

# PUBLIC

## **PUBLIC SPACE**

THIS CHAPTER SHOWS THE DIFFERENT NATURES OF PUBLIC SPACES AND HOW THESE ARE STATISTICALLY AND GEOGRAPHICALLY DIVIDED

## **PUBLIC AMENITIES**

THE DIFFERENT PLACES OF INDOOR PUBLIC ASSEMBLY IN THE NEW YORK PUBLIC DOMAIN

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# Public Space

A public space refers to an area or place that is open and accessible to all people, regardless of gender, race, ethnicity, age or socio-economic level. These can be public gathering spaces such as parks, plaza's or playground. Connecting spaces, such as sidewalks and streets, are also considered public spaces. Besides that, in the 21st century, some even consider the virtual spaces available through the internet as a new type of public space that develops interaction and social mixing. Public spaces can play a key role in improving citizens' inclusion by acting as places for intercultural dialogue and exchange<sup>1</sup>.

In addition to public outdoor spaces, to a limited extent, buildings which are open to the public, such as public libraries or governmental institutions, are also public spaces, although they tend to have restricted areas and greater limits upon use. This kind of public space is dealt with the next chapter called Public Amenities. The intention here is not to take a position on the quality of New York's public realm. Nor is it an attempt to identify design issues or challenges. This chapter is meant as a collection of data, providing a solid basis of understanding of the city as seen from the perspective of the public space.

In order to better understand the public space in New York City, firstly the fascinating mechanism of Privately Owned Public Spaces is examined. Hereafter, an elaboration of the way Manhattan's public space has been produced over the past decades. Finally, a quantitative description is provided of the public spaces, their sizes and the way they compare to each other. A conclusion is drawn that highlights the condition of public space in Manhattan, the Midtown district in particular.



<sup>1</sup> UNESCO (2017) via [www.unesco.org](http://www.unesco.org)

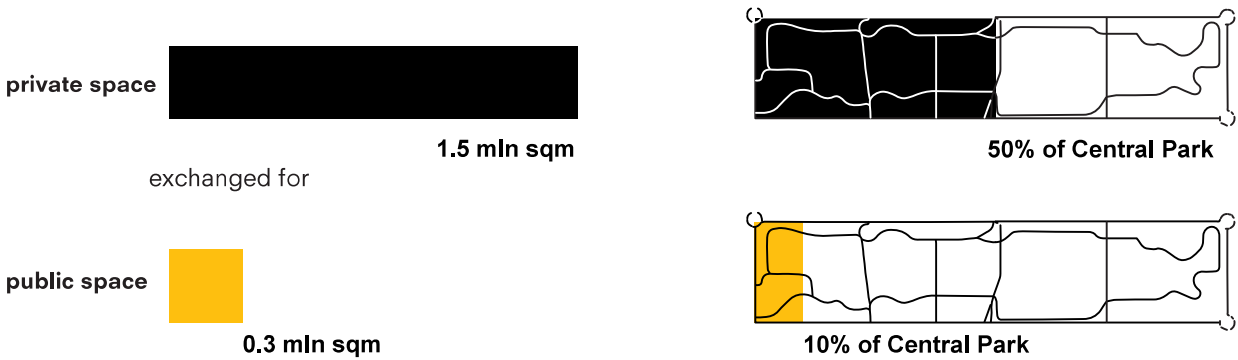


The POPS Mechanism

In the past century, New York City has been subject to a surging process of densification resulting in a vastly concentrated built environment. As a consequence of this industrial densification, increasing debates and legislation for desirable public spaces are instigated. Since the introduction of the widely discussed 1916 Zoning Resolution, regulations dealt with the balance of mass and void - closed and open space - of New York. The entire rationale behind this initial law was to prevent private developers to extrude 100 percent of the lot into a building, which kept light and air from reaching the ground level of the streets. Whereas this rule restrained intensive private development, it did not address the public space.

It took over half a century for the city to introduce the first change to the 1916 Zoning Resolution, which reflected significant transformations in the urban fabric of New York: the 1961 Zoning Resolution. This resolution divided the city into residential, commercial, and manufacturing areas, in order to accommodate the changing economy, an increasing population, and the growth of car traffic. Furthermore, the resolution introduced an incentive mechanism that allows private developers to add up to 20 percent additional floor area<sup>2</sup> to their buildings in exchange for the provision of publicly accessible spaces, specifically plazas and arcades, which in other words can be described as Privately Owned Public Space or POPS. It is exactly this mechanism that is at the center of this personal fascination.

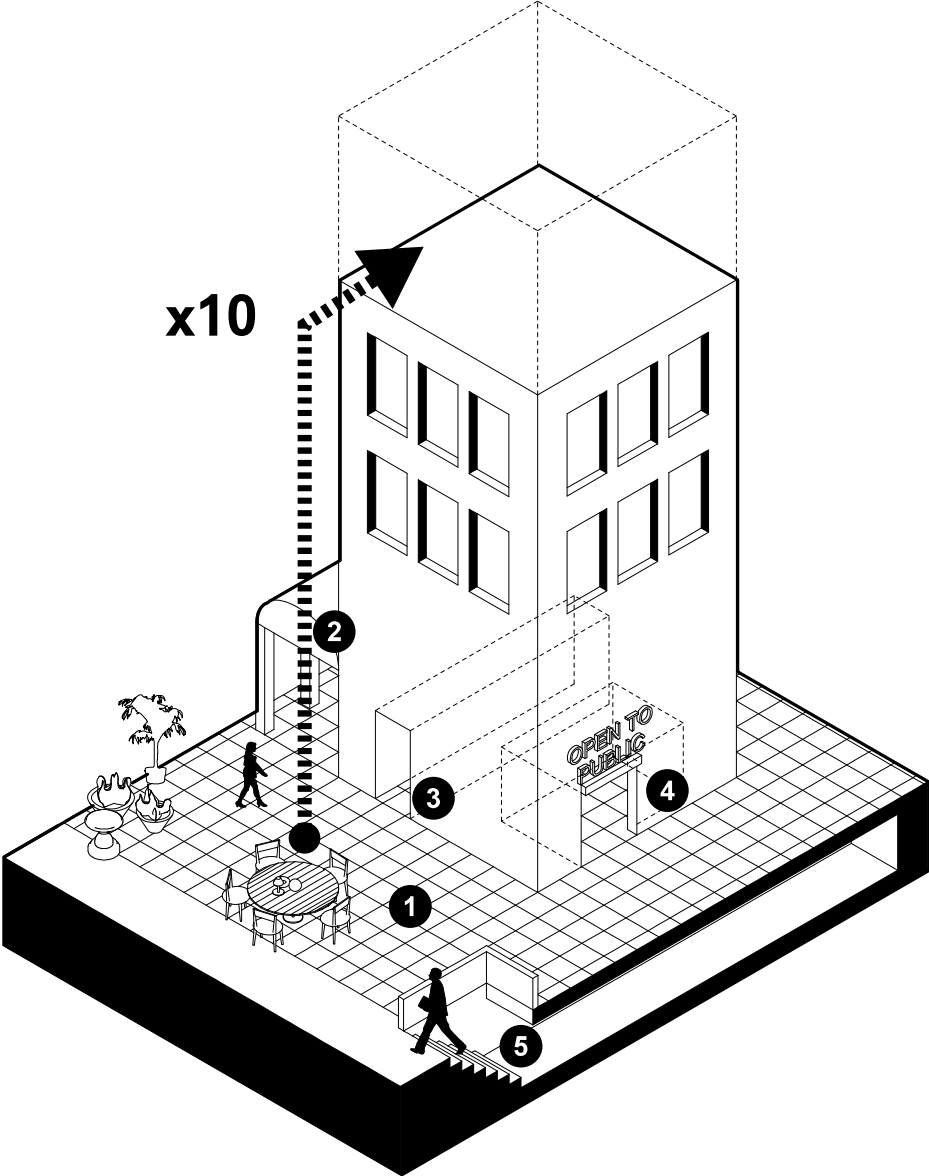
Within the man-made grid of Manhattan, different types of parks, plazas and POPS are embedded around the city. It appears that the best part of Midtown's public realm is privately owned, concentrated density



1.4.1.1. Bonus surface in exchange for POPS<sup>2</sup>

around the commercial Midtown district of Manhattan. Between 1961 and 2000, about 0.3 million sqm of POPS have been exchanged for 1.5 million sqm of additional private surface, which is an impressive but dubious ratio<sup>1</sup>. Next, the origin and controversy surrounding this fascinating mechanism will be discussed.

