Manhattan’s “Shadow Park System”:
Beneath the Occupy Wall Street/Zuccotti Park Debate
Thomas Balsley, FASLA, Thomas Balsley Associates

Occupy Wall Street made Zuccotti Park famous, casting the public eye on these small urban open spaces. Questions of ownership and management, use and access, purpose and program have now crossed over into the mainstream dialogue. How have these privately-owned public spaces (POPS) emerged and performed? Why have landscape architects been left out? What do we fear? What have we learned?

LEARNING OBJECTIVES:
1. Present the landscape architectural role in social sustainability and urban revitalization through small urban space design.
2. Explain how Manhattan’s incentive zoning created privately owned public spaces - a 90 acre “shadow park system” in Manhattan.
3. The landscape architectural perspective of the Occupy Wall Street/Zuccotti Park episode: conflicts, access, and public value.
4. Learn design strategies for managing private and public expectations and pursuing design excellence for these important interstitial urban spaces.

OUTLINE:
I. Introduction:
   a. The vital role of small scale urban spaces nationwide in fostering social sustainability, urban revitalization, and, now, debates on freedom of speech. According to William Whyte, an early proponent, these messy but stimulating social hodgepodes are necessary in livable, creative cities. Many Manhattan plazas created in the last quarter of the 20th century are privately owned public open spaces called POPS, a product of unique incentive zoning.

II. How New York City’s Incentive Zoning Created A Staggering 500+ POPS Covering 90 Acres
   a. Why POPS have emerged in New York City and how they have fared
   b. The landscape architect’s unique opportunity
   c. How design mandates for these spaces have evolved to improve their performance
   d. Private sector interests vs. the public’s trust

III. Landscape Architects role in small urban plazas
   a. For 40 years our profession missed an extraordinary opportunity to assert itself as urban placemakers
Many failed to live up to the public benefit promise
New professional opportunities to enhance urban living
and, indirectly, curb suburban sprawl

IV. New York City’s Shadow Park System: Pros and Cons
a. Examples of successes and failures with diagnostics, including design, politics, and bad intentions
b. Small public spaces within a few blocks of work or residence touch daily lives
c. In the densest urban cores, cities can’t afford to purchase, build, or maintain these spaces
d. Historic failures of spaces above or below street level have defined accessibility policy
e. The debate of food concessions and nighttime closings
f. Failed waterproofing of slab below offers extraordinary opportunities to re-imagine the space for shifting cultures

V. POPS Design Tactics
a. Resilient and responsive design that accommodates varying scales and types of use
b. Anticipate future project management policy and the abuse of intense public use
c. Public expectations and private goals must be reconciled for long-term success
d. Become a keen social observer of urban social context

VI. Occupy Wall Street and the Public Open Space Policy
a. Public accessibility is being threatened
b. Support the creation of more of these important spaces and ensure they remain public through design and advocacy

REFERENCES
“Beyond Zuccotti Park: Freedom of Assembly and Occupation of Public Space”, Ron Shiffman, Rick Bell, Lance Jay Brown, and Lynne Elizabeth


SPEAKER BIO
Thomas Balsley, FASLA, specializes in urban landscape architecture. His more than 100 NYC public spaces includes Balsley Park on 57th St. He is featured in numerous publications and lectures throughout the US and abroad including the monograph Thomas Balsley: The Urban Landscape by Spacemaker Press. His award-winning parks and waterfronts include Riverside Park South, Gantry Park and Capitol Plaza in NYC, Cleveland’s Perk Park, Baltimore’s Westshore Park and Dallas’ Main Street Garden.
New York Still Needs Patches of Green

By Thomas Balsley

As a landscape architect in New York City, I have often been hired to design or redesign so-called bonus plazas, the small islands of green space that the city’s zoning laws encourage developers to include when building new towers in certain zones. These plazas have been much criticized, and I can understand why: often I am called in to correct decades’ worth of carelessness and indifference that have turned what should have been an urban oasis into a mean concrete wasteland. Too many developers have complied with the letter and not the spirit of the bonus plaza rule, eagerly accepting the part of the bargain that lets them build more floor space but abandoning the responsibility of creating a welcoming public area on the ground.

