at the New School

I. Discussion with the Panel

See below questions and topics covered during the panel covering Urban Design, Visual Resources and Neighborhood Character.

a. Discussion with Winston Von Engel, Deputy Director of Brooklyn Office, Department of City Planning; Ethan Cohen, City College Architecture Center; Mark Ginsberg, New York American Institute Architects; and Michael Kwartler, SIM Center at the New School

While opinions vary on how much the project would knit together or be a barrier these surrounding districts, the experience from the movement of pedestrians is most critical from the analysis of urban design and visual resources. What examination and documentation should we expect in the E-I-S of the pedestrian's perspective including the streetscape of storefronts, residential facades and the arena?

M. Ginsberg: One section will give an analysis of pedestrians moving through the site, looking at entrances. The neighborhood character section will discuss potential mitigation. Shadows will affect pedestrians, and this section may address that. The urban design & visual resources section will ask questions like: will the view be better? will it be worse? are you creating views or blocking views? If there is commercial development, how that will effect the pedestrian experience?

What is a visual resource and what qualifies it to be analyzed in an E-I-S?

W. Von Engel: They're all interrelated. View corridors, vistas, natural or built features. The SEQR technical manual mentions the Williamsburg Savings Bank, which certainly needs to be considered, and a study area will be defined. The study area can be large – anything you can see from the site or at the site – and its relationship to the proposed project. The EIS scope has

pledged to look at visual resources such as the Bank, and it should also consider any other visual resources seen on the site or from the site.

What is your definition of a visual resource, for example is it just something like the Williamsburg Savings Bank Building that so many of us like to view, or does it also include views that people cherish from prominent spaces such as Fort Greene Park and Mount Prospect Park Playground?

E. Cohen: For this size, at this juncture – you could expect or demand that they use a broad definition, because the views from them would be considered part of the visual resources. It should be looked at in a wide radius.

There are those that sincerely feel that nothing should be taller than the Williamsburg Savings Bank. When they study that building, what are they looking for? That you can still see the top?

E. Cohen: That would be a visual resource that would be studied. Subjective assessment of whether that is positive or negative is in the eye of the beholder. Some could say that the development takes away.

M. Kwartler: There are some objective ways of looking at urban design – you use the Bank to navigate. Like the World Trade Center – it wasn't particularly handsome, but it was always southwest. If you did a focus group of people in the borough, they would say that they knew the building. You would say that it's a Brooklyn landmark, even if it's not an official landmark. So, seeing it is important. You could say the new development will replace that, but you could really see it for its cultural and directional significance. With Brooklyn Bridge Park, we looked at the views of Lower Manhattan. Thinking of Downtown Brooklyn, what kind of place do you want it to be?

The Atlantic Yards project might contain elements such as large-scale signage, advertisements, moving images and architectural and advertising lighting. These are not typical of other large projects in Brooklyn that might have been the subject of an EIS. Therefore, in terms of urban design and visual impacts, how would the assessment analyze such unusual features?

M. Kwartler: This will be in a few different places in the EIS. One is glare. There are issues with office buildings creating glare that can be offensive to surrounding buildings. Either it's positive or light pollution – creating the kind of image you want.

The rezoning of Times Square that I participated in, the place is really bright. Light pollution in the residential units, not in the project. There are criteria about how much light is too much. They did say they would establish a baseline of those light limits. Clearly, the impact on the Bank – it could be so bright to the point that you don't see the Bank. That's a balance between the two. It could also be a traffic hazard, in terms of lighting, design or intriguing distractions. It may be positive for pedestrians.

Lighting engineers have gotten very sophisticated. That's a good example of a positive way to light something – it is literally transformed into something else in the evening. In general, there are objective ways, defined in advance. Visual resources and urban design could be done more methodically and systematically. What you read in the manual is the minimum of what you can do.

The project plans to build some structures which are as high as 60 stories. If this goes through in its present form, will it set a precedent for other developers in neighboring areas to build as big? What will Department of City Planning [DCP] and the Board of Standards and Appeals do? Will that become the standard?

W. Von Engel: For the residential neighborhoods of Prospect Heights, Park Slope, Fort Greene, Boerum Hill, Carroll Gardens, we've either rezoned for contextual districts with height limits or we are looking into it. In Downtown we don't have height limits, just limits on density, and limits east of Flatbush Avenue near the residential districts, adjacent to the downtown core. Within the Central Business District there is no height limit, just density. At some point, you run out of FAR [(Floor Area Ratio)].

M. Ginsberg: It's going to change the context, clearly. There are very few sites that large. Part of the reason it can happen – people have small lots, small houses – it's going to be very hard to create another site this large that would allow anyone to build this high.

