

Landmarks of modern architecture, urban plazas encapsulate some of the key contradictions of contemporary urban public space. Why is some of the most expensive real estate virtually unused, occupied by plazas that are supposed to be public, but are used by almost no one? I begin by considering the existing research, which establishes that bonus plazas do exclude potential users and provides detailed examinations of how their designs accomplish that. Then I use interviews with city planners, architects, and developers directly involved in the creation of bonus plazas to better understand which actors were responsible for the creation of excluding spaces. These responses are then compared to quantitative analysis of plaza surveys, field observations, and archived interviews of similar actors to establish who created excluding spaces. Finally, I categorize and consider the explanations given by respondents as to *why* spaces exclude users.

Consideration of the plazas built around New York high rises since 1961 leads to three important conclusions about the social forces that gave them form, and about public space more generally. Each conclusion is relevant to these bonus plazas, but has more general significance that will inform my study of Battery Park City and the World Trade Center.

First, in the long-running public debate over who is to blame for what is generally considered an insufficiently public quality of the spaces, and who is best suited to build more popular ones, while the players most watched have been designers—city planners, who design by regulation and review, and architects, who design the spaces directly—the public quality of a space is determined by its developers—those who acquire the land and finance construction of the building and surrounding public space. Contrary to common assumptions that a developer's

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concern with the bottom line leaves them uninterested in something as seemingly aesthetic as the design of a building plaza, developers take a decisive interest in plaza designs. Applied generally, this suggests that a study of design would appropriately focus more on the decisionmaking process than on the designers.

Second, these spaces demonstrate the paradoxical centrality of *exclusion* to public space. Public space is celebrated by its champions for bringing together a dizzying diversity of people. But its creation is regularly undertaken with exclusion as the primary goal. While most studies that criticize the state of bonus plazas have been willing to operate under the assumption that unused plazas are an unintentional side-effect of profit maximization or cost minimization, this research demonstrates that exclusion is a separate, distinct, and articulated goal of its own. Beyond the current cases, it even appears that exclusion is constitutive of certain kinds of popular public spaces.

Third, discourses used to explain or justify exclusive spaces are identified in this study to understand the rationalization (and in some cases explanation) of this process of design-for-exclusion. For my larger project, this also identifies discourses to be alert for in people's discussions of public space, and highlight types of discourse that are most likely to be cover for other reasons for action.

For too long, studies of existing buildings, parks, plazas, spaces, and built environments have been undertaken with only aesthetic or architectural considerations. Carol Willis' 1995 *Form Follows Finance* was an important corrective, effectively demonstrating that differences in the appearance of New York and Chicago skyscrapers were not the result of aesthetic differences between New York and Chicago "schools," but functions of spatial differences between the two cities<sup>1</sup> My research demonstrates that understanding social considerations is necessary for a full

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and accurate accounting. This research shows that decisionmakers are aware of social consequences their spaces have, particularly at ground level, and make decisions based on social relations, goals, and desires. Spaces are influenced by social and power relations, and are built in part to achieve very particular, identifiable, and sometimes even articulated social goals. A plaza doesn't *end up* serving a particular function, it was built to try to maintain and extend certain social relations, and can't be understood without knowing what those are.

Because earlier studies of bonus plazas did not consider causes, it has remained unresolved whether the failure of public spaces to live up to public expectations is accidental or intentional. Because assigning blame and imputing intent is difficult and contentious, it has often been easiest, most politically astute, and even most productive (in the short run) to imagine problems in public space to be unintended consequences of unrelated priorities.

This view is a considerable handicap to understanding public space. This study of why most of these centrally located bonus plazas are paradoxically unused by the public finds that exclusion *itself* is actually an objective of private developers of public space. Thus the problem is not the absence of people, but their exclusion. Not a lack, but an active effort to keep people away. This has significant implications for public space policy. Broader consideration of public space also reveals exclusion to be a critical element in the development of many kinds of public space.

### **Context**

To understand why important New York spaces have been designated as public, then designed in ways that prevent them from fulfilling that assigned role, I've developed a more concrete description of the relationship among spatial and social elements (while taking into account Lefebvre's attention to the way in which mediators mean the process is not deterministic).

Building on the understanding of the production of space developed by LeFebvre and Soja,<sup>2</sup> I have configured that hypothesized mechanism as seen in figure 1.

Here, decisionmakers are influenced by the social conflicts significant at the time the space is being developed. Such concerns influence the goals decisionmakers have for the space.

**[Figure 1: diagram]**

### **I. History and Terms: Tower in the Park, Bonus Plazas, Exclusion**

Before examining who excludes from space and why, some history of bonus plazas, and a review of existing literature on exclusion in public space, are necessary.

The construction of the Seagram Building in 1958 was a landmark for the postwar shape of New York and other US cities.<sup>3</sup> Hailed as New York's introduction to Le Corbusier's tower-in-the-park architecture, it single-handedly re-wrote the city's zoning code, which was then copied by cities across the US. The Seagram Building had been a thoroughly uneconomical use of space when it was built, a single tower rising from an otherwise unoccupied plaza. The zoning code of 1916 that governed it would have allowed a much larger, "setback" building, built to the sidewalk and receding above a certain height to bring light and air to the street level (and to the buildings themselves, which until after the Second World War required natural sources both for air circulation and their primary source of light).<sup>4</sup> The building could then have been capped by a smaller tower portion that could rise without limit. Architects were interested in replicating the Seagram Building because it would give them a chance to participate in the great modernist movement.<sup>5</sup> Developers and businesses were interested in it as a model because the shrinking floorplan of successive stories of a "setback" buildings not only made them more complicated to design and build, but also to rent.<sup>6</sup>

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Thus the new 1961 zoning code was written so that the most profitable building to build in high-density areas was a tower in the park. The new code eliminated setback requirements and allowed extra square footage in the building as a “bonus” for every square foot of public space provided. (Technically, the bonus allowed a higher FAR, or floor-area ratio. The FAR compares the usable square footage of the building on all its floors to the square footage of the lot.) This system of “bonus plazas” was an alternative to setbacks that still prevented buildings from rising so densely that they blotted out the sky at street level; it also was a deal between developers and the city (and its citizens): buildings could go higher, and developers could rent more space higher up, in exchange for an amenity for the public down below.

The bonus plazas are significant for several reasons. Not only do they capture the ideal of urban design in the mid-twentieth century, they were the first experiment in public spaces created not directly by the government, like public parks, but by private developers to meet planning and zoning objectives. This privatization of the process of creating public spaces is now widespread, and New York’s bonus plazas have become models (for cities across the country and around the world as well as for New York) of spaces with public goals but private builders, as zoning regulations, planners, and architects have been borrowed from New York and applied to projects in countless cities nationally and internationally. Bonus plazas are central to understanding both existing spaces and the process by which spaces continue to be built.

This study of bonus plazas is an important introduction to the larger examination of the design of public space in Battery Park City. Much as David Brain examined public housing and private communities as exemplars, respectively, of modern and postmodern design, I am considering bonus plazas and Battery Park City as leading and influential examples of modernist and postmodern designs of public space.<sup>7</sup> Also, the bonus plazas offer a large number of cases

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from which I can develop generalizations that will be tested in the study of Battery Park City/World Trade Center redevelopment. Significant numbers of these small, concentrated, discrete, well-documented places can be examined and used to work out early hypotheses.

### *What's Exclusion?*

*Exclusion* occurs when decisionmakers (that is, people with decisionmaking control over a space, such as those who decide the form it will initially take, or make decisions about its day-to-day management) actively seek to keep people out of a space. This may take the form of total exclusion (resulting in privatized spaces), in which the goal is to keep everyone out, or selective exclusion (resulting in filtered or community spaces), in which decisionmakers seek either to keep a particular group out, or welcome in only a particular group. Exclusive spaces block “symbolic access,” identified by Carr et al, whether it involves symbols that indicate an indoor mall like Trump Towers or Citigroup Center is for upscale shoppers only, or those advocated by Oscar Newman to identify spaces as resident-controlled and hostile to outsiders.<sup>8</sup> Recognizing exclusion as a fundamental ingredient in the construction of space produces a different concept of the city which becomes “a site of constant processes of social inclusion and exclusion,” in which “Unequal power and resources are being translated at a material level.”<sup>9</sup> Exclusion shapes public space, and can help define what public space does.

Too often in studying exclusion there has been a disconnect between more theoretical and more empirical work. Authors writing about public space more generally often *assume* exclusion is an intentional act, while fine-grained studies of spaces observe exclusion’s effects but make little effort to definitively identify its cause. Thus, writers on the effects of postmodernism and global capital on the built form assume exclusion is a defining part of the new urban form.