But if the problem is poorly designed or maintained open space, surely the solution isn’t to have no open space at all. Yet this is what the city’s new zoning proposal, the Unified Bulk Program, which the City Council is expected to vote on later this year, threatens to do.

The “bonus” that builders can now get for leaving enough ground space for a public plaza is permission to add more floors. But, concerned about buildings that cast shadows and spoil views for residential neighbors, planners want to junk these “tower in the park” rules. The new plan would no longer permit the exchange of height for open space in residential zones.

Controlling the height of skyscrapers may be appropriate in some parts of the city, but the primary cause of the vertical climb of new buildings is the transfer of air rights from one property to another. Developers have been adding floors to their buildings by purchasing the air rights of adjacent properties.

The new zoning plan is right to address this problem, but the battle to save the cityscape from too-tall buildings shouldn’t come at the expense of open space on the ground. If we asked the people who enjoy those spaces every day to choose between slightly shorter buildings or a small park, how do you think they would respond?

Those who see the bonus plazas as expendable point to the worst cases, the expanses where wind whips trash into corners and no one cares to linger. But the emptiest, most barren bonus plaza is still a parcel of open space, set aside in one of the world’s most dense environments. It can always be redesigned and put to better use, which is exactly what has happened at One Penn Plaza, a project on which I was a design consultant. What was once a barren nearly half-acre plaza is now a vibrant social gathering place with cafes, fountains, gardens and shaded seating. This serves as an escape from the otherwise busy streets and retail activity in the district around Madison Square Garden.

Multiply this scene by hundreds, and you begin to understand what the bonus-plaza provision does for New York. Taken together, the city’s bonus plazas have created acres of public open space where they are needed most, all built and maintained without taxpayer expense.

This city has some wonderful parks, like Central Park, and has finally begun to develop some terrific green spaces along its waterfronts. But these are destination parks, places you plan to go to rather than happen upon. And while there are also many bustling neighborhood parks, most of these are havens for children — with playgrounds and ball fields as their prime attractions. Missing are such places for adults — convenient open spaces where they can relax amidst the city’s din.

We who deal closely with New York’s public spaces have gotten better at designing and transforming them over the years. Community groups fight for good spaces, enlightened developers set good examples and the city has improved plaza design regulations.

Yet just at this point, when citizens have come to want and expect these open spaces, the city threatens to declare them worthless.

The city shouldn’t give up on plazas among the towers.

Thomas Balsley, principal partner of the architecture firm Balsley Associates, has designed more than 100 public plazas, parks and gardens in New York City.
What to Do With Zuccotti Park? The Designer Behind More POPS Than Anyone Has Some Ideas

Thomas Balsley is one of the foremost landscape architects in New York who happens to hold a special distinction as the person who has designed more Privately Owned Public Spaces, better known as POPS, than anyone else. A zoning anomaly until Occupy Wall Street made them famous, POPS have become an important part of the city’s landscape, and their fate is no doubt going to be debated in the year to come. Here, Mr. Balsley shares his thoughts on the vital importance of these spaces in our city and what their future holds.

In the recent flurry of newspaper accounts about the Occupy Wall Street phenomenon, we read a lot about how Lower Manhattan’s Zuccotti Park was a Privately Owned Public Space, a small, publicly accessible park maintained by private owners in exchange for zoning incentives.

As an urban landscape architect in New York City, I’ve designed dozens of these spaces. I’m proud to say I’ve been called (in Jerold Kayden’s Privately Owned Public Space: The New York City Experience) “the most prolific of the city’s public space design specialists”; I’ve even had one named after me, Balsley Park, on West 57th St. And it’s precisely because I’ve seen firsthand the power of POPS to enhance our urban existence that I’m such a strong supporter of the zoning rules that created them. Almost 90 acres of POPS have been installed throughout the densely developed island of Manhattan, without a cent of public financing. Imagine what the city would have had to pay to acquire the land to build and then maintain even half of these!