Whereas the infamous Equitable Building, with its dominant massing, served as a catalyst for the development of the city's 1916 Zoning Resolution, it can be argued that the Seagram Building by Mies van der Rohe (1958) served as the invention of the POPS-scheme incorporated in the 1961 Resolution. The Seagram Building is the architectural archetype of how tall buildings can engage with the space they are anchored in. Mies' building is mainly remarkable due to the rejection of the dominant style of the time, which was the product of the 1916 Zoning Resolution: buildings straightly extruded from the streetborder and gradually setting the higher floors back in a ziggurat fashion. Rather than imitating his contemporary, Mies accommodated a new type of straight high-rise building with large, open floors of a consistent size, and surrounded at the base by a publicly accessible plaza; the enactment of POPS was meant to pursue the potential as seen in the Seagram Building, however, as seen in figure 1.4.1.4, this ambition is not always achieved. Up until this day, the 1961 Zoning Resolution and the accompanying POPS mechanism are still in effect, although they are subject to continuous legal amendments (figure 1.4.1.5).



- 1 Plaza
- 2 Arcade
- 3 Passage
- 4 Interior
- 5 Underground

1.4.1.2. Spatial types of POPS - the public area can be multiplied up to 10 times in additional floor area



1.4.1.3. The invention of the POPS-scheme by Mies (1958)



1.4.1.4. An 'uncomfortable and dysfunctional' POPS in Manhattan



Simultaneous to the development of the 1961 Resolution occurred a process of ideological change that has had significant influence on the emergence of POPS, namely the process of neoliberalization and inherent privatization, i.e. the process of inserting private interests into the public realm. Neoliberalism is a modified form of liberalism favouring an economic and political system of free-market capitalism, in which most of the trade and industries are controlled by private owners for profit, rather than being owned by the state.

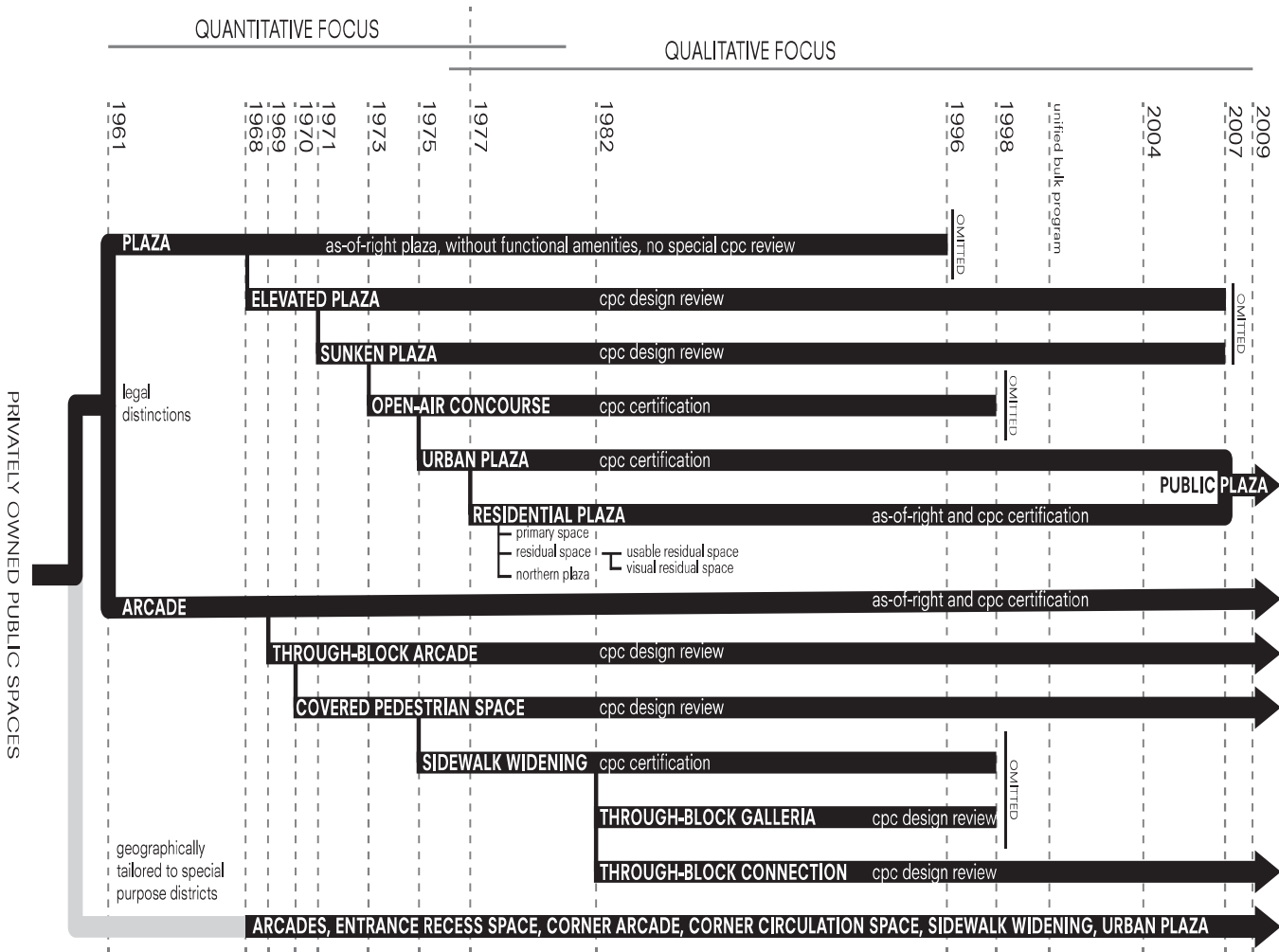
Privatized public space can be considered as a product of neoliberalization, reflecting a current trend of negotiating between the state and the market - a balance that has great implications for the nature of public spaces. For instance, besides private security, design features are used as techniques for exclusion of unwanted visitors - a phenomena referred to as hostile architecture. It can become unclear how 'public' space is governed and what behaviour is acceptable. Being able to know which rules one is being governed by - and how to challenge these rules - is a fundamental part of democratic cities. Furthermore, it is argued that privatization might result in cities losing control over their public realm. Whereas public space provides the opportunity for expressing cultural values, private interests aim at a culture of consumption and profit, potentially resulting in an exclusive, homogeneous environment that does not appeal to the whole city.

In order to exemplify the conflicting interests between public and private interests, a more detailed look is given of one POPS situated in a very unique tower: Donald Trump would not be Donald Trump if he had not tried to push the limits of regulation. In 1970's he exchanged a publicly accessible atrium, restrooms and two public gardens for an extra 20 stories on his Trump Tower. However, recently the public seating

area got blocked off by a metal barricade, 16 of the 21 outdoor tables were fenced off, the fountain was not working, and signs indicating the public accessibility were not on display. His organization claimed that there 'is no agreement in existence' that would restrict Trump's use of these public spaces 'for any purpose he deems appropriate'. During his presidential campaign, he has set up large kiosks in the atrium to sell the 'Make America Great Again' merchandise. After repeatedly issued warnings, Trump got fined 10.000\$ for the illegal use of public space for private business <sup>3</sup>; the Trump Tower can be seen as a paradigmatic example of how POPS can occasionally be manipulated for the purposes of personal profit.

In the near future, POPS will continue to increase and consume the public realm, as for example in the new Hudson Yards developments. The main open space there, which accommodates Heatherwick's massive Vessel project, is called the Public Park, despite the space being privately owned.

The aim here has not been to demonize POPS, but to interrogate them in a critical manner and use them as a medium for further understanding the city. Similar to mechanical voids, Transferable Development Rights and Inclusionary Housing Programs, POPS are a mechanism that contributes to the transformation of New York's urban appearance, not only by means of increasing the height of buildings, but by providing additional space to interact with the tall structures, whether these are experienced as either good or bad. Again, it is essential to emphasize that eventhough the controversial POPS will be the guiding principle of fascination and understanding of the city, the author has no idealistic intentions and does not take a position on the moral values surrounding the topic.



