Planning for
Privately Owned
Public Spaces

Improving POPS in Community District Five - Manhattan
Studio Team

Authors

Abdulla Al Shehhi  
2016 MS Urban Planning Candidate  
a2141@columbia.edu 

Sinae Lee  
2016 MS Urban Planning Candidate  
sf3797@columbia.edu 

Yifei Ma  
2016 MS Urban Planning Candidate  
ym2507@columbia.edu 

Kaylee Moon  
2016 MS Urban Planning Candidate  
kem2204@columbia.edu 

Cameron Robertson  
2017 MS Urban Planning  
+ Historical Preservation Candidate  
cmr2224@columbia.edu 

Brandon Robinson  
2016 MS Urban Planning Candidate  
bnr2111@columbia.edu 

Jeongwon Seo  
2016 MS Urban Planning Candidate  
js4250@columbia.edu 

Liheng Sun  
2016 MS Urban Planning Candidate  
ls3228@columbia.edu 

Ethel Sheffer  
insightsheffer@mindspring.com 

Ariana Branchini (TA)  
2015 MS Urban Planning  
azb2106@columbia.edu 

Advisors
The studio team would like to extend their sincere thanks and gratitude first to Ethel Sheffer: her guidance was instrumental in the report you see today. We would also like to thank our teaching assistant for the studio, Ariana Branchini, for the long hours she spent working with us throughout the semester—we could not have done it without her.

We would like to thank Douglas Woodward, Senior Advisor for Advocates of Privately Owned Public Space (APOPS), of the Municipal Art Society, who was continuously present throughout the semester, and was extremely helpful with his advice, guidance, patience, and kindness.

Thanks also to Thomas Balsley, Principal of Thomas Balsley Associates, for taking the time to visit our studio and give us very helpful advice, as well as keen insight on how our studio should proceed.

We would like to extend our thanks as well to Edith Hsu Chen, Erik Botsford, Ezra Moser, Richard Suarez, and Jamie Chen of the Manhattan Office of the Department of City Planning for taking the time to meet with us and answer our many questions.

Thanks to Adam Rose, Co-President of Rose Associates, for taking the time to answer our many questions and explain many issues from a different perspective. His answers have helped shape our recommendations to fair to both developers and the public.

Finally, we would like to thank Professors Robert Beauregard, Lance Freeman, Elliott Sclar, Clara Irazábal, David King, Xin Li, and Andrew Scherer of Columbia University’s Graduate School of Architecture, Planning and Preservation for their valuable advice and criticism.
# Table of Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction</td>
<td>8</td>
</tr>
<tr>
<td>Client</td>
<td>9</td>
</tr>
<tr>
<td>Community District 5</td>
<td>10</td>
</tr>
<tr>
<td>Visitors &amp; Top Subway Stations</td>
<td>10</td>
</tr>
<tr>
<td>Businesses, Workers, Demographics &amp; Trends</td>
<td>11</td>
</tr>
<tr>
<td>Client’s Needs and Issues</td>
<td>13</td>
</tr>
<tr>
<td>Evolution of POPS</td>
<td>14</td>
</tr>
<tr>
<td>The Zoning Resolutions</td>
<td>14</td>
</tr>
<tr>
<td>Incentive Zoning &amp; Regulations</td>
<td>15</td>
</tr>
<tr>
<td>Studio Strategy</td>
<td>17</td>
</tr>
<tr>
<td>Approach - FAR Analysis</td>
<td>18</td>
</tr>
<tr>
<td>Field Observations</td>
<td>23</td>
</tr>
<tr>
<td>Results and Analysis</td>
<td>26</td>
</tr>
<tr>
<td>Interviews</td>
<td>30</td>
</tr>
<tr>
<td>Recommendations</td>
<td>31</td>
</tr>
<tr>
<td>Short Term</td>
<td>31</td>
</tr>
<tr>
<td>Long Term</td>
<td>33</td>
</tr>
<tr>
<td>Conclusion</td>
<td>35</td>
</tr>
<tr>
<td>References</td>
<td>36</td>
</tr>
</tbody>
</table>
Statement of Purpose

Public space in an urban environment relieves density, facilitates circulation, and beautifies the city. Our goal is to determine how to achieve these functions in privately owned public spaces (POPS) through improving the regulation of their operation, design, and maintenance. Ultimately, we believe we can strike a greater balance between public benefit and private interest, and put forth recommendations that will allow more POPS to become true public amenities.
Introduction

“Public Spaces are gathering spots for part of a neighborhood, downtown, special district, waterfront or other area within the public realm that helps promote social interaction and a sense of community.”

The American Planning Association (2015)

One often equates public space with a park, no matter how grand or meager that park is, and it is rare that the ordinary person makes the distinction that there is more to public space than parks. Therefore, our first objective as a studio was to learn more about public space: how it is to be defined, how it serves communities, and how it functions in the urban environment. Over the past few years, new types of public spaces—like the High Line—have begun to appear, which offer the promise of innovations in public space for the future.

Public spaces are essential to a high quality of life in dense urban spaces—they serve as links and buffers for communities, and reduce the overwhelming feeling of density in urban areas. Within a dense environment, the human being feels the need to “escape” from their surroundings to relax and recharge. As a result, the uses of public space have evolved over time. People use public spaces to eat, socialize, read, and relax—among many other things. They also look to public spaces as places for entertainment, where the areas serve as avenues for expression, whether for artistic or political reasons.

Not only do public spaces provide relief from the city, they provide valuable benefits to human and environmental health. The New York Times architecture critic, Michael Kimmelman, recently commented on the ability of parks to “absorb storm water, store carbon and lower ambient temperatures…boost real estate values and get people out of their apartments,” (Kimmelman, 2014). Also, public spaces reflect the character and needs of their surrounding communities. Linear systems of parks like Boston’s Emerald Necklace function as access corridors between neighborhoods that would otherwise be separated, or New York’s Riverside Park, which functions as a buffer between a major highway and the Upper West Side’s residential neighborhoods in addition to being a way to connect with the rest of the city. These functions are valuable to the public and vital to a healthy city.

Public spaces must serve anyone and everyone—they should be physically accessible and visible in a way that lets the public know that the area is not exclusive. These spaces are not only of value to the public, but also to cities, where they serve to provide a public benefit by creating areas within a greater city that make the city itself more livable and less dense.
Client: Community Board 5

Our client for this studio exercise was Manhattan’s Community Board 5. Community boards were established in 1963 to serve as a liaison between the community and municipal bureaucracy. They are a critical venue for public participation, consensus building, and debate. Each board is charged with making recommendations on long-term community planning, land use, business permits, street closings and district financial needs. Because of these duties, Community Board 5 could play a significant role in the management of local public spaces.

