

Housing and Urban Development Considerations

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AS a representative of the Department of Housing and Urban Development, I would like to enumerate the principal authorizations and designate the areas of multiple use arising out of the authorization and then, at the risk of going beyond the boundaries of the subject, to project a few concepts of some of the more obvious uses that I think are attainable.

There are two principal legislative enactments concerning the use of air rights as they pertain to urban renewal — both enactments, however, have more emphasis on limitations rather than use. The Housing Act of 1964 authorized renewal projects for air right developments but limited the sites for use in housing of low and moderate income families and for closely related uses. It accepted as proper project costs those incurred for foundations and platforms but with the further stricture that the costs not be greater than sites that could be provided through use of cleared land. This was further limited administratively by a prohibition of expenditures for acquisition of airspace over publicly owned areas and rights-of-way. In 1966, the Demonstration Cities and Metropolitan Act extended the use of air rights sites in renewal areas to be used for industrial development if they were determined to be unsuitable for low and moderate income housing. The Housing Act of 1968 further extended this use for educational purposes with the same limitation.

It is obvious that legislation that is so restrictive and essentially negative in character cannot be expected to make a major contribution to solving some of the basic problems accompanying the increasing

urbanization of our country. In fact, little use has been made of the authorization permitted under the Housing Acts of 1964 and 1966, and of course, none under the recently enacted Housing Act of 1968.

Only two instances of use of air rights under this legislation have reached the approval stage. One in New Bedford, Massachusetts, provides for an air rights platform of 194,600 square feet, with 124,000 square feet allocated to nonvehicular open space and 70,600 square feet devoted to buildings for low and moderate income families. The site will be located within walking distance of schools, churches, banks, and other downtown services. A medical center will be linked by a pedestrian overpass to a new commercial civic complex located just south of the air rights site. The platform will cover a municipal parking area, local service rights-of-way, and a small portion of Interstate 6.

The RLA recently approved an application by the District of Columbia Redevelopment Land Agency to expand the Northwest I Urban Renewal Project area in order to provide for the joint construction of part of the Center Leg Freeway and housing in a two-block area in space over part of the freeway. The "multiple-use site," as it is designated under the Urban Renewal Plan, is to be created by covering the freeway with a platform. The total site, including adjacent ground, will occupy about five acres. The plan will permit the construction of approximately 300 units of housing for low and moderate income families, which is critically needed in the District of Columbia. In addition, the plan requires that one acre be devoted to a public park.

This proposal was initiated by the D. C. Department of Highways working closely with the Urban League's Neighborhood Development Center. It was their objective to develop a method to provide new relocation housing for families to be displaced for the freeway right-of-way in this area and by other freeway projects.

The Highway Department then sought the RLA's participation to develop a feasible procedure utilizing urban renewal assistance. Together, these agencies requested the National Capital Planning Commission to expand the Northwest I Project Area boundaries to include an adjacent area in which the approved right-of-way for the proposed Center Leg Freeway was located.

The Planning Commission adopted the modified project boundaries and modifications to the urban renewal plan establishing controls and regulations for the multiple use site providing for the redevelopment of the site for housing for families of low and moderate income on the surface, and the construction of the freeway below the surface through part of the site. These modifications were then approved by the District of Columbia Council as required for urban renewal projects.