1.4.1.5. Geneological overview of the evolution of legally distinct definitions for POPS<sup>4</sup>



1.4.1.6. POPS signage on Trump Tower



1.4.1.7. Trump closes 'corrupt' POPS

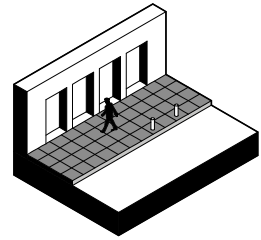


<sup>1</sup> MAS NYC (2019) via <https://apops.mas.org/about/history/>  
<sup>2</sup> Kayden, J. (2000). Privately Owned Public Space: The New York City Experience  
<sup>3</sup> Rosenberger, R. (2016) Intervention – “The Public Spaces of Trump Tower Reflect the Cruelty and Self-Dealing of the Trump Presidency”  
<sup>4</sup> Dimmer, C. (2013) Privately Owned Public Space: The International Perspective

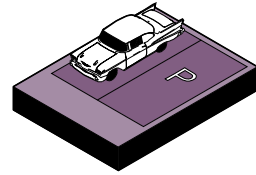




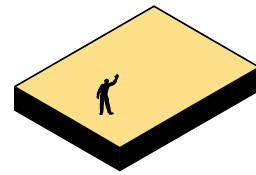




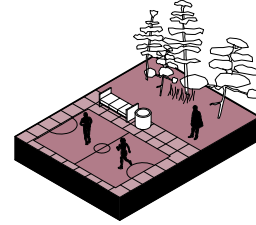
SIDEWALK, STREET



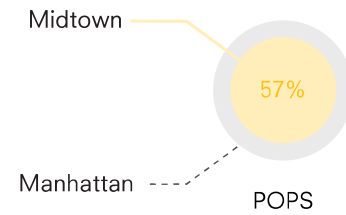
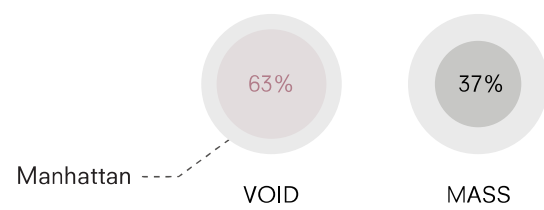
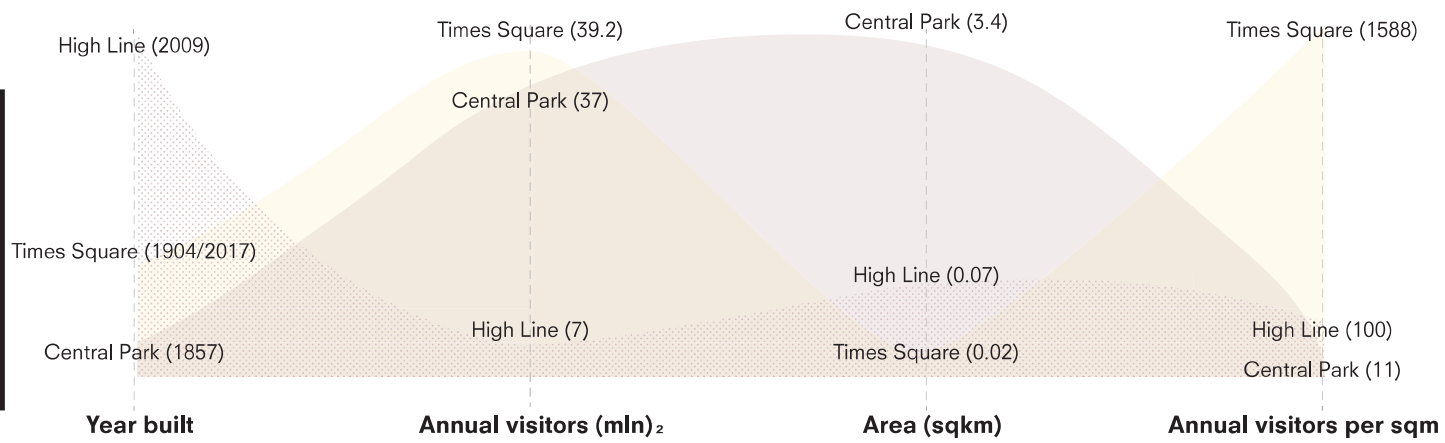
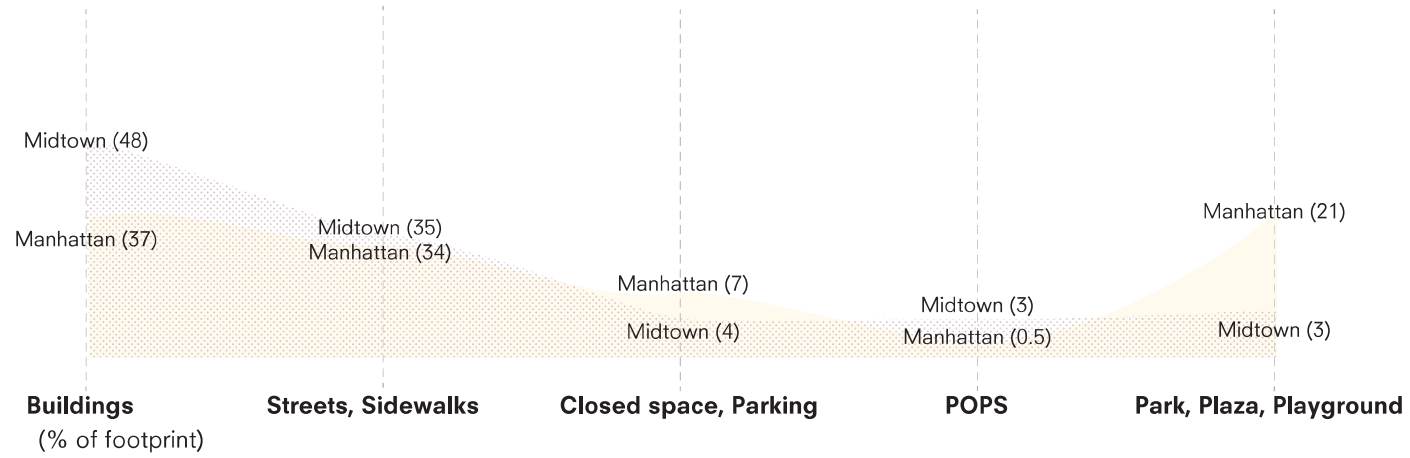
CLOSED SPACE, PARKING



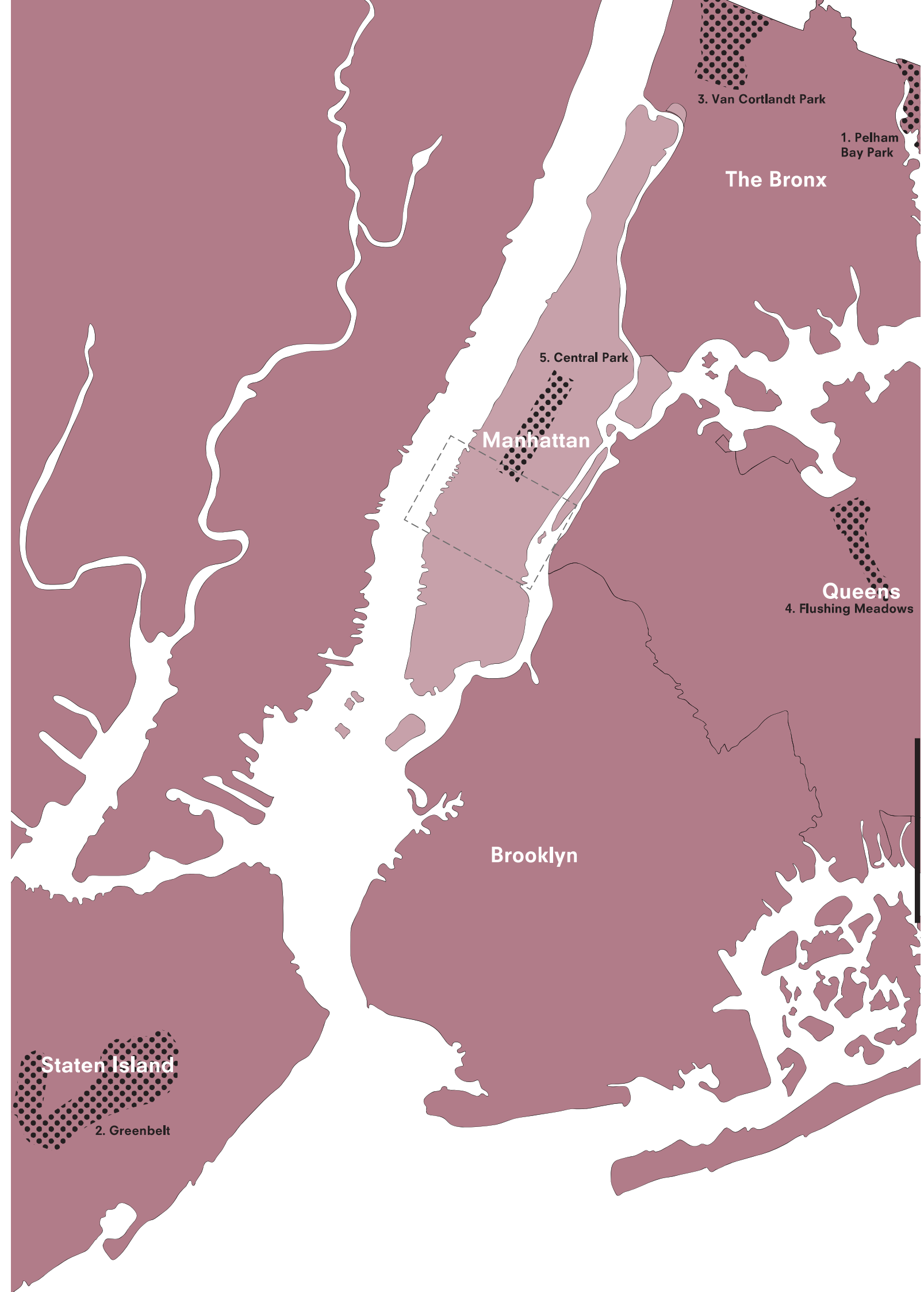
POPS



PARK, PLAZA, PLAYGROUND



<sup>2</sup> Retrieved via [www.nycgovparks.org](http://www.nycgovparks.org) & [www.timessquarenyc.org](http://www.timessquarenyc.org)

