

Measuring the Impact of Historic District Designation on Real Estate in New York City

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CHAPTER I: INTRODUCTION

Although carried out in practice for centuries, historic preservation as a professional field is relatively young and has not yet fully harnessed data that could be used to support the theories of the field. We have access to more data today than ever before; 2.7 zettabytes of data to be exact, and this number is growing rapidly.¹ The business of information management is estimated to be valued at over \$100 billion dollars with projections of 10% growth each year.² Not taking advantage of the data that exists could be a missed opportunity for the field of preservation to grow into an even more robust practice. This thesis will present new ways to analyze historic districts using data and recommend methods for future analysis that evaluate how historic districts function in New York City.

While the designation of historic districts has always been somewhat controversial, recently, historic district designation has come to the forefront of discussion in New York City.³ The real estate community has begun to use data to generate studies in opposition to historic district designations.⁴ This thesis presents the recurring arguments raised by property owners and real estate developers against historic district designation in New York City and develops a methodology by which to evaluate these concerns. This methodology uses existing data for New York City to study historic districts. In some cases, data does not exist and proposals for collection in the future are made. This thesis tests the methodologies on historic district performance in Manhattan, where historic districts have been more controversial than those in Brooklyn, Queens, The Bronx, and Staten Island. The methodology is also applied on a smaller scale to the Ladies' Mile Historic District as a case study.

Chapter two of this thesis will introduce the concept of historic districts in New York City. This chapter explains how historic districts are designated, who manages and oversees historic districts, and the

¹ Savitz, Eric. "Will Big Data Actually Live Up to its Promise?." *Forbes*. 09 July 2012. Please note that the number of zettabytes is from 2012 estimate by the IDC.

² "Data, Data Everywhere." Special Report: Managing Information. *The Economist*. Print Edition. 25 February 2010.

³ To be explained in further detail in "Chapter III: Discourse Analysis."

⁴ In reference to two reports released by REBNY: "An Analysis of Landmarked Properties in Manhattan." REBNY. June 2013. & "The Impact of Landmarking on Housing Production in Manhattan." REBNY, September 2013.

philosophy behind historic districts. In conjunction with the background of historic districts, a brief literature review summarizes research that has been completed in regards to historic districts and methodologies used. The literature discussed includes New York City specific research as well as more general publications regarding historic districts. Chapter two will provide a foundation for the discussion in the following chapters.

Chapter three will introduce recurring arguments that are raised against historic districts prior to designation. These arguments will be categorized into three subjects: policy and process, operational, and monetary. The policy and process category will present testimony and literature that discuss the roles of planning and preservation entities in New York, the timing of the processes relevant to preservation and planning, and the debate over the designation of historic districts versus individual building landmarks. The operational category will focus on evaluating the operation of existing historic districts and whether the district designation “froze development” or “limited investment” within the neighborhood. The discussion of monetary subjects will summarize research conducted in relation to property values within a historic district; the costs of fees, time, and materials associated with a designated building versus a non-designated building; and the current discussion about the effects historic districts have on affordable housing in New York City. Within each category, this thesis will present the controversy, explain the real estate development and historic preservation perspectives, and summarize what data has been assembled to analyze the topic.

Out of the six topics identified in chapter three, chapter four will develop way in which to analyze two topics; historic district designations versus individual landmarking and whether or not historic districts “freeze development” or limit investment. This thesis will use a GIS (a Geographic Information System) to determine whether existing data can be utilized to evaluate the effects of historic districts in relation to the

subjects of study. A GIS uses a computer program to overlay data with maps.⁵ In addition to using data found in spreadsheets, the ability of a GIS to link the data to maps will produce visualizations of findings that can reveal trends not necessarily evident in just the data alone. *Harvard Magazine* explains the importance of visually explaining data findings: “New ways of *linking* datasets have played a large role in generating new insights. And creative approaches to *visualizing* data—humans are far better than computers at seeing patterns—frequently prove integral to the process of creating knowledge.”⁶ Recommendations for data sets that do not exist will be made for future research opportunities.

The methodology established in chapter four is also applied to the Ladies’ Mile Historic District as a case study in chapter five. Analysis at the scale of the district level will test the strengths and weaknesses of the developed methodology and demonstrate how it can be employed at this scale. This study also exhibits the capabilities of the data to analyze both large scale and district specific trends.

Chapter six evaluates and critiques the methodology developed in this thesis, recommends ways in which it can be improved, and establishes a framework for future research and data collection. This chapter will synthesize the findings of this study. There is a discussion about the large scale analysis that is applied to the borough of Manhattan and the district specific findings in Ladies’ Mile.

In summary, as the accessibility and quantity of data usage increases, there is hope that some of this information can be applied to the study of historic preservation. This thesis dissects the reasoning behind the arguments for and against historic district designation in New York City by focusing on specific arguments that have been raised prior to designation and generates a methodology for the evaluation of historic districts through existing data sets. It also provides a framework for future studies that could be conducted should the data become available to further this research.

⁵ This thesis used ArcMap 10.

⁶ Shaw, Jonathan. “Why ‘Big Data’ Is a Big Deal: Information Science Promises to Change the World.” *Harvard Magazine*. harvardmagazine.com. March-April 2014.

CHAPTER II: HISTORIC DISTRICTS

There are various layers of historic district designation that exist in the United States of America. The federal government designates historic districts and landmarks and lists them on the National Register. Local governments have the power to designate their own landmark and historic districts and create the legal framework to define the role of historic preservation in their city, town or village. This thesis will focus specifically on the locally designated historic districts in New York City.

Historic Districts in New York City

Origins

New York City established a Landmarks Law that regulates historic districts at the local level in 1965. The City Charter defines a historic district as, “any area which: contains improvements which: have a special character or special historical or aesthetic interest or value; and represent one or more periods or styles of architecture typical of one or more eras in the history of the city; and cause such area, by reason of such factors, to constitute a distinct section of the city; and has been designated as a historic district pursuant to the provisions of this chapter.”⁷ Historic Districts are designated and maintained by the Landmarks Preservation Commission (LPC). As of March of 2014, there are 110 Historic Districts in New York City, 73 of which are located in Manhattan.

The Landmarks Preservation Commission

The LPC was established in parallel with the Landmarks Law in 1965 to designate and maintain historic districts in New York City. As stated in the city charter, “It is hereby declared as a matter of public policy that the protection, enhancement, perpetuation and use of improvements and landscape features of

⁷ “New York City Charter and Administrative Code.” Title 25: Land Use. Chapter 3: Landmarks Preservation and Historic Districts. Section 25-302. New York Legal Publishing Company. Albany, NY. Accessed 06 February 2014.

special character or special historical or aesthetic interest or value is a public necessity and is required in the interest of the health, prosperity, safety and welfare of the people.”⁸ The LPC is tasked with the following:

- (a) Effect and accomplish the protection, enhancement and perpetuation of such improvements and landscape features and of districts which represent or reflect elements of the city's cultural, social, economic, political and architectural history;
- (b) Safeguard the city's historic, aesthetic and cultural heritage, as embodied and reflected in such improvements, landscape features and districts;
- (c) Stabilize and improve property values in such districts;
- (d) Foster civic pride in the beauty and noble accomplishments of the past;
- (e) Protect and enhance the city's attractions to tourists and visitors and the support and stimulus to business and industry thereby provided;
- (f) Strengthen the economy of the city; and
- (g) Promote the use of historic districts, landmarks, interior landmarks and scenic landmarks for the education, pleasure and welfare of the people of the city.⁹

The commission consists of eleven mayor-appointed commissioners tasked with “designating properties as landmarks or historic districts and regulating certain kinds of changes to them”.¹⁰ Among the eleven commissioners there is a requirement for a minimum of three architects, one historian, one city planner or landscape architect, and one realtor. This is to ensure a variety of expertise and opinion. Additionally, there must be a member of the commission from each borough so that the city is equally represented by location. The mayor will select a chair and vice chair of the commission out of the eleven commissioners. The chair is the only commissioner that is paid.¹¹

The LPC has a support staff of approximately 67, composed of archeologists, architects, attorneys, administrators, historians, preservationists, and researchers, who work out of four departments.¹² The four departments that make up the LPC are archeology, enforcement, preservation, and research. There is also a historic preservation grant program and an environmental review unit. The commission and staff, totaling 78 people, manage all of the preservation related functions of New York City across the five boroughs.

⁸ “New York City Charter and Administrative Code.” Title 25: Land Use. Chapter 3: Landmarks Preservation and Historic Districts. Section 25-301. New York Legal Publishing Company. Albany, NY. Accessed 06 February 2014.

⁹ Ibid. (Accessed 06 February 2014)

¹⁰ “Meet the Commissioners.” New York City Landmarks Preservation Commission. Website. Accessed 10 April 2014.

¹¹ Ibid. (Accessed 10 April 2014)

¹² “About the Landmarks Preservation Commission.” NYC Landmarks Preservation Commission. Website. Accessed 06 February 2014.

Process of Historic District Designation

The historic district designation process begins when a Request for Evaluation (RFE) is submitted to the Landmarks Preservation Commission by the public, a member of the community, or a group.¹³ Simeon Bankoff, Executive Director of the Historic Districts Council, an advocacy group for New York City's historic neighborhoods explained in an interview that neighborhoods are rarely designated without community groups taking action. He noted that only two historic districts originated from the LPC, and not specific community groups, under the twelve year Bloomberg administration.¹⁴ For the most part neighbors work together to designate the neighborhoods in which they live. Randall Mason also speaks about the involvement of communities in his book, *Giving Preservation a History: Histories of Preservation in the United States*,

Districts are not something that the government or some other entity does for an area or community. On the contrary, districting is a tool for residents and other citizens who are already concerned about conserving or revitalizing certain areas. Local energy must already be active in a potential district – this energy is not a result of the establishment of the district. Districting is only one element in the process of revitalization or maintenance, though it does help to support preexisting energy.¹⁵

Once an area has been identified, in order to file the request there is a specific form for Historic District Designation which asks for a recommendation of the boundaries, a written description including history, significance, present conditions, and photographs of the building exteriors. In order for a district to be considered, the properties lying within must generally be over thirty years old.¹⁶ The LPC will review the RFE, conduct site visits and perform more extensive research to determine if the district is eligible for further review and potential designation. At this point the community may show support via letters, phone calls and emails. Neighborhood residents will schedule meetings with the LPC and offer tours of their community to highlight specific features. If the LPC decides that the neighborhood has the potential to

¹³ "Frequently Asked Questions about the Landmarks Process." Historic Districts Council. New York. Pamphlet. Pages 6-7. Accessed 08 February 2014.

¹⁴ Bankoff, Simeon. "Interview conducted by Julia Lewis." New York. 28 February 2014.

¹⁵ Mason, Randall and Max Page. "Giving Preservation a History: Histories of Preservation in the United States. Routledge. New York. 2004.

¹⁶ "Request for Evaluation-Historic District." NYC Landmarks Preservation Commission. New York. Webform. Accessed 08 February 2014.

become an historic district, it will “calendar,” meaning schedule a public hearing for, the district. This is the first official step for historic district designation. At this point the LPC will also determine the boundaries of the proposed district. At the public hearing, members of the community, elected officials, and anyone who is particularly interested in the future of the district will provide testimony for or against the designation. After the hearing the LPC will vote as to whether or not the district should be designated by the LPC. If the historic district is designated it will then be reviewed by the City Planning Commission and voted on by the City Council. The City Council can reject, modify, or approve the designation. The Mayor can veto the city council vote, but the City Council can overturn the Mayoral veto with a 2/3's majority.¹⁷

Philosophy of Historic Districts

Historic districts, opposed to individual landmarks, are created to preserve the context of an area.

Eric Allison explains in his book, *Historic Preservation and the Livable City*,

The motivation for designating historic districts falls somewhere between protecting architectural aesthetics and preserving a feeling of historical roots. In most cases, the architecture of the individual buildings in an historic district does not rise to the level required for an individual building...What is special is that as a whole they represent a period in our architectural and aesthetic history and have what is called “a sense of place.” They can take residents and visitors back to a different era even though they are still being productively used as homes and offices.¹⁸

He reinforces several key components of historic districts, the preservation of the architecture and history, the importance of context and the preservation of a grouping of structures, and that the buildings are still in use and functioning today. William Murtagh makes a similar statement, reiterating the elements that compose historic districts,

The preservation of a neighborhood should be seen as a heterogeneous product, the whole of which exceeds the value of the individual parts...The preservability of a neighborhood stands in direct relationship not only to the individual buildings and their sum total, but how they relate to each other side by side and across the width of the street. The

¹⁷ “Frequently Asked Questions about the Landmarks Process.” Historic Districts Council. New York. Pamphlet. Pages 6-7. Accessed 08 February 2014.

¹⁸ Allison, Eric W. Peters, Lauren. “Historic Preservation and the Livable City.” Wiley. Hoboken, NJ. July 2010. Page 47-49

paving materials that cover the public right of way, the non-conforming intrusions (buildings which do not “fit” street furniture (lighting fixtures, trees, signs, and other accoutrements of the man-made environment,) as well as open space are all elements which help weave the visual tapestry of the neighborhood.¹⁹

Murtagh’s use of the phrase “visual tapestry” emphasizes the cohesion of elements within a historic district and how they complement each other. Russell Keune further explores the purpose of historic districts in *A Guide to Delineating the Edges of Historic Districts*, “The primary purpose of the preservation of districts should be the maintenance of the environmental amenity, or the sense of time and place, of culturally significant living parts of communities. Conservation is perhaps a better term than preservation for this type of endeavor. A secondary purpose of districting is the documentation of the cultural history of a community and the use of this documentation in educating the local public about the heritage of the district.”²⁰ The guide in which this was published included a process for how the economic conditions of historic districts could be analyzed. Keune’s term of a historic district as an “environmental amenity” is very important. Viewing historic districts as an amenity is something that people may not do. A historic district as an amenity is a compelling position.

In summary, historic districts have been recognized by New York City as a component that is designed to preserve unique neighborhoods in the city with a regulatory body, the LPC, to oversee their designation and maintenance. The purpose of historic districts lies in their ability to conserve an architectural heritage, educated through a visual history of the neighborhood, and stabilize and grow value within a community through the preservation of a contextual section of the city.

