

design trust for public space



View south from 32nd Street

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**PUBLIC SPACE MAKERS: THE FUTURE OF THE HIGH LINE**

**June 11, 2001**

**Held at The Port Authority of New York and New Jersey, World Trade Center**



Looking north from 17th Street, ca. 1934.

## I. INTRODUCTION

When built in 1934, the High Line, a 1.5 mile-long elevated structure running from 34th Street through Chelsea to Gansevoort Street, carried freight above Manhattan's West Side streetscape to eliminate numerous dangerous street crossings. With rail tracks that are now disused and blooming with pioneer plant species, the High Line is caught between those who wish to demolish it and those who wish to reuse it as a new, elevated pedestrian greenway.

Supporters of the High Line's redevelopment believe that this important piece of urban infrastructure could become a unique landscaped promenade with breathtaking views of the city. Owners of the land underlying the structure see the High Line as an urban blight and an impediment to their properties' development and are pushing forward a demolition order.

This **Public Space Makers** forum, moderated by Alexandros Washburn, President of the Pennsylvania Station Redevelopment Corporation, and Public Works Advisor to former U.S. Senator Moynihan, invited full discussion of current public and private positions, both pro and con the High Line's redevelopment. Panelists and stakeholders in the audience addressed the legal, political, financial and design issues that will decide the High Line's fate, and that must be resolved as part of any feasible adaptive re-use scenario.

The forum convened a panel of experts in the politics, finance and physical design of public sector infrastructure development.

### Panelists:

Politics	John N. Lieber Senior Vice President, Lawrence Ruben Co. Former Assistant Secretary of Transportation
Finance	Charles Shorter Principal, Real Estate Advisory Services Group, Ernst & Young
Design	Marilyn Jordan Taylor Partner and Chair-elect, Skidmore, Owings & Merrill

## II. CURRENT POSITIONS: PRO OR CON HIGH LINE REDEVELOPMENT

Representatives from nearly all of the following public and private interest groups participated in the forum. (A complete list of registrants appears on p. 8 of this report.)

### Government — Positions, Powers and Responsibilities

The **federal government**, specifically the Surface Transportation Board, is the ultimate governmental authority regarding the High Line's future use. The federal government has control over the High Line as a piece of the nation's rail infrastructure, and as such, granted a demolition order that had been brought on the High Line by underlying property owners. (The order, pending for nine years, still awaits the petitioners' ability to secure the full amount of demolition costs, including the cost of indemnifying the rail owner against liability during demolition.)

The federal government supports a national grant program, Rails to Trails, that funds just such adaptive re-use of abandoned rail infrastructure, and offers a variety of other transportation funding programs. Multiple federal agencies, including transit, railroad and highway, also have potential funding roles and therefore oversight capacities.



Public Space Makers Guest Curator Alex Washburn and Design Trust Fellow Casey Jones briefing panelists on the High Line.

**New York State and New York City** both could play a significant role in funding capital improvements, and would likely share financial responsibility for the High Line's ongoing maintenance. Moreover, the State and City are currently partnering in the development of the new Hudson River Park that runs adjacent to the High Line, and either or both might view a High Line project as competing for construction dollars with the park.

**New York State** has a special interest in that it is also the largest single owner of the developable land beneath the High Line, notably the vacant land at the north end adjacent to the Penn Station Rail Yards. Furthermore, the State would necessarily be the applicant to federal transportation funding programs. While the State has not yet taken an official stance pro or con re-use, Governor Pataki's First Deputy Secretary attended the forum.

The various branches of **New York City** government are currently divided on the viability of the High Line's redevelopment. While High Line construction would require fiscal commitment, the addition of a vital new public open space amenity to an area of Manhattan that ranks third to last in public parks could also appeal to voters.

- **The Mayor's Office**, through its Office of Environmental Coordination was the Lead Agency on the demolition application in 1992. The current administration remains in favor of demolition. All four Democratic mayoral candidates as well as the Republican candidate Mike Bloomberg have come out in favor of preserving the High Line.
- **Manhattan Borough President** C. Virginia Fields is a vocal proponent of re-use.