Contributors to Michael Sorkin's *Variations on a Theme Park* described the market segmentation of the population and presume it is represented in new forms of public space. Saskia Sassen and others have written about the economic polarization of Northern societies as increasing inequalities in wealth make exclusive, guarded spaces a requirement for elites, and have posited that cities are being reshaped as a result. Theorists like Edward Soja, building on Henri Lefebvre, assume that socially constructed space (like empty plazas) is shaped by social relations. But empirical studies often conclude before exploring such a link between social relations and physical designs. Jack Byers performed detailed observations of networks of elevated, private, pedestrian walkways in three cities.<sup>10</sup> He did ultimately conclude that developers had played a decisive role in the changes he observed. But despite being able to precisely document the effects of the grade-separated city (segregation, increased fear by users of the walkways, isolation), he concluded that "the difference between individual decisions and the accumulation of such decisions over many years makes it difficult to decipher, overall, whether the negative social impacts of grade-separated construction were deliberate, inadvertent, or unconscious."<sup>11</sup> They were, he concluded, "an inevitable consequence of regulating a collection of interior spaces for the specific purpose of enhancing the market value of individual properties." Like most work in this field, his study was not able to establish whether the exclusion was intentional (and if so by whom), or, as is often suggested in other writing, was an inadvertent side effect of profit maximization. Similarly, studies by Whyte, Jacobs, Flusty and others do not link the conditions they observe in public space to particular actors or actions. These two valuable bodies of work, one theorizing exclusion, the other examining exclusion effects, have not been linked by evidence showing actors intentionally created the spaces that theorists claim are the product not of poor design or bad management, but of elite actors.

As an aside, it is worth noting exclusions' long history, which is also often overlooked. Setha Low, in her very useful and important study of gated communities, discusses the novelty of gating in North America, particularly in comparison with Latin American traditions in which walls and gates for residences (even when symbolic) have a long-established tradition (as they also do in the more Spanish-influenced parts of the US, such as Florida and the Southwest).<sup>12</sup> But while Low is correct to identify the gated community as a new trend, gating itself, like exclusion, is not. While it is true that for the past sixty years, ungated yards have been the norm in suburban neighborhoods, much older cast-iron fences in the fronts and backs of East Coast US cities testify that even in non-Latin North America, ungated spaces have not been the cultural norm. Indeed, part of the motivation behind the introduction of the first zoning laws to New York in 1916 was quite explicitly exclusion. The upper-class Fifth Avenue Commission was concerned about the migration of immigrant-filled garment lofts towards their elite Fifth Avenue neighborhoods, and sought legal exclusion, not just of the businesses and loft buildings from Fifth Avenue, but of the workers themselves from the sidewalks: New Yorkers should "at least insist that a noon day, open air recreation space be provided for these operatives on the roofs of the loft buildings, or that some of them be *required* to use, at that hour, the neighboring Parks, where they will not wholly obstruct, as is now the case, the passage of pedestrians."<sup>13</sup> Exclusion has been a significant motivation in the battles over, and even creation of, public space for a long time. That its effects—and its intentionality—can be demonstrated in the bonus plazas of the last forty years is an indication of its continued salience in the present day, and the importance of understanding exclusion in order to understand public space.

### *Bonus Plazas Exclude Users*

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There was hope the bonus plaza regime would provide architects with flexibility and thus lead to great architecture.<sup>14</sup> But three separate field studies have repeatedly found the spaces quite consistently lack the public quality and public use that public space advocates expected and desire. In fact, bonus plazas are at times so maligned that they have become, much like public housing towers and urban renewal, a symbol of what is wrong with cities and modern urban planning.

First, William H. Whyte's extensive fieldwork in these plazas irrefutably documented that most such spaces are not public, and are amazingly barren expanses in what are otherwise crowded, busy central business districts.<sup>15</sup> Whyte and his work, which became a classic in the field and a touchstone for advocates of public space, were ultimately so influential that they were the driving force behind rewriting bonus plaza regulations to mandate features—most as basic as seating—that he found made spaces usable by the public. Whyte and the organization he founded, the Project for Public Space, also went on to produce several handbooks for the management and enlivening of urban public spaces, for use by city agencies, mall managers, and others. These efforts not only taught planners and managers exactly how to make or mandate more lively spaces, but demonstrated to a broader audience how un-welcoming and unused bonus plazas were.

Next, the first systematic study of all bonus plazas was published in *Privately Owned Public Space*, in 2000. After assembling an archival record of the spaces from City Planning and Department of Buildings records, with the cooperation of the Municipal Art Society, researchers led by Jerold Kayden evaluated the use and public quality of the spaces. Each space was evaluated and classified, or graded. To assign a classification, every one of the 503 spaces in the study (of which the 280 in Midtown and Downtown are considered in this paper) were visited

several times. Classification “relied on extensive empirical observation and users interviews, culminating in the exercise of judgment about use or potential use.” (Kayden 51). In particular, researchers focused on two aspects: how people used the space (including how many people used it, what activities they engaged in, which of the provided amenities they used, and who they were in demographic terms), and on design and operation of the space, “with particular attention paid to how it supported or discouraged potential use,” including design, actions by the current owner and manager, and compliance with legal requirements governing the space. (Kayden 52). Of 280 such spaces in Midtown and the Financial District, over half were found either to fail to attract people to the space, or actively repel them. This even understates the original scope of the problem, since in the intervening decades some owners significantly upgraded their spaces, under direction from City Planning, in exchange for permission to make other changes the owner wanted, such as the introduction of retail uses to a space, or the closure of a space at night. Furthermore, the grades given by the Privately Owned Public Space researchers were particularly generous, because they graded the space primarily on assessments of potential use, not on actual use. Thus, “if... analysis of a space suggested that it could be used as a neighborhood space, but the owner in fact had been keeping it under lock and key, thereby precluding actual use, the space was still classified for purposes here as a neighborhood space.” (Kayden 51). This makes the preponderance of low-grade spaces all the more striking. For instance, the vast majority of “through-block” spaces received the second-lowest grade (called “circulation”), apparently because such spaces inherently have the potential to be spaces to circulate through, and thus did not receive the lowest, or “marginal,” grade. Thus, while the grades assigned by the Privately Owned Public Spaces study likely tend toward the optimistic “potential” of a space rather than its actual state, the unmatched rigor and thoroughness of the

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study, and the fact that even this potential bias did not, in the end, result in very many high-grade classifications, makes the survey results from this study an invaluable source against which to compare other findings.

Finally, my own examination of the archives of New York City's Department of City Planning (formerly the City Planning Commission) shows the agency regularly reached similar conclusions during the forty years it has been requiring bonus plazas and rewriting regulations in an effort to produce more *public* spaces. While believing that many of the spaces had been successful, the Commission wrote in 1975 that "too many have merely been unadorned and sterile strips of cement. These 'left-over' spaces are merely dividers of buildings, windy, lonely areas, without sun or life."<sup>16</sup> Throughout the forty years of the bonus plaza program, studies have consistently found that the spaces are often not public at all, and that the City has failed to obtain the types of spaces they had hoped they would gain in exchange for tower square footage bonuses.

While all of this work has amply documented the state of bonus plazas, none contain careful explanations of why they are so. In each case, the focus is, quite reasonably, on improvements, and generally advocates for tighter regulation and stricter requirements by City Planning, as well as ongoing monitoring by the city or an independent organization. For instance, William Whyte's thorough research found that the absence of seating was the design feature that most handicapped a plaza, and his recommendations led to certain quantities of seating being required in future bonus plazas. The quantifiable success of the recommendations is clear from analysis of the data in *Privately Owned Public Space*: the average score of spaces was higher after the major revision of plaza requirements that began in 1975. But in Whyte's work, *why* a public plaza was built with nowhere to sit was never discussed. Advocates also hope that the recently formed

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advocacy group APOPs, Advocates for Publicly Owned Public Spaces (first proposed by city planning twenty years ago), will have a similar effect as Whyte's diligence.<sup>17</sup> But to improve them, it is necessary to understand what made so many bonus plazas effectively private spaces.

### *How Can You Exclude Through Design?*

How is a physical space used to achieve the social process of exclusion? The idea of security guards escorting scruffy patrons out of an elite establishment is not hard to imagine. But the idea that actors transfer their agency and objectives to inanimate design, which then may achieve their goals, is somewhat harder to accept. But the use of actual people, like guards, to exclude can be a sign of vulnerability, like a state's use of violence rather than more subtle means to achieve obedience. Design, unlike guards, can silently do its job year after year. Before discussing the intentionality of exclusion in bonus plazas—*why* it happens—it is worthwhile to describe the more well-established means by which space excludes—*how*, in concrete terms, spaces have the effect of keeping people out. William Whyte's research on the mechanics of exclusion is best known. The New York Department of City Planning's archives, coupled with the first-hand experience of its planners, are the most detailed accounts of which design elements exclude, so I will use these to describe how exclusion is achieved through design.

Philip Schneider has seen many design elements that deter use of a public plaza in the thirty years he was at City Planning.<sup>18</sup> First, "any barrier to entry" like walls, fences, or steps keep people away. Some plazas have locked gates. People also tend not to use a place if there's nowhere to sit. Covering the space with plantings, like ivy, makes the space attractive, but thoroughly unusable. The regulatory records of City Planning are also a valuable guide to excluding design elements, since as soon as one was identified, the Commission sought to

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prohibit it from future buildings: from the start, plazas couldn't be elevated or sunken too far above or below street level, since people wouldn't use them. In 1971, sunken plazas were eliminated entirely. Paving treatment was eventually required to be the same on the plaza as on the adjoining sidewalk, since a granite courtyard next to a concrete sidewalk reads to passersby as a separate, private entity. Indoor spaces had advantages to users because they could be climate controlled and used year round, but city planners had found that a glassed-in space looked to pedestrians like a private lobby, acted as a barrier, and produced a slightly darker, less welcoming interior. Signage and large doors were required to signal that those spaces were public. Other studies of public space, like William Whyte's work, Jane Jacobs', and Steven Flusty's have enumerated these and similar design technologies in New York and elsewhere.<sup>19</sup> Perhaps because so many empty plazas on crowded sidewalks bear strong witness to this fact, there has long been consensus that spaces can have the effect of excluding people. What remains unresolved is why this happens, whether it is intended, and if so, by whom?