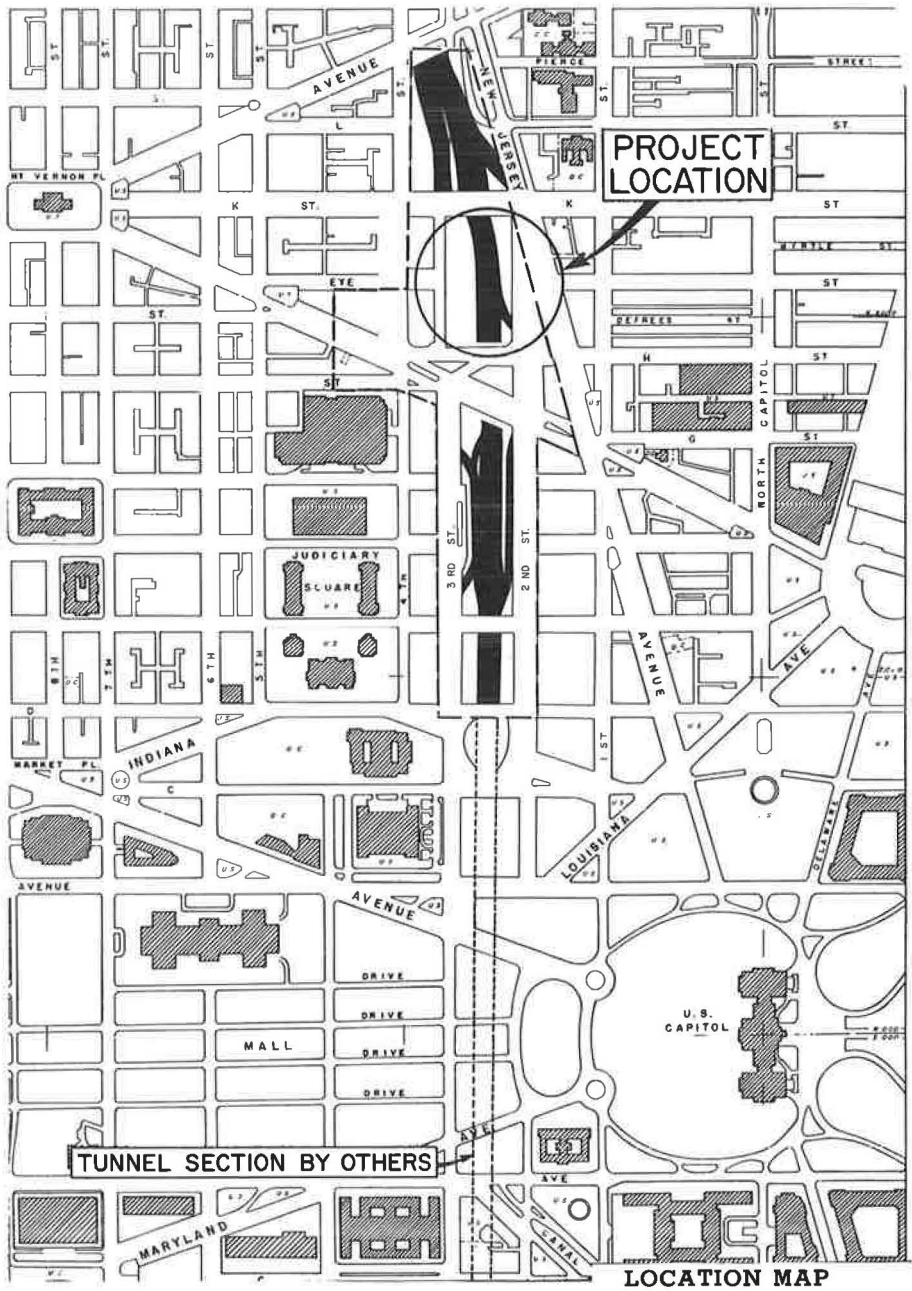
The development of the area over the freeway more effectively utilizes urban space. In addition, this proposal will substantially improve the environmental quality of the surrounding neighborhood. It



The U.S. Department of Housing and Urban Development has recently approved the use of Federal-aid funds for the development of the air rights over part of the center leg of the Inner Loop Freeway (Interstate 95) in the District of Columbia. The depressed freeway will be decked over and high rise apartments and town houses will be constructed. (Source: Tippetts, Abbott, McCarthy, Stratton, The Joint Development of Housing & Freeways. New York, N. Y., 1967.)

will eliminate several of the undesirable effects of freeways in dense urban areas. Instead of creating a canyon disrupting the continuity of the surface uses, the freeway will be built in a cut entirely below existing grade and will be covered by a continuous platform approximately 1300 feet long. The tunnel will be ventilated by ducts in at least one residential high-rise building. This will eliminate noise and fumes and there will be no visual evidence of the location or presence of freeway from the surface of the multiple use site or adjacent areas.