The board is divided into several committees, with the Committee on Parks and Public Spaces reviewing applications for new privately owned public space (POPS), and proposals for the use, redesign, and maintenance of existing POPS.

Representing the heart of Manhattan, Community District 5 includes world-class cultural institutions and tourist destinations, educational centers, retail flagships, major industries, and a growing residential population. Taken together, these diverse institutions and groups increasingly place demands upon the district’s resources.
Community District 5

Community District 5 (CD5) is characterized by having a heavy flow of visitors and workers, and a relatively small residential population. CD5 is at the heart of transportation in Manhattan, having many of the city’s major transportation hubs including Grand Central Terminal and Columbus Circle.

Visitors

New York City is one of the most visited cities in the world. In 2013, according to the NYC official guide, there were 54.3 million visitors, both domestic and international, who spent 38.8 billion dollars and generated 9.7 billion dollars in taxes, which in turn benefitted NYC households by saving them 1,640 dollars in household taxes. Visitors contribute in a major way to the economy which can benefit residents. Although there was a temporary decline in tourism after September 11, 2001, there has been gradual increase ever since.

Community District 5 is the heart of Manhattan and has many signature tourist attractions, such as Times Square, the Empire State Building, the Museum of Modern Art (MOMA), and the Fifth Avenue shopping district. Other tourist attractions, such as St. Patrick’s Cathedral, Union Square, Madison Square Park, and Koreatown are also in the district.

Top 9 Subway Stations in NYC

Community District 5 has the most active public transportation in Manhattan. In 2013, the MTA announced the top ten busiest subway stations in the NYC, 9 of those 10 are in CD5 including Times Square, Penn Station, and Grand Central Terminal. Times Square alone moves 63 million riders annually. The total ridership in just these nine stations adds up to more than 282 million annually, which averages out to approximately 800,000 riders relying on CD5 transit hubs per day. In addition, Times Square, Penn Station, and Grand Central connect Manhattan to other regions.

<table>
<thead>
<tr>
<th>Subway Station</th>
<th>Annual Ridership</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Times Square</td>
<td>63,617,614</td>
</tr>
<tr>
<td>2. Grand Central</td>
<td>44,893,301</td>
</tr>
<tr>
<td>3. Herald Square</td>
<td>38,213,448</td>
</tr>
<tr>
<td>4. Union Square</td>
<td>35,309,414</td>
</tr>
<tr>
<td>5. Penn Station (1,2,3)</td>
<td>27,730,331</td>
</tr>
<tr>
<td>6. Penn Station (A,C,E)</td>
<td>25,726,374</td>
</tr>
<tr>
<td>7. Columbus Circle</td>
<td>22,774,421</td>
</tr>
<tr>
<td>8. Lexington Ave/59th St</td>
<td>21,282,767</td>
</tr>
<tr>
<td>9. 86th St</td>
<td>20,528,208</td>
</tr>
<tr>
<td>10. Lexington Ave/53rd</td>
<td>20,262,110</td>
</tr>
</tbody>
</table>
**Businesses and Workers**
Community District 5 is one the most extensive and densest commercial/office space areas in New York City. 60.8% of land consists of Office and Commercial Uses which makes this the highest land use percentage of those types in Manhattan. Community District 1—which includes the Financial District—has only 22.8%, and comes second. CD5 is home to 40 headquarters of well-known companies such as Deloitte, JPMorgan Chase, Citigroup, NBC, and Duane Reade, and the many companies located in this district employ thousands of workers. Out of 62,000 businesses in selected districts within Community District 5, there are 137 companies that have 1,000 or more employees, and 47 companies that have 5,000 or more employees. Because many POPS are located around—and in—big corporate buildings, we can assume that many employees use POPS.

**Residential Demographics and Trends**
Along with its standing as a business district, Community District 5 has also seen a growing residential population in recent years; however, only 15% of buildings are dedicated to residential use. There are about 52,000 people residing in the district. According to the American Community Survey (ACS) of 2010, the median household income was approximately $140,000 in 2010, almost triple the NYC average, and there has been more than a 20% increase in population within the district since 2000. This trend is in line with the citywide shift toward injecting residential uses into primarily office-dominated areas. Community District 5 recognizes this mixed-use development as an effective tool to enliven and improve the district without compromising its commercial character.
Despite growing trends of increasing population and residential development, Community District 5 still has the lowest residential population density in New York City. In addition, there are only six residential plazas within the district, therefore, it is reasonable to assume that main users of POPS in Community District 5 will be visitors and workers.

Community District 5 and New York City have made efforts to ensure the area’s future as a world-class business district through initiatives like East Midtown Rezoning, which will seek to encourage the development of state-of-the-art commercial buildings in core areas surrounding Grand Central Terminal by allowing increased maximum FAR. Given this significant density increase in the near future, the need for open space will become even more of a pressing concern in Community District 5 and Midtown Manhattan.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>CD1</td>
<td>250,000</td>
<td>0</td>
</tr>
<tr>
<td>CD2</td>
<td>200,000</td>
<td></td>
</tr>
<tr>
<td>CD3</td>
<td>150,000</td>
<td></td>
</tr>
<tr>
<td>CD4</td>
<td>100,000</td>
<td></td>
</tr>
<tr>
<td>CD5</td>
<td>50,000</td>
<td></td>
</tr>
<tr>
<td>CD6</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

*Source: US Census*
Client Needs and Issues

The studio met with the client in the beginning of the research exercise, and summarized the client's needs and issues regarding POPS into the following categories:

1. Regulation and Enforcement
2. Accessibility
3. Connectivity
4. Promotion

The first of the client’s interests were those concerning regulation and enforcement: this requires the inspection of POPS—making sure that they are up to standard to ensure the user-friendly environment that POPS were created to provide.

The second concern of the client was making sure that the spaces are open to the public during regulated times. The client expressed concerns that some POPS do not have signs notifying the public that they are indeed public spaces. The concern is that this may hinder users from entering the spaces, thinking that they are private.

The third concern was the need for greater connectivity between POPS. The client was concerned with greater connectivity because they believe it will serve many important functions, such as circulation. They believe it would also bring attention to the inaccessible spaces.

Lastly, the client wanted to be able to educate the public on the availability of privately owned public spaces in the district. POPS are a special feature that New York City offers and the client wanted to promote these, not only to accommodate users, but also to further develop them as tourist attractions.
Evolution of POPS

The history of Privately Owned Public Spaces is linked to the history of zoning in New York City.