¹⁹ Murtagh, William. “Keeping Time: The History and Theory of Preservation in America.” Preservation Press. John Wiley & Sons Inc. New York. 1997.

²⁰ Keune, Russell V. and Russell Wright. “A Guide to Delineating edges of Historic Districts” National Trust for Historic Preservation. The Preservation Press. Washington, DC. 1976. Page 86.

Literature Review

There is a plentiful amount of literature available on historic districts in the United States and even a considerable amount on historic districts in New York City; however, there is very little research that specifically delves into the data associated with historic districts in New York City, despite rigorous pushes for the ease of publically accessible data.

The literature on the effects of historic preservation outside of New York City is extensively covered by Randall Mason, the current chair of the graduate program in historic preservation at the University of Pennsylvania and associate professor of city and regional planning, and Donovan Rypkema, who is the principal of PlaceEconomics which is a real estate and economic development consulting firm based in Washington DC.²¹

Randall Mason produced a very comprehensive review of the literature pertaining to the economics of historic preservation titled, "Economics and Historic Preservation: A Guide and Review of the Literature." He expresses concern about the lack of research and data that is available or accessed in relation to historic districts; "The historic preservation field suffers, in general, from an absence of an intellectual and research infrastructure to support the full range of activities and debates that define the contemporary preservation field. There is an excellent research infrastructure supporting the work of physical science and material conservation aspects of the field; there is less in the area of historic and cultural aspects of the field; there is almost none in the realm of social sciences, including economics."²² Mason outlines the different methods for preservation analysis as, basic cost studies, economic impact studies, regression analyses: hedonic travel-cost, property value studies, stated-preference studies: contingent valuation and choice modeling, and case studies. Mason says that shortage of academic research on the economics of preservation is because, "cultural topics in general are seen as relatively unimportant, less serious, and

²¹ "Randall F. Mason" Penn Design. People. www.design.upenn.edu/people. Accessed 10 April 2014. And "Who We Are." PlaceEconomics. Washington DC. www.placeeconomics.com. Accessed 10 April 2014.,

²² Mason, Randall. "Economics and Historic Preservation: A Guide and Review of the Literature." University of Pennsylvania. September 2005.

less desirable subjects of economic research (there are many incentives for economists to work on traditional, market-centered topics); on the second point, preservation being a field, not a discipline, there is no established academic infrastructure and base of research institutions to support sustained research on the topic (or many other preservation topics) over time.” He urges for more rigorous and systematic testing to be done to unveil the effects of preservation.²³

Donovan Rypkema is one of the most prolific researchers of economic studies that focus on historic preservation. In the report, “Measuring the Economics of Preservation: Recent Findings,” Donovan Rypkema focuses on the various effects preservation has on the economy through: jobs that are created from the historic preservation field, the effects on property values, how heritage tourism brings in money, the environmental impacts of preservation—specifically keeping waste out of landfills, and the processes associated with demolition, social impacts—such as affordable housing, creating walkable neighborhoods, and reusing existing structures, and downtown revitalization.²⁴ These studies that are being conducted are instrumental to putting figures behind preservation theory; however these metrics are not being applied to historic districts in New York City specifically.

Two students at Columbia University focused on ways in which one can analyze historic districts in New York City. Dr. Eric W. Allison, founder of the graduate historic preservation program at Pratt University and principal at The Allison Group, a consulting firm, wrote his PhD dissertation for Columbia University on the possible effects historic districts have on gentrification in New York. The dissertation titled, “Gentrification and Historic Districts: Public Policy Considerations in the Designation of Historic Districts in New York City,” examined demographic and economic changes within districts in comparison to control areas that are similar in history and architectural style. The thesis focuses on public policy approaches and questions for further study. Subjects of inquiry include; the purpose and context of historic

²³ Mason, Randall. “Economics and Historic Preservation: A Guide and Review of the Literature.” University of Pennsylvania. September 2005.

²⁴ Rypkema, Donvan D. and Caroline Cheong. “Measuring the Economics of Preservation: Recent Findings.” PlaceEconomics. June 2011.

districts, the development of historic districts, adaptive reuse, preservationists and professionals, alternate methods of preserving neighborhoods, gentrification, displacement, property values, the relation of preservation to other land use disciplines, and the merits of preservation.²⁵ He concluded that, "While in specific instances historic district designation has been followed by gentrification, in most cases gentrification either precedes designation or does not occur. It had also shown that in those cases where gentrification followed historic district designation, gentrification also occurred in non-designated control areas, including those that were not contiguous to the historic districts."²⁶ His research indicated that there is not a correlation between gentrification and historic districts. He describes it as a "process that may emerge." He also states that planning needs to be more comprehensive and attentive to the environment in which they are working.²⁷ The collaboration between preservationists and planners is a subject that will be further discussed in this thesis.

Dianne Pierce O'Brien, a graduate student of historic preservation and urban planning at Columbia University presented a thesis, titled "Measuring the Full Economic Impacts of Local Historic District Designation," that examined qualitative and quantitative indicators of historic district designation performance. O'Brien defined quantitative indicators as property values, taxes, downtown revitalization programs, jobs/employment and business/household income, heritage tourism, and then the less-studied which include; environmental impact, television and film production, gentrification, displacement, and housing. Qualitative indicators identified included, "quality of life, quality of place, sense of place, the unique characteristics of historic districts, the scarcity of historic resources, and the general security, stability, and certainty established as a result of regulations imposed in historic districts."²⁸

²⁵ Allison, Eric W. "Gentrification and Historic Districts: Public Policy Considerations in the Designation of Historic Districts in New York City." New York City: Columbia University (2005).

²⁶ Ibid.

²⁷ Ibid.

²⁸ O'Brien, Dianne Pierce. "Measuring the Full Economic Impacts of Local Historic District Designation." New York City: Columbia University. May 2013.

O'Brien created a "Comprehensive Toolbox of Economic Indicators," that distinguishes quantitative indicators (property values, taxes, downtown revitalization programs, jobs and employment, business and household income, heritage tourism, environmental impacts, television and film production, gentrification, displacement, and housing) and qualitative indicators (quality of life, quality of place, attraction of residents and businesses, sense of place, unique characteristics, scarcity of historic resources, security, stability, and certainty, required maintenance standards, community cohesion, community identity, community history, education-history culture, architecture, and shared experience). The thesis categorizes the level of study that has been completed on the topic and identifies if there is an established metric in place to evaluate the topic and the level of availability of data. The study concludes that there is a real lack of resources pertaining to the qualitative studies that relate to historic preservation.²⁹

The thesis focuses on developing a metric to measure community cohesion. Greenwich Village was used as a case study that measured the number of volunteer hours and financial contributions between the Greenwich Village Society for historic preservation and the Manhattan Community Board 2 Landmarks and Public Aesthetics Committee. The volunteer hours were calculated as a quantifiable "monetary" contribution. The results showed the incredible "value" that volunteer hours generated. An additional case study on "Nantucket volunteer hours" applied the same methodology.³⁰

The thesis also examined choice modeling and contingent valuation as ways to measure nonmarket value of public goods. These studies could evaluate if residents and businesses chose to locate within a neighborhood because of the historic district. It could also be used as a survey to see if businesses and people were willing to relocate to historic districts. O'Brien created a survey that could be used to evaluate this information.³¹

²⁹ O'Brien, Dianne Pierce. "Measuring the Full Economic Impacts of Local Historic District Designation." New York City: Columbia University. May 2013.

³⁰ Ibid.

³¹ Ibid.

The review of literature led to several conclusions. The first and foremost is that there is not a rigorous research strategy or comprehensive data collection initiative that is taking place specifically for historic districts. Data has been compiled for specific studies, but there is not an ongoing collection and dialogue about the effects of historic preservation. Preservationists need to evaluate the results of their efforts. Throughout the literature on historic preservation, the call for a more interdisciplinary approach to preservation was frequently brought up, specifically between preservation and planning. Could urban planning and historic preservation work together to accomplish similar goals? Could data solve some of the controversy?

CHAPTER III: HISTORIC DISTRICT DISCOURSE ANALYSIS

This chapter will introduce and dissect the major concerns that are voiced by the real estate community and property owners prior to the designation of a historic district. The analysis is divided into three categories; policy and process, operational, and monetary. The policy and process section defines the roles of the Landmarks Preservation Commission, the approval process, and the discourse over historic district designation and individual landmarks. The operational category includes the discussion over whether or not historic districts freeze development or limit investment. The third section, on monetary concerns, discusses the value of property in historic districts, the fees, time, and material costs that accompany working in an historic district, and affordable housing. The subjects of individual landmarks and historic districts and whether historic districts freeze development or limit investment, which are introduced in this chapter, are further explored using the methodology developed in chapters four and five.

Policy and Process

This category will focus on debates that are raised over the policies that regulate historic districts and the processes outlined in the legal documents of New York City. The three subjects this category will address are; the roles of preservation and planning entities in New York, the timing associated with the process of designation and maintenance of landmarks, and the reasoning for historic district designation in comparison to the designation of individual landmarks.

The Roles of the Landmarks Preservation Commission and City Planning Agencies

In New York City there are clearly defined and separate roles for the Landmarks Preservation Commission (LPC) and the Department of City Planning (DCP). The impetus for this study is based off of concerns raised in the reported title, "An Analysis of Landmarked Properties in Manhattan." In the report

REBNY stated that “preservation is taking on the role of planning” and is being used as a “planning tool” and a way to review future development.³² This section will describe the roles of both departments and identify where overlap may occur.

Landmarks Preservation Commission

As previously explained in chapter two, the LPC is the city entity that designates and maintains historic resources in New York City. The city charter states that the LPC does not have the right to, “regulate or limit the height and bulk of buildings, to regulate and determine the area of yards, courts and other open spaces, to regulate density of population or to regulate and restrict the locations of trades and industries or location of buildings designed for specific uses or to create districts for any such purpose.”³³ The LPC is tasked with designating and protecting the historic and cultural resources of New York City.

The Department of City Planning and the City Planning Commission

The Department of City Planning (DCP) and the City Planning Commission (CPC) are the entities that control land use and building height and bulk. The mission of the New York City Department of City Planning is stated as follows, “The Department of City Planning (DCP) promotes strategic growth, transit-oriented development, and sustainable communities in the City, in part by initiating comprehensive, consensus-based planning and zoning changes for individual neighborhoods and business districts, as well as establishing policies and zoning regulations applicable citywide.”³⁴ The CPC was created in the 1936 City Charter and went into effect in 1938 with seven members which were selected by the Mayor. In 1989 the CPC grew to thirteen members that serve staggered five year terms with the exception of the chair which may serve as long as the mayor sees fit. The mayor selects the chair and six members and each Borough President and the public advocate select the remaining members.³⁵ The DCP provides

³² “An Analysis of Landmarked Properties in Manhattan.” REBNY. June 2013.

³³ “New York City Charter and Administrative Code.” Title 25: Land Use. Chapter 3: Landmarks Preservation and Historic Districts. Section 25-304. New York Legal Publishing Company. Albany, NY. Accessed 06 February 2014.

³⁴ “Agency Mission Statement.” New York City Department of City Planning. Website. Accessed 06 February 2014.

³⁵ “City Planning Commission.” NYC Planning: Department of City Planning City of New York. Website. Accessed 06 February 2014.

support for the CPC by reviewing land use applications and zoning amendments. The CPC is the board that has the power to approve or disapprove projects and pass new zoning regulations and they are responsible for planning the growth of the city through zoning that regulates development.³⁶ The following sections will explain what jurisdiction the DCP and the LPC have over land use, floor area ratio, building bulk, and design and the realities of how the process functions.

Land Use

Land use is identified in the zoning map as Residential, Commercial, or Manufacturing. The allowable uses for each of these categories are outlined in the zoning text and there are various ranges of use within each category permitted. This text includes regulations such as; how many residential units are allowed, what level of manufacturing may take place on site, or if there are requirements for auxiliary uses such as parking.³⁷ The LPC is not allowed to dictate use of a building. There is typically not much debate over whether the LPC is placing regulations on use. The exception to this is when in order to change the use of a building; a visible exterior change must be made.

Floor Area Ratio

The maximum amount of square footage that can be built is determined by "Floor Area Ratio" (FAR). The FAR is a multiplier applied to the lot area to determine maximum square footage allowed for the site. For example, if a lot is 2,500 square feet and the FAR is 4 then a 10,000 square foot building can be constructed. The DCP can create incentive programs that allow developers to build more FAR than the maximum if they provide an amenity to the city such as affordable housing or a public plaza. Although the LPC does not have control over what FAR is allowed on site it has been known to effect how much FAR can be used. This is an example of how accidental overlap has occurred between the two entities. The LPC can prevent the "allowable" FAR from being achieved if an addition for a building, even if it remains

³⁶ "Agency Mission Statement." New York City Department of City Planning. Website. Accessed 06 February 2014.

³⁷ "Introduction to Zoning Districts." NYC Planning: Department of City Planning City of New York. Website. Accessed 06 February 2014.

within the allowable square footage designated by FAR, is out of context with the historic district. In the guidelines for historic districts, typically rooftop additions are to remain unseen by a person standing on the sidewalk opposite the building with the addition. This sightline rule can prohibit the full FAR from being achieved on sites in historic districts. The inability to maximize the potential FAR on site can be a problem for building owners who own property in an area before it is designated a historic district. The use of this FAR, which was once assumed to be available without restrictions may be hindered.

Building Bulk

The bulk, or shape, of the building is determined by several zoning regulations; lot line setbacks, height limits, sky exposure planes, the lot coverage ratio, and street wall requirements. Lot line setback requirements for building footprints can be designated for front, rear, and side lot lines. Height limits can also be set to determine how tall a building can be, regardless of how much FAR is available on site. A sky exposure plane can also be applied to the site. The sky exposure plane is extruded at an angle from the centerline of the street. The building may not cross into the figurative plane. This is to allow for light to reach the streets. The "lot coverage ratio" identifies how much open space is required on site by setting a maximum allowable ratio of building footprint to open space. Street wall heights can be set to retain a consistent bulk and character. As with the FAR, the LPC has restricted the allowable building bulk, specifically in regards to the allowable height of a building. The maximum permitted "zoning envelope" of building bulk may not be achieved if it is not within the context of the historic district.