Greater efforts should be made to at least use airspace over publicly owned rights-of-way, considering the problems arising from fur-



Location of air rights development over the center leg of the Inner Loop Freeway in Washington, D.C.

ther extension of the sprawl that now besets us and the pressure of skyrocketing costs of land in our cities. This is particularly evident when we examine the use now made of the land in some of our large metropolitan centers, for instance, in Los Angeles where two-thirds of the total downtown area is allocated to streets, or in Detroit where one-half of the central area is given to streets and parking lots. What a shameful waste of prime land! We cannot afford to use only the surface plane much longer.

According to a study made by Texas A&M University, land values gained 544 percent over the period 1941 to 1955 in Houston — and this in a state and city that is blessed with an abundance of land.

Along Boston's circumferential freeway, property values jumped as high as 700 percent after its construction, and in Atlanta, values along its freeway skyrocketed from \$100 to \$400 per acre to \$1,200 to \$1,400 almost overnight, demonstrating that people are willing to pay for easy access to work, shopping facilities, etc. How much easier it would be for many if we used the space available to us in the downtown areas. Considering the continued urbanization of our country and the prospect that continued population growth will require accommodations and services for another 100 million Americans by the turn of the century, we cannot longer afford such a profligate use of land. We are in the space age; let's apply this concept on the ground as well as in our race to the moon.

Some of the legal problems and limitations have been discussed. I think it might also be important to mention some of the other problems even if they are obvious to all, as they must be solved. In a way, legal problems are the simplest to solve because they are susceptible to legislative action. Other problems require a change in human habits and behavior. These are usually more difficult to change than accepting new legal concepts.

One of the persistent problems that we face in any multiple use is the fact that we must bridge the gaps between the agencies authorized to provide solutions to only part of the problem. The fragmented nature of our governmental structures does not encourage expanded approaches. The roadbuilder whose prime objective is a transportation course facilitating the movement of goods and services has enough problems with costs, safety features, and engineering limitations without becoming involved in the psychological impact on adjacent residential owners who are antagonistic to fast-moving traffic after they have driven home.

Even after we have engaged the highway engineer in a dialogue with the urban planner and have harmonized the objectives, we have the problems not only of different schedules, timetables, authority, and jurisdictions, but the inevitable one of cost. Who pays the bill? With limited budgets and expanding demands, this question often terminates the discourse.

These problems are difficult enough between public agencies but when you add the private sector with its profit objectives, all kinds of ethical as well as legal obstacles are added. It is therefore understandable that renewal legislation is so restrictive in its application. We have accepted as public policy the fact that low-income people are proper recipients of a public subsidy but we have not accepted its broader use, and we prevent many of the most desirable uses that would make it economically feasible and therefore acceptable.

I believe it is particularly unrealistic for one governmental agency to expect payment for air rights from another public agency. The cost inherent in utilizing air rights by building the necessary structures and platforms is burdensome enough without payment for unused space above public rights-of-way. In fact, we should be recognizing that the costs of implementation should be shared by all public agencies involved as part of the preparation for multiple use. The preparation for total use of space as well as surface use should be standard operating procedure. It would make for better planning and in the long run would be less expensive.

The construction of a mass transit system whether rail-borne or rubber-borne should be considered for principal public arteries. The median strip should be wide enough, and the roadway should be designed for construction of one or more decks. The price this country is going to pay for failure to provide rights-of-way for mass transit is horrendous. Airspace offers solutions that would be cheaper than subsurface.

A major problem facing us in urban areas is the problem of separation of vehicular traffic from pedestrians. Use of urban space should facilitate the conduct of business by vertical travel rather than by further extending the distances on the surface plane.

The Philadelphia-Market Street East Urban Renewal Project is a good example of the great potential for multiple use of public rights-of-way incorporated into good urban design. The Transportation-Mall Center is a bold multilevel complex designed as a huge megastructure. The structure is eight levels, beginning two levels below the street, above which will rise a series of office buildings providing up to 3,000,000 square feet of office space.