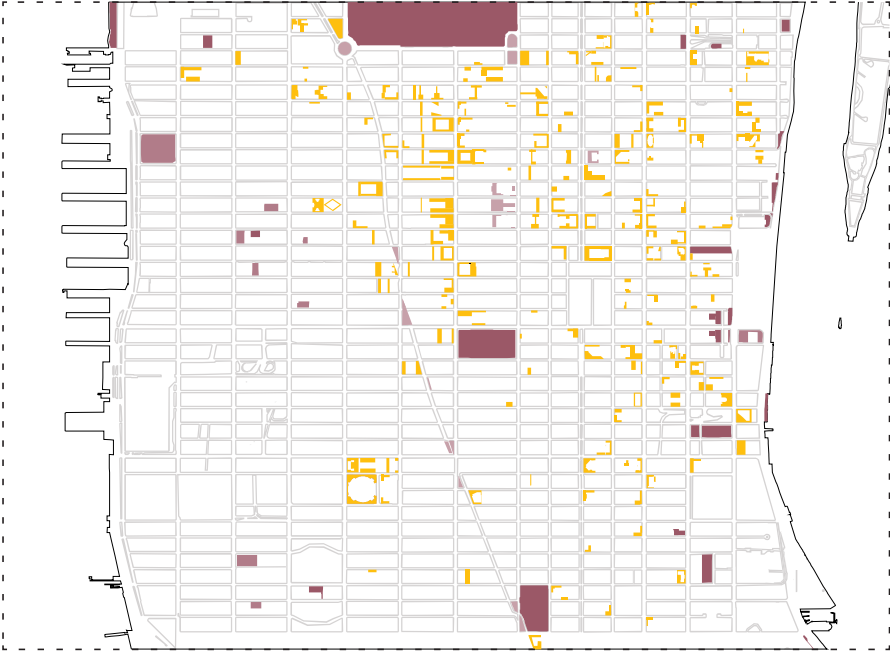


Public Space Evolution



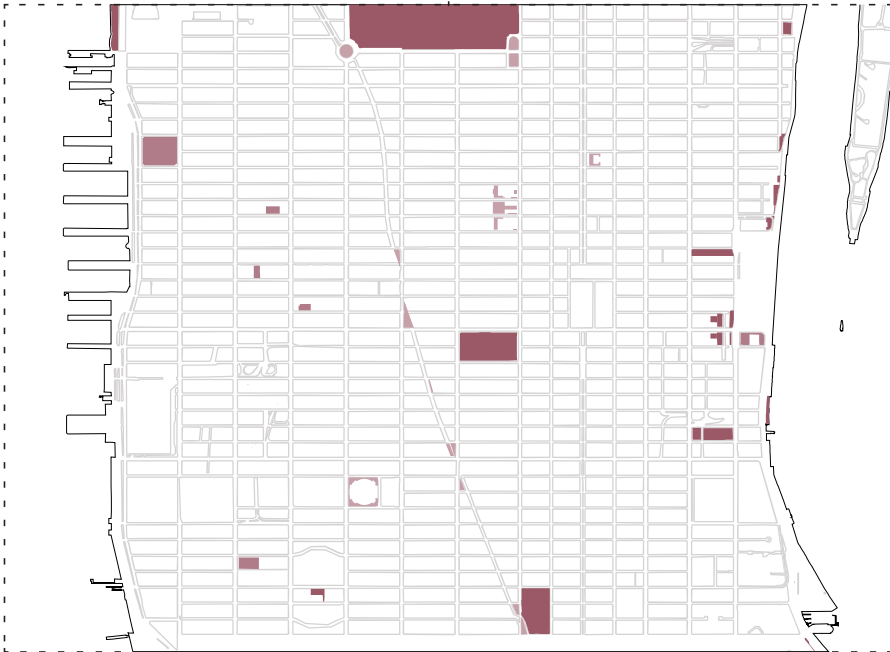
2.4.1.1. Lots are densely filled and the main public space is dictated by the grid

pre  
1900



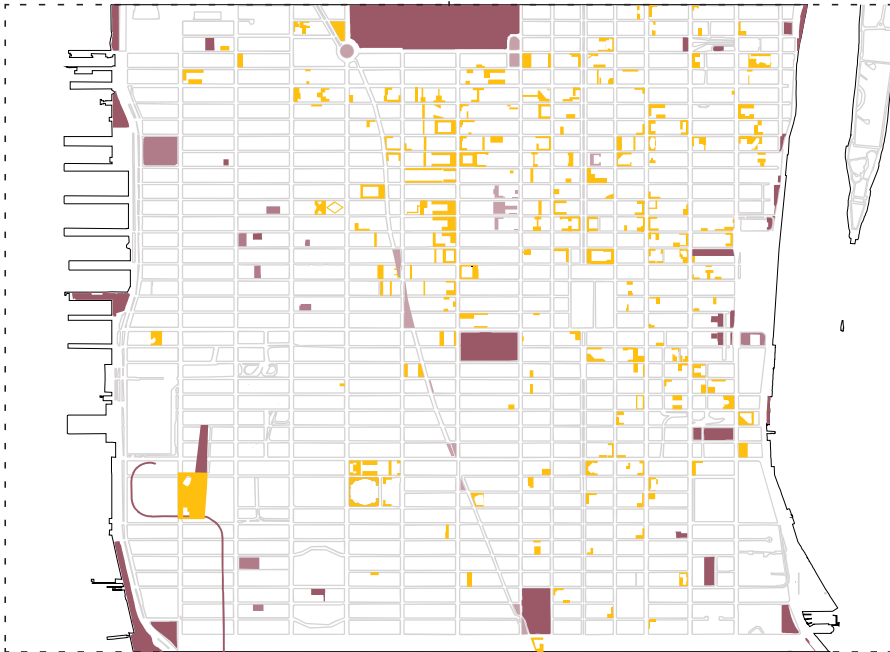
2.4.1.3. Filled lots get transformed into privately owned public space