## **II. Who Excludes?**

Answering these questions required extending the existing literature. Interviews with city planners and New York high rise architects were conducted to better understand the decision making process by which plazas were design, and thus to identify whether designs were intentionally exclusive, and if so, by which group of actors. The findings from these interviews were compared to those drawn from analysis of the data from the *Privately Owned Public Spaces* survey, from field observations, and from interviews in archival sources.

Data from this range of sources demonstrates that most bonus plazas were empty and unused because *developers* did not want them to be used. Evidence from interviews with actors from several different perspectives in the process, field observations of space, and quantitative

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analysis of data on developers and architects all provide strong evidence that developers—not architects or city planners—play the decisive role in creating highly exclusive public spaces. These actions were not simply an effect of the financial motivation to “do the minimum” to get a square footage bonus, as observers of the bonus plaza program have often suggested. Nor were they the result of architects blinded by the glitter of architectural modernism, as Jane Jacobs suggests. Instead, exclusion was a goal of its own.

Finding that unusable public spaces are the intended result of developers, rather than accidents of design, architects, or restrictive or unrealistic planning regulations, is consistent with, and extends, findings in other settings. Studying the control of public space in Australian shopping malls, Rob White finds that recently heightened attempts at exclusion are the result of the current owners of the space. “The visibility and presence of young people, particularly the more marginalised, non-consuming individuals and groups, has in turn been met by concerted attempts to exclude or regulate them.”<sup>20</sup> Jack Byers’ study of elevated urban walkway networks also found that the resultant segregation was intentional on the part of developers, not incidental or the product of other actors.

City planners with extended, first-hand knowledge of the process of creating bonus plaza place responsibility for them at their excluding quality at the feet of developers. Jonathan Barnett, who was director of urban design for the New York City Planning Department from 1967 to 1971, takes this position: “spaces are often inhospitable, not because their designers were stupid but because the owners of the buildings... deliberately sought an environment that encouraged people to admire the building briefly and then be on their way.”<sup>21</sup> Tom Wargo of City Planning concurred. “Well, everything pointed in that direction, which is why we changed

the regulations so many time. The client [*ie*, the developer] wanted the space to be private, as private looking as possible, as private feeling as possible.”<sup>22</sup>

City planners often explicitly see themselves as advocates for more usable spaces and recognize that that can put them in opposition to developers and architects. (Philip Schneider, who has been with City Planning since the 1970s, called the simple fact that his office was looking to make spaces more accessible and usable “a general tension” in the development process.) This could lead an outside observer to wonder if their accounts were biased by seeing themselves in opposition to developers. But architects who worked closely in cooperation with developers actually paint a more critical picture than city planners, and assign responsibility with less reservation. Richard Roth, whose firm Emory Roth designed a quarter of the 219 bonus plaza buildings in Midtown and Downtown, gave this explanation<sup>1</sup>:

Roth: The plazas got bleaker and bleaker and bleaker—less people-oriented.

Q: Why do you think that happened?

Roth: Because, again, the owners of the buildings didn’t want a lot of people sitting in those spaces. Why do you never have seats in a lobby of an office building? Because they didn’t want people sitting there.

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Q: How did they make them bleaker and bleaker?

Roth: Because they kept putting less and less in. The client kept saying “No, I want it as minimal as possible.”<sup>23</sup>

Roth also provided specific examples of developers’ instructions. Paramount Plaza, at 50th Street and Broadway, is notorious for having two unused sunken sections, when sinking plazas below street level is known to keep people out of them. In the 2000 catalog of bonus plazas, Jerold Kayden wrote:

Successor owners to the original developer of this Broadway office tower have faced an inherently problematic site condition at their full blockfront special permit plaza... two

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<sup>1</sup> Emory Roth’s long list achievements includes being the *architect of record* for all seven buildings of the World Trade Center. Minoru Yamasaki was the architect. While the façade treatment by the architect typically gets all the attention, the architect of record is most involved in the details of the building.

square holes punched into its north and south ends creating sunken spaces.... Neither offered a reason to stay, lacking functional seating and other public amenities..... Sunken spaces have always presented difficulties and their pathology is not hard to discern. Compared with street-level spaces, sunken spaces require greater effort on the part of the public to reach them. They are frequently dark and cold, lacking sunlight more available at street level. Without the eyes and ears of pedestrians, they can be downright scary. Without usable amenities and supportive retail uses, they can be dead.... The empirical record of sunken spaces in the city is not a happy one.<sup>24</sup>

While he succinctly describes the well-known problems of this and other sunken plazas, Kayden restricts himself to discussing the space passively, as if it were a natural feature. The sunken plazas are “an inherently problematic site condition,” but why is that design treated as a natural feature of the landscape, which existed before the first owner came to the site? Roth explains much more actively why the space was made as it is:

Roth: When we design Paramount Building. I mean, again, it was Uris, and they didn't want anybody on the plaza. That's why we had the two sunken areas on either side. It took them forever to rent those sunken areas. One side was a restaurant, the north corner was a restaurant. On the south corner, they never got, I mean, and it was a perfect thing [for potential use] because it was connected to subways, but Percy and Harold [Uris] didn't want people.

Q: So when you come to work on that project, what do they say to you about the plazas?

Roth: We want something that people walk across and not stay there.  
You know what your parameters are.

Did the Uris's, who developed the site, understand that their goals of excluding people from this privately owned public space could be achieved through design? In yet another example, Roth makes clear they did, and that they were committed to that goal:

Q: So developers did understand that there were thing they could put in as well?

Roth: Right. Exactly. Oh yeah. I remember when we were doing 55 Water Street. I got Larry Halprin from the West Coast to do the plaza for the building. And Larry Halprin was very people-oriented, to the point where his plazas became “people” places. And when Percy and Harold Uris saw this people place that Halprin had created, he was fired! Now Larry Halprin happened to be a first cousin of the Uris's, which I didn't know when I got Larry involved.

Saky Yakas, since 1985 an architect at Schuman, Claman, Lichtenstein and Efron, strongly agreed that spaces would be designed to be unusable by people on the developer's instruction. But he went further, describing the people who were not supposed to use the space. Yakas explained who was to be excluded, and suggesting that the goal, particularly in more recent plazas, was not total, but *selective* exclusion.

Although the intent of these is to be public, a lot of the design is geared towards making people think before they use them. I mean, you know, a lot of people don't know that these are public spaces. I think a lot of developers like them to not know they're public spaces. And one of the ways is how you do your fencing or how you change the grade, how you situate them in relationship to the buildings, how you use your cameras. They want them to be used, but you want a feel of exclusivity.

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Exclusivity is... well, it's human nature and snobbery... you probably know more about this than I do through your training [as a sociologist] ... people for whatever reason perceive that *certain dress or certain habits or certain ways of doing things lowers the tone of their investment. And if you can figure out ways of reducing the number of people who might come in, they like you to do it.* And that's unwritten. Because this is supposed to be public, it's supposed to be open to whoever wants to have a sandwich or whatever, you know, within reason.<sup>25</sup>

Richard Roth also gave some detail as to who "undesirables" were. (Undesirables is a term, widely used and apparently popularized by William H. Whyte, to describe anyone who others have decided they don't want in a space. That is, it should be taken strictly as an observed, not normative, category.) Roth said that developers "didn't want a bunch of people out there disturbing their tenants who were coming through in suits."<sup>26</sup> When asked later who those people might be (particularly since most people using a successful space near such offices spaces appear to be office workers themselves), Roth said that "They were the messengers, they were the crazies, they were anybody who didn't have a suit on."<sup>27</sup> While Roth mentions "crazies," Yakas's observation that the spaces are supposed to be open to any activity "within reason" indicates that he was aware that activities and people that the public at large would find

objectionable, like drug dealers, disruptively loud or potentially violent people, could have legitimately been excluded. Those he describes as targeted by developers through exclusionary design (like anyone not wearing a suit mentioned by Roth) included much more of the public, and appears to have had a class-based bias. Such findings corroborate Byer's findings of *selective* exclusion in recent privately owned public spaces that instead of barring everyone, makes distinctions among potential users. "Most importantly, they [developers] consciously organize the way their space is used by the general public in order to influence who is considered a welcome guest, who is tolerated, and who is discouraged from entry at all." While the earliest bonus plazas were most often designed to achieve broad, near total exclusion, selective exclusion has become more popular.

It is possible, of course, that architects are simply creating this explanation after the fact to lay blame on developers rather than themselves. But while this role of developers has not been established in public discussions, it is consistent in the accounts of different architects. Further, Roth at least remains on good personal terms with developers he worked with, and it is unlikely he would inaccurately slight them to make himself look better.<sup>28</sup>

Archival interviews of architects corroborate these accounts. William H. Whyte's interview of a Midtown architect similarly shows exclusion was not accidental but intentional. Edward Durell Stone, architect of GM Plaza, explained that in a plaza already bereft of benches, sitting was difficult because "The owner didn't want people loitering and thus the railings were not designed for comfort."<sup>29</sup> (It bears repeating here that a larger, more profitable building was permitted by the City in exchange for the benefits the public was to derive from this public space.) Stone's plaza had already become widely derided as among the worst of the worst; architecture critic Ada Louise Huxtable described it as an "insidious kind of destruction," asking,

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“At what point does speculation become sabotage?”<sup>30</sup> What such critics did not realize, or suggest, was that Stone had designed such an unusable plaza on purpose and at the behest of his client, and that for decades it served its intended purpose quite well.