- **The City Council** unanimously passed a recent resolution urging the City and State to take specific steps to preserve re-use opportunities for the High Line. In addition, the City Council's 2001 budget includes a \$125,000 grant to the Friends of the High Line for further study. Council members Christine Quinn and Gifford Miller are among the Council's strongest advocates. At the forum, Councilman Miller confirmed his position by declaring, "We at City Council are not going to let this go down without a fight!" (Councilman Miller will be among the few councilpersons that will remain after this November's elections.)
- **Community Board #4** is very concerned with the issue, but has not resolved its stance apart from its longstanding resolution against demolition. (No representatives from the Board spoke at the forum.)

### **Citizens' Groups**

A group of community residents, business people and concerned citizens formed Friends of the High Line in 1999 to save the High Line from demolition. The group believes that this neglected landmark offers New Yorkers the opportunity to create a one-of-a-kind public open space that can be enjoyed by all. Re-use, they argue, will link the residential, cultural, commercial, recreational and industrial components of the neighborhoods along its length and could be an engine of economic growth.

In the mid-'80s, individuals owning land underneath the elevated High Line formed the Chelsea Property Owners, Inc. to effect demolition of the structure that is preventing them from developing the land in their possession. They argue that the abandoned, rusting structure is a visual blight on the neighborhood and, more importantly, its spalling concrete poses a serious hazard to passers-by.

### **CSX Corporation – The Current Owner of the High Line**

The rail company CSX Corporation, is committed to ceding ownership of the structure. It has been ordered by the federal government to work with all interested parties to effect the best exit strategy for the High Line, and to remain neutral as to the High Line's outcome.

## **III. REDEVELOPMENT ISSUES**

### **Design and Planning**

*Zoning* — With the recent gentrification of Chelsea and the North Village, real property adjacent to and underlying the High Line's south and center sections has greatly appreciated in value. In addition, many available vacant sites around the High Line's north end in the Penn Rail Yards at 34th Street are being developed or are slated for development. There also exist ambitious plans for building on public land in this district, including a major sports stadium, expansion of the Jacob K. Javits Convention Center and a subway line extension.

The panelists all acknowledged that a reclaimed High Line could positively impact this current transformation of a formerly industrial swath that (with or without the structure) begs for rezoning. They felt that, moreover, the structure could and should create its own unique linear district. They would like to see comprehensive planning result in the creation of a High Line zone which



The High Line traversing Chelsea from  
West 34th Street to Gansevoort Street.

Casey Jones

could establish height restrictions and make possible the transfer of air rights along the length of the structure. This would benefit current landowners and attract private investment. (CSX Corp. owns the rail line itself as well as an easement up to 20' above the tracks. As a result, current zoning allows property to be developed under the structure as well beginning 20' above the tracks. This permits the development of tall buildings that have the High Line tunneling through them, as was originally the case when the rail line delivered freight directly to the upper floors of factories.)

*Urban design* — Marilyn Jordan Taylor, the panel's urban design specialist, stated that above all, the High Line should retain its linear character ("Don't save just part of it," Ms. Taylor advised) and that its success – and security – depends upon multiple points of access. She would like to see the High Line relate to many structures along its length in various ways, and sees this as enriching the way it would be used and experienced. A master plan would need enough flexibility to allow the High Line to be informed by adjacent properties as they are developed over time. Planning Commissioner Amanda Burden also advocated designing the High Line incrementally and in a way that addresses the character and needs of the various neighborhoods along its length.

Listening to Ms. Taylor's presentation, the panelists concurred that a compelling design vision is a first requisite to inspire project advocacy and secure funding on any level, and further cautioned that the planning vision should not be driven by funding availability. The question was raised as to how an overarching design vision might begin to be developed. Ms. Taylor replied that the forum's organizer, the Design Trust for Public Space, is currently producing an extensive study that identifies specific design and planning issues relevant to the High Line and sets forth recommendations to guide subsequent physical planning.