1960  
1990



2.4.1.2. Mainly reclaimed parking and waterfront space get transformed into publicly owned public space

1900  
1960



2.4.1.4. Former infrastructural spaces get transformed into publicly owned public space (times/high line)

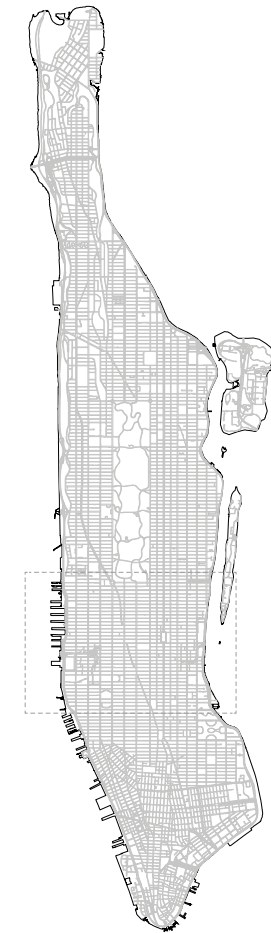
1990  
2019

- Park
- Playground
- Plaza
- POPS





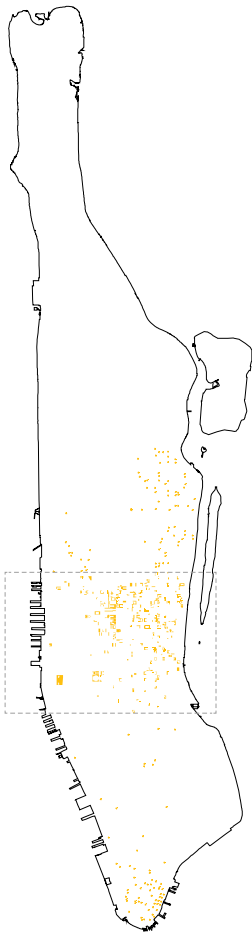
Public Space Basics



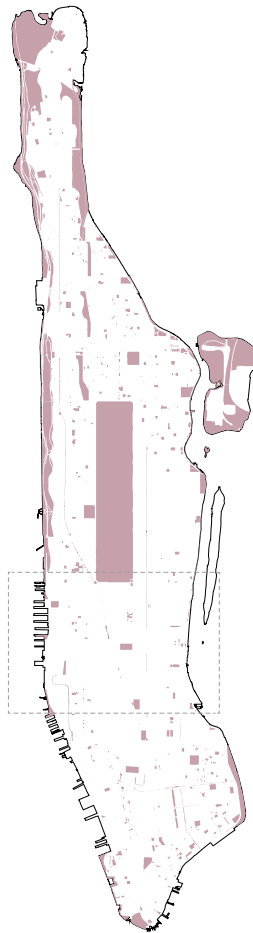
2.4.1.5. Sidewalks



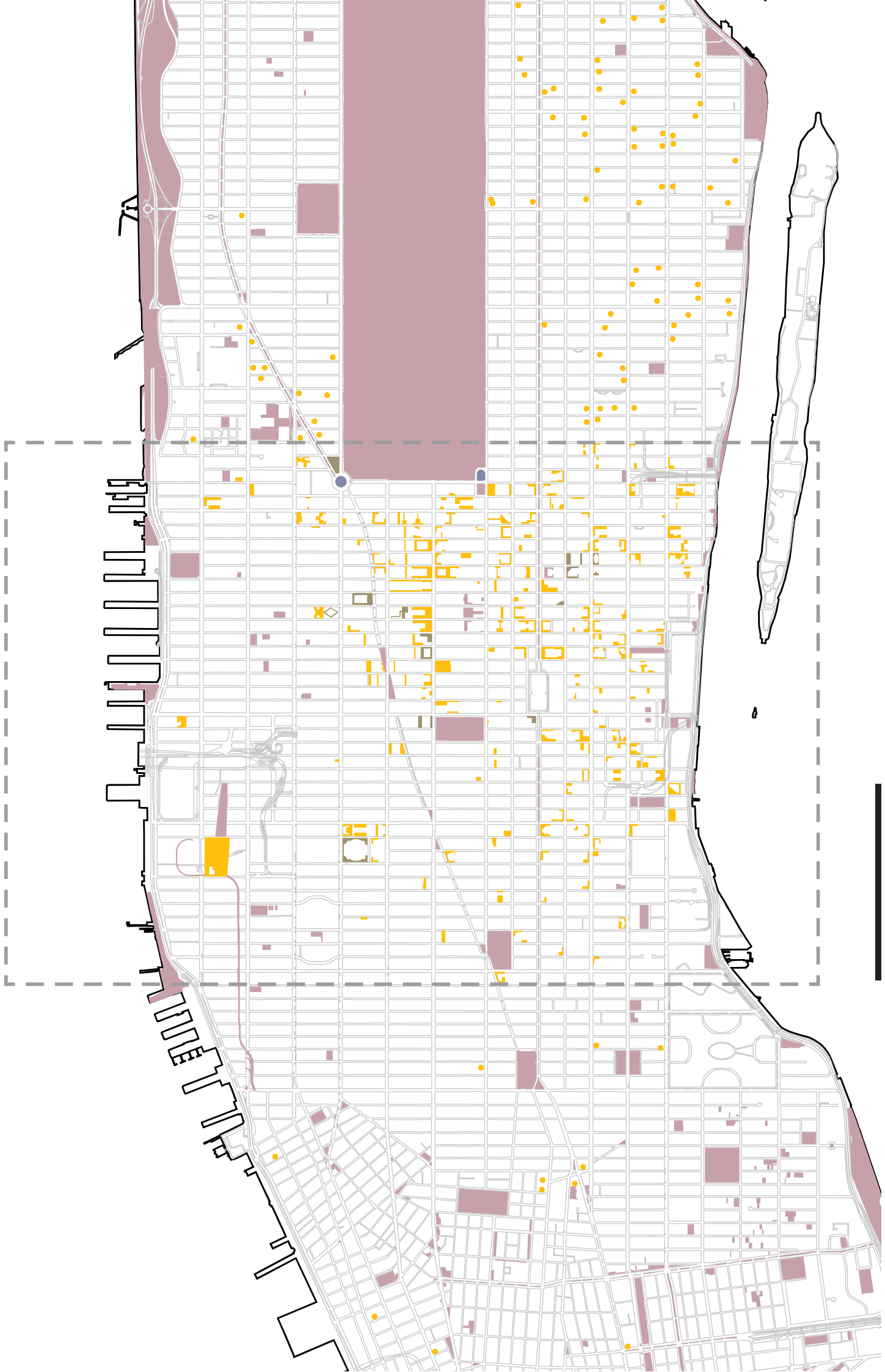
2.4.1.6. Station related spaces



2.4.1.7. POPS



2.4.1.8. Parks, Plazas, Playgrounds



Public space that develops interaction and social mixing or spaces that acts as places for interpersonal dialogue and exchange, stages for the urban life, are for Manhattan in particular the sidewalks, privately owned public spaces (POPS), and public parks, plazas, playgrounds. Station related public spaces are also highlighted, since these generally places for total public interaction. Nextly, the question remains, what is the size of these public spaces? How do they compare to each other and to the total area of Manhattan?<sup>3</sup>

<sup>3</sup> All areas derived from <https://capitalplanning.nyc.gov/>

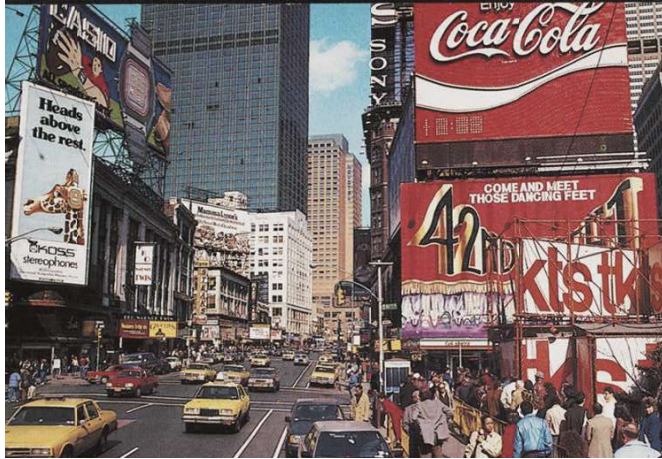




2.4.1.9. Longacre square turned into Times Square in 1904



2.4.1.10. V-J Day Kiss on 'the crossroads of the world' - lights on again



2.4.1.11. Car-dominated Times Square moves from a porn to musical district



2.4.1.12. Sorkin's redesign of Times Square into a pedestrian zone



2.4.1.13. Midtown 1924



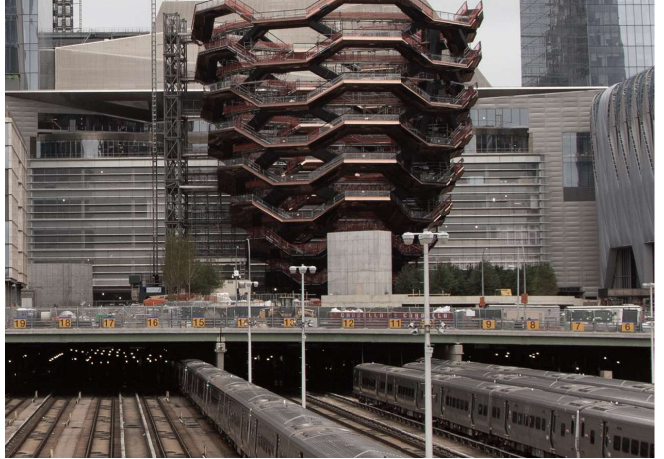
2.4.1.14. High Line after decommissioning in 1980 and 2003 competition