M. Kwartler: What Mark [Ginsberg] is referring to is spot zoning. Essentially, it becomes public policy. They can increase FAR, but given the base floor area that exists, the amount would never come close to that. It's highly unlikely that it will ever get to 60 stories unless it's a large assemblage.

Can you describe the role that DCP would have in this project?

W. Von Engel: We are an agency that listens to the Mayor, and the Mayor has expressed his support for the project. The State has to request from the City to override the zoning and present this project to the city and ask for concurrence. The City Planning Commission at some later date will be involved with this project.

The MOU stated that DCP has certain guidelines that this project will be subject to. What kind of guidelines?

W. Von Engel: There are design guidelines that this project will be subject to: urban design guidelines that talk about height, density, use, setbacks, pedestrian amenities, things of that nature that should be considered as part of the design.

Will you consult with local elected officials as you establish these guidelines?

W. Von Engel: That will be up to the head of DCP and her boss.

The CEQR manual states that for the purpose of SEQR analysis this would only include views from public and publicly accessible locations and does not include private residences or businesses. Most people consider the Bank a landmark from their windows and other places that are not a public street. It seems we're being shortchanged by the manual. How do we take into account the view corridors that people have from their homes, not just standing on the sidewalk?

M. Kwartler: As someone who is losing view of the Empire State Building he has had for twenty years in Midtown, I'm sympathetic. The manual is only about vistas from public places, not from apartments. But, the manual only deals with the minimum. The document can disclose that views are being blocked, and whether that's mitigatable. I view CEQR as the minimum, not the maximum. It defines what is public space and what is private.

Would Fourth Avenue, with its reassuring view of the magnificent Bank building, be counted?

M. Kwartler: Yes, anything outside private property. A public avenue is certainly considered a public place.

E. Cohen: And the study area radius – there may be issues of visual resources that go even beyond the one or two mile radius.

M. Kwartler: There are techniques now with visual simulation to see what the differences are.

W. Von Engel: Like the statue of Minerva in Prospect Park, we've been working on preserving that view.

Could a mitigating strategy be including a height limit under the Bank's tower?

W. Von Engel: Yes, if the decision-makers believe that preserving the view of the Bank is so important that they wanted to view. But the EIS is not a decision-making document. It informs you, and you can comment on that.

This project will be totally different than the surrounding neighborhood, with the concept of the super block, taking away the street grid. How would you consider pedestrian circulation? In taking away the train yards, how could you use getting rid of the trains yards to connect neighborhoods?

M. Ginsberg: The space around the building is indicated as public open space. It could make it much less of a super block since you can walk through, although it wouldn't be a street, you could walk through it. However, it isn't totally clear in the document.

M. Kwartler: The EIS is supposed to have alternatives, and that may be one alternative. As they generate alternatives a lot of your concerns can be in those alternatives in terms of urban design. One of them might be mapping the streets back through, which is not inconsistent with city planning principles.

M. Ginsberg: It's not possible where they're putting the arena, but the others, you could put streets there.

W. Von Engel: Or in lieu of streets, publicly accessible open space. The CEQR asks to look at the potential influence that a stretch of vacant land might have. There may be different opinions about the transit yards – some people think they're foreboding, don't like to cross them, not as inviting as other parts of Atlantic Avenue. There may be an opportunity in the EIS to bring the two communities closer together, that the removal of the train yards may provide a further knitting together of the neighborhoods. As decision-makers your responsibility is to make that happen in the right way.

Everyone talk about proecting the Bank, but what about negative views, such as standing on 6th avenue looking at the rail yards. Although this is not objective, are views that aren't as beautiful also analyzed?

M. Ginsberg: It says in the manual that yes, it can be. If you are creating something that you consider is more beautiful, you can argue that. For example, it could mention that "the action is taller than the tallest structure in the neighborhood", but states that the current vacant land that might have a blighting influence on a particular area. The project sponsors might want to describe the beautiful nature of the project, replacing what many consider an "eyesore".

Can you talk about the demapping of streets? What is DCP's policy, as opposed to creating new roads?

W. Von Engel: There is not one policy in terms of demapping or mapping streets. As part of the Downtown Brooklyn plan, we demapped streets to create more rational building sites and blocks, because the sites were not lending themselves to building on. But in other cases we've mapped streets back and appreciate the life streets bring. There is no one policy – it's on a case-by-case basis.

If you demap the streets without creating new streets, it will be privatized space.

W. Von Engel: From the MOU it is clear that the open space on easternmost blocks is to be publicly accessible. It's in the MOU, clearly, and the Mayor insisted on it. Like our private plazas that are public plazas, we have plaques that state "This is a publicly accessible plaza." [DCP] wants to encourage public use of those plazas to ensure that the publicly accessible space stays accessible. The scope says so.