New York City was one of the first cities to put in place legislation governing the bulk of buildings due to concerns over the canyon-like effect of rapid vertical development in the beginning of the 20th century. Issues such as shadowed streets and lack of open space were primary concerns when the city instituted the nation’s first comprehensive zoning laws in 1916 (Kayden et al., 2000).

The Zoning Resolutions

In 1916, the first zoning resolution became law in New York City. This was the first regulation of the height and dimensions of buildings. The city government introduced height and setback restrictions to buildings, where as a general rule, the farther away the building façade was from the street, the taller that façade could be. After reaching the maximum allowable height, the building had to be set farther back before going higher up. This was done to allow light and air to reach the lower levels of adjacent buildings and the street. This also gave way to an interesting architectural trope that later became known as the ‘Ziggurat effect’ (or the ‘wedding cake’ typology), articulated in buildings such as One Wall Street.

By the late 1950s, the 1916 Zoning Resolution was burdened with over 2,500 amendments and exceptions, and it became apparent to the Department of City Planning (DCP) that a new zoning resolution was due. The City appointed a consulting firm (Harrison, Ballard and Allen) in 1948 to make recommendations for a new zoning resolution. These recommendations were made public in 1951, but failed to gain enough support to become law. A second attempt was more successful, when Robert Wagner, Jr. became mayor. Wagner was the former chairman of the Planning Commission and was also involved in the first attempt at a new zoning resolution in 1951.

The city hired the firm Voorhees, Walker, Smith, and Smith to make new recommendations in 1956. After two and a half years of study, they produced a report, Zoning New York City: A Proposal for a Zoning Resolution for the City of New York. The Board of Estimate adopted the draft of this report in late 1960, and it became law in late 1961.

One of the most important concepts the new resolution introduced was that of measuring a building’s bulk, rather than dimensions, by using the Floor Area Ratio (FAR). Floor area ratio is equal to “the total floor area of a building on a zoning lot divided by the area of the zoning lot,” (Kayden et al., 2000, p. 10).
Incentive Zoning

The new zoning law also introduced the concept of incentive zoning, where, in certain zoning areas, a developer would be provided benefits from the city government in return for the provision of a public amenity. These could include low-income housing, access to public transportation, or privately owned public spaces.

In the case of POPS, in return for the provision of a ‘public space’ on the property owned by the developer, the maximum bonus would be up to a 20% increase in FAR. This translated to an addition of 3 FAR in the areas where a FAR of 15 for most of Manhattan’s buildings was permitted, making the total 18 FAR. This ultimately meant that the developer could now build more floors than what was allowed under the zoning law. The extra floors created tensions over the tradeoff for two main reasons: the value of the public space to the public cannot be measured, and the monetary value of the public space was much lower than the value of the extra floors provided by the zoning bonus.

This incentive zoning exercise became increasingly popular amongst private developers; in fact, by 1975, there were 231 privately owned public spaces in New York City (Kayden et al., 2000, p. 16). However, due to the lack of regulation, many of these spaces were cited as inadequate by Kayden and others.

Regulations

In the first version of the new zoning resolution, little was required of POPS — in fact, only a few sentences were dedicated to the concept of incentive zoning in the text of the resolution. Developers had only to provide a ‘space’, and many developers provided the bare minimum. That, however, was not the case for all developers: some provided spaces that were well beyond the scope of any requirements—and to this day—are considered some of the best POPS in New York City.

In 1962, the DCP made the first major modifications to the zoning code governing POPS. Plazas were defined, and permitted obstructions were specified. The next 8 years saw more types of spaces being defined, such as elevated plazas, through-block arcades, gallerias, covered plazas and pedestrian malls. These additions further served to promote the ‘tower in the park’ typology, encouraged by the 1961 resolution; however, these changes failed to address a major issue: these spaces lacked amenities to draw and retain visitors, thereby failing to adequately serve the public.

By the beginning of the 1970s, the Department of City Planning, with the participation of the local community boards, undertook a major reform initiative called the Urban Open Space Study (Kayden et al, 2000). This, taken along with William Whyte’s work in observing human behavior in public spaces, heavily influenced the first zoning amendment to the 1961 Zoning Resolution’s plazas and plaza-like spaces rules enacted by the DCP in 1975. The new amendment introduced stricter design regulations, notably, the provision of amenities such as seating, lighting, and signage. Moreover, the new regulations governed the plazas’ locations, their orientation, and visibility. Additionally, as-of-right plazas were split into three categories:

1. Urban Plaza
2. Sidewalk Widening
3. Pre-Existing Open Air Concourse

The addition of the ‘Sidewalk Widening’ typology proved to have particularly beneficial effects, where developers were now given lower FAR bonuses for their provision. Prior to the introduction of this typology, developers provided ‘plazas’ that were no more than a widening of the sidewalk space, with no amenities, in return for the same bonus space that was given to those who provided fully functioning plazas.

With regard to location rules, the DCP encouraged that plazas be located to the south of the new buildings to secure as much sunlight as possible; also, orientation and dimensional rules mandated that most of the plaza be visible from any location, and at any time. These rules also introduced ratios which managed the frontage and depth of plazas, and elevation restrictions on plazas were applied. Also applied were rules governing ADA accessibility (Kayden et al., 2000, p. 17).
The DCP initiated a new step in the approval process, requiring the review of new plazas by the Chairperson of the City Planning Commission prior to approval (Kayden et al, 2000).

These regulations remained in place until the year 2007, with only a few revisions added as the need arose. In 2007, the city enacted a new zoning amendment that included the following:

1. Replacing all plaza types with a single one called the “Public Plaza”
2. A revision and update of the design standards
3. Streamlining and consolidating provisions relating to open air cafes, kiosks, nighttime closings of plazas, and the process for the modification of plaza design guidelines

“The new text is limited to design and operational standards and makes no changes that relate to bulk, permitted floor area, the amount of floor area generated through the provision of bonus plazas or to locations where the plaza bonus is available,” (Department of City Planning, 2015).

In 2009, the city enacted a minor revision to the 2007 amendment which clarified some items in the 2007 amendment.

Courtesy of Alex Wallach
Columbia’s Urban Magazine, Fall 2011
Studio Strategy

With regard to the client’s needs and issues that were previously outlined—and in order to optimize our recommendations—the studio’s strategy was based around three main points:

1. The public-private dynamic
2. Popularizing POPS
3. Ensuring enforcement and compliance

The first step was to analyze the public-private dynamic, which allowed us to understand the relationship incentive zoning creates between the public and private spheres, helping us address our client’s goal of regulation. This strategy is addressed through a trade-off analysis, which is explained in detail in the following section.

