IT'S WIDELY REFERRED TO as New York City's most significant park project since Central Park. Set between Manhattan's West Side Highway and the Hudson River, Hudson River Park, when completed, will stretch northward from Battery Park in lower Manhattan for five miles. For most of its length, the park is a narrow band just 100 to 300 feet wide, but it manages to incorporate into its design 13 park piers. And although it is far from being finished, the new park has transformed a decrepit waterfront, which until recently was inaccessible in many places and featured rotting piers and homeless encampments.

The park is being developed in seven segments by teams of landscape architects, marine engineers, and architects (see "How the West Was Done," page 96). The first of these, the Greenwich Village segment, three-quarters of a mile long, was completed last summer. Designed by landscape architects Abel Bainson Burz, this section contains striking landscape architecture, including three new piers, the longest of which extends 800 feet into the river. On the other side of the West Side Highway, which parallels the completed park section, buildings designed by top-of-the-line architects such as Richard Meier are going up on some of the city's most inflated real estate. On summer days, the meticulously manicured riverside lawns are covered by a multitude of sunbathers, and bicyclists and rollerbladers jam its bike path.

Nor only is the recently completed section of park just about the cleanest in the city, taxpayers don't have to pay to maintain it. In 1998, New York state and New York City passed legislation known as the Hudson River Park Act, which created both the park and an independent agency, the Hudson River Park Trust, to take charge of designing, building, and maintaining the park. The trust's capital budget for park design and construction comes from appropriations by the state and the city, thanks to the trust's separate budget, but Hudson River Park is the first major publicly owned park in New York state to pay completely for its own upkeep. Four large sites within the park are designated for commercial development, which is supposed to generate an estimated $10 million for the park's annual maintenance and operations costs. One of these sites is the Chelsea Piers complex, a development that began a few years before the park was formally established and consists of a sports club, banquet facilities, restaurants, film studios, and other businesses. Farther upriver is the 42nd Street Maritime District, which has some of the city's most popular tourist attractions, including the Circle Line, a local cruise ship operation, and the Intrepid Sea-Air-Space Museum, housed in a World War II aircraft carrier docked in the park.

WITH ITS NOVEL FINANCING scheme and its spectacular design, Hudson River Park is fast becoming a new paradigm for park development. A trust (Continued on Page 160)
(Continued from Page 164) similar to the Hudson River Park Trust was recently established to create Brooklyn Bridge Park, which will be the largest park built in Brooklyn since Prospect Park in the late nineteenth century. And Hudson River Park Trust Chairman Charles Dorkey has said that almost every day his staff receives calls from designers and planners around the world who are interested in details about the trust.

But while the trust is garnering international attention, a New York State Assembly committee is conducting a formal inquiry into its operations, and parks advocate groups have repeatedly threatened to take legal action against it. The trust's critics are charging that the agency is unaccountable to the public and that it is supportive of private enterprise at the expense of open space. Some of the most contentious issues include the frequent closing of large sections of the park for private events, the types of commercial enterprises permitted in the park, and the allowed locations of those enterprises.

Does the trust have an inherent conflict of interest because it operates as both a development and a parks agency? Some think it does. “Once a public authority is set up, it becomes a self-running machine that has little to do with parks and more to do with generating income,” says Stuart Waldman, a board member of the Federation to Preserve the Greenwich Village Waterfront and Great Port, an umbrella group of more than 40 block associations bordering the park. Waldman says he believes the park’s original design may become compromised by private enterprise even though only part of the park has been expressly set aside for commercial use.

“Nothing is wrong with allowing a hot dog stand into the park, because it’s a benefit to the park,” he says, “but when you begin with the premise that the park has to be supported by commercial uses—then you stop looking at whether they’re really a benefit.”

How does the trust respond to such charges? In response to written questions, Christopher W. Martin, vice president of marketing and public affairs, contends that the design of the park hasn’t been compromised. “There have been no significant changes to the overall approach to the design since the release of the 1995 concept plan,” writes Martin, who maintains that there is no danger that further revenue-generating facilities would be needed beyond those already set aside in the Hudson River Park Act.

But development proposals, such as floating nightclubs on the Hudson River and a barge in the park with a Concorde jetliner on it, are fueling controversy. Under the Hudson River Park Act, there are legal guidelines for what types of development are permitted within the park and where that development can occur. “I think that the trust has not been living up to the Hudson River Park Act,” says New York State Assembly Member Richard Gottfried, who was one of the architects of the legislation creating the park. “The basic concept of the park act is that what goes on in the park should be ordinary park activities or water-dependent uses,” he says, adding that “there are exceptions in the act for the commercial piers, but even there the permitted uses are not unlimited.”