Finally, comments by developers themselves are consistent with those of planners and architects, supporting the contention that exclusion was both intentional, and was the initiative of developers. “Building plazas usually have few if any seating accommodations,” explained a sympathetic profile in the real estate section of the *New York Times* about Edward Sulzberger, president of the Sulzberger-Rolfe real estate firm.<sup>31</sup> “One of the biggest problems of buildings security, Mr. Sulzberger points out, is loitering on the premises.... Builders therefore do not seek to make their plazas more comfortable to encourage passers-by to spend time resting there.”<sup>32</sup> A developer thus redefined the prerequisite to using public space—spending time there—as a “security problem,” responded with design choices to prevent people from sitting down, and would have been quite disturbed to find anyone actually using the space he provided for the public. Unusable, barren, empty public space devoid of seating or other basic amenities was not an accident of design, it was by design.

The case of developer Melvyn Kaufman, though exceptional in the types of buildings he produced, all the more strongly indicates the influence of a developer. Kaufman is recognized for his distinctively whimsical plazas, which encourage public engagement, and rely on lively street life for their impact. Rather than shirking from the public, Kaufman’s designs invite people in and entertain them with large swinging benches, human-size chess pieces, *Wizard of Oz*-reminiscent winding brick paths, abstract twenty-foot high clocks, and unconventional lobbies in a 1970s science-fiction aesthetic. His spaces are also, by the grades of *Privately Owned Public Spaces*, exceptionally *public* places. In a survey where 56 percent of plazas received grades of

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only 1 or 2 (5 being the highest on the scale), and where, even counting only a building's best space (some have more than one), the average grade was 2.52, Kaufman's average of 3.50 was the highest for any developer who had more than one building. Not only was his average high, but his scores were more consistent than almost any other developer.

Observers and those involved in the plaza process agree that it was the developer who made Kaufman's spaces what they are. Foremost among them is Kaufman's primary architect, Richard Roth. Roth does take credit for getting Kaufman interested in plazas, but not intentionally. According to Roth, he invited Kaufman to visit an architecture class he was teaching in the 1960s, where Kaufman became interested in the ideas and energy of the students. From then on, he wanted to reflect this energy and enthusiasm in his plazas. But Roth makes clear these spaces were different than those he designed for clients like the Uris's or the Fisher's because of the explicit instructions and social goals each developer had for their plazas.

Peter Claman, of Schuman, Lichtenstein, Claman & Efron, agrees that developers had the agency to affect the quality of a plaza, and that therefore who the developer was influenced the quality of the building. "It's a question of basic attitude [on the part of a developer]... The plazas was not made for the developers' benefit, it was made for the public's benefit: that was tough to sell to certain developers." Unlike city planners, who records show advocated consistently for public space, or architects, who designed more or less accessible spaces depending on their client, developers had the agency to decide whether effort would be put into making plaza usable or not.

Statistical analysis of the bonus plaza scores in *Privately Owned Public Spaces* also indicates that developers had more influence over the quality of a plaza than did the architect. What is significant here is not the average score of particular developers or architects; there were high

and low averages among both. But if developers had more influence over spaces, then there should be less deviation in the grades their spaces received than for architects, whose grades would vary as their clients did. To allow for deviations in grades, I compared the grades of plazas by developers and architects who had done more than one building. This included 80 buildings by a developer who had done multiple buildings, and 110 done by architects who had worked on multiple buildings. Among these, there were 64 spaces that appeared in both lists. The size of this overlap is likely to mute any difference in deviation between developers and architects: if only those 64 spaces had been used, for instance, the average of Standard Deviations for developers and for architects would have been the same. Even with that much overlap in the two sets of buildings, the results demonstrates the influence of developers. The average Standard Deviation for architects who worked on multiple buildings was .87. For developers, it was only .76. Among those who worked on three or more buildings (allowing for more variation in scores), the difference is greater; architects' average deviation was 1.23, while developers' was only 1.02. Among this group, only 18 percent of architects had standard deviations of less than one point, while 38 percent of developers had that low a deviation.

The case of Melvyn Kaufman is again instructive. Roth was the architect on most of Kaufman's buildings. But even with that degree of overlap, Kaufman's standard deviation was only .84, one of the lowest among developers of three or more spaces, while Roth's was 1.21. Substantively, the explanation is clear: the architecture firm of Emory Roth & Sons knew how to design popular plazas that drew people to them, and when demanded by a developer, that is what they produced. But when developers made clear that they didn't want the space used, the firm provided those kinds of spaces. While the design of a building is most often considered in light of the architect, this evidence points to another way in which, as David Brain argues, architects

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are constrained in their work. Studies of design would profitably look more closely at who makes decisions about the space than at who the architect of record is. In an important sense decisions create the space, not architects.

### **III. Why? Discursive Justifications for Exclusion in Public Space**

Even given the regularity over the last forty years with which developers built plazas that didn't attract people, generalizing about why they did so is difficult. For a single space, there often appear to be multiple motivations. Multiplying this variation by the number of developers, shifting City Planning regulations, and four decades of changing social relations and social issues (like plaza use by homeless people, which became a consideration for some developers and designers in the late seventies and early eighties), and there are many motivations behind exclusion in bonus plazas.

But five themes do emerge in the discourse about these public spaces. Those with direct involvement in the design of the spaces frequently explain that spaces are exclusive as a result of (1) "doing the minimum" to get the bonus or minimizing the cost of a plaza, (2) security concerns about petty crime on the plaza, (3) the failure of architects to design better spaces, (4) building managers who seek to make their work easier by keeping plazas empty, or (5) an unfocused but pervasive fear of public space and the public, and a corresponding need to control space closely. In examining each one, I will describe the explanation, and where possible, include information that substantiates or calls into question the strength of this explanation. I identify these five explanations in part because they at least suggest the reasons behind exclusion in bonus plazas, and also to see if they reappear in the contemporary debates over public space, and exclusion, in Battery Park City and the World Trade Center.

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*Doing the Minimum, and Minding the Bottom Line*

A common assumption is that developers' actions were simply motivated by their drive to maximize profits. By this logic, developers "do the minimum" required to plazas to get the square footage bonus. Speakers describe several ways economic considerations influenced plaza design and management. But consideration of the actual expenses of a plaza actually casts doubt on whether developers were "doing the minimum," whether this would have been adequately explained by economic considerations, and whether this would have led inevitably to unusable spaces..

Philip Schneider voices a common discontent when he says that "They were interested primarily in getting the bonus and doing whatever they had to do to get past city planning. They would look to do the minimum." William Whyte makes a similar observation. "Lack of guidelines, it was said, give architects more freedom to innovate. If this were so, the period after the passage of the 1961 zoning would have been a golden age for plaza design. There were virtually no guidelines. And very few good plazas were built. Lack of guidelines was a force for mediocrity. Developers wanted the *minimum* done, and done conventionally. And that is what they got. Ambiguity as to what the developer must provide is an invitation to provide little."<sup>33</sup>

Jonathan Barnett, formerly of City Planning, advocates this position and points out two specific costs developers attended to: "spaces are often inhospitable, not because their designers were stupid but because the owners of the buildings, out of a concern for insurance and maintenance costs, deliberately sought an environment that encouraged people to admire the building briefly and then be on their way."<sup>34</sup>

Barnett's experience with builders of public plazas and his firsthand observation of their work allows him to distinguish the priorities of building owners more finely than most. Speaking

recently, he explained that the actual priorities for a privately owned public space depended on what kind of organization owns the building. Buildings owned by corporations are run by “facilities managers,” who run them much as they do shopping malls. They’re hired to keep the place clean, and are therefore interested in keeping maintenance easy and inexpensive. The fewer people to clean up after, the fewer plants to water, the better. Entrepreneurs operating their own building want to squeeze as much money out of it as possible, so if they can find a retail tenant or a café interested in paying for the privilege of spreading their chairs into the plaza, so much the better. Only if they “get it,” concluded Barnett, will an owner try to make their plaza a lively, public place.<sup>35</sup> Thus, while for Barnett the financial concerns dictate the quality of plazas, who’s minding the bottom line determines the specific effect it will have on the space.

There is evidence for the “cheap developers” argument. Consistent with Whyte’s comment, when given free reign, from 1961 to 1975, developers failed to build a single space of even decent quality according to the *Privately Owned Public Spaces* survey. Since the passage of regulations specifying what amenities must be provided, the record has been much better. But while the spaces were poor, that is not to say that they were cheaply built, or that keeping building costs low was even the primary consideration.

For one thing, “doing the minimum” may in some cases have been more costly. Richard Roth provides the example of the banal pay phone. Telephone booths paid the highest rent per square foot of any use an office building could have. They were, says Roth, “a *very* big source of income.” But booths in the lobby also brought outsiders into the building, and might create nuisances if the space was damaged, vandalized, or misused. By the beginning of the bonus plaza period, developers stopped putting booths in their lobbies. Though an exposed phone “stand” is almost always used today in place of booths, which eliminates much of the maintenance and the

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risk of people sleeping or urinating in them, pay phones have generally not reappeared in bonus plazas or lobbies.