Building Aesthetic

The zoning, and in effect the Department of City Planning, does not dictate design, materials, or color for buildings. The LPC regulates what aesthetic choices are appropriate for a building. These choices are dependent upon the context of the historic district. Typically to determine what is allowable proposals for work within districts will present case study projects that have been approved in historic districts in New York City and specifically in the district where work will commence.

Uniform Land Use Review Process: The DCP Approvals Process for Non-Conforming Projects

In New York City development can occur on any site as long as it complies with the zoning regulations and obtains the necessary building permits, unless it is in an historic district. Permits can be obtained to proceed with work without any review of the design of the building. The DCP regulates use and bulk. As long as a development proposal meets these zoning regulations, it can apply for building permits without undergoing any public review. This is termed as-of-right development. If the development does not comply with land use regulations set by the DCP then the project will enter the Uniform Land Use Review Process (ULURP). ULURP is used when any development is proposed that is not as-of-right development and seeks to change the existing zoning. Examples of matters that are included are: city map changes, maps of subdivision plattings, zoning map changes, CPC special permits, revocable consents, franchise RFP's, major concessions, non-city public improvements, housing and urban renewal plans, landfills, deposition of real property, acquisition of real property, or site selection. ULURP is frequently praised by developers because, although it can be a long process, once entered there is a very strict timeline and the outcome of decisions is very predictable. Some critique the LPC process for not being as predictable.

ULURP involves several levels of review with various entities. Prior to entering the ULURP process, one must prepare the application which can take varying amounts of time depending on the scale of the project. There is not a set time period for this, depending on the scale of the project; the pre-application period could range from three months to five years. Throughout this time period the developer will work closely with the CPC to prepare the application. Once the application is complete it will be submitted to the DCP. Typically the applicant will not submit the application unless they know that the proposal will be approved. Once the DCP receives and certifies the application they will distribute the application and documents to the community board, borough president, and city council within five days. If the project takes place in more than one community board, it will be distributed to all community boards that have land involved and the borough board. After the application is complete, the community board will

review the application for 60 days. They will notify the public, hold public hearings, and submit their recommendation for the project to the CPC and Borough President. The decision of the community board towards the application does not have any veto or approval power. The application then goes to the Borough President. The Borough President has 30 days to submit a recommendation to the CPC. As with the community board, the borough president does not have approval or veto power over the application. The CPC then has 60 days to review the application. In this time they will hold a public hearing and approve, modify, or disapprove the application. Any approvals and modifications will be sent to the City Council. The City Council then has 50 days to review the application, hold a public hearing and vote on the application. Any modifications will be sent to the CPC for a review period that lasts fifteen days. The Mayor then has 5 days to review the application. If the Mayor vetoes the application the City Council has 10 days to override his decision by a 2/3 vote.³⁸ While the preparation time for the application is undefined, the set review process length of 145-155 days provides the developer a prescribed amount of time for the process to factor into their development timeline. This process will be discussed further in the recommendations chapter.

Summary

Although the LPC is not allowed to regulate building bulk or height, it can restrict or reject additions or construction that is not in keeping with the context of the historic district. The disparity between what is allowed by zoned as-of-right development and what the LPC decides is appropriate is why sometimes preservation is accused of taking on the role of planning. However, it is stated in the Landmarks Law that the LPC has the right to “apply or impose, with respect to the construction, reconstruction, alteration, demolition or use of such improvement or landscape feature or the performance of minor work thereon, regulations, limitations, determinations or conditions which are more restrictive than those prescribed or

³⁸ “Uniform Land Use Review Procedure.” Department of City Planning. New York. Website. Accessed 14 February 2014.

made by or pursuant to other provisions of law applicable to such activities, work or use.”³⁹ It is the discrepancy between the two agencies that is really the source of contention. REBNY says that “too often historic district designation effectively prohibits the full development potential of underdeveloped sites.”⁴⁰ This statement is in reference to when the maximum developable area as allowed by zoning cannot be met because of the context of a historic district. When historic districts are designated all buildings (and even empty lots if included within the district) are subject to review before they can obtain the necessary permits to commence work. When districts are designated, especially large ones, it is argued that preservation is acting as a planning agency because all of the lots, even the empty lots and non-contributing buildings, have to undergo review that may limit the height and shape of the building based on how it conforms to the district. The project will also be subject to a review of architectural design and material choices, which is not required for as-of-right development. Preservationists defend the LPC review as a way of keeping the context of a neighborhood, as it is outlined in the Landmarks Law as their role, but one can understand the developer’s concerns regarding discrepancies between what is allowed by zoning and what the LPC will approve.

Length of the Approval Process

The process of having to go through the LPC prior to obtaining building permits adds time to the development process for sites in historic districts. How much time exactly is added? This depends on the scope of the project and because of the range of circumstances, sometimes it is hard to specify an amount of time associated with the process. Timing is very important to a developer and can dramatically affect the outcome of a project. When time is an unknown variable, risk is added to the assessment of the property.

³⁹ “New York City Charter and Administrative Code.” Title 25: Land Use. Chapter 3: Landmarks Preservation Preservation and Historic Districts. Section 25-304. New York Legal Publishing Company. Albany, NY. Accessed 06 February 2014.

⁴⁰ “An Analysis of Landmarked Properties in Manhattan.” REBNY. June 2013.

There are several systems in place that regulate the process and certain features have been incorporated over the years to accelerate the process.

Within historic districts, permits are required to proceed with any changes to the building. There are five different types of permits that the LPC will issue for work to take place; a certificate of no effect, permit for minor work, certificate of appropriateness, notices of compliance, and amendments to existing permits. The LPC receives about 12,000 permit applications a year. Over 90% of the applications are reviewed and approved by LPC staff; the remainder requires full board review by the Landmarks Preservation Commission.⁴¹ The process to obtain a permit is as follows:

- 1.) Fill out an application
- 2.) Consult LPC Guidelines and Materials Checklists
- 3.) Compile Descriptive Materials
- 4.) Sign the Application Form
- 5.) Submit the Application to the LPC
- 6.) LPC Enters Data and Assigns Staff Member to Project
- 7.) LPC Staff Reviews Proposal
- 8.) LPC Issues Permit⁴²

The different types of permits are shown in Table 1. The table identifies who reviews each type of permit, gives examples of projects that require permits, and notes the time it takes to obtain each permit. If a project meets the "Rules of the Landmarks Preservation Commission," permits can be given out by a staff preservationist. If the work does not meet the rules, the project must be presented to the landmarks committee of the community board in which the work will take place and then a public hearing will be held in front of the full commission.

⁴¹ "Apply for a Permit." NYC Landmarks Preservation Commission. Website: <http://www.nyc.gov/html/lpc/html/permit/types.shtml>. Accessed 23 February 2014.
Chart made by Author.

⁴² "Ibid.

Table 1: Types of Permits⁴³

Type of Permit	Reviewed by	Examples	Timing
Certificate of No Effect "Work does not affect the protected architectural features of a building"	LPC Staff	<ul style="list-style-type: none"> • "Interior renovations that require Department of Buildings permits • Installation of plumbing and heating equipment • Installation of an exhaust fan vent • Changes that the staff determines do not adversely affect significant features of the building" 	"Can be approved in as little as 10 business days Required to be resolved within 30 business days"
Permit for Minor Work "Work affects significant protected architectural features but does NOT require a DOB permit"	LPC Staff	<ul style="list-style-type: none"> • "Window or door replacement • Masonry cleaning or repair, and • Restoration of architectural details" 	"Can be approved in as little as 10 business days Required to be resolved within 20 business days"
Certificate of Appropriateness "Work requires a DOB permit and does not meet the Rules of the Landmarks Preservation Commission"	Review by the full Commission	<ul style="list-style-type: none"> • "Additions • Demolitions • New construction • Removal of stoops, cornices, and other significant architectural features" 	"After all materials are submitted, Commission must issue ruling in 90 days"

In addition to the previously mentioned permits there are two that may be submitted by mail. The first is the Notice of Compliance. To obtain a permit for a Notice of Compliance one must submit; a letter that explains the LPC permit and any violations that need to be approved by the LPC, color photographs of all work, and a statement that explains work that has been left out and why. The second type of permit available by mail is an Amendment to an Existing LPC Permits. The request must include; a letter from the owner or architect that explains why the LPC permit needs to be modified, a statement that explains scope of work and changes, color photographs and mockups, and written specifications.

⁴³ "Apply for a Permit." NYC Landmarks Preservation Commission. Website: <http://www.nyc.gov/html/lpc/html/permit/types.shtml>. Accessed 23 February 2014. Chart made by Author.

There have been two programs implemented to speed up review; the FasTrack service and the Expedited Certificate of No Effect. A permit can be received within 10 days under the FasTrack Program. The types of work that qualify for these two permits are listed in Table 2.

Table 2: FasTrack Permit & Expedited Certificate of No Effect⁴⁴

FasTrack Permit	<ul style="list-style-type: none"> • "Interior alterations • Notices of compliance/"signoffs" for interior work for the DOB • Reviews of "as built" drawings for the department of buildings • Concrete sidewalk replacement and below grade building utility installations • Minor restorative work on rear facades • Window replacement on non-visible facades • Window/door opening modification on non-visible facades • Rear decks on non-visible facades and non-visible roof decks • Non-visible HVAC units in Rear Yards and Areaways • Non-visible HVAC equipment on rooftops • Through-the-wall/window HVAC equipment on secondary and non-visible facades • Wall-mounted HVAC units on secondary and non-visible facades, and sidewalk cafes."
Expedited Certificate of No Effect	<p>"If work is:</p> <ul style="list-style-type: none"> • Performed above the second story, • Is not performed on any portion of a space designated as an interior landmark, • Does not involve any change to, replacement of, or penetration of, an exterior wall, window, skylight, or roof, including penetrations, replacements, or changes for ducts, grills, exhaust intakes, vents, or pipes, • Does not involve a dropped ceiling or partition which is less than a minimum of one foot (1' 0") back from the sills or frames of interior windows, whichever is furthest from the glass."

These programs were created to accelerate the permitting process. In addition to the Expedited Certificate of No Effect, the Master Plan program was created to ease the approval process at a multi-building scale for elements that may change the appearance of a building.

Master Plan applications were developed so that a repetitive element on a building or in an area can be approved and applied without having to go through the entire process each time. A prototype for

⁴⁴ "Apply for a Permit." NYC Landmarks Preservation Commission. Website: <http://www.nyc.gov/html/lpc/html/permit/reviews.shtml>. Accessed 23 February 2014. Chart made by Author and text is directly from the source.

the element will be agreed upon and its use will not require the full LPC approval process after it is agreed upon and established as appropriate for the building or area. Whenever a building owner wants to make the pre-approved change they only have to submit an application and a statement explaining how the work adheres to the master plan. The LPC will then give an “authorization to proceed.” Master plans can also be applied to a whole district to expedite the process of similar changes. Master Plans have been issued for the following historic districts: Douglaston Historic District, Jackson Heights Historic District, Reglas - Distrito Histórico de Jackson Heights, Stone Street Historic District, Madison Avenue Storefronts in the Carnegie Hill Historic District, Madison Avenue Storefronts in the Metropolitan Museum Historic District, and the Madison Avenue Storefronts in the Upper East Side Historic District. These guidelines have accelerated the approval process in historic districts.

Individual Landmark or Historic District?

As of March 2014, there were over 31,000 landmark properties in New York City including those located within historic districts. There are 110 historic districts and 20 historic district extensions. Of the 31,000 properties, 1,332 of these are individual landmarks, 115 are interior landmarks, and 10 are scenic landmarks.⁴⁵ Due to the requirement that every building in an historic district must undergo LPC review, some have questioned historic district designation and recommended individual landmark designation instead.

In June of 2013 the Real Estate Board of New York (REBNY) prepared a report titled, “An Analysis of Landmarked Properties in Manhattan” that highlighted three major complaints about how historic districts function in relation to individual landmarks. The first was that historic districts may include non-contributing buildings or even parking lots. REBNY stated, “By designating sites with no merit, Landmarks seeks to

⁴⁵ “About the Landmarks Preservation Commission.” NYC Landmarks Preservation Commission. Website. Accessed 06 February 2014.

control the future bulk and look of buildings adjacent to historic properties and affords those seeking to oppose the creation of housing and/or jobs with the opportunity to block what would otherwise be as-of-right developments. Essentially, the landmarks law is being used as a sword instead of a shield as it was originally intended."⁴⁶ The second major complaint voiced in the same report pertained to the size of historic districts and the subsequent number of buildings that are protected under historic districts. The third concern about historic districts was that New York does not have enough area to develop housing that will allow New York to grow and available FAR in historic districts goes unused. This complaint about a lack of housing has also been brought up in relation to affordable housing which will be discussed in this chapter in the third section which focuses on monetary implications of historic districts.

Steven Spinola explained in a piece in the *New York Observer* that REBNY is not opposed to landmarks, but rather they want to ensure that new historic districts and extensions are worthy of the designation, he comments;

"What we have opposed have been historic districts and historic district extensions that lack merit, that do not adhere to the principles of the Landmarks Law and that are promoted to thwart development. Unfortunately, we are seeing these weaker applications more frequently. For instance, in the Soho Cast Iron Historic District extension, nearly 50 percent of the buildings were significantly altered or did not contribute to the character of the district, according to an REBNY analysis of the designation report. Including so many unworthy properties was not an act of historic or architectural preservation but an attempt to regulate development."⁴⁷

Spinola says that REBNY supports the Landmarks Law and the landmarks agency. His concern is over the quality of what is being designated. Spinola cites that 1/3 of the buildings in the proposed Park Avenue district did not meet the architectural and historic features that were noted as worthy of the district designation.⁴⁸ This is a prime example of when broad scale data collection could aid the evaluation of historic districts.

⁴⁶ "An Analysis of Landmarked Properties in Manhattan." REBNY. June 2013.

⁴⁷ Spinola, Steven. "REBNY Has Been A Loyal Friend to Preservation." *The New York Observer*. 24 February 2014.

⁴⁸ *Ibid*.