Especially controversial were proposals last year by private developers—some of them for big box stores—for the officially designated commercial sites. On Pier 40, a 14-acre area of the park adjacent to the Greenwich Village segment, commercial developments would have financed the area of the pier (approximately 50 percent) that had been set aside for park uses such as athletic fields and open space. However, many people were opposed to the size and the types of commercial enterprises proposed: One proposal, for example, was for an aquarium. And the Hudson River Park Act was sufficiently vague that there were major differences of opinion about whether the big box stores were actually permitted. “I think that a lot of what was being planned for Pier 40 was not allowed under the law,” says Gottfried. “I personally think those [big box stores] were a violation of the statute,” he says, “but there were some people who interpret it differently.”

One of the controversial development proposals for Pier 40 was withdrawn, and three others were ultimately rejected by the trust. And although the trust is now soliciting proposals for interim ball fields there, its inability to choose a permanent redevelopment plan for the pier postponed the building of a large section of the park.

In addition, the park’s capital budget is facing a major shortfall. After five years in operation, the trust has completed only the Greenwich Village segment, which is 20 percent of the total park. The trust is due to exhaust its $200 million capital budget at the end of this year and needs an estimated $200 million more to finish building the park. “No one knows where the money is going to come from,” says Assemblyman Richard Brodsky. Not only did Governor George Pataki cut the park’s capital funding
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in this year's budget, but the trust has also been less than aggressive about obtaining more public money, says Brodsky, who chairs the assembly committee reviewing the trust's operations.

Given the current fiscal situation, many park advocacy groups and community activists fear that the trust will make concessions to the private sector if other sources of funding do not become available. Not only are the commercial areas within the park drawing serious interest from private developers, but its public piers have also become some of the hottest "event" sites in the city: Some say that areas within the park not expressly designated for commercial activity are already being compromised. High-profile companies such as Travel and Leisure rent them out for private parties. Last summer, several of the park's piers were frequently closed to the public for fashion shows and private events. In addition, events such as the flying-projectile contest called Flight Day, sponsored by Red Bull, took over a substantial portion of the Greenwich Village segment. "Everybody who went probably had a good time," says Albert Butzel, president of the Friends of Hudson River Park, a prominent park advocacy group. "But was it appropriate? I don't think it was if you have to close down the park for two or three days."

WHETHER the Hudson River Park model is flawed or merely needs fine-tuning, the debate over its commercialization has national ramifications. Municipalities throughout the country are in financial straits, and park budgets are frequently the first service to be slashed. Park planners and designers are looking for new strategies to develop and maintain parks. "The thing is that in the twenty-first century, we cannot afford the same kind of model that was viable in the nineteenth and early twentieth centuries," says Tom Fox, who played a major role in establishing the park as president of the Hudson River Park Conservancy, the predecessor organization to the trust. "Our tax system right now takes care of public welfare and elements of social services that were never contemplated in the 1890s and 1930s when they were building all of the great parks on public money," he says. Still, Fox argues that parks shouldn't be viewed as unaffordable luxuries in a time of tight budgets. "Parks make a significant contribution to any city in terms of the image of the city, the real estate values that are directly adjacent, stormwater retention, air pollution control, noise abatement—all of those elements that green nature brings to the city," he says. "If you look at the actual aggregate of those benefits, parks more than pay for themselves. How do you capture that revenue?"

But now Fox himself has concerns about the particular park management model in Hudson River Park that he played a major role in creating. "I am feeling very bad about having opened Pandora's box here," he says. "I made the compromises, and I thought we made legitimate compromises. We had to find a way to finance this park. You cannot build a new park and say we have to finance this park off everyone else's back."

"There is this tension of privatizing or commercializing parts of a park in order to generate money to pay for the rest of the park, but in an era of scarce resources, this becomes one of the ways of doing things," says Jerold S. Kayden, professor of urban planning at the Harvard Graduate School of Design (see "Public Defender," Landscape Architecture, March 2003). "Do we lose to some degree some of the very qualities of a public park? Yes." Having the private sector help finance parks, Kayden says, "requires perhaps more vigorous policing to assure that the conflict doesn't erupt into open warfare in which the private forces win out over the public forces."

Many, however, see no inherent conflicts in inviting the private sector into the park development business. Edmund Hollander, ASLA, whose firm, Edmund D. Hollander Design, P.C., designed the landscape for Chelsea Piers, argues that private sector development within a public park enhances a park visitor's experience, especially in redeveloping waterfront areas. "There's no reason that public-private partnerships shouldn't be included in parks like this," says Hollander, who reminds us that an important criterion of a successful park is its ability to draw people. "Restaurants, cafés, and other commercial elements probably make the park more usable."