A more significant challenge to the economic sense of “doing the minimum” comes from comments by developer Mel Kaufman. Kaufman suggested that popular plazas could actually be an asset to a building. William Whyte reported that in a 1972 conversation, Kaufman “Confided, as if top secret, that the fun plaza [is] a big selling point. Rented out 77 Water St. much faster than next building. At 747 3rd Avenue, doing better than the competition.”<sup>36</sup> The accuracy and generalizability of this statement still needs to be determined. Richard Roth recalls Kaufman’s buildings to have been very difficult to rent (though it’s not entirely clear that difficult was attributable to the plazas). Others have suggested that Kaufman was successful in his niche, but that the approach would not have worked for all kinds of tenants. Still, it suggests that hewing to the profit motive would not in all cases have lead developers not to invest time or money in their plazas. Indeed, interviews with architects of more recent buildings add support for this conclusion. For instance David West, a partner at Costas Kondylis architects in New York, took it for granted that in the buildings he designed from 1995 to the present, the developer wanted a plaza to “succeed,” he said, because an attractive, well-used, well-maintained plaza added to the appeal of the building.<sup>37</sup>

A more extended consideration of one bonus plaza helps demonstrate that while cost was something developers always attended to, suggesting it can lead only to unadorned and therefore unused spaces is too deterministic.

Consider the Alliance Capital building at 1345 Sixth Avenue. The space is first worth looking at for the effectiveness of its exclusion. Built in 1969, before stricter design requirements were imposed, it does a remarkably good job of keeping people off the public space: at lunch

hour, the sidewalks abutting the space are so packed with people that it's difficult to get through. Simultaneously, the front plaza, which actually connects to those sidewalks, is almost vacant;



Compare the crowds north of its edge... and east of its edge... with the public space itself.

only a half-dozen people are seated there to eat lunch. A closer examination suggests why.

Though the plaza stretches a full city block from West 54th to West 55th streets, there are only three benches; even on a calm day, two of them are intermittently sprinkled by a fine mist from one of the two fountains. The fountains themselves are remarkable: while the fountain ledges that run along the public sidewalks are crowded with people sitting, eating and talking, the fountains have been designed such that within the plaza, they actually have no ledges, preventing even that improvised, but popular, seating option. The immense fountains also effectively put half of the plaza's area off limits, by putting it under water. And unlike other, similar front-plazas which use some of their space for a park-like cubby of trees and benches, the remaining half of the plaza space is a barren, dark, stone-paved expanse leading to the entrance—but considering that the entrance only consists of three revolving doors, it seems unlikely that all of the 322-foot-wide granite plane needs to be dedicated to this purpose.

But as interesting as Alliance Capital's plaza is as a demonstration of anti-public public space, it also serves as evidence against "doing the minimum." For as Jerold Kayden explained, water features, like fountains, are notoriously costly and troublesome to maintain, which is why he found that several of those mandated in post-1975 spaces had been surreptitiously

decommissioned.<sup>38</sup> They need to be constantly cleaned; as mechanical features they break and require maintenance; some include the added complication of heated water systems to allow year-round operation. Joseph Flanagan, property manager at a residential tower at 330 East 39th Street, estimated the annual costs of a much smaller fountain on his plaza. Pump maintenance alone cost \$2,200. One person cleaning it for half an hour, once or twice a day during the nine months his fountain was in operation, would cost \$4,750. And the addition of odorless chlorine to the water once or twice per week cost \$500 to \$600 per year.<sup>39</sup> \$7,450 is not a large sum of money when compared to the annual costs of maintaining a large New York City building. But it is considerably more than the cost of people-friendly amenities like benches, or even shade trees.

Fountains have other ongoing costs. They're a liability 24 hours a day that can cause people to slip on wet stone pavement or even drown; and, since for a Manhattan building they are almost never built over solid ground but rather above several basement floors, leakage is a costly risk.<sup>40</sup> With each of these characteristics, they add to the leading developers' worries identified by Jonathan Barnett—maintenance and insurance, which owners have then paid throughout the building's thirty-year existence—but do achieve the developers' goal he identified: encouraging people to admire the space briefly and then be on their way.

Richard Roth, whose firm designed the Alliance Capital building for the Fisher Brothers, describes a design process that incurred still greater costs. Roth had admired a fountain shown in a photograph from Australia. "I loved it," he said, "And I presented it to Larry Fisher, who also loved it." But efforts to locate the designer in Australia turned up nothing. Ultimately, he commissioned a fountain consultant to recreate the dandelion-shaped fountain. The fountain was popular enough, says Roth, that the consultant made and sold smaller copies of it.

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To call such developers too cheap to invest in their plaza would be a disservice. To attribute the emptiness of the plaza to capitalists' penny-pinching rationality would be just as inaccurate. Most plazas are empty, but not because making them useful was too costly.

The question has been raised whether features like fountains and plantings are used intentionally to keep people away, or whether this is an incidental effect. As Philip Schneider observes, "they're providing an amenity, but at the same time, knowing that people can't use it. How intentional that was, I don't know." In some cases, observers like Schneider point to bonus spaces made almost entirely unusable by extensive plantings, and believe the intent was to keep people off the space. But such strategic deployment of "amenities" is not always evident. In the case of Alliance Capital, there is no evidence the fountain was installed to keep people off the space. In fact, Roth focused on several features, like the exterior ledge and steps, that allowed people to sit on parts of the space. Were the fountains not installed, it is likely the space would have been as empty as the rest of the front plaza is, and that space is very thinly used anyway. Roth also said Larry Fisher had no objections to people sitting there. But in discussing 299 Park Avenue, notorious for a chained off driveway marked "private" that was claimed as a bonus plaza and for which the Fisher Brothers received a square footage bonus, Roth said the design had been used because "Larry didn't want anybody on the plazas." At the very least, as Roth says, "He was back and forth" on making plazas usable or exclusive.

So while architects agree that some elements were introduced into a design specifically to achieve the exclusion desired by developers, there is not evidence in this case that the fountain was needed or intended to serve this purpose. More certain in the case of Alliance Capital is that developers are in fact willing to spend money on plazas. As architect Saky Yakas explained, "There's a little bit of competition. I don't know if you've noticed over the years, that the various

developer are competing with each other, because basically a lot of them have the same sort of group of people that they're trying to attract to lease these spaces if it's an office building."

Spending money on features like fountains creates "curb appeal," an attractive presentation to a prospective tenant. Spaces lack amenities that would make them usable not because developers are unwilling to spend money, but because they don't want amenities that will attract people.

The explanation that developers were intent on saving money by "doing the minimum" has other shortcomings as well: it's inconsistently applied, and it assumes a correlation between the amount of money spent and the quality of a public space. There were both public and private projects built during this period that were surrounded by barren public spaces—to the privately built office plazas, the public sector added homogenous civic centers and performing arts centers (like Lincoln Center, 1962-68<sup>41</sup>), and high-rise public housing surrounded by expanses of lawn. Yet ironically, while a city like New York was in an increasing state of financial crisis at the time, and while the inadequate funding of public housing projects is well documented, the shortcomings of *publicly* built public spaces are more often attributed to bad design (the sins of modernists, the arrogance of urban renewal's planners, and the failure of both to understand how people actually use spaces), than to development done on the cheap. Meanwhile, the low quality of plazas built in the front yards of some of the wealthiest corporations in the United States and the world was explained by lack of funds.

Nor is it even clear that building economically produces unpopular public spaces. Compared to the materials found in a Midtown plazas, the city parks developed in the era of Robert Moses, for instance, might contain a playground built on a rough asphalt surface; a simple brick concession stand or public restroom; a bare and dusty baseball diamond, its grass worn completely away from constant use; or rough wooden benches whose weathering and distress are

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hidden under yet another coat of hastily applied park-green paint. These were all built with an eye toward function at the lowest price (in contrast to the cut stone and stylish signage favored by today's private park managers like the Central Park Conservancy); yet in their day, their public quality was undeniable. In Midtown plazas, post-1975 spaces have been made popular with the simple provision of a stone slab to sit on, a ledge cut flat rather than sloping to allow sitting, or plain wooden benches. "Low-cost" doesn't mean unusable spaces. In some cases, a usable space could have been provided for less money than the fancier no-man's-land that was created.

The costs of maintaining a public space come up periodically in discussions, and they are a consideration when designing a public space. But because costs can sometimes bring returns, because money is available to be spent if the developer sees a reason to, and because those involved agree the plaza is not a significant part of the building's overall cost, references to costs should more often prompt closer investigation of costs, benefits, goals and objectives, rather than pre-empt critical evaluation with deterministic presumptions that the bottom line allows only one outcome.

### *Security*

Despite the ease with which casual observers often propose security as an explanation for why spaces have been made exclusive, there isn't much evidence that crime was actually a common enough problem to shape public space or justify exclusive approaches to public space. However, *fear* of crime (independent of its occurrence) and a discourse of security may have been more influential.

In the record of the City Planning Commission, crime problems are actually rarely mentioned, and then only in reference to particular spaces, not as a general problem. Those same archives also indicate that City Planning and local Community Boards often felt that claims made about security problems, in the spaces where they did arise, could often be dealt with through better management of the spaces, and were sometimes even opportunistically made. Spaces with security problems, both groups argued, often that had been permitted to become particularly dirty, poorly maintained, or poorly lit. Community Boards typically insisted, and City Planning agreed, that managers seeking to restrict usage or hours of a bonus plaza for security reasons first make improvements to lighting, cleaning, and programming. Both groups also apparently believed that some managers of bonus plazas were making claims about security as an excuse to close down, shrink, lease out, gate, or reduce the hours of operation of their plazas.