Preservationists view the historic district as a mechanism of retaining context, not regulating development. In a *New York Observer* article, Jeffery Kroessler, board member of the Historic Districts Council and librarian at John Jay College



Image 1: 529 Broadway. Courtesy of BSKS Architects.

of Criminal Justice, addressed the concerns REBNY has about including vacant lots and gas stations being included in historic districts, "In fact, the Landmarks Commission has never denied an application for new construction on a vacant site. What they have done is to insist upon a higher design standard."⁴⁹ The review of designs pushes contextual insertions that complement the surrounding buildings. The Landmarks Preservation Commission seeks to employ new architecture as a way to bridge between the past, present, and future. A recently approved development for 529 Broadway in the SoHo Cast Iron Historic District approached contextual sensitivity in a revolutionary way (Image 1). The project, designed by BSKS architects, received an overwhelming response of approval. Commissioner Michael Devonshire called it, "as exciting a building as I've seen [in my time] on the committee."⁵⁰ Commissioner Fred Bland titled it, "a brilliant piece of architecture." The design review process challenges architects to think creatively and contextually about their architectural insertions into neighborhoods that have been recognized for their architectural integrity. William Murtaugh notes in his book, *Keeping Time: The History and Theory of Preservation*, the outcome of this additional level of review, "The end result is usually considered successful, provided that the architect of the new building is sufficiently sensitive to the historical context, scale, and mass of the built environment in which he is working. The architect must have a very clear and thoroughly grounded understanding of the abstracts of composition, irrespective of the medium, in order for

⁴⁹ Kroessler, Jeffery A. "Preservation Pays! REBNY'S Campaign Against Landmark Protection is Misguided." *New York Observer*. 12 February 2014.

⁵⁰ Budin, Jeremiah. "Landmarks Commission Blown Away by 529 Broadway Designs." *Curbed*. New York. 18 September 2013.

his newly designed building to fit compatibly within the existing context of its historical neighborhood.”⁵¹ As mentioned in chapter two, historic districts may include buildings of lesser significance, but it is the collection of the buildings together that is significant and worth preserving. Murtaugh notes, “Like the component parts of an orchestra the lesser buildings and spaces create the symphonic sense of locality or neighborhood. Initially the loss of a few of these said units may create no great problem for the sense of locality. It is the continuing process of destruction, like pulled teeth in a smile that ultimately causes the loss of integrity to the neighborhood.”⁵² While some may argue in order for a building to be protected it must be considered of landmark quality in singularity, others persist that the combination of buildings is crucial, adding value as a whole.

Operations Associated with Historic Districts

This category analyzes the operational aspects of historic districts. The recurring claim that historic districts “freeze development” or limit investment from a functional standpoint is evaluated. A methodology by which one can analyze these topics is presented in the following chapter.

Do Historic Districts “Freeze Development” or Limit Investment?

Often it is said that Historic Districts will “freeze” development within a neighborhood and that the restrictions placed on the neighborhood will deter future investment into the area. There is the fear that districts prohibit new development and subsequently place a limit on the potential of the city. In an article in *City Journal*, Edward Glaeser, professor of economics at Harvard University, insists that, “This preservation is freezing large tracts of land, rendering them unable to accommodate the thousands of people who would

⁵¹ Murtagh, William. “Keeping Time: The History and Theory of Preservation in America.” Preservation Press. John Wiley & Sons Inc. New York. 1997. Page 107.

⁵² Ibid. Page 110.

like to live in Manhattan but can't afford to."⁵³ He focuses on Lower Manhattan, below 96th street, in his argument. He discusses the history of districting and concludes that it has gotten out of control, "New York's vast historic districts, which include thousands of utterly undistinguished structures, don't accomplish that goal. Worse, they impede new construction, keeping real estate in New York City enormously expensive (despite a housing crash), especially in its most desirable, historically protected areas. It's time to ask whether New York's big historic districts make sense."⁵⁴ Glaeser also attributes the rise in housing costs to historic districts which will be discussed in the following section.

Kroessler responded to the comment that "Landmarking impedes development and growth" in a *New York Observer* article in 2014,

"If we define development as new construction only, then yes, landmarking does plead guilty. But historic districts are scarcely dead zones. On the contrary, the renovation, restoration, and reuse of older buildings employ thousands and support many skilled craftspeople—plasterers, woodworkers, ironworkers, [and] masons, not to mention architects and interior designers. Further, older buildings offer very desirable spaces for start-ups and small firms. And let us not omit the impact of tourism. It is New York's historic districts visitors want to explore."⁵⁵

While, yes, historic district designation may prevent new construction, which is what is referenced when it is said that historic preservation "freezes development," but it does not "freeze neighborhoods." Development can still occur on vacant lots and in some cases replace non-contributing buildings, existing structures are reused, and building uses are adapted to the needs of residents. Tech companies are drawn to the large loft buildings that allow for creative flexibility in layout, as are homeowners. Brownstones can accommodate one family or many. The range of scale and size in neighborhoods in New York is what makes it an exciting and diverse city that represents its residents and their communities.

⁵³ Glaeser, Edward L. "Preservation Follies." *City Journal*. Spring 2010.

⁵⁴ *Ibid.*

⁵⁵ Kroessler, Jeffery A. "Preservation Pays! REBNY'S Campaign Against Landmark Protection is Misguided." *New York Observer*. 12 February 2014.

Monetary Value of Properties in Historic Districts

In the nineties, there was a concern that historic district designation would negatively affect property values within the district. Since then the debate has shifted from historic districts hurting property valuations. Now it is argued that property values in historic districts are too high and that historic districts limit the development of affordable housing.

Initial Historic District Property Value Studies

In 2003, the New York City Independent Budget Office released a report on the impact of Historic Districts on residential property values. The report used data from 1975-2002. The study produced two conclusions, "All else equal, prices of houses in historic districts are higher than those of similar houses outside historic districts. Although prices for historic properties have at times increased less rapidly than for similar properties outside historic districts, overall price appreciation from 1975 through 2002 was greater for houses inside historical districts."⁵⁶ It should also be noted it has not been concluded historic districts cause changes in the property values. The IBO report notes, "...there is not sufficient evidence to conclude that districting itself causes higher prices or greater price appreciation."⁵⁷ This analysis explains yes, the value is higher in historic districts, but this rise cannot be attributed to the historic district designation, it merely shows this is not a negative correlation.

Cost of Fees, Time, and Materials

There are three additional costs that accompany working within a historic district; fees associated with the issuance of the LPC permits, the added time and subsequent cost to prepare materials for the LPC, and the actual cost of physical materials required for the project.

Fees

⁵⁶ "The Impact of Historic Districts on Residential Property Values." New York City Independent Budget Office. September 2003.

⁵⁷ Ibid.

The LPC collects fees that are used to cover the costs of issuing permits. These fees are only for work that requires a DOB permit.⁵⁸ The fees and their costs are outlined below in Table 3.

Table 3: Explanation of Fees⁵⁹

Type of Work	Fee	Examples
Permit for Minor Work	No Fee	Repointing, repair, sidewalk work, work on ironwork and doors, window replacement.
Alterations	Flat fee: \$95 for \$25,000 of work. \$5 for every additional \$1,000 of work.	Storefronts, rooftop additions, etc.
New Buildings	\$0.15 per square foot of 1-3 family residences. \$0.25 per square foot for all new construction.	New, ground up construction.

REBNY says, “Landmark designation adds another administrative and discretionary process that is time-consuming and costly for property owners.”⁶⁰ These fees help run the Landmarks Preservation Commission which in turn maintains the historic districts in which these properties are located. These fees also represent a very small fraction of the cost of these projects. For example, the fee for \$25,000 of alteration work, just accounts for 0.38% of the project cost.

Cost of Time

It should also be taken into account that there may be an additional amount of time added to a project that is located within a historic district. This amount of time is relative to the scale of the project. Andrew Berman of the Greenwich Village Society for Historic Preservation says, “The reality is that almost all repair and restoration work to landmarked properties merely requires a staff-level approval from the commission, which can typically be secured in less than 30 days.” As previously noted, Master Plans have been developed to help expedite this process. A further documentation of the length of time added to a development due to the LPC process should be undertaken to evaluate this component further.

⁵⁸ “Apply for a Permit.” NYC Landmarks Preservation Commission. Website: http://www.nyc.gov/html/lpc/html/permit/get_fees.shtml. Accessed 23 February 2014.

⁵⁹ Ibid. Chart made by Author.

⁶⁰ “An Analysis of Landmarked Properties in Manhattan.” REBNY. June 2013.

Building Materials

There are also costs associated with the actual building materials; be it new construction or for the maintenance and restoration of existing features. The cost of materials when working with a historic building is challenging to compare, while materials may be more expensive, their lifespan may be longer. Berman states, "In some cases the commission may require slightly more expensive materials for renovations, these are often investments that pay off in the long term, with more durability that helps protect buildings from deterioration."⁶¹ These costs should be evaluated on a case-by-case basis.

Affordable Housing

The topic of how and if historic districts affect affordable housing could be an entire thesis in itself. This section aims to introduce the current debate, which is really just beginning. REBNY released a report in June of 2013 that attributed the lack of affordable housing to historic districts. The report titled, "An Analysis of Landmarked Properties in Manhattan," stated that "historic district designations make neighborhoods less affordable."⁶² The reasoning behind this, as referenced earlier, is that historic districts are restricted in regards to new development. In September of 2013, REBNY released a report titled, "The Impact of Landmarking on Housing Production in Manhattan." The report analyzes data from the past ten years and concludes that "landmarking sharply curtails new housing production, particularly the creation of affordable units."⁶³ The report highlights that out of the 54,218 units constructed in the past year, only 1.9%, 998 were on landmarked properties in Manhattan. There were 114 affordable units renovated in the past 10 years. The study is concerned that the amount of buildings within historic districts will limit where affordable housing is available, "It is not the landmarking of individual properties that is problematic, but rather the wholesale landmarking of entire neighborhoods through Historic District designations without the

⁶¹ Berman, Andrew. "Don't buy REBNY hype: Landmarking helps affordability." *The Village Voice*. New York. 08 August 2013.

⁶² "An Analysis of Landmarked Properties in Manhattan." REBNY. June 2013.

⁶³ *Ibid*.

proper consideration to how it impacts the city's housing needs. In areas where these conditions are concentrated, the issue of affordability and rapid gentrification is further exacerbated.”⁶⁴ This statement ties back into the issue of individual landmarks and historic districts as a whole. How big should districts be? Should there be a limit?

A current example of a project that recently underwent this criticism would be the Church of St. Luke's in the Fields in the Greenwich Village Historic District. Steven Spinola commented in February of 2014,

The Church of St. Luke in the Fields has put forth a proposal that will add 138 school seats, a new mission space that will do critical work in serving LGBT youth, the elderly and hungry, and the first affordable housing project in the Village in decades. All of this will be built while still preserving existing buildings and only building on top of a blighted parking lot. Yet despite claims that preservation enhances affordability, many preservationist organizations have opposed this project as being too tall, even though the plan utilizes approximately half the allowable floor area available.⁶⁵

However, the proposal was approved after a reworking of the design in early May. There were several key changes that were made including, a “better blended color palate”, the incorporation of more energy efficient materials, a height reduction of 32 feet for the addition to 121 feet, change in brick pattern. The project will end up providing 100 more seats in the school and 20% of the housing units constructed will be affordable.⁶⁶

Andrew Berman, the executive director of the Greenwich Village Society for Historic Preservation (GVSH) responded to REBNY's research by citing examples of affordable housing available throughout the historic districts. He also points out how areas within Greenwich Village that have not been protected by landmark designation have seen a dramatic rise in housing prices and a transformation from mixed-use and mixed-income to “homes of the super rich.” He comments,

Quite contrary to REBNY's assertions that landmark designation undercuts the affordability of our neighborhoods and stifles economic development, that un-landmarked area saw

⁶⁴ “An Analysis of Landmarked Properties in Manhattan.” REBNY. June 2013.

⁶⁵ Spinola, Steven. “REBNY Has Been A Loyal Friend to Preservation.” The New York Observer. 24 February 2014.

⁶⁶ “St. Luke's Scales Back Expansion Plans: Winning Landmarks' OK.” Curbed. New York. 07 May 2014.

working factories and warehouses employing scores of people torn down and replaced by luxury high-rises that now largely serve as trophy homes for jet-setters who spend little time in New York. Rather than increasing affordability, as REBNY would have you believe, the lack of landmark protections in this part of our neighborhood helped lead to a wave of ultra-high-end development, the likes of which few parts of New York have ever seen.⁶⁷

How can one predict, if the historic district was not in place, one would build affordable housing within the neighborhood? Would land cost permit such development even without the designation?

Affordable housing should not just be thought of as what is being built, but also the preservation of existing housing. Berman points out that there is a lot of affordable housing stock within historic districts,

An enormous percentage of our neighborhood's remaining affordable housing stock is located within its landmark districts, which helps protect it from some of these more unscrupulous practices. And in my 20 years of working on both landmark and affordable housing issues, I have yet to encounter a single example of an affordable housing development that could not be built due to landmark regulations. By contrast, I know of many cases of affordable housing conserved or developed within preserved buildings, often using tax breaks and financial assistance available specifically for the reuse of historic buildings. Even without these incentives, reuse of existing buildings is often cheaper and more efficient than new construction, to say nothing of more environmentally responsible.⁶⁸

He also notes that usually buildings are not demolished for "affordable housing or cheaper retail space," but typically for luxury housing with chain retail in the first floor. The chain retail is generally present because it is easier to secure a bank loan with an established chain tenant than a mom-and-pop shop. Berman explains that communities seek landmark protection not to make the neighborhood unaffordable, but rather to retain what is there, "These communities are not calling for land-marking because they want to make their neighborhoods unaffordable — but rather because they want to preserve and perpetuate what they love best about the communities they call home."⁶⁹ Jeffery Kroessler attributes the problem of rising housing costs to the city as a whole. He responds to the complaint of "land-marking makes neighborhoods unaffordable" by saying that,

⁶⁷ Berman, Andrew. "Don't buy REBNY hype: Landmarking helps affordability." The Village Voice. New York. 08 August 2013.

⁶⁸ Ibid.

⁶⁹ Berman, Andrew. "Don't buy REBNY hype: Landmarking helps affordability." The Village Voice. New York. 08 August 2013.