The second and third components are addressed with the combination of a field observation exercise and stakeholder interviews. These approaches also directly address the remainder of our client’s concerns.

This studio strategy built on previous studies examining privately owned public space in Manhattan, and was designed to address observations and criticisms of these spaces by the authors of the previous studies. Our approach aimed to discern whether the previous concerns about POPS were still valid today. We then attempted to find new ways to address these concerns to deal with currently failing POPS.

Team Meetings
Courtesy of Cameron Robertson
## Approach

### Trade-off Analysis

**Floor Area Ratio (FAR)**

The floor area ratio is the relationship of total building floor area to the area of its zoning lot. Community District 5’s most prevalent zoning type is commercial use lots that normally reach 10 or 15 FAR. When the lot area is multiplied by its FAR, it produces the maximum amount of floor area allowable on that zoning lot. Privately owned public spaces owe their existence to incentive zoning laws that allowed developers to build taller and bulkier structures in exchange for creating and maintaining plazas, atriums, passageways, and other spaces—all required and intended to be open to the public. According to New York City’s zoning laws, the maximum FAR bonus is 20% of the original FAR, which is from 10 to 12 or from 15 to 18 (Kayden et al., 2000).

### Spatial Trade-offs

There are 503 privately owned public spaces in New York City and 99 of them are in Community District 5. Taken together, those POPS in Community District 5 amount to 1.2 million square feet (Jerold Kayden, Municipal Art Society, NYC Department of City Planning, 2000). In exchange, developers have been permitted to add-on an extra 5.3 million square feet of floor space (Department of City Planning). By our calculation, with every 1 square foot of POPS on the ground, developers get 4.6 square feet of above air spaces, on average.

### Cost and Benefit for the Developers

To grasp how much the developers gain financially from the provision of POPS, we explored 5 buildings as examples: 1633 Broadway, 280 Park Avenue, 299 Park Avenue, 55 East 52nd Street, and 575 Fifth Avenue. These samples were chosen due to the availability of relevant data.

### Table 1. Bonus and POPS Area of 5 Sample Sites

<table>
<thead>
<tr>
<th>Address</th>
<th>Zoning</th>
<th>Max FAR</th>
<th>Lot Area</th>
<th>Building Area</th>
<th>Bonus FAR</th>
<th>Bonus Area</th>
<th>POPS Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>1633 Broadway</td>
<td>C6-7</td>
<td>15</td>
<td>90,400</td>
<td>2,438,059</td>
<td>3</td>
<td>217,200</td>
<td>38,482</td>
</tr>
<tr>
<td>280 Park Avenue</td>
<td>C5-3</td>
<td>15</td>
<td>24,775</td>
<td>386,166</td>
<td>3</td>
<td>74,325</td>
<td>17,603</td>
</tr>
<tr>
<td>299 Park Avenue</td>
<td>C5-3</td>
<td>15</td>
<td>40,166</td>
<td>1,039,281</td>
<td>3</td>
<td>120,498</td>
<td>15,891</td>
</tr>
<tr>
<td>55 East 52nd Street</td>
<td>C5-2.5</td>
<td>12</td>
<td>38,314</td>
<td>1,064,223</td>
<td>2.4</td>
<td>91,954</td>
<td>13,000</td>
</tr>
<tr>
<td>575 5th Avenue</td>
<td>C5-3</td>
<td>15</td>
<td>20,083</td>
<td>399,621</td>
<td>3</td>
<td>60,249</td>
<td>3,442</td>
</tr>
</tbody>
</table>

*Sources: Jerold Kayden, Municipal Arts Society NYC, NYC Department of City Planning*

For the benefit of the private developers, we used the annual rent of the FAR bonus spaces in 2014. The data for the annual rent was collected from several office space rental websites such as The Square Foot, LoopNet, and Real Capital Analytics.
For the cost, we used the annual maintenance cost, and the construction cost of POPS. The annual maintenance cost was estimated at $3.56/square foot based on maintenance costs in 2014 (data from the public records of publicly owned public spaces). Built year cost of POPS construction was divided by 30 years with the assumption that developers would distribute their construction cost throughout 30 years, and the cost would dissolve within those 30 years. Inflation or economic fluctuations have not been taken into consideration.

Based on this study, it is shown that developers earn between 30 to 70 times more than they spend on POPS.

### Table 2. Benefit to the Developers

<table>
<thead>
<tr>
<th>Address</th>
<th>Bonus Space Area</th>
<th>Monthly Rent /SQFT</th>
<th>Annual Rent /SQFT</th>
<th>Annual Bonus Space Rent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1633 Broadway</td>
<td>217,200</td>
<td>5</td>
<td>60</td>
<td>13,032,000</td>
</tr>
<tr>
<td>280 Park Avenue</td>
<td>74,325</td>
<td>5.25</td>
<td>63</td>
<td>4,682,475</td>
</tr>
<tr>
<td>299 Park Avenue</td>
<td>120,498</td>
<td>5.25</td>
<td>63</td>
<td>7,591,374</td>
</tr>
<tr>
<td>55 East 52nd Street</td>
<td>91,954</td>
<td>7</td>
<td>84</td>
<td>7,724,136</td>
</tr>
<tr>
<td>575 5th Avenue</td>
<td>60,249</td>
<td>5.75</td>
<td>69</td>
<td>4,157,181</td>
</tr>
</tbody>
</table>

Sources: The Square Foot, LoopNet, Real Capital Analytics

<table>
<thead>
<tr>
<th>Address</th>
<th>Bonus Space Area</th>
<th>Maintenance Cost</th>
<th>Construction Cost</th>
<th>Construction Cost /30 years</th>
<th>Total Annual Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1633 Broadway</td>
<td>38,482</td>
<td>136,996</td>
<td>8,184,100</td>
<td>272,803</td>
<td>409,799</td>
</tr>
<tr>
<td>280 Park Avenue</td>
<td>17,603</td>
<td>62,667</td>
<td>1,760,300</td>
<td>58,677</td>
<td>121,343</td>
</tr>
<tr>
<td>299 Park Avenue</td>
<td>15,891</td>
<td>56,572</td>
<td>1,762,620</td>
<td>58,754</td>
<td>115,326</td>
</tr>
<tr>
<td>55 East 52nd Street</td>
<td>13,000</td>
<td>46,280</td>
<td>5,200,000</td>
<td>173,333</td>
<td>219,613</td>
</tr>
<tr>
<td>575 5th Avenue</td>
<td>3,442</td>
<td>12,254</td>
<td>1,376,800</td>
<td>45,893</td>
<td>58,147</td>
</tr>
</tbody>
</table>

Sources: Jerold Kayden, Municipal Arts Society NYC, NYC Department of City Planning, NYC Department of Parks and Recreation, Thomas Balsley Associates

For the cost, we used the annual maintenance cost, and the construction cost of POPS. The annual maintenance cost was estimated at $3.56/square foot based on maintenance costs in 2014 (data from the public records of publicly owned public spaces). Built year cost of POPS construction was divided by 30 years with the assumption that developers would distribute their construction cost throughout 30 years, and the cost would dissolve within those 30 years. Inflation or economic fluctuations have not been taken into consideration.