2.4.1.15. High Line opened in 2009



2.4.1.16. Hudson Yards 2013



2.4.1.17. Hudson Yards 2018

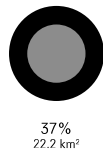


2.4.1.18. Midtown 1951 - notice the train track crossing from Hudson Yards straight through Hell's Kitchen





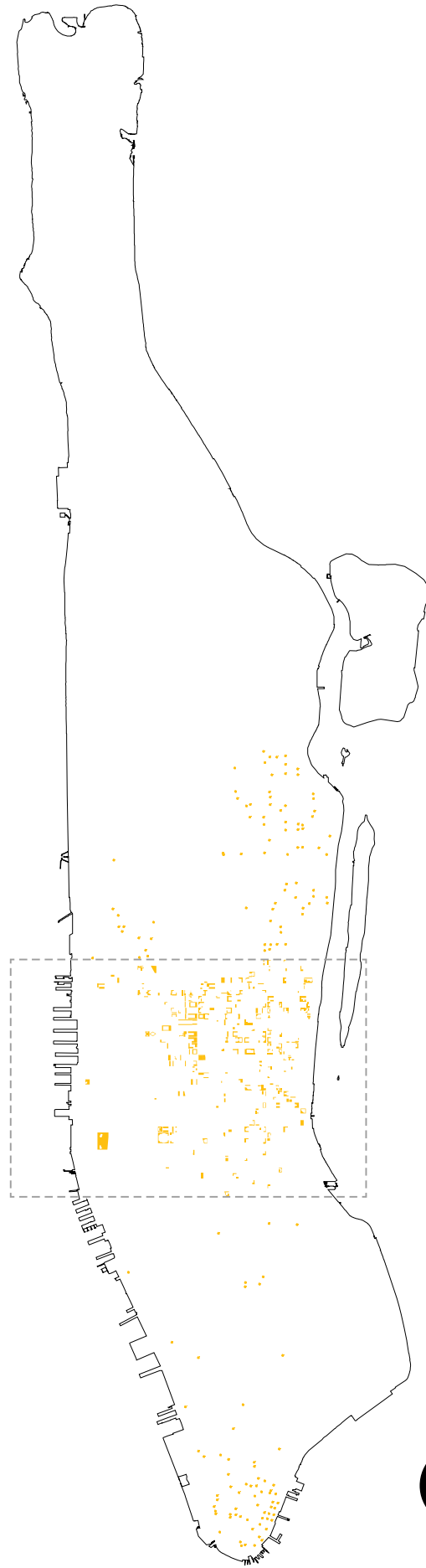
34%  
19.9 km<sup>2</sup>



37%  
22.2 km<sup>2</sup>



7%  
3.95 km<sup>2</sup>



0.5%  
0.33 km<sup>2</sup>



21%  
12.2 km<sup>2</sup>

2.4.1.19. Streets + sidewalks, Buildings

2.4.1.20. Parking, closed space

2.4.1.21. POPS

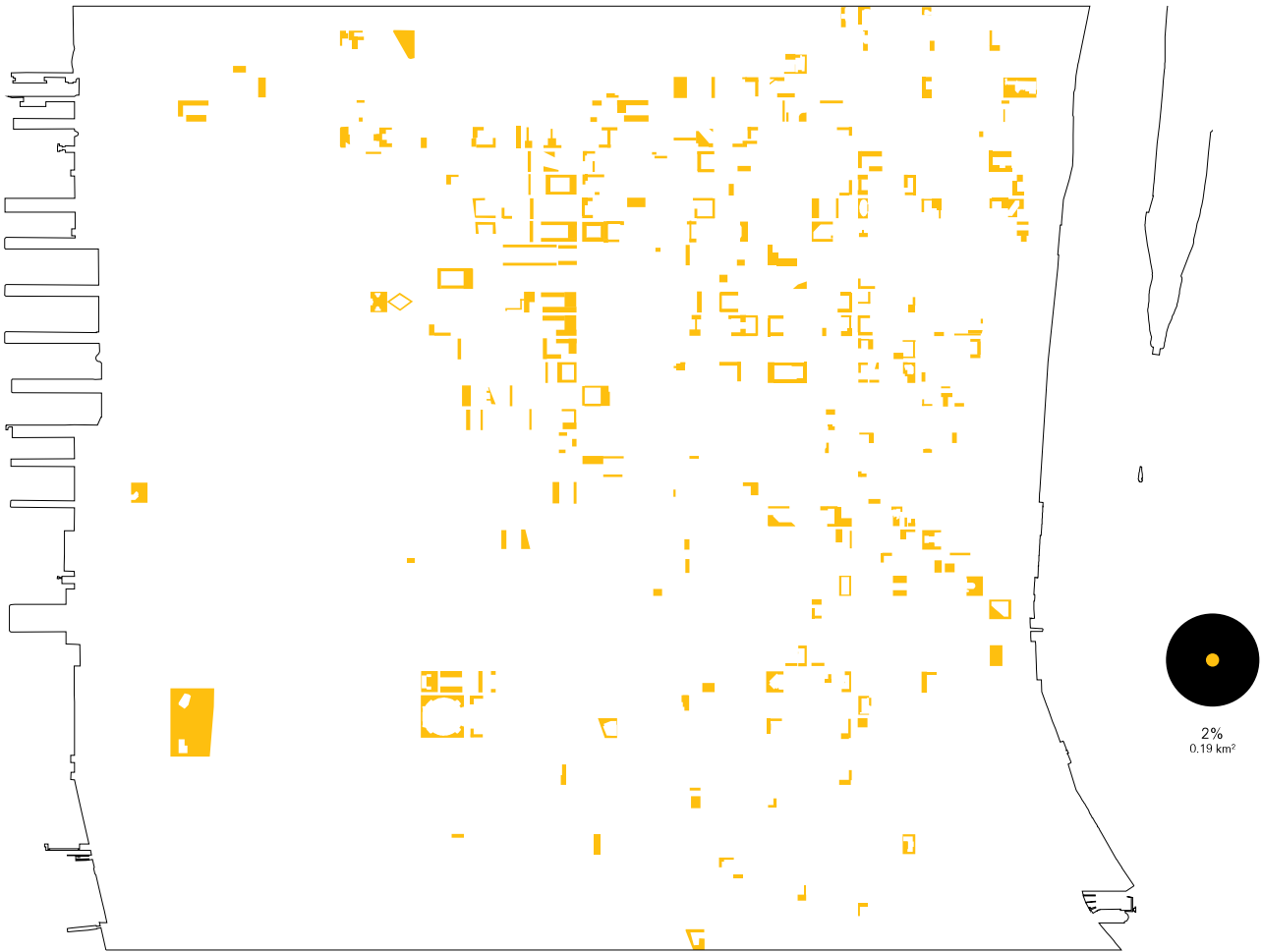
2.4.1.22. Park, Plaza, Playgrounds



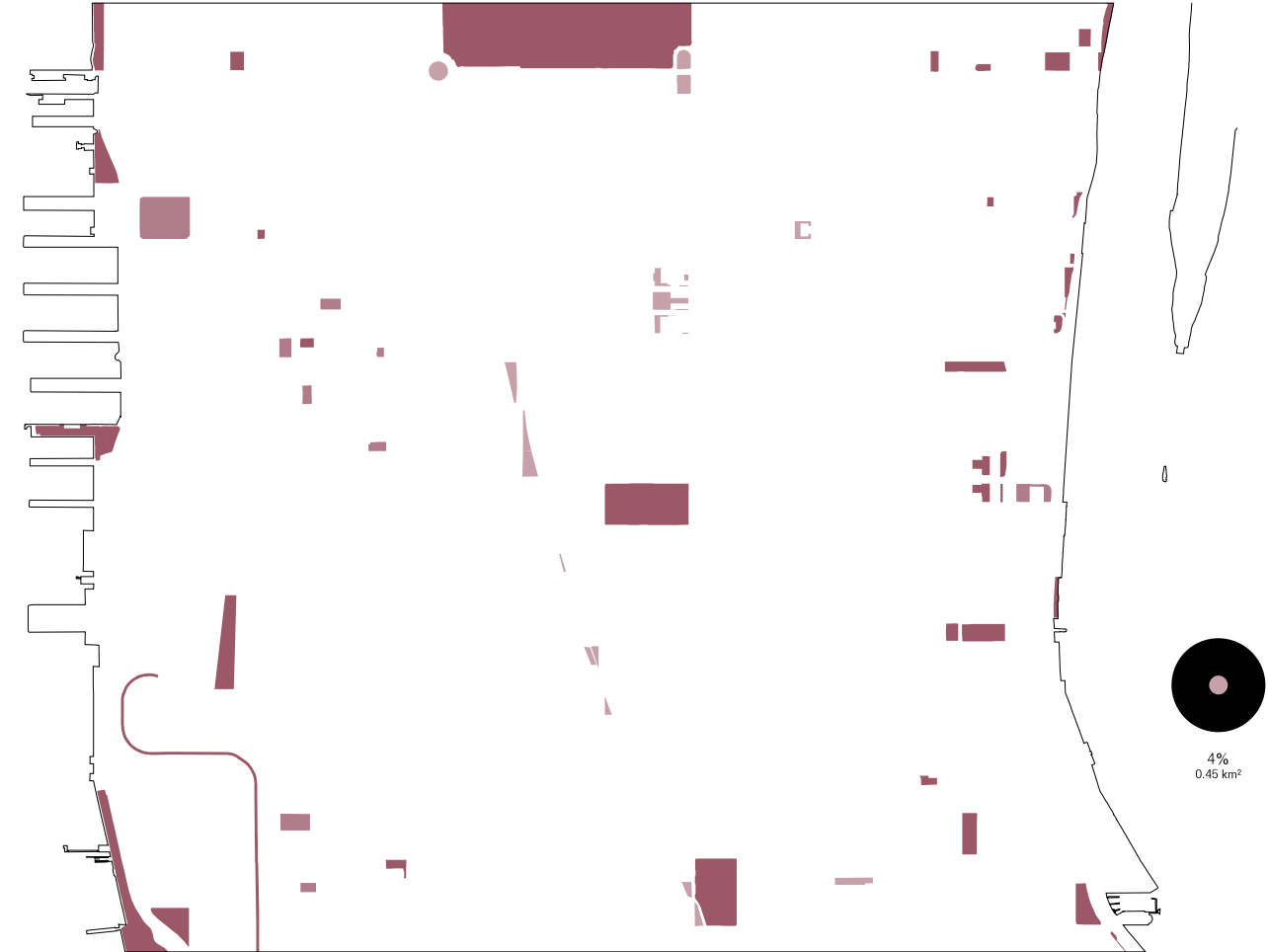
2.4.1.23. Sidewalks+streets, Building



2.4.1.24. Parking, closed space



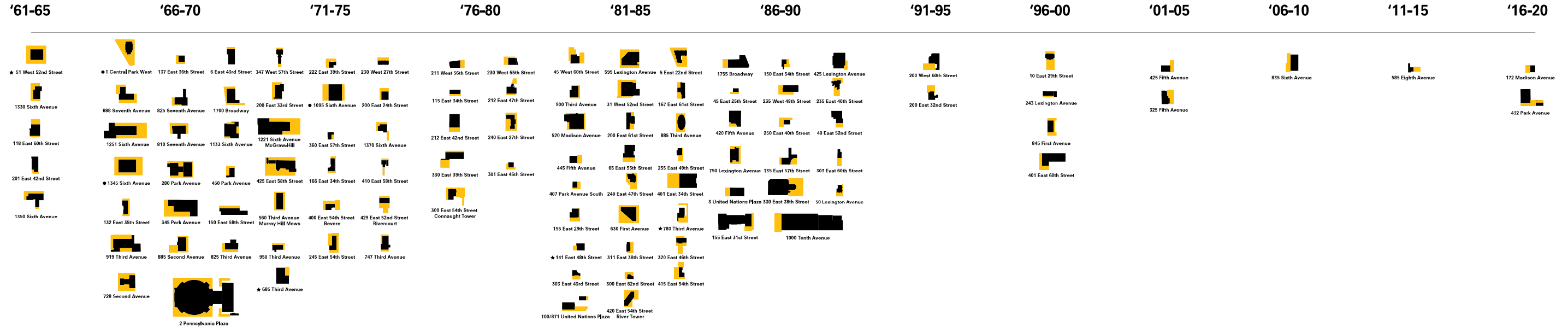
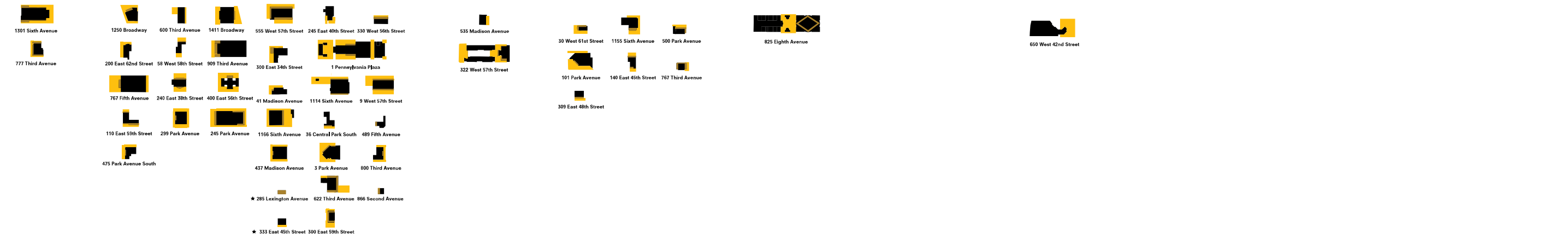
2.4.1.25. POPS



2.4.1.26. Park, Plaza, Playground



## Midtown POPS

**PLAZA****PLAZA+  
ARCADE****PLAZA+**  
**PASSAGE****PLAZA+**  
**INTERIOR**

## PASSAGE

**ARCADE+  
INTERIOR**





51 West 52nd Street



777 Third Avenue



115 East 57th Street



211 West 56th Street



1 Central Park West



1250 Broadway



322 West 57th Street



457 Madison Avenue



1185 Sixth Avenue



347 West 57th Street



875 Third Avenue



599 Lexington Avenue



555 West 57th Street



153 East 53rd Street



1755 Broadway



835 Sixth Avenue



Change

The Public Private Production

In 1811, the original design for the great Manhattan grid was forged in The Commissioners' Plan, one of the most important documents that shaped the future metropolis of New York City. The plan was the translation of a republican desire for control and balance<sup>1</sup> [of the public and private space] - a carefully ordered and holistic system of avenues and streets producing rectangular lots, all the way from Houston Street up to the rest of the isle of Manhattan. So how did this man-made grid translate into public space?