#### **Politics and Finance**

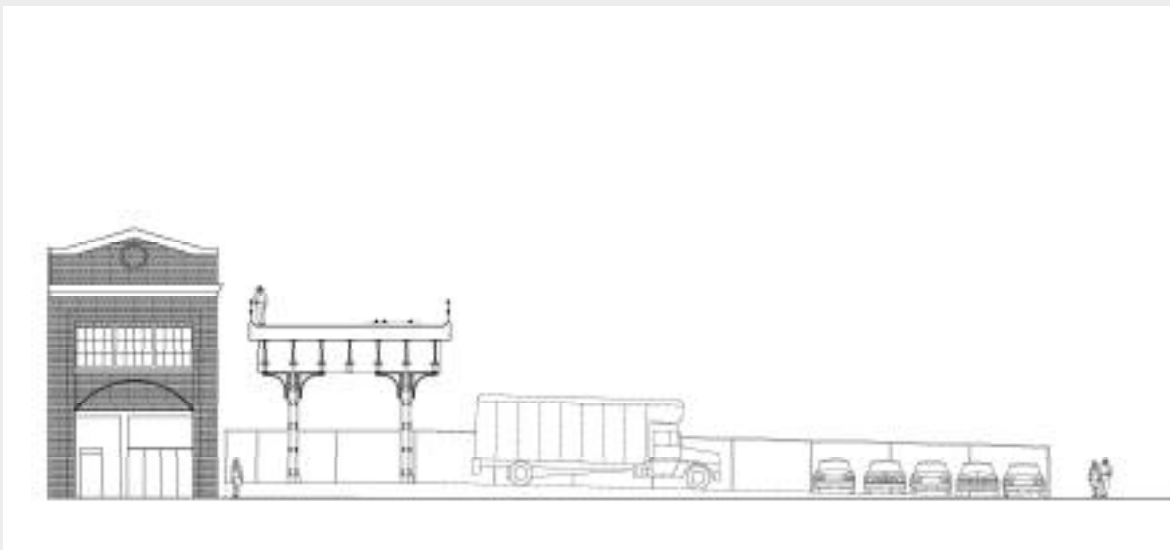
Capital funding for High Line redevelopment is currently estimated at (minimally) \$30m.-\$45m. based on industry estimates, exclusive of access points – a relatively small budget for a major new open space amenity. Maintenance funding is estimated at \$1.5 m. per year. Liability is also a cost issue: a government sponsor would be in the best position to assume the indemnification/liability risks, as they are self-insured.

Panelist Charles Shorter led the discussion on finance. He stated that financing should be achievable and recommended that the project developers assemble a wide variety of funding streams ("the Robert Moses model," as he put it). He urged that the High Line plan provide for a (pedestrian) transportation component to be eligible for the great availability of federal transportation funding.

He suggested that a redeveloped High Line should include a commercial component on or under the structure similar to Paris' Promenade Plantee, and pointed out that the current model of park sponsorship requires parks to be self-sustaining to some extent through revenue streams. John Lieber and Alex Washburn further discussed federal funding sources. Mr. Lieber concurred that the most abundant federal funds for capital projects are connected with transportation rather than with parks. They outlined a list of federal funding programs (listed below). Some of these, such as the program for port improvements, have been used to develop pedestrian promenades in other cities:

- Transportation and Community and System Preservation Pilot Program
- Highway Bridge Replacement and Rehabilitation Program
- TEA-21 money
- Bicycle Transportation and Pedestrian Walkways under NHS, STP (including Sect. 130 and 152) CMAQ, Federal Lands, Scenic Byways, and Recreational Trails funds
- Recreational Trails Program
- Railroad Rehabilitation and Improvement Financing Transportation and Infrastructure Finance and Innovation Act
- Federal funds dedicated to port improvement
- Federal Hazards Elimination Program: — elimination of grade crossings
- Federal Discretionary funds
- Federal Rails to Trails: need state and — support to activate Rails to Trails monies.
- Federal highway trust fund: Transportation Enhancements (through State); Transportation and Community and System Preservation Pilot Program (competitive/and/or discretionary)
- Federal Transportation Bill 2003 “demonstration projects”

A resounding theme of the forum was that for many reasons, any redevelopment effort needs significant government commitment – at the City and State level – early on. Planning Commissioner Burden advised that, if initial government commitment can be secured, a public authority, conservancy or trust could be created whose mission would be to secure hybrid funding and spearhead development.