Based on this study, it is shown that developers earn between 30 to 70 times more than they spend on POPS.

### Table 3. Cost to the Developers

<table>
<thead>
<tr>
<th>Address</th>
<th>POPS Area</th>
<th>Maintenance Cost</th>
<th>Construction Cost</th>
<th>Construction Cost /30 years</th>
<th>Total Annual Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1633 Broadway</td>
<td>38,482</td>
<td>136,996</td>
<td>8,184,100</td>
<td>272,803</td>
<td>409,799</td>
</tr>
<tr>
<td>280 Park Avenue</td>
<td>17,603</td>
<td>62,667</td>
<td>1,760,300</td>
<td>58,677</td>
<td>121,343</td>
</tr>
<tr>
<td>299 Park Avenue</td>
<td>15,891</td>
<td>56,572</td>
<td>1,762,620</td>
<td>58,754</td>
<td>115,326</td>
</tr>
<tr>
<td>55 East 52nd Street</td>
<td>13,000</td>
<td>46,280</td>
<td>5,200,000</td>
<td>173,333</td>
<td>219,613</td>
</tr>
<tr>
<td>575 5th Avenue</td>
<td>3,442</td>
<td>12,254</td>
<td>1,376,800</td>
<td>45,893</td>
<td>58,147</td>
</tr>
</tbody>
</table>

Sources: Jerold Kayden, Municipal Arts Society NYC, NYC Department of City Planning, NYC Department of Parks and Recreation, Thomas Balsley Associates

Based on this study, it is shown that developers earn between 30 to 70 times more than they spend on POPS.

### Table 4. Comparison of Cost and Benefits

<table>
<thead>
<tr>
<th>Address</th>
<th>Benefit</th>
<th>Cost</th>
<th>Benefit/Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1633 Broadway</td>
<td>13,302,000</td>
<td>409,799</td>
<td>32</td>
</tr>
<tr>
<td>280 Park Avenue</td>
<td>4,682,475</td>
<td>121,343</td>
<td>39</td>
</tr>
<tr>
<td>299 Park Avenue</td>
<td>7,591,374</td>
<td>115,326</td>
<td>66</td>
</tr>
<tr>
<td>55 East 52nd Street</td>
<td>7,724,136</td>
<td>219,613</td>
<td>35</td>
</tr>
<tr>
<td>575 5th Avenue</td>
<td>4,157,181</td>
<td>58,147</td>
<td>71</td>
</tr>
</tbody>
</table>

Throughout the research process, the studio also examined privately owned public spaces in CD5 in person to understand the current state of these space, especially given the recent updates (2007 and 2009) to the zoning code.

The studio then looked at the previous field observation exercises performed by the two most recent and relevant studies, and came up with our own criteria, as outlined in the following tables:
### Table 5. Usage

<table>
<thead>
<tr>
<th>General User Behaviors</th>
<th>Criteria</th>
<th>Kayden</th>
<th>CB6</th>
<th>CB5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Numbers of people on site</td>
<td>GOOD</td>
<td>Accessibility to the POPS</td>
<td>Conveniently located and near subway stations</td>
<td>Serve the major User Groups</td>
</tr>
<tr>
<td>Hostile to public use; Serve all the user group; Meet the required functions as a public space</td>
<td>Amenity practicality</td>
<td>Function as it is supposed to, such as sidewalk widening relieves congestion</td>
<td>Functioning across user groups</td>
<td></td>
</tr>
<tr>
<td>Amenity being used</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>How they entered and left</td>
<td>User demographics</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>POPs connection</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Table 6. Design

<table>
<thead>
<tr>
<th>Attributes</th>
<th>Criteria</th>
<th>Kayden</th>
<th>CB6</th>
<th>CB5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical attributes</td>
<td>GOOD</td>
<td>Fit in the built environment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amenity</td>
<td>Provided Amenities</td>
<td>Fully provided required amenities/Amenities provided at owners’ good wills</td>
<td></td>
<td>Meet minimum requirement</td>
</tr>
<tr>
<td>Signage</td>
<td>Clear and legible</td>
<td>Work for the public’s enjoyment such as interesting statue, pleasing sculpture</td>
<td></td>
<td>Modern design for a commercial center and tourist center</td>
</tr>
<tr>
<td>Aesthetically pleasing</td>
<td>Amenities</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Support the usage</td>
<td>User-friendly features</td>
<td>Convenient for public use, improve user experience for POPs</td>
<td>User-friendly features</td>
<td></td>
</tr>
<tr>
<td>ADA friendly</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amenities on site</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Fit for the people who are using is | Fit in the built-in environment | | | |
<table>
<thead>
<tr>
<th>Operation and Maintenance</th>
<th>Operation</th>
<th>Maintenance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Keyden</td>
<td>CB6</td>
</tr>
<tr>
<td>Criteria</td>
<td>Good</td>
<td>Criteria</td>
</tr>
<tr>
<td>How the space was managed and repaired</td>
<td>clean, repaired in time</td>
<td>General Condition</td>
</tr>
<tr>
<td>How the space managed in terms of its responsiveness to public rights to use the space</td>
<td>Open to the public in proposed time</td>
<td>Accessibility to public</td>
</tr>
<tr>
<td>Whether the place was in apparent</td>
<td>Function as a public space</td>
<td>no limited use by private purpose</td>
</tr>
<tr>
<td>Compliance with the legal requirement</td>
<td>Follow the legal requirements governing its provision</td>
<td></td>
</tr>
</tbody>
</table>
Site Selection

The study area contains 99 privately owned public spaces, therefore, to achieve statistical significance (90%), 50 sites were chosen to be observed. The sites were selected based on the following criteria:

1. The site must be within 0.25 miles (walking distance) from one of the ten busiest subway stations in Community District 5
2. The site must be within the areas with the highest FAR in Community District 5 (FAR ≥ 15)
3. The site must be within 0.25 miles of a famous tourist attraction