Property values have risen all across the city in recent decades, and values have risen somewhat more in historic districts. Is that a bad thing for the city? For homeowners? Only, it seems, if the property is in a historic district. Otherwise, it is the free market at work. REBNY argues that land-marking is somehow discriminatory because it makes properties in historic districts less affordable and artificially limits residency. But if there were no controls, would Greenwich Village still be so desirable? There is no going back to the bohemian past, but if the rowhouses were demolished and replaced by luxury towers, the Village would essentially cease to be the Village. Homes in historic districts are desirable for their sense of place and uniqueness. Compromise there and we surely lose more than we would ever gain.⁷⁰

Krossler makes a crucial point, that the whole of real estate activity should be analyzed, not just how a specific neighborhood is performing.

In summary, the debate over affordable housing will continue to be at the forefront of discussion in the coming years as New York faces an “affordable housing crisis.” It seems that the current De Blasio administration is determined to tackle these key issues. These important subjects would be greatly aided by a comprehensive data collection and analysis.

⁷⁰ Kroessler, Jeffery A. “Preservation Pays! REBNY’S Campaign Against Landmark Protection is Misguided.” New York Observer. 12 February 2014.

CHAPTER IV: METHODOLOGY

This chapter will present a set of methodologies for addressing two of the subjects introduced in chapter three; individual landmarks and historic districts and how to evaluate if historic districts freeze development or limit investment. Both subjects are evaluated using GIS data, tools that real estate developers use to assess property, and preservation analytics. In this chapter the methodologies will be applied to Manhattan and in the following chapter they will be applied to Ladies' Mile. In some cases a lack of data prohibited studies and recommendations for further research are made, should the data become available.

Individual Landmark or Historic District?

This section will suggest methodologies that can be applied to evaluate concerns relevant to the discussion over the designation of historic districts and individual landmarks. The focus will be to develop a way to determine if historic districts are "too encompassing." These claims will be evaluated by studies that examine the following; the age of buildings in New York City historic districts, the amount of developable square feet in Manhattan as determined by available FAR, and the percentage of vacant lots and parking lots included in historic districts. As these studies take place, it is crucial to remember the purpose of historic districts in New York City. The LPC is tasked with designating historic districts and individual landmarks to:

- (a) Effect and accomplish the protection, enhancement and perpetuation of such improvements and landscape features and of districts which represent or reflect elements of the city's cultural, social, economic, political and architectural history;
- (b) Safeguard the city's historic, aesthetic and cultural heritage, as embodied and reflected in such improvements, landscape features and districts;...
- (d) Foster civic pride in the beauty and noble accomplishments of the past;...
- (e) Protect and enhance

the city's attractions to tourists and visitors and the support and stimulus to business and industry thereby provided...⁷¹

(b)

The following studies will use data from various public sources to analyze how the districts are functioning today.

Study 1: Ages of Buildings in New York City

Introduction

This study was developed to see if it is possible to evaluate the ages of buildings in Manhattan with current data available through the New York City. Various sources noted that the data field that identified the year buildings were constructed in New York City was incorrect. Before extrapolating conclusions from the data, the accuracy of the data needed to be tested. This study was designed to evaluate this data by comparing the data from the City's Primary Land Use Tax Lot Output (PLUTO) files and the reported year of construction completion found in an historic district designation report for the same lots. The PLUTO files are comprised of data from various city entities including the Department of City Planning, Department of Finance, Department of Citywide Administrative Services, and from the Landmarks Preservation Commission amounting to over 70 different fields of information.⁷² This section presents the verification maps and concludes with recommendations for how the data, if it was reported accurately, could be used for further research.

Methodology

This study generated four maps that show the following in Series 1; the age of buildings as reported by PLUTO, the age of buildings as reported by an historic district designation report, the two ages side by side, and the disparity as number of years between the two sources. Manhattan Block 821 was

⁷¹ "New York City Charter and Administrative Code." Title 25: Land Use. Chapter 3: Landmarks Preservation and Historic Districts. Section 25-301. New York Legal Publishing Company. Albany, NY. Accessed 06 February 2014.

⁷² PLUTO is defined by the Department of City Planning in New York City as "Extensive land use and geographic data at the tax lot level in comma-separated values (CSV) file format. The PLUTO files contain more than seventy fields derived from data maintained by city agencies."

chosen for study because it is in an historic district so the year built data would also be available from the historic district designation report. The block is located in between 5th and 6th avenues and West 19th and West 20th streets in the Ladies' Mile Historic District. The study used the following data fields from PLUTO:

PLUTO Data

Year Built (YearBuilt): This field indicates the year that construction of the building was completed.⁷³

Year Built Code (BuiltCode): This field indicates if the year given in the Year Built category is an estimate.⁷⁴

Borough, Tax Block & Lot (BBL): BBL stands for Borough, Block, Lot. The BBL number is a 10 digit unique identifier that can be used across the five boroughs to reference each block.⁷⁵

Data Created by Author:

Year Built as Indicated by Historic District Designation Report: The author manually input the year built as indicated by the Ladies' Mile Historic District designation report.⁷⁶

The map in Figure 1 shows the year buildings were built on each lot as indicated by the Year Built field in the PLUTO files for New York City. The estimated field was incorporated into the map and is indicated by a red dotted line that outlines the block.⁷⁷ 11 of the 29 lots in block 821 were noted as estimated, which amounts to 37.9% of the lots. The map indicates that buildings on this block were constructed between 1900 and 2007 with 50% of the buildings being built between 1900 and 1910.

The second map, Figure 2, was generated using the year construction was completed as indicated by the Historic District Designation Report for Ladies' Mile.⁷⁸ The historic designation report includes a brief history of each building in the historic district along with the year construction was completed.⁷⁹ The

⁷³ "PLUTO Data Dictionary." (13v2) New York City Department of City Planning. October 2013. Page 33.

⁷⁴ Ibid. Page 33.

⁷⁵ Ibid. Page 37.

⁷⁶ "Ladies' Mile Historic Designation Report." Landmarks Preservation Commission. The City of New York. 1989.

⁷⁷ "PLUTO Data Dictionary." (13v2) New York City Department of City Planning. October 2013. Page 33.

⁷⁸ "Ladies' Mile Historic Designation Report." Landmarks Preservation Commission. The City of New York. 1989.

⁷⁹ Ibid.

GIS SERIES 1: TESTING THE ACCURACY OF PLUTO DATA

FIGURE 1

Year Construction Completed According to PLUTO Data on Manhattan Block 821

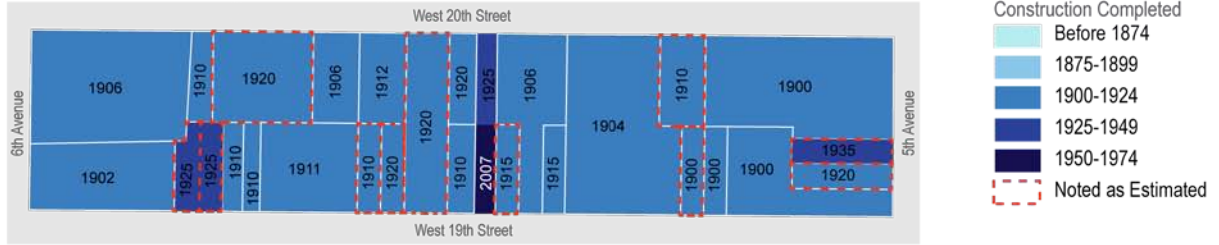


FIGURE 2

Year Construction Completed According to Ladies' Mile Historic District Designation Report on Manhattan Block 821

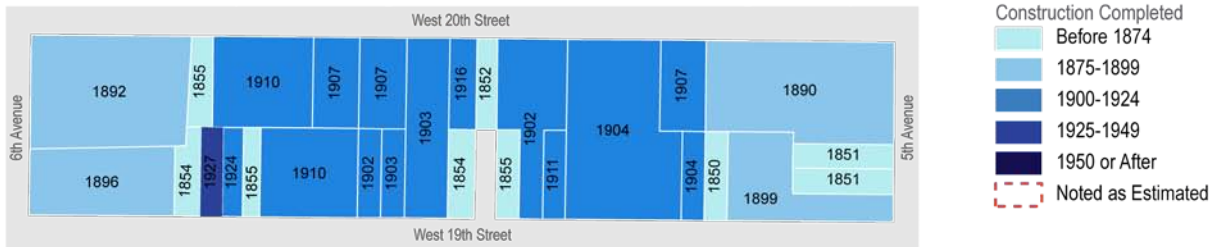


FIGURE 3

Overlay of data from PLUTO and the Ladies' Mile Historic District Designation Report in regards to Year of Construction

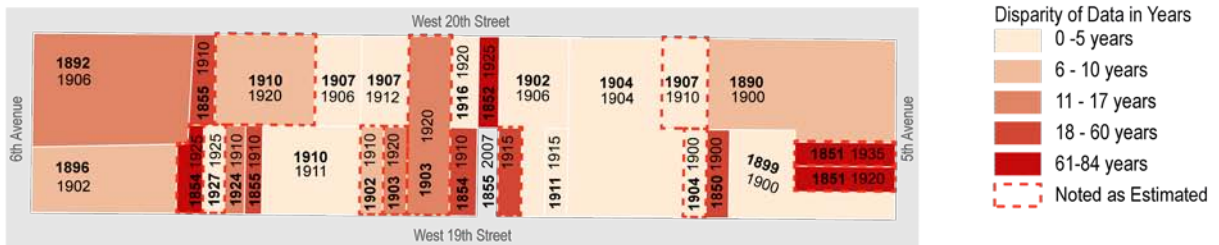
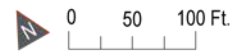


FIGURE 4

Disparity of Data in Years



Data Sources:
 "Ladies' Mile Historic Designation Report." Landmarks Preservation Commission. The City of New York. 1989.
 "MapPLUTO" [Shapefile geospatial data], Coverage: New York City, Updated October 2013 (Release 13v2), New York City Department of City Planning, Downloaded: March 2014.
 Maps created by Julia Barskdale Lewis



year each building was constructed was manually input by the author into a spreadsheet that also included the BBL number for each lot so that the data could be used in parallel with the PLUTO data. Figure 2 shows the year construction was completed on each lot as indicated by the historic district designation report. This map produced a much greater range of building ages as shown by the greater variation of colors in the map. The map also shows overall that the buildings were constructed earlier, as indicated by the lighter colors.

In figure three the year that construction was completed according to PLUTO and the historic district designation report are labeled on the same map. The color of each lot indicates the number of years between the two data sources with darker shades representing a greater disparity between the two years cited. The lots that were identified as estimates are identified by the red dotted border. Figure four is the same as map as figure three with the discrepancies in years labeled.

Findings

The study proved that the year built field and the estimated field in the PLUTO data are inaccurate. One block that was built on in 2007 (before the designation report was created) will be omitted from the following analysis. In this study only one building had the same year built date reported in the PLUTO data and the historic district designation report meaning for this block the PLUTO data was inaccurate more than 96% of the time. Among the 28 lots, eleven buildings were within five years of an accurate build date according to PLUTO and the historic district designation report, accounting for 39.3% of the lots. Nine buildings (32.1%) were over twenty years off in date. Some buildings were misdated by 84 years.

11 of the 28 buildings were identified as having their date of construction estimated. How accurate is this identifier? Out of the nine buildings that were over twenty years off in date, only four were identified as building estimates. The estimate category incorrectly dated buildings by eighty-four to two years, a range of eighty-two whereas the buildings identified by PLUTO as "non-estimates" were incorrect by as

much as seventy-three years. This means that the “estimated” identifier in the PLUTO data is not accurate and should not be relied upon.

Limitations

Due to the inaccuracies found in the data this thesis could not answer some of the questions it intended to. Hopefully by reporting the findings of this study, there can be a change within the current system to more accurately report and fix the current data. The following section identifies potential studies that could be conducted should accurate data pertaining to building age become available.

Potential Studies

If the building age data was shown to be accurate, several large scale studies could occur based off of the evaluation of building ages in New York City. This potential study would use the corrected NYC PLUTO data to generate the ages of buildings in New York City on a map. The historic district boundaries, provided by the Landmarks Preservation Commission would be overlaid on the map of building ages in Manhattan. Within districts the average building age could be derived from the data generated by the overlay of building ages and historic districts. The building ages found in each district could then be analyzed in terms of mode, median, range, and average. The study would hope to answer the following questions:

1. Are the oldest portions of the city protected?
2. Is there a consistent age of building within a district?
3. Do some districts contain a greater concentration of similarly aged buildings?
4. Do historic districts in New York City have a higher concentration of buildings that are of the same age compared to non districted areas?
5. Are some districts more consistent than other districts by having a smaller range of building ages and a high concentration of buildings of the same age?

Generally speaking, development in Manhattan began at the southern tip of the island and moved north; therefore it could be assumed that neighborhoods were created with consistent architectural styles and similar cultural influences from the residents who live in them and this would explain the southern portion of Manhattan having more historic districts. The high concentration of historic buildings within these

neighborhoods could be a factor to the location of districts. One could begin to layer historic information on the map of building ages. This process could also be used to evaluate future proposals for historic districts.

Study 2: Remaining Developable Area in Manhattan

Introduction

In June of 2013 the Real Estate Board of New York (REBNY) prepared a report titled, "An Analysis of Landmarked Properties in Manhattan" that highlighted three major complaints about how historic districts function in relation to individual landmarks. The first was that historic districts may include non-contributing buildings and parking lots. The second complaint pertained to the size of historic districts and the subsequent number of buildings that are protected under historic districts. The third concern was that New York does not have enough area to develop housing that will allow New York to grow and available FAR in historic districts goes unused.⁸⁰ Edward Glaser cites that 16% of the southern portion of Manhattan is in historic districts, "Not counting parks, southern Manhattan contains about 7,700 acres of potentially buildable area. Today, nearly 16 percent of that land is in historic districts and therefore subject to the commission's authority. This preservation is freezing large tracts of land, rendering them unable to accommodate the thousands of people who would like to live in Manhattan but can't afford to."⁸¹ The study Glaser conducted used lots to determine this number. This thesis utilized a different technique to measure the effects of historic districts on potential development that calculated the amount of developable square feet remaining in Manhattan inside and outside of historic districts as determined by FAR. This is an important subject because currently historic districts are under criticism, especially as the affordable housing debate has arisen. GIS is helpful in analyzing this because in addition to running the numbers through the data sets, it also allows one to visualize the location of historic districts and areas that contain

⁸⁰ "An Analysis of Landmarked Properties in Manhattan." REBNY. June 2013.