Two levels below the street there is to be a commuter rail station replacing the present Reading Terminal and providing a crosstown link between the Reading and Pennsylvania commuter lines. On this same level there will be a truck tunnel to service the entire complex. One level below the street will be the air-conditioned skylit concourse level, the spine of the pedestrian circulation system. Retail activity will face both sides of the mall and the rail station will be at the center. This level also will contain the subway lines and reconstructed subway concourse and stations. The street level plan provides open entry via escalators into the concourse plazas and pedestrian mall. One level above the

street, the commuter bus station, a platform, will run the full length of the Transportation-Mall Center. In addition, the intercity bus terminal will occupy a compact single block in the center of the complex. Escalators will lead into each midblock plaza. Two levels above the street will begin four to five levels of parking served by expressway links. The roof plan calls for the Center to be topped by eight high-rise office buildings located to relate to elevator and service cores. This is an example of what can and should be done if we are to make reasonable use of the third dimension in our cities.

There are innumerable opportunities to use the technology developed for other uses that could be adapted to help solve some of those urban problems by coupling them with multiple use of public rights-of-way. Why not construct utility tunnels for power, heat, and air conditioning ducts in public rights-of-way connected with nuclear energy stations designed to serve entire communities? Why not remove solid waste by conveyor belts in utility tunnels and lessen traffic congestion in downtown areas by avoiding the need for garbage trucks on congested streets? By the year 2000, we will be faced with the problem of the daily removal of 260 million tons of solid wastes from our cities.

Since we have designed most of our cities around the use of the automobile, we have not only produced nightmares in traffic problems but we have encouraged the desertion of our cities as desirable living habitats. The result has been urban sprawl. This has been exacerbated by zoning laws which cause people to live away from their work, shopping opportunities, and cultural enrichment — leaving the cities' downtown areas deserted and dead after office hours. Europeans love and live in their cities. Why shouldn't we?

We need to bring people back to live in proximity to their work, and their recreational and cultural opportunities. This means multiple use of surface space for living and recreational facilities. Here again the source of space most available is rights-of-way now used for streets, freeways, and transit use.

A good example of the use of highway air rights is Concourse Village in New York City, which stands athwart the New Haven Railroad yards in the Bronx. Another is the Bridge Apartments, opened in 1963, over the Manhattan approaches to the George Washington Bridge. Other examples are the following:

- The municipal building complex over the Interstate Highway in Fall River, Massachusetts.
- Libraries over major thoroughfares in Buffalo, New York, and Hartford, Connecticut.
- The U. S. Post Office Building over Congress Street Expressway in Chicago.
- Cobo Exhibition Hall over the John Lodge Expressway in Detroit.

- The Prudential Center over the Massachusetts Turnpike in Boston.

These are proof of what can be done with airspaces that criss cross our metropolitan complexes. Many cities are taking a new look at rights-of-way and airspace. Pittsburgh urban planners have on the books a complex of modern high-rise communities that will be erected over the Pennsylvania Railroad right-of-way in the Lawrenceville section.

Achievement of the full potential of air right uses over highways would in fact seem to depend upon the quality of planning for such uses within the broader context of urban development. Among the broader considerations underlying the existing cases of airspace development are the following:

1. The scarcity of developable land within a city along with its constantly rising price;
2. The prospect of restoring in part the tax-paying capacity lost through public streets;
3. The avoidance of splitting established neighborhoods; the ability to provide sequence to design; and most important, the building of livable cities.

We pride ourselves in our capacity to build with ever-expanding new technologies, but we sometimes lose sight of the purpose for which we build. We build for people — to protect their health and safety and to enrich their lives. No cost should be too great to achieve this objective.

Panel Discussion

MR. McGRATH: Will the neighborhood development program expedite execution of the corridor development concept and has the Department of HUD done work to integrate this with the joint development concept as proposed so dramatically to us by Mr. Bridwell?

MR. HUMMEL: The neighborhood development program of urban renewal will greatly facilitate because, first of all, it is on a program basis rather than a project basis and fits into the local community's financing methods. The approval is on a year basis plus a tentative approval for the second year, which is consistent with most of the capital development programs of the local community. So it fits as a program into the time schedule.

Second, the area designated as the neighborhood development area can be much larger than the present urban renewal program and can embrace more than one area — noncontiguous as well as contiguous areas. So if you had an area with a freeway going through it you might have four or five spots on that freeway where you would need urban renewal assistance to solve some of your highway problems, and it would fit in very closely with the highway development program. I say it would greatly facilitate it.