Maps of CD5
Courtesy of Kaylee Moon, Jeongwon Seo, Sinae Lee, and Yifei Ma
The 50 sites were then divided by category, following the same distribution of spaces in the district, as shown below:

<table>
<thead>
<tr>
<th></th>
<th>Plaza</th>
<th>Through-Block</th>
<th>Mixed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community District 5</td>
<td>42</td>
<td>18</td>
<td>39</td>
</tr>
<tr>
<td>Selected Sites</td>
<td>23</td>
<td>6</td>
<td>21</td>
</tr>
</tbody>
</table>

Field Observations

Observation Times:
In order to observe user behavior, each of the sites was visited at three different times, with 10-minute observation periods for a total of 150 visits over the course of study:
1. Weekday – lunchtime: 12 pm to 3 pm
2. Weekday – rush hour: 4 pm to 7 pm
3. Weekend – 12 pm to 7 pm
The studio chose these times in order to visit sites during their highest use periods. The studio assumed that the sites would have a higher number of users at these times based on the assumption that the district’s many workers and visitors would use these spaces to enjoy their lunch or free time.

Observation Components:
We created an observation checklist consisting of seven different sections:
1. Identification
2. Amenity Check
3. ADA Accessibility Check
4. Maintenance Check
5. User Behavior Observations
6. Signage and Visibility
7. Others/comments

The studio used SurveyMonkey.com to conduct the observation exercise; this allowed members conducting the exercise to fill in the ‘survey’ electronically using cell phones or tablets.

Identification Page:
Observers recorded the following information:
1) Date and Time
2) POPS Street Address
3) Weather Conditions (estimate):
   a. Sunny
   b. Partly Cloudy
   c. Cloudy
   d. Rainy
   e. Snowy
   f. Windy
4) Temperature (in degrees Celsius).
5) Whether the site was ‘indoor’ or ‘outdoor’ or ‘mixed’.
6) Whether the site was to be open for 24 hours, 7 days a week, or was permitted closure (at night or during weekends).
7) Whether the site was open, and if not, to provide a reason.
Amenity Check
(only performed for one visit):
1) Choose a type of POPS (observer could select more than one option):
   a. Arcade
   b. Plaza
   c. Sidewalk Widening
   d. Through-Block Connection
   e. Covered Pedestrian Space
   f. Sunken Plaza
2) Select available amenities from the following list (observer could select more than one option):
   a. Artwork
   b. Bicycle Parking
   c. Climate Control
   d. Drinking Fountain(s)
   e. Elevator(s)
   f. Escalator(s)
   g. Vending Machine(s)
   h. Lighting
   i. Litter Receptacle(s)
   j. Recycling Facility(s)
   k. Planting
   l. Trees
   m. Signage
   n. Retail Frontage
   o. Seating
   p. Tables
   q. Trees on Street
   r. Water Feature
   s. Kiosk
   t. Open Air Café
3) The observer was then asked to assess each selected amenity according to the following:
   a. Number (1 to 50, then 50+)
   b. Is the amenity functional? (yes, no, N/A)
   c. Assess maintenance (1 to 5, with 5 being the best, and N/A)
   d. Is the amenity user-friendly? (yes, no, N/A)
   e. Is the amenity interactive? (yes, no, N/A)

Accessibility Check
(only performed for one visit):
1) Is the site ADA friendly? (yes, no, if no – please specify)
2) Comments on ADA Infrastructure
3) Rate ADA Infrastructure maintenance (1 to 5, with 5 being the best, N/A)
4) Specify ADA Infrastructure:
   a. Ramps
   b. Braille Facilities
   c. Other(s), please specify

Maintenance
(only performed for one visit):
Select one (or more) from the following:
1) Trash not collected
2) Broken paving/flooring
3) Vandalism
4) Lighting not working
5) Other (please specify)

User Behavior Observations:
Observer was asked to stay on site for 10 minutes, questions were as follows:
1) How many people are on site? (Enter exact number, or 50+)
2) How many people are passing through? (Enter exact number, or 50+)
3) How many people are sitting down on benches/seats? (Enter exact number, or 50+)
4) How many people are sitting down on the ground/ledges/steps? (Enter exact number, or 50+)
5) Are there any homeless people on site (yes, no, N/A)
6) Observers were then asked to fill in the following table:
7) Are there any site workers (may select one or more):
   a. Private Security Guards
   b. Private Cleaning Company
   c. N/A
   d. Others (please specify)

**Signage and Visibility (only performed for one visit):**
1) Is the sign legible? (yes, no, N/A)
2) Is the sign visible from afar? (yes, no, N/A)
3) Is the sign up to standard? (yes, no – please specify)

**Others/Comments**
Finally, observers were asked to enter general comments, and any comments specifically about kiosks or the functioning of open-air cafes.
Results and Analysis

We had fifty sites in total and visited each site three times. We checked the amenities, evaluated the operation and maintenance, observed user behaviors, and specifically assessed the accessibility and signage. Studies done by the Department of City Planning, Jerold Kayden, Community District 6, and other similar work dealing with POPS helped us perform our analysis.

Out of the 50 sites, seven sites were completely closed because of construction work. Two sites were illegally closed at specific times when they were required to open. The table below lists the addresses of site closures:

<table>
<thead>
<tr>
<th>No.</th>
<th>Address</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>10 East 53rd Street</td>
<td>Under Construction</td>
</tr>
<tr>
<td>2</td>
<td>1250 Broadway</td>
<td>Under Construction</td>
</tr>
<tr>
<td>3</td>
<td>235 49th Street</td>
<td>Under Construction</td>
</tr>
<tr>
<td>4</td>
<td>437 Madison Avenue</td>
<td>Under Construction</td>
</tr>
<tr>
<td>5</td>
<td>489 5th Avenue</td>
<td>Under Construction</td>
</tr>
<tr>
<td>6</td>
<td>560 Lexington Avenue</td>
<td>Under Construction</td>
</tr>
<tr>
<td>7</td>
<td>888 7th Avenue</td>
<td>Under Construction</td>
</tr>
<tr>
<td>8</td>
<td>499 Park Avenue</td>
<td>Illegally Closed</td>
</tr>
<tr>
<td>9</td>
<td>1221 Sixth Avenue</td>
<td>Illegally Closed</td>
</tr>
</tbody>
</table>

In the three visits, 499 Park Avenue and 1221 Sixth Avenue both had one visit where they were inaccessible. There were three other visits where other sites were not accessible; however, the closures were permitted. During our field observation periods, most of the visits were done in good weather—our results represent the user behaviors in these POPS under the current conditions of the time. Our analysis is based on the 124 visits to the open sites.