⁸¹ Glaeser, Edward L. "Preservation Follies." City Journal. Spring 2010.

the largest potential for development. The maps show how much future development in Manhattan is subject to review by the Landmarks Preservation Commission.

Methodology

The data for this study is from PLUTO and the historic district data set provided by the Landmarks Preservation Commission which was updated as of April 22, 2014. The study used several data fields to provide outputs including:

PLUTO Data

Historic District Name (HistDist): This field identifies the name of the historic district a property resides in. If the property is not in a historic district, this field is left blank. This data field was used to identify which lots were inside and outside of historic districts.

Lot Area (LotArea): This field provides the area of the tax lot.

Built Floor Area Ratio – FAR (BuiltFAR): This field identifies how much FAR is built on a given lot. The data notes that this is an estimate based on the lot area that is provided by the Department of Finance

Maximum Allowable Facility FAR (FacilFAR): This field identifies the maximum allowable FAR allowed on site for facilities. The Facility FAR provides the most FAR and therefore is used in this study.

Landmarks Preservation Commission Data

Historic District Boundaries: This data contains the outlines of the historic districts in New York City as of April 22, 2014.

Data Created by Author:

Remaining FAR: The remaining FAR available on each lot was calculated by subtracting the Built Floor Area Ratio from the Maximum Allowable FAR

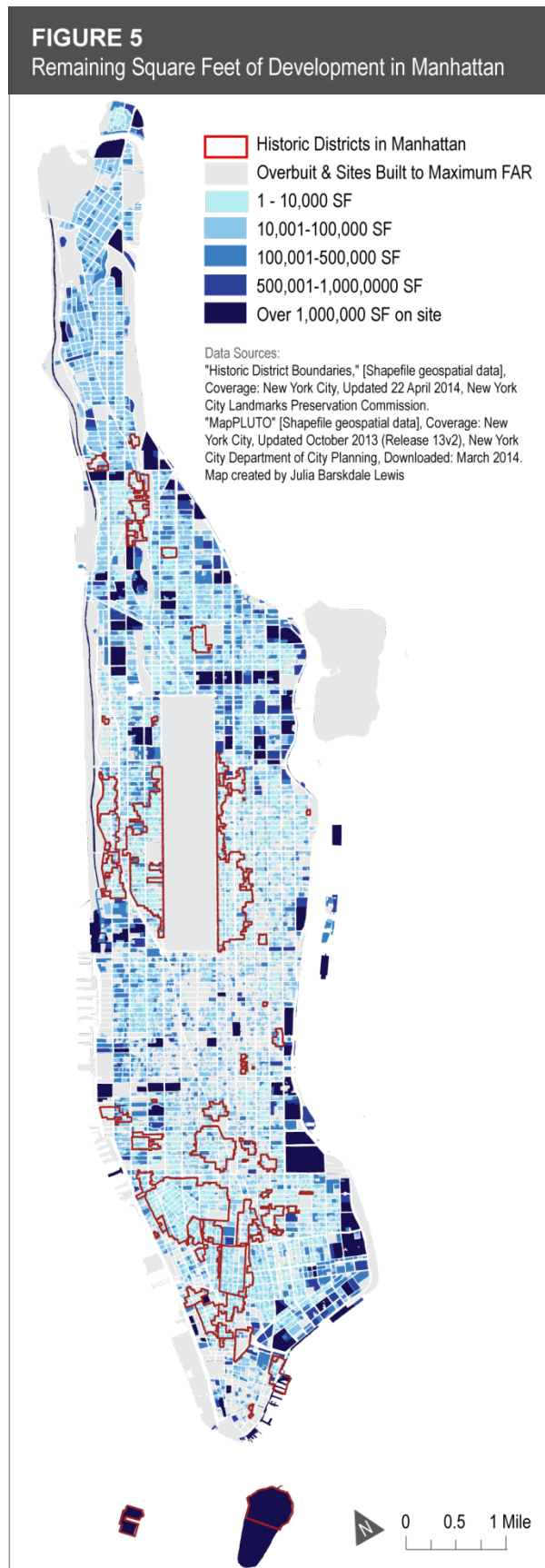
Remaining Square Feet of Development: The remaining square feet of development was calculated by multiplying the lot area by the remaining FAR.

The data that was created by the author was calculated in the PLUTO attribute table to be used in the same map. This data was selected for use because it is the most current and inclusive information pertaining to the blocks of New York City.

To generate a map that would show the remaining square feet of development in Manhattan the attribute of remaining square feet of development per lot was assigned a color based on the number of square feet remaining. In addition to showing overbuilt sites and sites built to their maximum FAR, sites were also identified by the amount of developable area remaining in the ranges of 1-10,000 sq. ft., 10,001-100,000 sq. ft., 100,001-500,000 sq. ft., 500,001-1,000,0000 sq. ft., or over 1,000,000 sq. ft. The map shows the lots that have more remaining square feet of development in darker colors. The boundaries of the historic districts in Manhattan were overlaid on the map.

Findings

The map visually displays the areas that have a substantial amount of development potential based off of the developable square feet allowed on site as determined by FAR and the numbers provided by PLUTO. The subsequent calculations generated by the author verify what the eye sees in the maps. The study used data of the 43,315 lots in Manhattan. First it was necessary to identify which lots in



Manhattan are overbuilt, built to the maximum FAR, and which lots have remaining square feet of development. 7,353 lots were overbuilt with a total excess of 354 million square feet of development. 590 lots were built precisely to their maximum allowable FAR.⁸² 35,372 lots were eligible for a combined 981 million square feet of developable space.⁸³ The lots that are located in historic districts were identified and the same calculations were derived.

Out of the 43,315 lots in Manhattan, 10,429 lots are located in historic districts. Within the 10,429 lots in historic districts, 33 million square feet are overdeveloped on 1,596 lots.⁸⁴ 59 lots are built to capacity with zero FAR remaining and 87 million square feet of unused developable square feet exist in 8,774 lots.⁸⁵

To analyze the proportion of developable square feet remaining in Manhattan that exists in historic districts the numbers derived pertaining to historic districts was compared to Manhattan as a whole. The 87 million square feet of available development in historic districts accounts for 8.89% of the remaining developable square feet in Manhattan. This means that 91.1% of the available developable square footage in Manhattan is outside of historic districts. The numbers are displayed in table three.

Table 3: Summary of Study Two

	Lots in Manhattan	Lots outside of Historic Districts	Lots inside of Historic Districts
# of Lots	43,315	32,886	10,429
Overdeveloped SF	354 million square feet	322 million square feet	33 million square feet
Number of Lots Built to Maximum FAR	590 lots	531 lots	59 lots
Remaining SF of Potential Development	981 million square feet	894 million square feet	87 million square feet

⁸² 354,483,438 million square feet.

⁸³ 981,284,949 million square feet.

⁸⁴ 32,867,501 million square feet.

⁸⁵ 87,224,012 million square feet.

Limitations

The weaknesses associated with this study are both data related and policy related. The data may not be updated frequently enough to accurately report the area of buildings on site. The historic district designation field that is used in the PLUTO data may also not be accurate which would affect these calculations. Additionally, the lot size cited is an estimate and on irregularly shaped lots the chances of it being inaccurate increases because the lot size is generally calculated by lot length by width. On the policy side of things, the amount of FAR available on site changes with zoning regulations. It is known that after historic districts are designated there is the chance the site will be down-zoned to meet the context of the district. The data also does not account for opportunity to gain additional FAR through bonus opportunities.

Study 3: Vacant Land and Parking Facilities in Historic Districts

Introduction

When historic districts are designated they sometimes include vacant buildings and parking lots as a mechanism to ensure that the district remains continuous in appearance and that contextual development occurs on sites integral to a historic district. Development on these lots may be more flexible, but proposals are still required to undergo the same approval process for development. Preservation advocates argue for the inclusion of these lots and buildings so the context of the district can be maintained. The data to identify “non-contributing” buildings in districts is unavailable in database form so this test will calculate the percentage of vacant lots and parking lots within historic districts. This study will also be applied to lots outside of historic districts for comparison.

Methodology

This test used the Land Use data in PLUTO which is sourced from the department of Finance, the New York City Zoning Resolution Maps, the Department of Parks and Recreation, and the New York State

Office of Parks, Recreation, and Historic Preservation. There are 11 types of land use categories identified that have a corresponding number which is found in the attribute table. The categories are as follows:

- 01: One & Two Family Buildings
- 02: Multi-family Walk-Up buildings
- 03: Multi-Family Elevator Buildings
- 04: Mixed Residential & Commercial Buildings
- 05: Commercial & Office Buildings
- 06: Industrial and Manufacturing
- 07: Transportation and Utility
- 08: Public Facilities & Institutions
- 09: Open Space & Outdoor Recreation
- 10: Parking Facilities
- 11: Vacant Land.

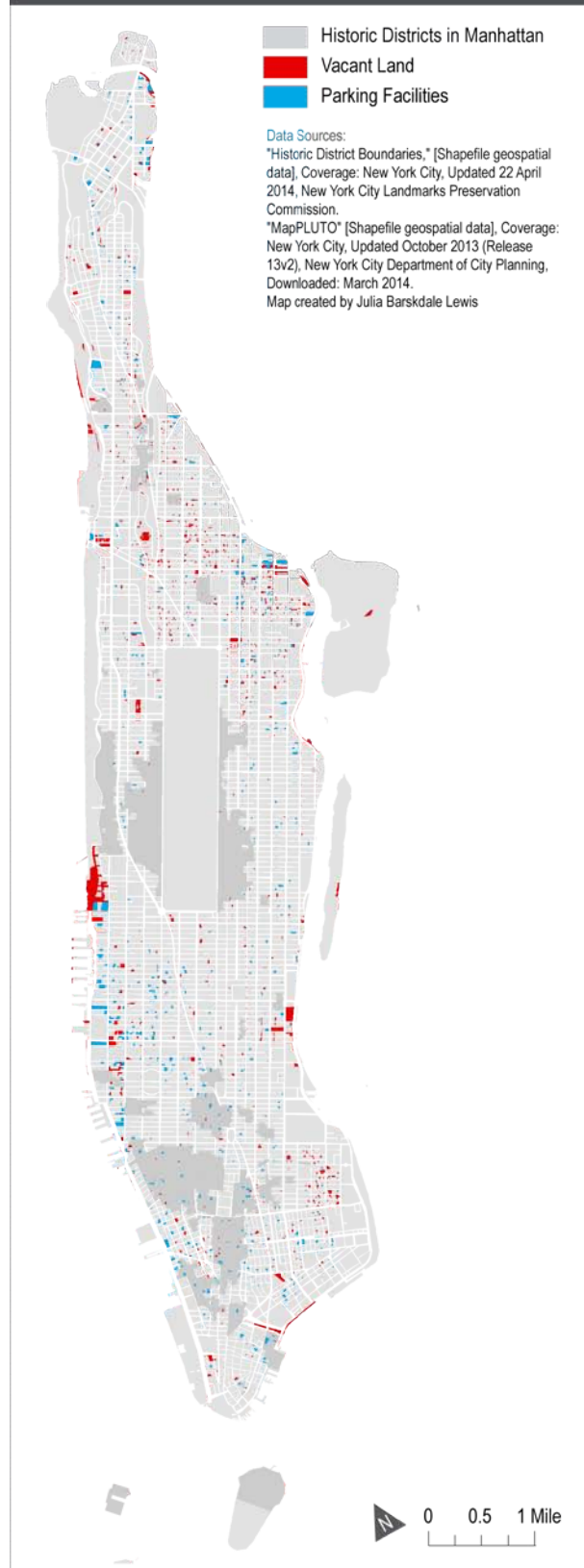
The lots that were identified as vacant (Land Use Category 11) are shown in red and the lots that were identified as parking facilities (Land Use Category 10) are shown in blue in Figure 6.

PLUTO Data

Land Use Category (LandUse): This category defines the use of land on the lot.⁸⁶

Historic District Name (HistDist): This field identifies the name of the historic district a property resides in. If the property is not in a historic district, this field is left blank. This data field was used to identify which lots were inside and outside of historic districts.⁸⁷

FIGURE 6
Vacant Land and Parking Facilities in Manhattan



⁸⁶ "PLUTO Data Dictionary." (13v2) New York City Department of City Planning, October 2013. Page 19.
⁸⁷ "PLUTO Data Dictionary." (13v2) New York City Department of City Planning, October 2013. Page 34.

Landmarks Preservation Commission Data

Historic District Boundaries: This data contains the outlines of the historic districts in New York City as of April 22, 2014.⁸⁸

Findings

The map visually shows a high concentration of vacant buildings in Harlem/East Harlem, Midtown West, and in the East Village, while a majority of the parking lots are found in the middle and lower west side of Manhattan along the Hudson River. The data can also be analyzed numerically. Out of the 10,429 lots located in historic districts in Manhattan, the land use for 10,395 of the lots is accounted for. Of the 10,395 lots in historic districts where land use is identified, 50 lots are listed as vacant and 62 are listed with a land use of a parking facility. This means that 0.48% of lots in historic districts are vacant and 0.60% of lots in historic districts are used for parking, totaling to 1.08% of land use. The percentages of vacant lots and parking lots can also be evaluated within a specific district. This will be shown in chapter five.

For the sake of comparison, one can also look at the land use outside of historic districts. Of the 32,740 of our 32,886 lots accounted for outside of historic districts, 1,256 lots are listed as vacant and 719 are listed as parking use. This means that 3.8% of lots outside of districts are listed as vacant and 2.2% are used for parking, totaling 6.03%. Out of all of the vacant lots in Manhattan, only 3.8% are located within historic districts and only 7.9% of the parking facilities are located in historic districts. This means that 96.2% of vacant lots are outside of historic districts and 92.1% of parking lots are outside of historic districts.