It brought to mind in Manhattan Penn South. When Penn South was built, they kept streets, but they sort of meandered through the development. Could we look for meandering streets through the project? Would that be an alternative that would be looked at instead of getting rid of streets?

E. Cohen: That hits close to home. I walk my dog through those meandering streets – 24th between 8th & 9th. That gets to the question of a design alternative. I would doubt that the EIS would investigate that as an alternative to the build and no build scenarios. They would not go to that level of ingenuity.

When analyzing visual resources from public spaces, do you look at streets in the beginning of the project to the end of the project? Do you analyze from a street that isn't there, or from the new street grid?

M. Kwartler: You look at project as built.

So they will have to analyze from the new public open space.

M. Kwartler: When we did the Hudson Yards EIS, one alternative looked at was proposed by the Hell's Kitchen community. It was almost apples to apples – the proposal had the same FAR, but was organized very differently than what was being proposed by the City. There is an opportunity, though less of one when the State does it instead of the City, to bring to light some of these questions.

I suspect the designers have looked at a lot of these things. I would think that this is a very reasonable request that these types of alternative be looked at.

M. Ginsberg: In the case of Pacific Street, though it may not be looked at from the demapped scenario, it should be looked at if it's going to be a dead end.

What is the perspective of the analysis when it comes to height? If you're on the sidewalk, you would have a wider visual plane, but if it's from the lot line? From an airplane? From Minerva looking north? What perspectives do you use?

W. Von Engel: The EIS and consultants should look at and describe how tall the buildings are in that area. Then, what you're alluding to, how is that perceived? From a publicly accessible space, a street, a park, the Brooklyn Bridge, the Promenade, Fourth Avenue, Flatbush Avenue, where is the visual resource prominent?

A 30-story building set back and designed a certain way could feel much smaller when you're standing next to it..

M. Kwartler: The Empire State Building principle – it's one of the smart things about the 1916 zoning. Setbacks provide more daylighting.

One of the advantages to tall buildings is that the shadows move very quickly. Low buildings throw an all-day shadow. These buildings may not actually add anything incrementally, but the shadows analysis will only include the shadow impact only in public areas, not even sidewalks or people's back yards.

Regarding the high rises around a courtyard, does the Planning Commission consider what you see when you're in the community – a wall around a green space?

W. Von Engel: When this project was presented to the City and the Mayor, one of the things that was important to him was the publicly accessible open space in the center. The MOU and urban design guidelines state that they will look at mass, setbacks, how much glass, retail on the ground floor, curb cuts, etc.

Are those details in place?

W. Von Engel: No, but it sets out that those items will be part of the General Project Plan [GPP] when it is released.

Can the design guidelines state where the entrances will be? Like in Battery Park City promenade, you see the backs of the buildings and feel shut out. You don't feel that you belong.

W. Von Engel: Yes, the guidelines can talk about orientation of the entrances.

The EIS is supposed to look at urban design if it introduces an action that will change the scale of the neighborhood. This project is very different from the surrounding area. Without knowing the definite shape during EIS, without design guidelines to follow, it seems backwards. It seems the design guidelines should come first to see what will actually be there. How much input will the Community Boards and the elected officials have on design guidelines?

W. Von Engel: The EIS responds to a proposal. Generally, an EIS tries to analyze as reasonably large as a project that could be done. When we did 330 Jay Street, the Criminal Court building, the designers had contemplated different designs. The EIS analyzed the worst case scenario, the fattest, tallest building. The design guidelines can carve in from the EIS. What gets approved in the end doesn't have to be that, it can be less. But it cannot be more.

Are the GPP and the DEIS are issues at the same time?

W. Von Engel: Yes.

Does EIS take into account the effect of shadows on alternative energy options and how this might result in the loss of business?

W. Von Engel: No, the shadows analysis does not take into account the effect on businesses.

We've talked about a lot of different neighborhoods. How does the EIS quantify neighborhood character?

M. Kwartler: It's supposed to discuss it. Generally it is a description of the neighborhood with photographs. It may have to do with the frontage of the lots, the grain of the houses, the trees, the setbacks, porches, stoops, no porches/stoops. All those create the character of what those streets look like. Those are all ways of doing objective analyses. Stylistic ones – is there a consistent style? A range of styles? Is it uniformly residential or are other uses along the street? You actually can do a lot of that. Do they have front yards, back yards? Try to keep it focused on the spaces – what is that "public room"? how is it shaped? what makes it different? How much sky you see, how much space you see, you supplement that with photographs and history. You know there's a there there.

Is it just architecture? For instance, Carroll Gardens is different, but not architecturally.

M. Kwartler: It also deals with uses on the street and social factors.

E. Cohen: You can ask for an analysis of that effect; the other types of businesses might roll outward from there because of a certain kind of use.