Amenity check

Amenity requirements are category-specific; each type of privately owned public space has a specific set of basic characteristics that must be present. The New York City Department of City Planning regulates the minimum requirements for each category. Community District 5 has 10 out of 12 types of POPS by New York City's Department of City Planning categorization scheme. We checked the amenities based on the listed requirements from both the DCP and Kayden.

Kayden and APOPS

To support our analysis, we referred to Kayden (2000), as well as a website that he runs jointly with the Municipal Art Society (apops.mas.org), which displays required amenities for each POPS location. Kayden (2000) wrote about the twelve types of privately owned public spaces recognized by the Department of City Planning. Each of these typologies requires certain amenities within the space. Below is a table in which we summarize the standards according to Kayden (2000):
Many POPS in Community District 5 are mixed-use and span multiple typologies. Kayden (2000) did not provide requirements on such mixed-use POPS such as plaza/arcades, which make up a large proportion of CD5 POPS. According to NYC Department of City Planning, 13 of the sites in our study area do not have a minimum requirement for amenities. For the remaining 30 sites, 8 meet the minimum requirements. However, some of the sites had the required amenities, but they were not well maintained, or did not work properly.

**Sign/Plaque**

We picked out signage as a particular point of interest because of our belief that it plays an important role in the overall usage of POPS: a clear sign signals to people that public access is allowed on private property and educates people about the availability of privately owned public spaces.

Current regulations by the Department of City Planning require all POPS to have signage, regardless of their category—and all signs are supposed to follow a certain format that includes the hours of operation, the POPS logo, and information pertaining to ADA accessibility. In the selected sites, 15 out of 43 sites do not have signage that is up to current standards. Four examples from our survey sites are shown below:

![Sample signs](image)

*Sample signs*  
*Courtesy of POPS Studio*
The first two are following the standards while the bottom 2 are clearly not up-to standard. Signs are an important way to demonstrate to the public that these spaces are accessible to them. From our observations, it turned out that just 62.79% of the sites met the expectation of having a sign that was visible from afar.

**Operation and Maintenance Evaluation**

The Department of City Planning regulates the operation and maintenance of POPS, but the Department of Buildings is responsible for the enforcement of these regulations. Upkeep of these spaces is important because it maintains well-functioning POPS that improve the environment around the buildings that provide them.

Below is our analysis of information we collected while observing the selected sites:

**Operation:**

In our field observations, we measured operation by the quality of services POPS provided their users. We assessed their accessibility to disabled people, and found that most of the sites have the necessary amenities. Only BLANK, 9.3% of our sites were not ADA compliant. For example, in Park Avenue Plaza, the entrance into the indoor space was provided only by a revolving door—the side doors next to the revolving doors were locked making the space inaccessible.

To further assess how these spaces operate, we recorded the on-site staff in POPS—the most frequently observed being private security and private cleaning services.

**Maintenance:**

We evaluated the maintenance of these spaces and their amenities separately. With regard to amenity assessments, we scored each amenity on site from 1-5, 5 being the best. Most of the amenities we found were quite good, earning 5 points and averaging 4.8. However, some amenities did not function in the expected way, even if they were well-maintained, which we noted by very few people using the amenity. The reason for this observation may be the survey time or a lack of a user-friendly design.

As for the maintenance of the space, we identified issues in POPS according to criteria from previous studies by both Jerold Kayden (2000) and Community Board 6 (2008).

The most frequent problem we observed were overflowing trash cans, as shown in the picture below, but we did not observe many other major issues in the selected POPS.

However, overflowing trash cans show that enforcement and the provision of amenities are lacking. There are not enough litter receptacles or, perhaps, trash collection is not frequent enough. There is no specific language in the zoning text on how building owners maintain their POPS, other than they are required to keep the space maintained. Effective and on-time maintenance could improve the POPS environment. A notable example of a well-maintained space is the IBM Plaza, which is one of the most vibrant sites in the area.

145 W. 56th Street
Courtesy of POPS Studio
User Behavior

In 10-minute observation periods we recorded people’s activities in POPS and identified the important functions these spaces serve. The chart below shows the sum of people conducting each activity in all the survey sites:

In addition to the activities shown above, another notable activity included tourists taking pictures. Among the top five activities were resting, business meetings, and casual meetings, like people chatting at a table. Smoking was also one of the top five activities even though smoking is illegal in all New York City public spaces. We also observed that many of the sites have No Smoking signs clearly visible.

We then tried to identify the functions that POPS perform in Community District 5. We aggregated the POPS typologies on the basis of their design and supposed usage into three groups: plazas, through-block, and mixed-use spaces (those which were a combination of plazas/through-block or arcade/covered pedestrian spaces, for example). We recorded the number of people resting or lingering at the sites and those who were passing through during our 10-minute observation periods.

The bar chart below shows the comparison of two groups in each category of space. The number shows the average population per site of 3 visits. The ratio of people passing through to people staying at the sites varies by category. On average, there were almost four times as many people passing through the sites than were resting.

From this, we can see that one important function that POPS perform in CD5 is circulation, an observation supported by their spatial concentration.

6 1/2 Avenue is a successful example of how multiple POPS are supporting intra-district circulation and connectivity, and should be highlighted: one can walk through the middle of six blocks by using POPS, which effectively alleviates the foot traffic on main streets. We believe POPS provide an opportunity to achieve greater connectivity, and therefore, easier commuting within the district.
Interviews

In addition to our field research, the studio also interviewed key stakeholders.