Table 4: Summary of Study Three

	Lots in Manhattan	Lots outside of Historic Districts	Lots inside of Historic Districts
# of Lots Accounted For	43,281 lots	32,886 lots	10,395 lots
Lots of Vacant Land	1,306 lots	1,256 lots (96.2%)	50 lots (3.8%)
Lots of Parking Facilities	781 lots	719 lots (92.1%)	62 lots (7.9%)

⁸⁸ "Historic District Boundaries." [Shapefile geospatial data]. Coverage: New York City. Updated 22 April 2014. New York City Landmarks Preservation Commission

Limitations

There are weaknesses associated with these findings such as the unaccounted lots, but within historic districts 99.67% of lots are accounted for and outside of historic districts 99.56% of lots are accounted for. There is also a limitation created due to the fast paced nature of demolition and development in New York City. Even data released in the past year may already be out of date by the time of the study, although the discrepancies are likely negligible because of the scale of the study.

Do Historic Districts Freeze Development or Limit Investment?

This section will suggest methodologies that can be used to evaluate how historic districts operate; dissecting the argument that historic district designation freezes development and limits investment. It will examine ways to track new uses that are introduced to historic districts, monitor investment within the neighborhood, evaluate occupancy levels, and provide a method for general market analysis.

Study 4: New Uses in Historic Districts

This category is intended to generate ways to evaluate how historic districts adapt to new uses. Can new uses be introduced into the neighborhood to meet demand? As explained earlier, the Landmarks Preservation Commission does not regulate building use—the City Planning Commission does. With the coordination of the CPC, historic districts have been able to evolve and change their use.

The goal of the study was to overlay historic districts with the changes made to the zoning. In an animation one could show the timing of each zoning change alongside historic district designation. This type of study could show how historic districts have had changes of use introduced since their designation.

The analysis would answer:

- 1.) How many historic districts have seen rezoning?
- 2.) Is there a difference between rezoning within and outside of historic districts in Manhattan?

3.) What impacts do down-zonings have?

Unfortunately the zoning data does not exist in the capacity to be overlaid with historic district designation at this time. The study would evaluate how many districts have changed as a result of zoning and what new uses were introduced in Manhattan as a whole. However, this information can be input manually and in chapter five, zoning overlays are examined in the Ladies' Mile Historic District.

Study 5: Investment in Historic Districts

This study intended to evaluate the amount of investment within historic districts to see if historic districts deter further investment within neighborhoods. Historic districts may not see as much ground up construction, but rehabilitation and renovation still occur and money is invested within the district. A way to view this would be to overlay historic districts and where building permits are issued. This study would try and answer the following questions:

- 1.) Is there a decrease in the number of building permits issued before and after a neighborhood is designated?
- 2.) Is there a way to calculate the amount of money being invested per project?
- 3.) Is there a measurable difference between sites within and outside of districts that are being improved via new construction or rehabilitation?

Ideally building data that identifies the following would be reported:

- 1.) Issued Certificate of Appropriateness
- 2.) Rejected Certificate of Appropriateness
- 3.) Building Permits in the City
- 4.) Amount of money invested per project

With this information one could calculate how much investment is occurring within historic districts and how much money is not invested due to restrictions. Since there is no data table that contains this information, the information must be manually collected. In chapter five, manually collected data pertaining to Ladies' Mile is used to show a sample of how this could work.

Study 6: Occupancy and Density in Historic Districts

Introduction

This study examines occupancy and density in historic districts using the census data from 2000. Although the census tracts do not align perfectly with the historic district boundaries the study was still conducted to see if there were any visible trends. Occupancy levels could indicate the desirability of living somewhere and density could show the ability of an area to accommodate a large population.

Methodology

In order to visually analyze these data sets the PLUTO data and this historic district boundary data were analyzed alongside 2000 U.S. Census data containing occupancy information.⁸⁹ The historic districts that were designated after 2000 were removed from the data that was received from the Landmarks Preservation Commission. The occupancy of each census tract was calculated as a percentage of occupied units to available units and is shown in a gradient in figure seven. The density of each census tract is calculated as number of people per square mile and it is also shown in a gradient in figure eight.

Landmarks Preservation Commission Data

Historic District Boundaries: This data contains the outlines of the historic districts in New York City as of April 22, 2014.⁹⁰

*2000 US Census Data:*⁹¹

Occupancy: The occupancy of residential units

Total number of Units: The total number of Residential Units

Density: Number of people per square mile.

Findings

It is challenging to evaluate the data in this form because the census tracts do not align with the lots on Manhattan. However, from a broad view, it appears that most historic districts fall into the high-

⁸⁹ In the maps produced, the census tracts, which are rectangular, have been trimmed to match the outline of Manhattan.

⁹⁰ "Historic District Boundaries." [Shapefile geospatial data]. Coverage: New York City. Updated 22 April 2014. New York City Landmarks Preservation Commission

⁹¹ "United States Census 2000." U.S. Department of Commerce. Economics and Statistics Administration. U.S. Census Bureau. Washington DC.

FIGURE 7

Occupancy of Units in Historic Districts in Manhattan

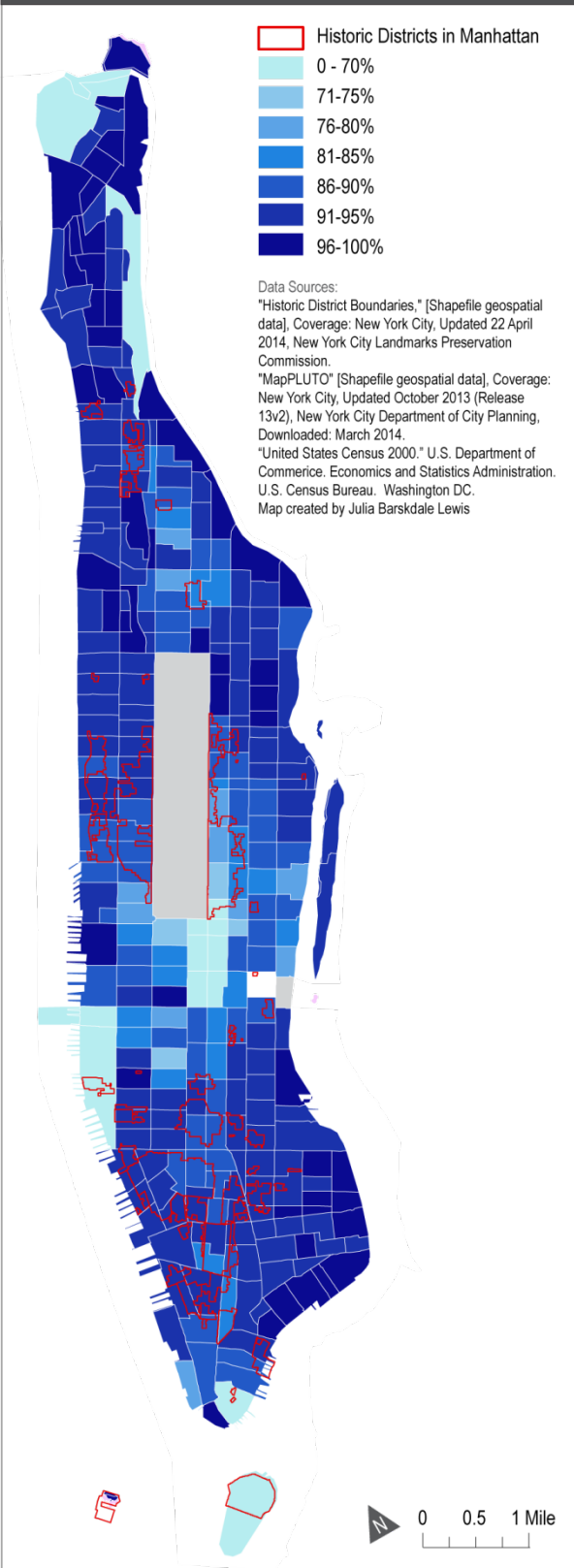
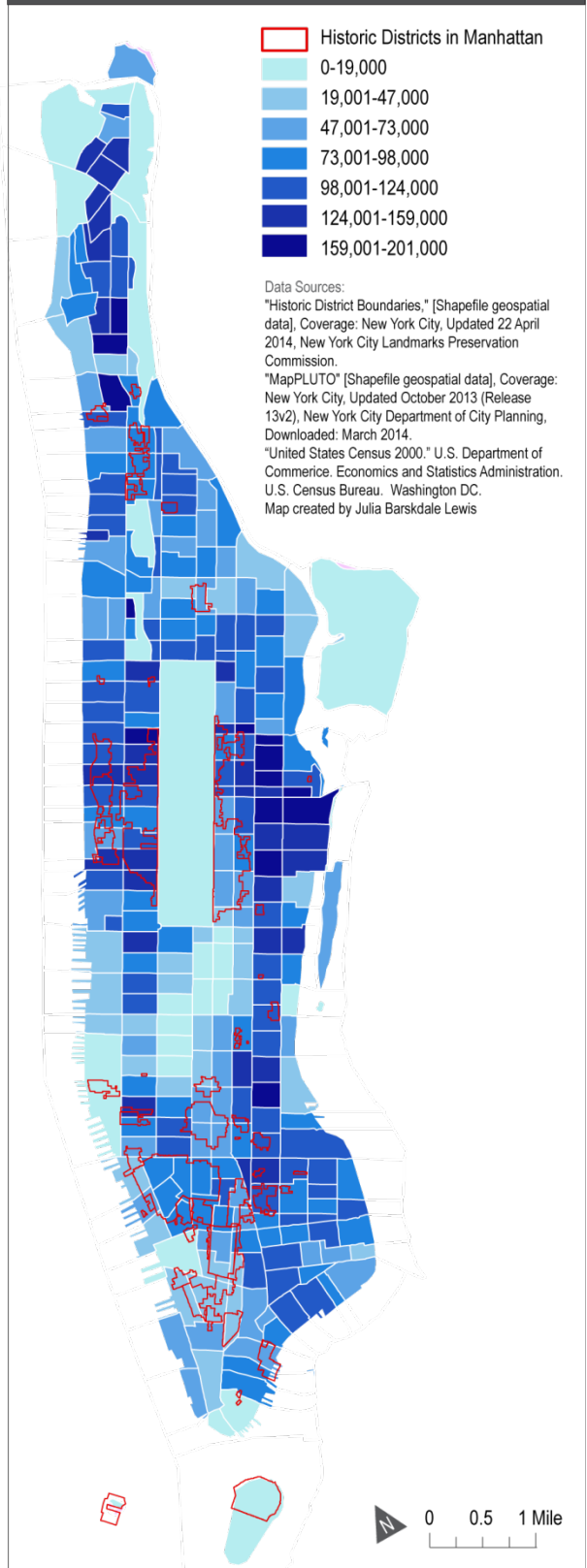


FIGURE 8

People Per Square Mile in Manhattan



middle occupancy ranges. Similarly, taking a broad view regarding the density study, the highest densities appear to be outside of historic districts, historic districts do maintain a generally high density with none falling in the lowest strata of the density indicators.

Limitations

Weaknesses are present in the study of occupancy and density. There are so many other factors at play that can be attributed to high occupancy levels, such as location in the city, access to transit, etc. The fast paced market of Manhattan makes it a challenge to evaluate the occupancy levels in real time. Additional factors like turnover should also be evaluated. The study on density does not account for the variation of building uses within Manhattan. Note that midtown and downtown have a small number of people per square mile, which can probably be attributed to the high concentration of office space. That said; correlations do seem to exist. What is inconclusive is if these findings relates specifically to historic district designation.

CHAPTER V: CASE STUDY: LADIES' MILE HISTORIC DISTRICT

The Ladies' Mile Historic District was selected for research because it has been around for a significant amount of time to have undergone fluctuations in the real estate market and hosted the full lifecycle of multiple projects. The district was highly controversial at the time it was proposed. Many of the recurring concerns that are frequently raised when any historic district is proposed were brought up in relation to Ladies' Mile. The district was also not always in a robust economic state. Some would argue that the designation helped bring the neighborhood back to life. This chapter will briefly explain the history of the Ladies' Mile Historic District and then apply a selection of the methodologies developed in chapter four to the neighborhood.

The Ladies' Mile Historic District

The History of the Ladies' Mile Historic District

The Ladies' Mile Historic District generally includes the area between the western side of Sixth Avenue to the buildings on the east side of Broadway between 15th and 24th streets (Figure 11). Ladies' Mile is a tangible record of the evolution of commercial architecture in New York from the Civil War to World War I. There were 440 buildings included in the district at the time of designation on 28 blocks. Ladies' Mile is one of the few historic districts that are primarily commercial.⁹² According to the designation report, each avenue tells a different story. In the late 1850's, Broadway was the city's "most exclusive shopping street catering to the 'carriage trade.'" Sixth Avenue became known as "Fashion Row" and was a prominent shopping area after the Civil War. Originally, Fifth Avenue was reserved for "prestigious residential," but as commerce became present on Broadway, Fifth Avenue began to see more commercial

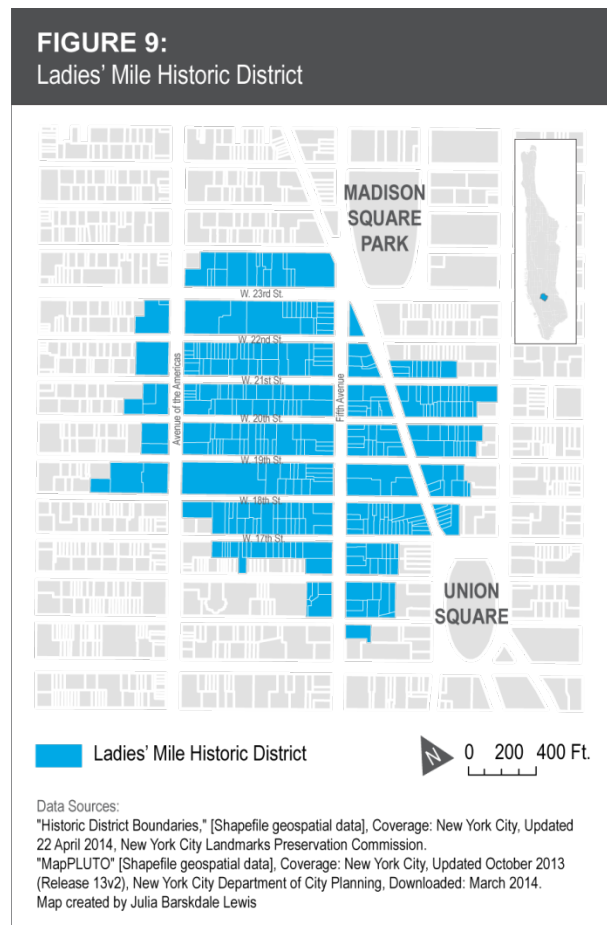
⁹² "Ladies' Mile Draw's on History for its Sales." *The Real Deal*. New York. 14 June 2010.

uses including publishers and architects. The side streets would accommodate the merchants who were unable to afford real estate on the avenues.⁹³

The public hearing for the Ladies' Mile Historic District was held on June 10, 1986. At the meeting sixty-six people spoke in favor of the designation and twenty-three spoke in opposition to the district. It is noted in the Historic District designation report that hundreds of letters were received in support of the district and nine were received in opposition to the district. The letters against the district were all from people who owned property in Ladies' Mile.⁹⁴ The district was designated on May 2, 1989 after three years of efforts when the board voted unanimously on the approval.⁹⁵ At the time of designation, David F.M. Todd was the Chairman of the Landmarks Preservation Commission with Elliot Willensky as the Vice-Chairman. Thomas Evans, David A. Garcia, Sarah Bradford Landau, George S. Lewis, Gene A. Norman, Adolo Placzek, Mildred Schmertz, and Gaston Silva were on the commission.⁹⁶

Ladies' Mile Historic District Today

Ladies' Mile is a vibrant neighborhood today. The buildings of Ladies' Mile have been able to accommodate a range of uses; new residential conversions, loft office spaces for tech companies that supplement "Silicon Alley", and there is retail with a range of everyday items to designer shops.