Other landscape architects are more skeptical. Peter Rothschild, ASLA, of Quennell Rothschild in New York, feels that making a park wholly dependent on private enterprises is not an appropriate way to supplement dwindling public resources for parks. "Everybody has trouble maintaining [parks] because maintenance costs have gone up and revenues are down," says Rothschild, whose firm coauthored Hudson River Park's master plan with Signe Nielsen Landscape Architects. "But I think that it is a dark day for parks when you start supplanting traditional park uses with uses that you would never conceive of having in a million years except because they produce revenue," he says. For Rothschild, the failure to fund parks doesn't have so much to do with diminished municipal resources as it does with a failure in political leadership. "There are a lot of places in the world like Paris or Barcelona where they have the same economic and financial pressures, but somehow leadership has emerged that has overcome those obstacles and created something of very high quality, such as André Citroën Park."

Rothschild recognizes that there are places in this country where commercial activity has been largely successful in helping to support parks. The Boston Common, for example, has a parking garage underneath it that helps finance the park, while in Minneapolis the Park Department derives income from commercial development on land adjacent to parks. But Rothschild says that these arrangements are fundamentally different from Hudson River Park, which is completely financially dependent on commercial development within it that directly abuts public space.
The need to accommodate and attract commercial enterprises has already had ramifications on the park's design, says Rothschild. Further complicating design decisions is the extreme linearity of the park. To make room for a three-lane service road that runs parallel to the West Side Highway in front of the enclosed Chelsea Piers complex, the park's bikeway and the esplanade had to be narrower than in other parts of the park—in fact, the esplanade shrivels to a sidewalk there.

"As planners of the park, we were trying to build the highest-quality, largest park that we could," says Rothschild, "but there were conflicting interests; in this case the operators of Chelsea Piers said they needed more space." According to Rothschild, Chelsea Piers received an especially generous service road after protracted negotiations. "I think that it (the service road) is too big," Rothschild says, "and I think that the park was compromised in this negotiation. Very small subtractions of parkland were significant because the park is so narrow; the park was in competition with fairly objective issues like traffic safety—the level of vehicular service that could be delivered on this [service] road to meet the demand."

But according to Michael Bradley, the trust's former vice president of Real Estate and Operations, the contested space was not enough to add much to a park experience anyway. Executives at Chelsea Piers say that their three-lane driveway doesn't detract from the park because of an indoor corridor that passes through their complex past parking lots and restaurants, as well as a gated walkway that runs around the edges of the three piers that they lease. "There is tremendous public access in and throughout Chelsea Piers; it is a great amenity on the waterfront," says David Tewksbury, executive vice president of Chelsea Piers. "I think that Mr. Rothschild would be hard-pressed to design anything as attractive and appealing for a city like New York," he says.

With the trust running out of funds and development of the park behind schedule, the concern is that the park will accommodate more private enterprise and "pay to play" activities and that it will subvert the original land use plan set forth in the Hudson River Park Act. This past autumn, a skating rink was proposed for a section south of the Greenwich Village segment; the opposition said that it would have permanently gobbled up part of the esplanade and most of the adjacent upland area designated for lawns and gardens. In addition, the trust has been leasing undeveloped parts of the park—on land slated for open space—to private operators for interim recreational businesses. In undeveloped areas of the TriBeCa segment, directly south of the Greenwich Village segment, there is a trapeze school, a skateboard rink, and batting cages. In a section of Pier 62 designated for park development, Chelsea Piers has built a roller-skating rink and a skateboard park.

The shortage of capital funds could mean that the development of substantial portions of the park will be postponed indefinitely, making the "temporary" uses permanent ones. Because the park is so narrow, allowing the interim businesses to remain in the park could wreck the quality of whatever open space eventually gets developed, says Waldman. "The park has been designed as a green esplanade with 13 finger piers; every time you add an enclosed structure or open structure that restricts that area to a single use, you are restricting open space," he says. "We are talking about a very skinny esplanade for the population that uses it."

But who is to say what kinds of activity should be allowed in a public park—community activists or paying customers? "Chelsea Piers may be the most visited site in all of New York City," says Hollander. "This is where landscape architects sometimes get carried away with their own thinking of what's right and what's wrong, as opposed to what New Yorkers want. The skating rinks and that northermost pier [Pier 62, which is temporarily run by Chelsea Piers and on which Hollander worked] are heavily used by people. To say that [the public] is wrong and you should have grass instead [shows that] there's a little bit of arrogance sometimes on the part of designers," he says.

For many, preserving a park's civic attributes requires substantial and ongoing public investment. "It is clear that, for an entity like Central Park or relatively small parks like Union Square, the parks cannot generate enough revenue to support themselves without totally subverting the whole idea of a park," says Rothschild. "Yankee Stadium is a park and so is Shea Stadium, and the revenues that they generate go into New York City's general fund," he says. "I have no problem with that, but put Shea Stadium inside Central Park and I have a problem with that."

Even though the trust is nominally a public agency, for many, it is acting more like an agent for private development. "You can privatize a lot of things, but to privatize open space is abdicating an essential part of what has evolved in our government in the last 200 years," says Waldman. "What is to stop our national parks from being privatized? When it is very expensive to maintain, they can say let's start building things."

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