Now that the occupation is over, however, the city is left facing some daunting questions about the ambiguous nature of these parks and plazas. Do they belong to the public, or to their owners? Should they be, and feel, more civic in character, or quieter and more sequestered? What limitations should be placed on their use? Some of these same questions were asked in the 19th century by the creators of our city’s great public parks. What’s remarkable is how, after over a hundred years, we as New Yorkers still haven’t come up with an adequate urban solution to the pressing social need that public demonstrations like OWS represent.

POPS were always intended to perform a more complex role, and my experience with them has taught me some appreciation for both their public and private aspects. In a POPS project my firm designed directly across the street from our West 27th Street office, any given weekday will find a crowd of outer-borough goers with their big plastic bags, bike messengers playing cards, and groups of chatting students. This is just the sort of social hodgepodge, messy but stimulating, that is so vital to a rich urban environment. The highly respected urbanist William Whyte, an early proponent of POPS, claimed that livable, creative cities needed to make room for these messy moments in the urban core. He was right.

At the same time, everyone has a right to expect clean and inviting public spaces that don’t look like urban campsites. New York City’s publicly-managed parks close at night—but unless they apply for a special permit, owners of POPS are mandated by law to keep their plazas open 24 hours a day. For some POPS with approved nighttime closings, we’ve devised a city planning-inspired alternative to the tall daunting fences that spell the death of public spaces: narrow bollards (some with lights) along the plaza edges that leave the space open and inviting during the day. At night, low removable panels are placed between each post to deter entrance and make the closing enforceable. This gives POPS owners a choice, and introduces some flexibility into the way vulnerable spaces are protected.

Successful POPS require just this kind of design response to fulfill their dual duty to the public and owners. Putting aside the legal and constitutional issues that have been the focus of the Zuccotti debate, design really can help balance the competing imperatives of openness and order. And in fact Zuccotti Park’s particular design manages this relatively well—it certainly can’t be faulted for having made the recent situation any worse. In theory, if Zuccotti had been designed more as a kind of sanctuary, as opposed to a single open space, it may have been less attractive for such a large gathering. (You don’t see people demonstrating in the middle of Union Square; you see them at the open edges.) But the design character of the park, and its semi-public character, are but one part of a host of concerns.

Most of all, I’m worried that Zuccotti park—and POPS in general—may end up being the scapegoat in the whole Occupation debacle. Many developers seem to be fretting that if they set aside public space adjacent to their buildings, they could end up with an occupation of their own in the future, just like Brookfield Properties has. Hopefully they will see that that fear is unfounded. The Occupation trend may have been exported to Oakland and Boston, but it’s unlikely to get exported to other POPS sites throughout Manhattan.

Some worry that the extended protest is setting an example, demonstrating that POPS can be camped out in by anyone who feels like it. Whether the city’s homeless—who were so prevalent in New York City parks just two decades ago—will suddenly return to the benches of POPS citywide is still to be seen. Yet here, too, it’s important that we keep things in perspective. Banquettes, lounges, tables and chairs, and other amenities may seem like just the thing to invite overnight guests; but we know from years of Whyte’s observations that only the quality and comfort of these spaces can ensure their broad public appeal. Whatever the repercussions of Occupy Wall Street, no one should be led to believe that uninviting design is an appropriate response.

In other words, neither the quantity nor the quality of Privately Owned Public Spaces should be spared going forward. But more than that, the Zuccotti debate should put us in mind of an even bigger public-space issue in New York that’s gone unaddressed for far too long. Trafalgar Square in London, the National Mall in Washington, D.C., Cairo’s Tahrir Square—these are spaces that have always been understood as arenas for political expression. Most world-class cities have one. How extraordinary, then, that New York, the self-proclaimed Greatest City in the World, center of democracy, has no such space! The fact that a tiny POPS park was made to act in lieu of a dedicated civic forum for popular protest should serve to remind all of us of NYC’s greater obligation to create a new and more innovative kind of public space to do what POPS can’t.