Part of the reason may be that there is simply not much crime in these plazas. For one thing, the office plazas studied here are generally in areas that are already safe. But William H. Whyte found that those with poor design and management could develop crime problems. More often, however, crime was stunningly rare. In a study of reported crimes at Paley Park (not, technically, a *bonus* plaza, but a privately owned space very similar to others nearby), Whyte found that in almost twenty years (1967-1986) none of the movable chairs had been stolen. During that period, the only reports were of minor vandalism and a break-in at the snack bar. The actual incidence of crime was quite low.

Security concerns were deployed rhetorically, however. At times, the evidence suggests use of this rhetoric, at least by developers, was not sincere. Yakas said that developers' desire to keep out classes of people who would "lower the tone" of a plaza was done obliquely. "They

wouldn't say it like that, they'd put it more in security-type concerns." Roth similarly described "security" as a front.

Q: Was security something they were worried about, or was it just control?

Roth: I never heard security. Security was an issue used for fighting something, but I don't think it was a real issue.

In contrast, Peter Claman said that the biggest problems was "securing the plazas. I have some plazas on the West Side that put people in business. [*Q: What kind of business?*] Dope, crack, white cloud." But for Claman, "security" was inseparable from a process of exclusion. He continued, "the problems was securing it. How do you keep homeless people out of it? How do you keep evil people out of it? It was a problem. It is a problem. If it's open on two side on two streets, it minimized the problems -- if there was good visibility across the plaza, if there weren't too many obstructions." Claman's comments make three points: first (and contrary to other interview subjects), he states that security was a real issue. Second, however, he conceives of security as a process that encompasses and overlaps with exclusion, not merely as a process of keeping people in the space safe (as is done in public parks, for instance, where security, but not excluding the homeless, remains important). Finally and perhaps most importantly, the solutions he uses for security (open designs and visibility) do not by themselves promote exclusion, suggesting that even for architects or developers for whom security was a concern, exclusion is not necessarily the result; even here, security seems to be little of an explanation for exclusion.

Thus, from records of City Planning hearings, reported crimes, and most architects' experiences, actual crime was not common enough to pose a real concern. While often proposed by observers, security and crime do not appear to have been significant factors in this case. While actual crime was not common, this does not rule out the possibility that *fear* of crime, independent of the real risk, played a role. Discussions of "security" often masked other issues.

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*Architects*

Arguing that developers, not architects, have a decisive influence on design contradicts the conventional aesthetic presentation of architecture fostered by the profession, architectural journals, and glossy spreads on architecturally novel buildings, all of which suggest that the form is an expression of the architect's artistic vision. Though sources in this study did not blame architects, or hope that a preserve for purified "design" could solve perceived design and aesthetic shortcomings, it is a belief periodically introduced into public debate, as when proposals to reform the zoning code prompt calls for aesthetic standards to be included to improve the quality of the city and its spaces. The influential planner Ed Logue (who oversaw significant, large-scale developments in Boston and New York) typified this viewpoint when he bemoaned the state of architecture in New York. Logue pardons corporate executives, public officials, designers and individual citizens. What's needed, he wrote, is a focus on architecture, and civic and fee structure that would give architects a hand freed from hobbling regulations. "Ugliness is never deliberately chosen," he wrote, "it happens where people do not care."<sup>42</sup> (In keeping with this, Logue was able to operate Boston's redevelopment authority with much greater powers of review.) David Brain's examination of the profession of architecture stresses that architects have far less autonomy than that, and in fact outside actors and factors like the developer-client have great influence on design. "The autonomy of the architect is hemmed in on all sides: The client controls the budget; building technology is controlled by builders, engineers, and industries that produce materials and equipment; the construction industry is an intersection of several markets."<sup>43</sup> Thus there is precedent to expect developers will have a determinant role, and reason to doubt that architects would have acted autonomously. Furthermore, both

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interviews in this study and the understanding gained of the development process argue strongly against the possibility that architects had such a free and decisive role that a trend as large as the quality of bonus plazas is a result of their initiative.

### *Building Management*

One explanation of why many spaces were exclusive challenges the primacy of developers in the process. While some developers went on to operate the buildings they had constructed, few are still in the original developers' hands. Discourse about the current state of plazas occasionally includes references to the role buildings managers can play. Indeed, these comments and field observations are a reminder that while initial design decisions are made by the developer, the current decisionmaker, with both the ability to alter the space and make day-to-day decisions about its management, plays a role similar to that the original developer did.

Jonathan Barnett's comments made clear the differences he observed between different types of management, whether the cost minimizing of contracted corporate facilities managers, or the profit maximizing of the entrepreneur. Schneider cited examples of spaces that had changed recently: Philip Morris' space has become "just deadly" now that, under the guise of security, doors have been locked, bags are searched, and movable chairs were removed. Other changes made after the fact have been significant enough to require City Planning approval; the IBM plaza, Sony plaza (formerly AT&T) and the Citigroup mall all had changes of design, use, and tenants that significantly altered the original design, use, and intent of the spaces. Different managers have attitudes towards public use of their plaza as divergent as different developers. As Roth said, "I think it mattered very much who was running it. Absolutely. There were people who didn't want the problems, who wanted it to go away, who wanted the people to go away."

Even everyday decisions and alterations, like the permissiveness of guards, the locking of a gate, and the quality of maintenance, can collectively have dramatic effects on the public quality of a bonus plaza.

A positive example, 330 East 39<sup>th</sup> Street demonstrates the way in which building managers can have an effect on a space. The plaza there was identified in *Privately Owned Public Spaces* as one in a serious state of neglect; the most blatant violation of the expectations for bonus plazas being a gate across the entrance that remained locked most days. As a result, its public quality was severely compromised.

Peter Claman, whose firm designed the building, conceded “no, that was not a successful plaza”, even saying that a plaza like that five feet above street level “never should have been approved”<sup>44</sup> by City Planning. (Though it was built in an era when City Planning was generally able to review plaza plans, zoning regulations allowed this plaza to be built under the original “as-of-right” 1961 regulations, so that City Planning could not intervene.) When asked why it had been built as it was, Claman offered two explanations: first that it was built on top of a parking garage, and the elevation of the garage had to be raised because there was a lot of water on the site. Second, he suggested it was the fault of the developer: According to Claman, the space’s lack of use came from a awkward design, itself a product of physical constraints on the site and a developer who wanted to ‘do the minimum’ and avoid paying more to rectify the construction problems and produce a better plaza.

**[figure 2: 330 e 39<sup>th</sup> Street]**

Despite a design that made the space physically difficult to use, the space is in better condition than it could be, and better condition than it has been in the recent past. This illustrates the influence that building managers (and motivating pressure from city agencies) can have on

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spaces after they are built. The space today is in an awkward state of transition. It remains a very difficult site, not visible from the sidewalk six feet below, lost around the corner from the building it is legally a part of, adjacent to a midtown tunnel access road. But it has changed. On a recent visit, a homeless person sleeping in a rear corner stairwell who would in the past have been the plaza's only user was joined across the expanse by two businessmen holding an extended conversation near the entrance. Some of the lamp posts were clearly broken, but others had recently been replaced. Most of the plaza was dreary and empty, but a dense and geometric array of tulips bloomed in what had been an unused fountain. At the entrance, another long-empty fountain had been filled with new plantings of hydrangea, climbing roses, and wisteria.

These changes came after, and as a direct result of, publication of the *Privately Owned Public Spaces* survey. After its publication, City Planning contacted the managers of the buildings and instructed them to remove the gate. (Before the book was published, such enforcement was virtually impossible, because there was no record of what bonus plazas existed, and what requirements had been placed on them as a condition of a building's construction.)

Joseph Flanagan, the building's manager, explained his response to city pressure. Flanagan had initially resisted the city's order to remove the gate, fearing the plaza would be filled with homeless people. But rather than seek a variance from the City, he removed the gate, and then went on to make improvements not required by the City. Thus the tulips and other flowers were recently planted, and he plans to install a Japanese-style trellis. He has also been working with a Seventeenth Precinct detective, who offers technical assistance to plaza managers, essentially disseminating means of selectively filtering a space (like posting a list of rules and prohibitions prominently near the entrance). Flanagan hopes that these alterations will attract more users, perhaps from the small office building next door. It is unclear whether the changes will be able to

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overcome some of the handicaps in location and design of the plaza, but this case indicates the kinds of changes—many of which are recognized strategies for attracting more users—a manager can make.

Flanagan's actions appear to be motivated by a personal interest in improving the space. When I asked why he is improving the space, he laughed and said, "Because my apartment overlooks it?" Though he objected to being forced to remove the gate, he is also upset that sitting ledges at Madison Square Garden that have been intentionally obstructed with rails and planters. As a result, he can appreciate the City's demands. "If I'm going to complain about Madison Square Garden, somebody should come and make me take it [the locked gate] off when I'm not opening it," he reflected. In addition, he appears to have a tolerant and respectful attitude towards the homeless. He knew several details about the homeless man who regularly slept in the stairwell, and described his stack of cardboard (which a fire inspector had called a hazard) not as junk but as the man's "private property." The fountains had been urinated in, and the plaza still had human excrement in it, but he blamed both not on homeless people staying there (who, he said, carted out their own waste in buckets) but on drunks passing by on their way home from bars. Thus despite actual experience with some of the most disagreeable possibilities of a public space, he retained a fundamentally tolerant attitude that seems to be the motivation behind cleaning up the plaza and seeking more users. Flanagan's plaza demonstrates that while the original disposition of a space by the developer is significant (in this case, it is a serious handicap, since few people can see it or pass by it), current decisionmakers can also try to influence how accessible a bonus plaza is. That his choices are so exceptional also suggests a more common pattern, and the continued salience of exclusion.