Section of the High Line.

Casey Jones



Stephen Crosby, President of CSX Real Property, concurred that while a government intermediary is needed to secure federal funding, plans for a redeveloped High Line should tap into private investment. He underscored the hope that zoning changes, particularly in Chelsea, might create ways for underlying and adjacent landowners to realize some gain from a new public High Line. He felt the property owners and friends of the High Line need not be adversaries, and emphasized the advantage to incorporating the current property owners' ideas and interests into future planning. A representative from the Chelsea Property Owners' group commented that the type of consensus building afforded by this forum could potentially be quite useful.

#### IV. NEXT STEPS AND RELATED ACTIVITIES

The **Public Space Makers** forum was a major step toward understanding and productively channeling the concerns of all parties, and laying out the issues and positions surrounding State and local government support. That said, considerable negotiations still need to occur.

After the **Public Space Makers** forum in June, the efforts of the Chelsea Property Owners and the City of New York were focused on finalizing a demolition agreement before the end of the Giuliani administration. Friends of the High Line had secured the support of all six mayoral candidates and were preparing to challenge the city's participation in the demolition agreement, but all activities stopped on September 11.

By early October, however, the demolition advocates (Chelsea Property Owners) and the Giuliani administration were again pressing forward to conclude a demolition agreement before the end of that administration. Friends of the High Line is monitoring developments and plans to fight any movement by the City towards demolition.

From another perspective, the Design Trust for Public Space is producing an extensive study of the High Line to move forward a design vision for the High Line. The project, **Reclaiming the High Line**, undertaken in partnership with Friends of the High Line, and led by architect Casey Jones, provides a framework to address critical design issues. The Design Trust is also sponsoring a web component to the project, designed by architect Keller Easterling that allows users to explore the many dimensions of an imagined and real High Line. The project report and the website will be available in January 2002.

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**Andrea Woodner**  
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## ADDITIONAL RESOURCE MATERIALS

- Committee on State and Federal Legislation, City Council, *Report of the Legal and Governmental Affairs Division: Resolution calling upon the Governor of the State of New York, the Mayor of the City of New York and the Metropolitan Transportation Authority ("MTA") to take all necessary steps to obtain a Certificate of Interim Trail Use from the United States Surface Transportation Board ("STB") in connection with "railbanking" the elevated railroad viaduct running from 75-95 Gansevoort Street through 547-55 West 34th Street, Manhattan (commonly referred to as the "High Line")*, April 18, 2001. (available from City Council)
- Friends of the High Line website – [www.thehighline.org](http://www.thehighline.org)
- Adam Gopnik, "A Walk on the High Line: The Allure of a Derelict Railroad Track in Spring," *The New Yorker*, May 21, 2001, 44-49.
- High Line Virtual Tour, Old New York City – [www.oldnyc.com/highline/contents/highline.html](http://www.oldnyc.com/highline/contents/highline.html)
- Alexandros Washburn, *Panelists' Briefing Materials, Public Space Makers: The Future of the High Line*, June 11, 2001. Includes sections on the Politics, Finance and Design issues surrounding the High Line, as well as the following appendices: Early Chronology; Robert Moses Sources and Uses; Ownership Data; Construction Data. (available from the Design Trust for Public Space)

### Available in January 2002:

- Keller Easterling, website on *Reclaiming the High Line* – see link on [www.designtrust.org](http://www.designtrust.org)
- Casey Jones, project report on *Reclaiming the High Line* – see link on [www.designtrust.org](http://www.designtrust.org)

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### ABOUT PUBLIC SPACE MAKERS

**Public Space Makers** forums are designed to help move New York's worthy public space projects forward to become reality for the benefit of all its citizens. Participants include key decision makers in politics, finance and design, whose knowledge or opinion is particularly relevant to specific issues of pedestrian infrastructure, institutional and public construction, and parks and open space development.

Public Space Makers is sponsored by the **Design Trust for Public Space**, a non-profit organization dedicated to the improvement of New York City's public built environment. The Design Trust brings private sector design professionals together with public entities to provide design expertise in a planning, development or policy context at early stages of project development.

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