Firstly, entire lots within the grid were allocated as publicly owned parks. In 1857, the lots between 59th and 110th Street and Fifth and Eight Avenue, covering around 3.41 square kilometer, were allocated for Central Park. Designed by Frederick Law Olmsted, Central Park was intended as a space to escape from the chaotic life in the city and up to now still lives up to this expectation. And in 1899, a 39 000 square meter lot that was initially a graveyard for the poor, got revamped into what is now known as Bryant Park, with great public activity on the grass fields and stepped terraces. Secondly, instead of an entire lot, a fragment of the lot was allocated to privately owned public space, as a product of the 1961 Zoning Resolution. These spaces, often plaza's, are usually accompanied by a private building. The first and defining privately owned public space in Midtown Manhattan was the CBS Building, designed by Finnish architect Eero Saarinen, which was followed by hundreds more of these spaces; from the Trump Tower to Penn Station. Thirdly, instead of allocating public space within the lots, redundant street deformations in between these grid lots are transformed into public space. In 2006, the High Line, an obsolete decommissioned railroad, got transformed into an elevated park by the design of Diller Scofidio + Renfro and Piet Oudolf. And in 2013, by design of the Norwegian architects Snøhetta, Times Square got radically transformed from a car-dominated intersection into a pedestrian plaza. Fourthly, as a sort of hybrid of the previous two, infrastructural deformations of the grid are turned into privately owned public spaces including private developments. In 2018, Hudson Yards opened, the largest private development in the history of the country was built above a railway depot. Fifty percent of this reclaimed infrastructural space is allocated to public space.

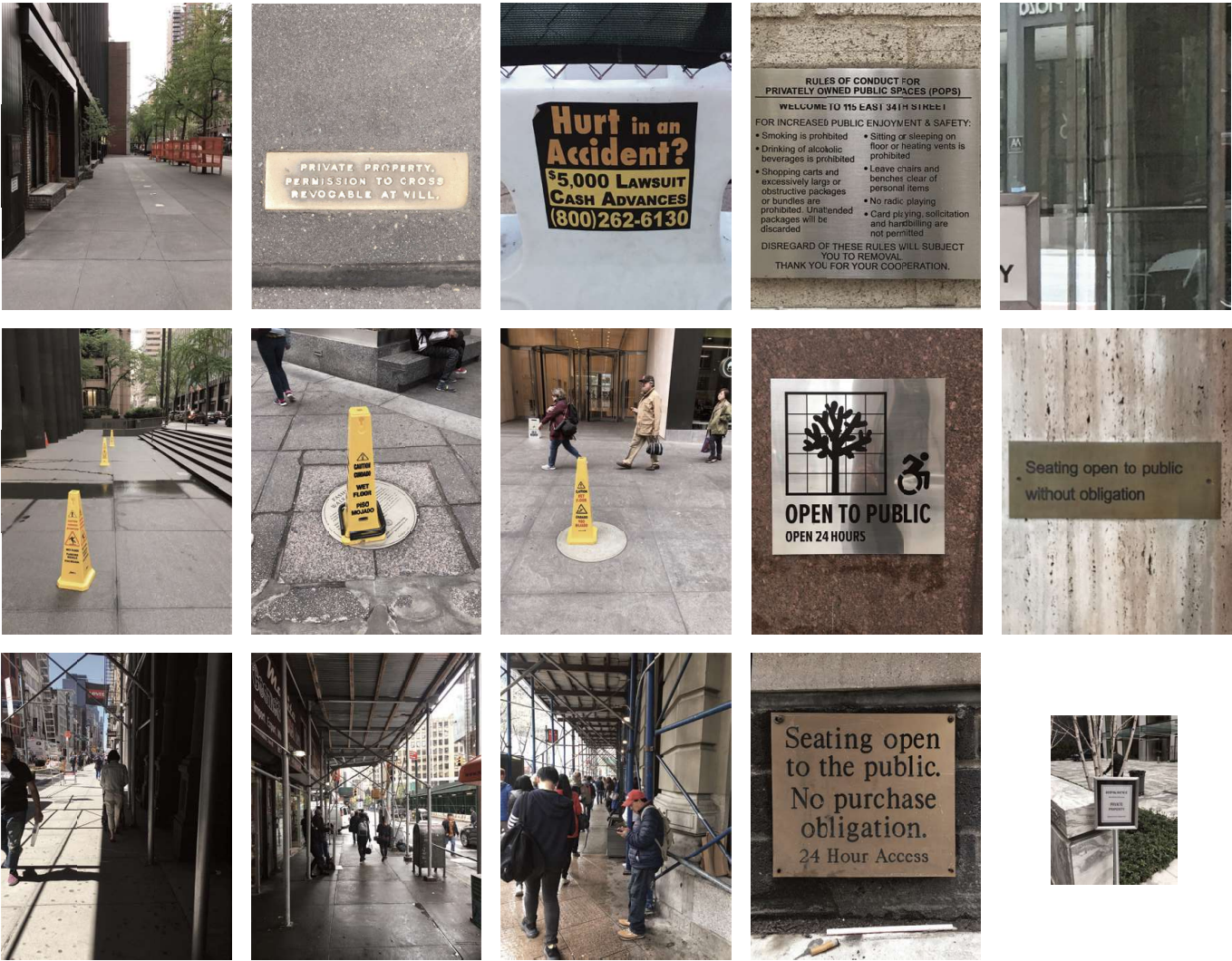
All together, these different types of public space production all embody industrial city planning, in which public space is always accompanied by man-made developments. Opposite of this are pre-industrial cities like most European ones, where developments follow the public spaces