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### *Fear and Control*

Finally, there are more general issues that may have fostered the exclusive designs for bonus plazas. The literature on public space suggests that a sometimes nebulous, sometimes identifiable *fear* has driven many actions related to public spaces, as has a desire to maintain *control* over the space.

Stephen Graham and Alessandro Aurigi identify two things driving what they describe as the “securitization and privatization” of public space: the shopping mall paradigm, and what they call the city of fear.<sup>45</sup> Fear, Graham and Aurigi suggest, has an exaggerated effect on urban space beyond the actual frequency of the events that are feared. While fear and the private control offered by the shopping mall paradigm are in this way related, what I will call fear and *control* must be considered separately.

Fear is widely believed to have great influence on public space in the United States. Mike Davis examines the privatization of public space, and sees the process significantly shaped by racial fears. The civil rights contest “that began in the long hot summers of the 1960s has been institutionalized into the very structure of urban space,” writes Davis. Contemporary public space, then, is understood as “a continuation of the race war of the 1960s... at the level of the built environment.”<sup>46</sup> Furthermore, exclusion is not incidental, but very much decisionmakers’ intent. Sharon Zukin similarly sees racial fear as a strong explanatory variable in understanding shifts in public space since the end of legal segregation in the 1960s “when—not surprisingly—perceptions of danger among whites increased.” The result was public space design based on exclusion. “Reacting to previous failures of public space—due to crime, a perceived lower-class and minority group presence, and disrepair—the new parks use design as an implicit code of inclusion and exclusion.”<sup>47</sup> Finally, Lizabeth Cohen’s work on retail areas in the New York

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metro area (including, tangentially, Midtown Manhattan) concludes that developers “did not exclude inadvertently.” Instead, “not by accident, public space was restructured and segmented by class and race... just as African Americans gained new protections for their right of equal access to public accommodations.”<sup>48</sup> Particularly given the low actual incidence of crime in bonus plazas and the neighborhoods in which they were located, fear of undesirable outcomes (or undesirable people) rather than their actual presence is more likely to have influenced the shape of these locations.

Setha Low’s extended study of reasons residents moved to gated communities develops finer distinctions of the multiple fears that led various residents to move behind the gates. Residents express a fear that can seem unfocused, but is constituted of fears of crime, racial minorities, “others,” and economic decline. Low found these fears are significant explanations for residents’ decision to move to gated communities and seek out privatized and carefully controlled spaces like malls, even though things like fears of break-ins or violence are often unjustified by either statistics or personal experiences.

But despite the strength of this argument in the literature, my interviewees did not talk about the role of race, or racial fear, in their interviews. It is entirely possible that race and the racial climate in which bonus plazas were built were not responsible for the application of exclusive strategies. But Setha Low, in her study of gated communities, suggests another possibility. Citing Michael Billig’s work on the “dialogical unconscious,” Low noted that her interviewees often avoided talking about race, and changed the subject.<sup>49</sup> While interviewing Richard Roth, I mention William Whyte’s conclusion that the reason corporate CEOs relocated their headquarters in the suburbs—even considering the frequent proximity Whyte found between the location of the new office and that of the CEO’s home—is, “Shorn of euphemism... [that] the

center city is a bad place: crime, dirt, noise, blacks, Puerto Ricans, and so on.”<sup>50</sup> Roth’s response referred only to CEOs wanting to be closer to their golf clubs. When I asked Saky Yakas about the potential role of race, referring to Whyte’s comment, Yakas thought it “could be,” that “things that happened at a specific period do influence and do carry over,” but then concluded that the real story of bonus plazas was of developers who only wanted to do the minimum to get the bonus. He then returned to his discussion of how it was not that, since design could be used to make it “a little bit more difficult for people to feel comfortable.” One urban planner, when asked about the potential role of sixties unrest, talked instead about the 1980s. “I think if anything the 1960s certainly the homeless situation was less of a problem.” There is a disjunction between the significance of race in the literature of public space, and its discussion by actual actors. Whether his represents a strategy of aversion or merely polite responses to a question that was off-base is unclear. It is also possible that fear has been influential generally, as other writers suggest, but not in this case. After all, as Whyte points out, many of those for whom fear of the city, crime, and people of color was an overwhelming preoccupation moved out. But the role of fear, whether originating in race or elsewhere, in shaping desires and plans for public space, is an important area of consideration in future investigations. If fear is considered, as Low does, as a factor with roots in many insecurities, it may accurately identify the presence of poorly articulated anxieties that influence people’s actions and opinions about public space and interaction.

A similar potential explanation for exclusion is control. This concept also encompasses several elements found in public space literature: privatization, the hegemony of the shopping mall model, and the inherent difference between private and public management of a space.

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In Graham and Aurigi's shopping mall paradigm, space is privately developed and controlled, the product of "corporate and state planners, [who] have created environments that are based on desires for security rather than interaction, for entertainment rather than (perhaps divisive) politics."<sup>51</sup> In the case of bonus plazas and privately owned public space more generally, the goal may not be maximizing retail income through upscale niche marketing, but the creation of space with a similarly narrow range of possibilities and stricter private regulation than would be achieved through public ownership and management.

Indeed, the literal influence of suburban shopping malls on some bonus plazas, at least indoor ones, is hard to deny. Emory Roth and Sons had designed shopping malls in the New York metro area and elsewhere before turning to the brand new category of *indoor* bonus space. The results, at 575 Fifth Avenue, Citigroup Market, and elsewhere, represent the introduction of a shopping mall aesthetic to the city. Techniques of selective exclusion are more evident in later examples of malls in Manhattan, particularly South Street Seaport and the original design of the Winter Garden Mall. (It is important to note, however, that at least some of the most important techniques suburban shopping malls use to create exclusive public space—geographic distance and isolation in a homogenous suburb, and access by automobile—are unavailable to designers of bonus plazas. Such physical exclusion has been achieved in other urban mall projects, however.<sup>52</sup>)

When asked why developers wanted to exclude people from their plazas, Richard Roth says it was control. The problem with a plaza, for developers, was that "they couldn't control it."<sup>53</sup> In research on elevated pedestrian walkways in three US cities, Jack Byers came to the same conclusion. "For property owners and managers, control of the publicly used spaces within their jurisdiction is paramount."<sup>54</sup> In both cases, private management means that individuals

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representing only a certain set of private interests make all significant decisions for the operation of the public space. In contrast, spaces run by public agencies (like a parks department) or controlled ad-hoc by users (like a residential street) are governed by bodies that by definition, and in practice, consider the interests of a broader array of users. Thus, establishing bonus plazas as entities to be privately managed (instead, for instance, of creating public space through taxation, or by giving square footage bonuses for land or operating funds turned over to the Department of Parks or a community group for day-to-day operations) left control in the hands of people with a mandate to defend the interests of only a narrow group; this style of control therefore led to exclusion of other users.

### **Conclusion**

While public critics have assigned responsibility for unusable urban public spaces to a variety of parties, and city planners and architects have engaged in a decades-long contest over designs that open or close bonus plazas to the public, the social function of such plazas is typically determined by developers.

Furthermore, it is not clear that the widespread tendency to build exclusive bonus plazas can be simply explained in economic terms. Particularly given the low relative cost of a plaza, the fact that less exclusive designs could have been built for comparable cost, the potential economic advantages of an attractive space, and the high social impact of a plaza, social considerations often drove the design, not economics. Rather than aesthetic or economic considerations alone, adequate understanding of the built environment requires a sociological consideration of actors, their goals, and social position, and social relations. Indeed, social relations appear at both ends of the process: in influencing the shape of public space, and in the social relations decisionmakers want their spaces to then reproduce.

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The case of bonus plazas clearly establishes the role of sociological factors in creating social space, and the consensus among actors that they can shape a space to achieve chosen social outcomes. In this case, the creation of public space closely follows the model illustrated in figure 1: developers' goals, interpreted through designers, produce a space that is thus structured by the social goals and influences of the developer/decisionmakers. In considering the ongoing debate over redevelopment of public space at the World Trade Center site and in adjacent Battery Park City, it will be valuable to identify the social goals actors seek to achieve through the spaces, and how this influences which plans they endorse.

Most developers of bonus plazas used their spaces to achieve various forms of exclusion. This meant that spaces were unusable not as a byproduct of other decisions, but rather because unusability was itself a goal. In fact, some form or degree of exclusion often appears in the development of space, particularly in the plans of a single actor who need not consider or welcome others' uses for the space. Most often, exclusion was intended to be *total*; in some projects, particularly more recent ones, and certainly those that needed to attract a particular retail clientele, the goal was *partial* exclusion. In the Battery Park City redevelopment study, understanding the exclusive potential of different designs is key to understandings disagreements among different parties. That exclusion paradoxically plays a frequent role in the development of public space must be considered in studies of public space.

Finally, the discursive justifications offered for exclusion demonstrate that such explanations must be considered skeptically. Just as economic rationales fail to explain the particular form bonus plazas took, other explanations reveal as much through their shortcomings as through their claims. Claims about security, for instance, regularly masked other agendas. *Fear* does appear to be a real factor in determining the design and use of space, but the things

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that are feared are often not real enough to merit such attention. Thus, patterns in the justifications for particular design endorsements need to be examined as much for signs that other, unexpressed reasons predominate as for accurate information about why one idea was preferred over another for a particular space.