The interviewees were as follows:

1. Planners:
   a. Edith Hsu Chen - Director of the Manhattan Office of the DCP
   b. Erik Botsford - Deputy Director of the Manhattan Office of the DCP
   c. Ezra Moser - Urban Planner - DCP
   d. Richard Suarez - Urban Planner - DCP
   e. Jamie Chen - Urban Planner - DCP
   f. Douglas Woodward - APOPS
   g. Ellen Nicholson - APOPS

2. Private Developers:
   • Adam Rose, Co-President - Rose Associates, New York City

3. Urban Designer:
   • Thomas Balsley, Principal - Balsley Associates

Each of the interviews addressed the following topics related to our research:

• Improvement/Maintenance of POPS
• The FAR Bonus
• Current Regulations
• Financing
• Inspection and Enforcement of POPS

Each interviewee had a distinct point of view, however, commonalities among findings emerged:

• There is a need for an individual group within Community Board 5 to keep track of POPS within their district.
• The DCP currently lacks political power to deter the grandfathering of these spaces.
• "POPS are of value to residents, visitors and neighborhoods alike. [They are] a universally positive thing, as long as the space is maintained and watched." - Adam Rose
• "A city regulation that would require POPS for all new developments would be a huge error, because many projects do not lend themselves to the creation of public space." - Adam Rose
• While incentive zoning has been the recipient of much criticism since it was instituted, it is a very useful tool and should be allowed to further develop. The public sector is bolstered by the provision of amenities that incentive zoning has provided—and oftentimes—the private sector has provided these amenities faster and cheaper than the public sector could.
Studio Recommendations

Short Term

**Promotion:**
While we noticed that some POPS were heavily used, many in our study area were not being used at all—despite being comfortable and attractive places to visit and rest in. We think that this is mainly due to the fact that POPS aren't adequately advertised or widely-known. A potential reason POPS are not being used to their fullest extent is lack of public awareness about what POPS are, and how they work. We propose that local officials, such as the representatives on community boards, advertise the locations of POPS via an awareness campaign targeted at visitors and workers in the area. These advertisements could be posted on public transit sites, such as covered bus stops and subway stations.

**Mandate minimum signage requirements:**
Another reason for the underuse of POPS is a lack of adequate signage that identifies them as public spaces with their hours of operation. This can be improved by mandating that all POPS have up-to-date signage that makes clear these spaces are for use by the public and describes their availability for use.

Spaces built before regulatory changes in 1974 were grandfathered in with the rules that applied to them when they were constructed. For example, nineteen POPS in our study area were built before 1974, and therefore do not exhibit current signage regulations.

**Institute volunteer task force:**
One of the issues raised at the community board meeting was the lack of enforcement in POPS. As stated before, the power to regulate and enforce is split between the Department of City Planning, who writes the citations for non-compliance, and the Department of Buildings, who administers the fines. However, both the DCP and the DOB are understaffed and lack funds to adequately enforce POPS standards.

We recommend the community board create a volunteer task force made up of interested members of the community to help report violations to the Department of City Planning so that non-compliance can be remedied, and POPS can better serve the public.

**Raise Fines:**
While fines on building owners for non-compliance exist, our recommendation is that they should be higher. The standard penalty is currently $4,000, but could be raised to $10,000, and be set to increase with subsequent infractions. These fines could then go into a fund that would support better policing of POPS.

**Collaborate with web-based mapping services:**
As another means of promotion, we recommend using popular web-based mapping services to highlight the location of POPS. This can also help to improve wayfinding to and between these spaces.
More flexible POPS:
The programming of events in POPS could help to promote these spaces and increase their public benefit. We recommend that up to 60% of space be allowed to be used for events in POPS. Current regulations restrict events and their furnishings to between 40 and 50% of the space—however, a temporary text amendment enacted on Water Street allowed building owners to occupy up to 60% of their POPS for events. The amendment encouraged uses in POPS including farmers markets, outdoor fitness events, and food tastings that allowed them more space in which to operate.

Remove legislative barrier for kiosks:
In order to encourage the increased use of POPS, we recommend that the DCP remove certain legislative barriers for kiosks in POPS. Currently, there is allowed one kiosk for every 5,000 square feet of plaza, and each kiosk must be approved on a case-by-case basis by the Chairperson of the City Planning Commission. For spaces of 5,000 square feet and larger, we think kiosks should be allowed as-of-right. This change would reduce the workload of the City Planning Commission, as well as encourage activation of the space by making it more of an amenity to passers-by.

As an example of this recommendation in practice, the roughly 6,000 square foot plaza at 12 East 49th Street could easily support a coffee kiosk (see below) as-of-right, and we think there shouldn’t be an extra step for the building owner to undertake.
**Long Term Recertifications:**
Better management of the recertification process by DCP will help to improve the quality of these spaces. Currently, building owners are required to send in paperwork every three years to certify that their space is in accordance with code. The DCP currently has the recertification process tied to bringing the spaces in line with current design standards; however, the DCP is overwhelmed and understaffed and have not kept up with the process.

Old plazas are the worst offenders in terms of underperforming spaces, so keeping up with the recertification may be the easiest way to move the average quality of spaces in a positive direction.

Because many of the older spaces are in a prime location in Midtown Manhattan, they could become true public amenities if they were to be brought up to current standards.

**Multifaceted Connectivity:**
As New York City continues to compete as a global city, modern smart technologies can greatly enhance urbanites’ lives and demonstrate the city’s evolution with progressive trends. We recommend that smart billboards be installed in POPS to display information such as city maps and directions to the nearest restrooms or attractions. Similar billboards are currently seen in some of the busy subways (such as 42nd Street), therefore it is not beyond our current technological ability or beyond feasibility in the current political climate. These billboards not only serve as traditional commercial advertising tools, but can also serve as free wifi hotspots, real-time transit information portals, places for important public service announcements, and other visitor-friendly features. City life can become much more convenient, efficient, and interconnected with the installation of smart infrastructures in POPS.
Addressing Client’s Needs:
All of our findings and conclusions directly address our studio’s objectives mentioned in the beginning of this report, as well as address our client’s goals of improving the regulation and enforcement, accessibility, connectivity, and the promotion of POPS.

Our recommendations on regulation and the inspection of POPS touched on some of the most crucial issues of POPS, generally—we took a direct approach in addressing these issues, and provided our client solutions on tackling the enforcement dilemma that POPS in their district face.

Our signage, smart infrastructure, and web-based mapping recommendations will promote the public awareness, accessibility, and connectivity of POPS. If the public know where POPS are, these spaces may experience a substantial increase in public attention and usage, thereby becoming better amenities for residents and visitors alike.
Conclusion

One of the most important aspects of any city, town or even the smallest of villages, is its public space. New York is the first city to provide the unique phenomenon of public space that is privately owned. In general, the private sector has provided better spaces, with unique functionalities and in a much shorter time frame.

The dynamic is now changing, with the evolution of new incentive zoning tools such as the provision of public amenities at One Vanderbilt Avenue. It is now more important than ever to discuss past mistakes and learn from them.

This studio studied POPS, examined the zoning mechanisms, and came up with what we hope are useful and innovative recommendations for our client, Community Board 5, and other key stakeholders in the city government. These recommendations not only need be applied to the privately owned public spaces of the past, but those coming in the future, in their various forms and capacities.

The future promises many new innovations in public space, and we see these spaces evolving with their use. We believe public space could be provided and cared for completely by the private sector, while still embodying the aspects of public space that we cherish.
References


http://www.apops.mas.org/