that have been there for the past hundred if not thousands of years. This difference of age reflects in the planning of the city and the nature of public space; but what exactly is this nature in Midtown? Based on the site visit, a personal observation and interpretation of the most prevalent public spaces, i.e. sidewalks and POPS, is made.

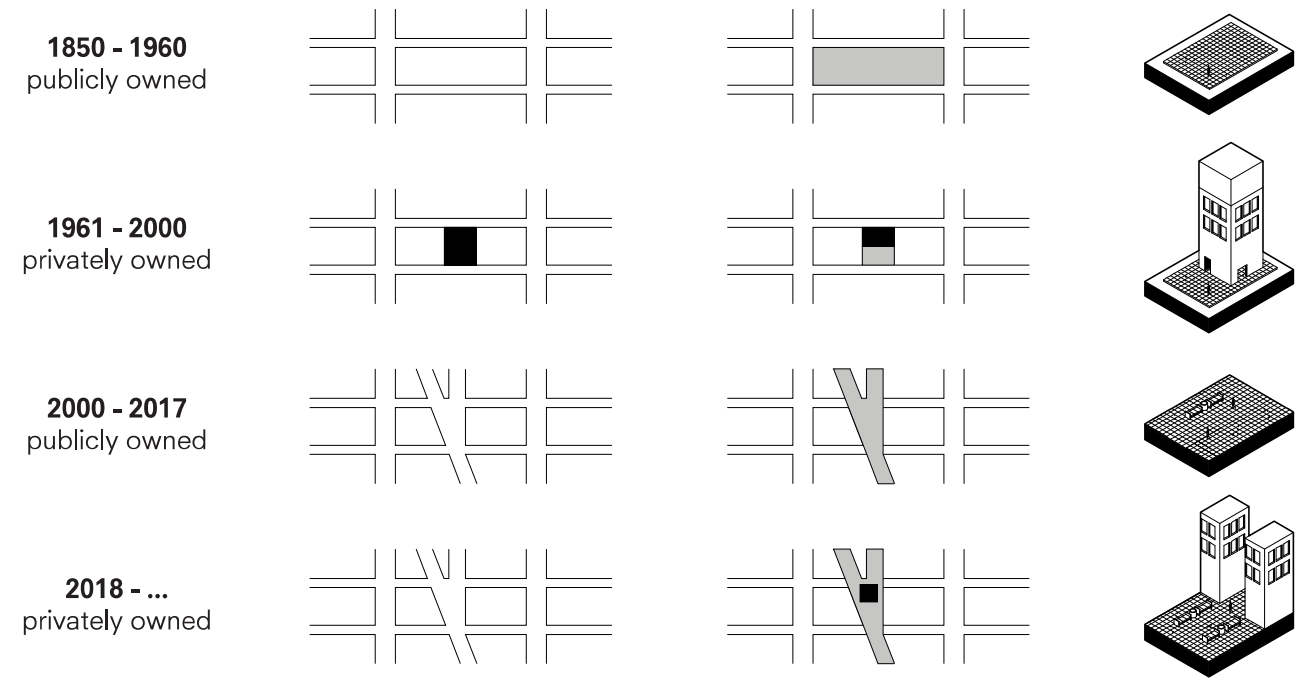
If you stroll through Midtown, it is very likely to encounter an open space which at first glance seems like a regular public space. You walk across the plaza and look down, where you see the tiniest bronze plaque of 5x20 centimeters with the following statement: 'private property - permission to cross revocable at will'. In other words, the seemingly mundane public place is actually privately owned property, and crossing this invisible boundary unknowingly changes one's rights and duties. You may skate or spend the night on the paved tiles bordering the streets, but not on the exact identical tiles next to these.

This situation is no exception; almost every plaza in Midtown contains a sign either listing which amenities are present in the public space or dictating which behaviour is requested when entering the privately owned public space. In some cases, when seating is provided and a restaurant is near, a sign will explain that one can always use the seating without the obligation to purchase anything. And if there is a place that appears publicly accessible, but it is actually not, a sign will plainly state it is private property. The majority of public space in Midtown can only be understood through reading the written signs as if they are contractual agreements, rather than intuitively reading the architectural language of the space. Furthermore, it is more than likely to suddenly encounter a large yellow warning cone on the sidewalk or plaza, even if there is no rain and thus no risk of slipping: public space is a liability for the owner in a culture of litigation, where at all times one tries to prevent a lawsuit in the event of a person getting hurt on their property. Another product of this litigious culture is the extensively used scaffolding, which is supposed to protect the public from private developments. About 30% of Broadway buildings between Houston St and Columbus Circle were covered with scaffolding in 2014<sup>2</sup>, which at first glance diminishes the value of public space, but at the same time is used as seating or shelter from the rain or the sun and by that it becomes a great public asset.

As a result of the way public space is produced in Manhattan, mostly by means of the POPS mechanism, the city is flooded with artefacts of a continuous public private contradiction.



1.4.1.11. Manifestations of public private contradictions



1.4.1.12. The production of public space in Manhattan

<sup>1</sup>Wallace, M. & Burrows, E. (1998) Gotham: A History of New York City to 1898.

<sup>2</sup>Gehl, J. (2014). World Class Streets: Remaking New York City's Public Realm.





2.4.1.29. Sidewalks



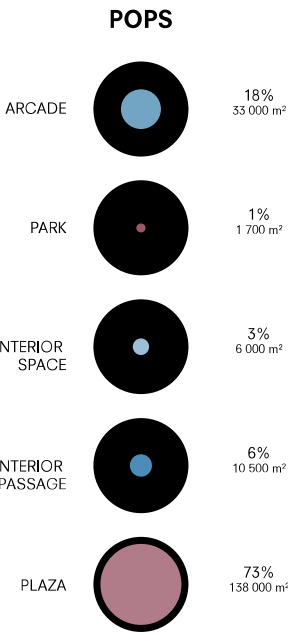
2.4.1.30. POPS



2.4.1.31. Commercial Zoning C1 - C8



2.4.1.32. New and Planned Developments



The collection of hard data has learned that surprisingly only half of the footprint in Midtown is covered with buildings. The number of publicly and privately owned spaces is about the same. Around 200 POPS exist in Midtown Manhattan, providing half of the total area of public spaces. About 75 percent of this area consists of privately owned plaza's; the other 25 percent is assigned to arcades, interior spaces and underground and through-block passages. The best part of POPS has been constructed before the early 90's, after which this explosive trend started stabilizing. The regulations concerning POPS transformed around the 1980's from a quantitative focus of bringing as much light and air into the streets into a qualitative focus of producing valuable space for the public. The POPS that are spread around Midtown almost fluently follow the outlines of the commercial zoning district, hence POPS are exclusive to a certain type of area and building. POPS can be seen product of law - the zoning dictates the language of the public space. This has resulted in a complex nodes of different types of POPS, scattered around the city like small islands, all interconnected by a network of the biggest public commodity - the sidewalk, which including the streets covers about 35% of Midtown's footprint. Within Midtown, the prevalent sidewalks in combination with POPS can be seen as a public archipelago that is the largest asset of public space in the city, which are supplemented by several larger publicly owned parks, such as Central Park and Bryant Park.