Of the five justifications for unused public space, the failure of architects to design better spaces and the role of building managers who seek to minimize maintenance through deterring use suggest an important possibility. While the first appears not to have played a significant role, the presence of the second is a reminder that while decisionmakers like developers may play a decisive role, other actors may influence a space after it is built. This too is likely in the Battery Park City case as, for instance, residents seek to shape a neighborhood after it has been built..

Thus the design of public space is more than an aesthetic question, because of the much larger goals would-be decisionmakers bring to the table. It is more than a discrete study of city politics, because the final product, a nominally public space, is expected by all users, and appears in fact, to continue to generate very particular kinds of interaction and social possibilities. Because of the diversity of objectives decisionmakers and users bring, and because of the varied roles that even popular spaces play, the role of public space needs to be debated in a forum as public as it is itself.

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- <sup>1</sup> Carol Willis, *Form Follows Finance: Skyscrapers and Skylines in New York and Chicago* (Princeton Architectural Press, 1995). Similarly, she uncovered economic explanations for events that had previously been explained in terms of aesthetics or hubris, as when she identified when in and economic cycle a record-height building was likely to be built (right before a crash).
  - <sup>2</sup> Henri Lefebvre, *The Production of Space* (Cambridge, Ma: Blackwell, 1991), trans. Donald Nicholson-Smith. First published in French, 1974. Edward W. Soja, *Thirdspace: Journeys to Los Angeles and Other Real-and-Imagined Places* (Cambridge, Ma: Blackwell, 1996).
  - <sup>3</sup> Though other modern office buildings had already been built in Manhattan, most notably Lever House across Park Avenue, and housing projects had already introduced to New York the model of the high rise surrounded by a lawn, Seagram's, perhaps because it was a luxury project with a famous architect that shared both a housing project's tower-in-the-park form and Lever House's location, became and remains the icon of this new form of building in New York.
  - <sup>4</sup> Carol Willis, *Form Follows Finance: Skyscrapers and Skylines in New York and Chicago* (New York : Princeton Architectural Press, 1995).
  - <sup>5</sup> Conversation, Jonathan Barnett, February 14, 2001, Philadelphia, Pa. (Barnett was director of urban design for the New York City Planning Department from 1967 to 1971.)
  - <sup>6</sup> "Zoning: New York Tries Again," *Architectural Forum* 110 (April 1959, pp. 123-23,206,210.
  - <sup>7</sup> David Brain, "From Public Housing to Private Communities: The Discipline of Design and the Materialization of the Public/Private Distinction in the Built Environment," in *Public and Private and Thought and Practice: Perspectives on a Grand Dichotomy*, ed. Jeff Weintraub and Krishan Kumar (Chicago: University of Chicago Proess, 1997), pp. 237-265.
  - <sup>8</sup> Stephen Carr, *Public Space* (New York: Cambridge University Press, 1992).
  - <sup>9</sup> Rob White, p. 83.
  - <sup>10</sup> Jack Byers. "The Privatization of Downtown Public Space" *The Emerging Grade-Separated City in North America*," *Journal of Planning Education and Research* 17 (Spring 1998), p.189-205.
  - <sup>11</sup> Byers, p. 202.
  - <sup>12</sup> Setha Low, *Behind the Gates: Life, Security, and the Pursuit of Happiness in Fortress America* (New York: Routledge, 2003).
  - <sup>13</sup> Preliminary Report of Fifth Avenue Commission (New York, 1911). Italics mine. Though the authors make some reference to the 146 women killed that year in the Triangle Shirtwaist Fire, it is largely to justify their own desire to exclude garment factories from Fifth Avenue. The fire had demonstrated that the factories desperately needed to be regulated by building codes, but it's troubling to read that what the Commission believed most urgently needed to be corrected were not the tinderboxes workers were locked in, but the fact that they were allowed out into public space for lunch..
  - <sup>14</sup> Henry S. Churchill, "New York Rezoned," *Magazine of Art*, December 1951. Author hopes that while old zoning law bound architect with development economics, the new code would allow for greater architectural expression.
  - <sup>15</sup> William H. Whyte. *City: Rediscovering the Center* (New York : Doubleday, 1988).
  - <sup>16</sup> From bonus plaza zoning archives of the City Planning Commission, in possession of Philip Schneider. April 16, 1975.

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- 17 From the Bonus Plaza archives of the City Planning Commission, March 15, 1983, n820253.  
18 Interview Philip Schneider, 2003.
- 19 cite for Whyte, Jacobs, Flusty. Give Flusty's examples?
- 20 Rob White, "Sanitary Cities: How Designers Banish the Young and the Poor from the Public  
Realm," *Architecture Australia* v. 85, no. 3 (May-June 1996), pp. 84.
- 21 Jonathan Barnett, *An Introduction To Urban Design* (New York: Harper & Row, 1982), p. 179.
- 22 Conversation Tom Wargo GET PERMISSION TO QUOTE. March 31, 2003.
- 23 Conversation with Richard Roth, June 1, 2003, New York City.
- 24 Kayden et al., p. 148.
- 25 Interview with Saky Yakas, May 9, 2003. *Italics mine.*
- 26 Interview Roth June 1, 2003.
- 27 Interview Richard Roth June 12, 2003.
- 28 On Roth's ongoing relationship with developers: Roth is retired, and I interviewed him during  
one of his twice-yearly visits to New York from the Bahamas. During the interview, he suggested  
I talk to developer Melvyn Kaufman, saying he would put in a word for me since "I have to call  
Mel anyway." In a second interview, he mentioned writing a letter of condolence to a developer  
after the passing of his brother.
- 29 "Conversation with Architect," April 28, 1972. From archives of William Whyte's work, at the  
Project for Public Space.
- 30 Ada Louise Huxtable, "Tale of a Few Cities—Everywhere," *New York Times*, March 9, 1970.  
PPS.
- 31 Sulzberger is evidently not related to the Sulzberger family that runs the Times. John T.  
McQuiston, "Edward Sulzberger Is Dead at 80; President of Real Estate Concern" (obituary) *New  
York Times*, July 1, 1988, p. B8.
- 32 "Plazas, Nice for Strollers, Give Builders Problems," *New York Times*, August 24, 1969, sect. 8,  
p. 8.
- 33 Whyte, pp. 113-114. (*Italics mine.*)
- 34 Jonathan Barnett, *An Introduction To Urban Design* (New York: Harper & Row, 1982), p. 179.
- 35 Interview with Jonathan Barnett, February 29, 2001.
- 36 "Talk with Mel Kaufman 1/8/72."
- 37 Interview with David West, February 6, 2004.
- 38 Discussion by Jerold Kayden during walking tour of Midtown, and his book *Privately Owned  
Public Space*.
- 39 Conversation Joseph Flanagan, May 3, 2003.
- 40 Heated fountains mentioned in "Plazas, Nice for Strollers, Give Builders Problems," *New York  
Times*, August 24, 1969, sect. 8 (Real Estate), pp. 1-8.
- 41 Much of initial investment in Lincoln Center came from private contributions, but federal and  
State money and aid in securing the site, along with the civic character of the space, have led it to

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- be treated, and evaluated, as a public space. (Norval White, Elliot Willensky, AIA Guide to new York City, 4th ed. (New York: Three Rivers Press, 2000).
- 42 David A. Crane, *Planning and Design in New York: A Study of Problems and Processes of its Physical Environment* (report to Study Group on New York Housing and Neighborhood Improvement, Edward J. Logue, Chairman, also advisory group to Instit.. of Public Administration and Mayor John V. Lindsay, Sept 1966). Logue wrote the introduction.
- 43 David Brain GET FULL CITE, *Social Forum*, 1991, p. 263.
- 44 Interview Peter Claman, January 16, 2004.
- 45 Stephen Graham, Alessandro Aurigi, "Virtual Cities, Social Polarization, and the Crisis in Urban Public Space," *Journal of Urban Technology* 4, no. 1 (April 1997), pp. 19-52.
- 46 Davis, p. 224, 228.
- 47 Sharon Zukin, *Cultures of Cities* (Cambridge, Ma: Basil Blackwell, 1995), p. 41, 25.
- 48 Cohen, p. 1079.
- 49 In Low, p. 147. Citing Michael Billig, "The Dialogical Unconscious," *British Journal of Social Psychology* 36 (pp. 139-59). Low, following Billig, tested for "disclaiming statements" (in which respondents sought to disavow potentially perceived racism, or portray themselves as racially tolerant) by asking questions about "Mexican laborers" or "recent immigrants." It may be useful to ask more direct questions about blacks or other minority groups, to see if similar disclaiming statements are made. The question, though, would be how to distinguish disclaiming statements from accurate, but negative, responses.
- 50 Whyte, p. 287.
- 51 From p. 119 of Don Mitchell, "The End of Public Space? People's Park, Definitions of the Public and Democracy," *Annals of the Association of American Geographers*, 85, 1 (1995). Cited in Graham and Aurigi.
- 52 For examples, see Friedan and Sagalyn, *Downtown, Inc.*
- 53 Interview Richard Roth, June 1, 2003.
- 54 Jack Byers. "The Privatization of Downtown Public Space" *The Emerging Grade-Separated City in North America*, *Journal of Planning Education and Research* 17 (Spring 1998) p. 204.