⁹³ "Ladies' Mile Historic Designation Report." Landmarks Preservation Commission. The City of New York. 1989.

⁹⁴ Ibid.

⁹⁵ Brozan, Nadine. "Panel Gives Ladies' Mile Historic District Status." *The New York Times*. 03 May 1989.

⁹⁶ "Ladies' Mile Historic Designation Report." Landmarks Preservation Commission. The City of New York. 1989.

Residential development has flourished in the neighborhood and brokers have been using the character of the neighborhood as a selling point. For example, the Cammeyer at 650 Sixth Avenue focused on the history of the neighborhood in its marketing pitch. John Gomes, agent with the brokerage firm CORE, explained in an interview in



Image 2: The Cammeyer

the New York Times in 2010, “We said, why only focus on the interiors? We decided our focus would be from the outside inward...We really celebrate the history of the building.”⁹⁷ The building sold 20 out of 67 units in the first year.⁹⁸

In addition to residential development there is also a sufficient amount of commercial activity, specifically revolving around the tech industry, deeming part of Ladies’ Mile “Silicon Alley.” Infor, a large software company that focuses on business applications, signed a long-term expansion lease within Ladies’ Mile. Infor defines their business as, “fundamentally changing the way information is published and consumed in the enterprise, helping 70,000 customers in more than 200 countries and territories improve operations, drive growth, and quickly adapt to changes in business demands.”⁹⁹ Infor signed a lease for 92,246 square feet in 635-641 Avenue of the Americas. The building owner, SL Green, is merging the two buildings that date from 1902 into one. The exterior of the building will undergo a storefront and façade restoration while the interior will receive an updated and larger lobby, a condensed core, and new windows. A rooftop addition will add 10,000 square feet of space within a penthouse and include a terrace for building tenants.¹⁰⁰ The building has been able to adapt to match the demands of current commercial office space. The representative of Infor, Bruce Mosler, broker from Cushman and Wakefield, reflected on the building,

⁹⁷ “Ladies’ Mile Draw’s on History for its Sales.” *The Real Deal*. New York. 14 June 2010.

⁹⁸ *Ibid.*

⁹⁹ “About Infor.” Infor. Website. <http://www.infor.com/company/>. Accessed 14 February 2014

¹⁰⁰ Barbarino, Al. “Infor Doubles Space at 635-641 Avenue of the Americas.” *Commercial Observer*. 14 Nov. 2013.

"We really love the asset and have confidence in the ownership. [SL Green is] really building it into a first class building,"¹⁰¹ It was noted that the rents within the building are from the high \$70s to high \$90's per square foot. In Manhattan the average asking rent for commercial space in January 2014 was \$66.34 per square foot, which has a year-over-year increase of 8.6%. Class A rents average 72.78 per square foot and Class B rents average \$54.41. Overall vacancy for Manhattan is at 10.8%. The Flatiron/Union Square submarket has an average rent of \$69.28 with Class A renting for \$79.93 per square foot and Class B renting for \$64.74 per square foot.¹⁰² This means that the rents in Ladies' Mile are meeting and exceeding averages in Manhattan. It was noted in an article in the Real Deal that retail rents along Broadway in the Flatiron District had been very strong, "the stretch of Broadway between 14th and 23rd streets in the Flatiron District posted the next largest year-over-year increase in average asking rent: 50 percent, to \$322 per square foot from \$215."¹⁰³

The Stern Building, located at 28-40 West 23rd street, also caters to tech industry tenants. Gary Alterman, VP at RKF, also spoke about the Stern Building in the Real Deal, noting the thriving office scene.¹⁰⁴ Estee Lauder's social media division signed into the building in 2012. Robert Shapiro, a Grubb & Ellis broker, who was the representative of Estee Lauder, noted that the building was now a "state-of-the-art facility."¹⁰⁵ Mr. Roos, who brought AppNexus, a tech company focused on producing platforms and creating software for online advertising to the building, explained how this move would "bolster the building's



Image 3: The Stern Building

¹⁰¹ Ibid.

¹⁰² Persichetti, Richard and Lauren Hale. "Manhattan Office Market Report" Cassidy Turley Commercial Real Estate Services. February 2014.

¹⁰³ "Retailer demand, tourists help boost NYC Retail sector: REBNY" *The Real Deal*. 07 May 2013.

¹⁰⁴ "Vacancies, not stores, along Ladies' Mile." *The Real Deal*. [New York] 09 July 2012.

¹⁰⁵ "Ladies' Mile Looks to Become Part of Silicon Alley." *The Real Deal*. New York. 03 April 2012.

image as a destination for creative and tech tenants.”¹⁰⁶ AppNexus expanded their office space from 66,000 square feet to 90,500 square feet.¹⁰⁷ In addition this, Mr. Roos stated that he is not the only one catering towards tech tenants, the whole neighborhood is following this trend. Daniel Gieger notes in the *Commercial Observer*, “Always humble, Mr. Roos doesn’t think of himself as a visionary for seeing the neighborhood’s—and his property’s—quick transition in recent years into a destination for creative firms and tech companies, an influx that has driven up rents, lowered vacancy levels and made the area the hottest leasing district in the city”.¹⁰⁸

Another indicator of the strength of the Ladies’ Mile Historic District is the desire for real estate firms to be located within the neighborhood. TOWN Residential resigned their 17,000 square foot lease in 2013.¹⁰⁹ TOWN Residential is a real estate services firm that focuses their efforts within specific neighborhoods. They differentiate themselves from more widespread brokerage firms and have a specific branch within Flatiron based off of the potential they see in Ladies’ Mile. The founder of TOWN and CEO, Andrew Heilberger stated that TOWN Flatiron is “The nucleus of our downtown presence, and a hub for top talent.”¹¹⁰ In 2013, in the *Commercial Observer* it was noted by Chris Mongeluzo, managing director at Newmark Grubb Knight Frank, that, “Between the global retailers assuming prime real estate along this corridor of Fifth Avenue, and the growing workforce that the tech sector is drawing to the neighborhood, TOWN is poised to continue its pattern of success as a top-ranked New York residential real estate firm.” The article goes on to site, “the corridor on Fifth Avenue known for its upscale fashion retailers...has attracted some of the largest names in fashion.”¹¹¹

Ladies’ Mile originally developed around retail, and despite the influx of other uses such as residential and commercial, the retail presence still exists today. Retailers are however, modifying the

¹⁰⁶ Geiger, Daniel. “Exclusive Look at 28-40 West 23rd St.” *Commercial Observer*. New York. 10 July 2012.

¹⁰⁷ *Ibid.*

¹⁰⁸ *Ibid.*

¹⁰⁹ Ewing, Michael. “TOWN Renews at 110 Fifth Avenue, H&M could Follow.” *Commercial Observer*. 01 April 2013.

¹¹⁰ Ewing, Michael. “TOWN Renews at 110 Fifth Avenue, H&M could Follow.” *Commercial Observer*. 01 April 2013.

¹¹¹ *Ibid.*

buildings to cater to demands. An example of this is at the Fifth Avenue Club Monaco. The store will combine clothing shopping, Toby's Estate Coffee, a coffee shop from Williamsburg, Brooklyn, and a division of The Strand Bookstore, to offer a multi-layered experience for the customer. The past of the neighborhood was noted in design process for this new type of shopping experience, Julie Satow, reporting for *The New York Times* explained, "The design at the Fifth Avenue Club Monaco, which was overseen by an in-house team, drew inspiration from the neighborhood's past, when department stores like B. Altman and Best & Company were popular shopping destinations. It has a mostly white palette, with Venatino marble flooring and Ionic columns on the ground floor. Floor-to-ceiling drapery, vintage furniture and silk rugs adorn the rooms." ¹¹² Noted in the same article was the rise in retail rental rates within the neighborhood, climbing to \$500 psf from \$175 five years prior. ¹¹³

Ladies Mile: Individual Landmarks or Historic District?

As with other historic districts, Ladies Mile was also labeled as "too encompassing" by the Real Estate Board of New York and the Fifth Avenue Association. ¹¹⁴ "Michael B. Grosso, who was the executive vice president of the Fifth Avenue Association, said that, "throwing a net over an expanded area containing some 400 structures will unquestionably include an overwhelming majority of buildings which may not - in the considered judgment of the Landmarks Commission - be of landmark quality." ¹¹⁵ Steven Spinola, the president of the Real Estate Board of New York asked for specific buildings to be singled out as landmarks instead of the "blanket designation." ¹¹⁶ In response to these claims of the district designation vs. individual landmarks, Jack Taylor, who led the Drive to Protect the Ladies' Mile District, said, "to

¹¹² Satow, Julie. "Club Monaco Will Offer Books and Coffee Alongside Fashion." *The New York Times*. 15 Oct. 2013.

¹¹³ *Ibid.*

¹¹⁴ Dunlap, David W. "Historic District Being Weighed for Retail Hub." *The New York Times*. 11 June 1986.

¹¹⁵ *Ibid.*

¹¹⁶ Brozan, Nadine. "Panel Gives Ladies' Mile Historic District Status." *The New York Times*. 03 May 1989.

designate piecemeal would be a travesty, for the gaps and inconsequential structures are negligible."¹¹⁷ The district was also accused of being used as a planning tool because of its large size. Anthony Wood pointed out in a letter to the editor in *The New York Times*, "Designation of historic districts is part of the mandate of the Landmarks Preservation Commission. It is not an attempt to zone through landmark action. In Ladies' Mile, as the Real Estate Board itself points out, the majority of buildings are larger than current zoning allows. If zoning were the motivation, there would be no call for a historic district. Designation, however, does something zoning cannot do: it protects the architectural and historical fabric of the neighborhood."¹¹⁸ The methodology developed in chapter four in relation to the process and policies of historic district designation will be applied to Ladies' Mile.

Study 1: Age of Buildings in Ladies' Mile

Currently the ability to analyze a district by age requires manual input of years from the historic district designation report because the PLUTO data is inaccurate as shown in chapter four. If the data were available it could be used to see if the buildings within Ladies' Mile will have a relatively similar age and building style compared to those outside of the district. The test would use the data to generate the ages of buildings in the Ladies' Mile Historic District. Within the district the average building age could be calculated by deriving the data from the overlay of age and district. The building age could be analyzed by mode, median, range, and average. The questions this would hope to answer are:

1. Is there a consistent age of building within the district?
2. How does Ladies' Mile compare to adjacent blocks?
3. Is there a noticeable difference that would identify Ladies' Mile as a unique part of the city?

This analysis would be able to respond in part, to the comment made by Michael B. Grosso about consistent building age—but would not necessarily show the landmark quality of buildings within the district.

¹¹⁷ Dunlap, David W. "Historic District Being Weighed for Retail Hub. *The New York Times*. 11 June 1986.

¹¹⁸ Wood, Anthony. "Ladies' Mile is Bound to Thrive as a Manhattan Historic District." *The New York Times*. 11 Oct. 1986.

Study 2: Remaining Developable Area in Ladies' Mile

Introduction

Ladies' Mile is generally recognizable by 6-12 story buildings with large floor-plates. Using PLUTO data the remaining square footage available for development within Ladies' Mile was calculated as was done in chapter four for all of Manhattan. In addition to showing the visual of the remaining square feet of development the remaining numerical amount of FAR remaining on site is also shown.

Methodology

The data for this study is from the City's Primary Land Use Tax Lot Output (PLUTO) files released from September 2013-October 2013. The PLUTO files are comprised of data from various city entities including the Department of City Planning, Department of Finance, Department of Citywide Administrative Services, and from the Landmarks Preservation Commission amounting to over 70 different fields of information. The maps were also produced using the historic district data set provided by the Landmarks Preservation Commission which was updated as of April 22, 2014. The study used several data fields to provide outputs including:

PLUTO Data

Lot Area (LotArea): This field provides the area of the tax lot.

Built Floor Area Ratio – FAR (BuiltFAR): This field identifies how much FAR is built on a given lot. The data notes that this is an estimate based on the lot area that is provided by the Department of Finance

Maximum Allowable Facility FAR (FacilFAR): This field identifies the maximum allowable FAR allowed on site for facilities. The Facility FAR provides the most FAR and therefore is used in this study.

Data Created by Author:

Remaining FAR: The remaining FAR available on each lot was calculated by subtracting the Built Floor Area Ratio from the Maximum Allowable FAR

Remaining Square Feet of Development: The remaining square feet of development was calculated by multiplying the lot area by the remaining FAR.

The data that was created by the author was calculated in the PLUTO attribute table to be used in the same map. This data was selected for use because it is the most current and inclusive information pertaining to the blocks of New York City.

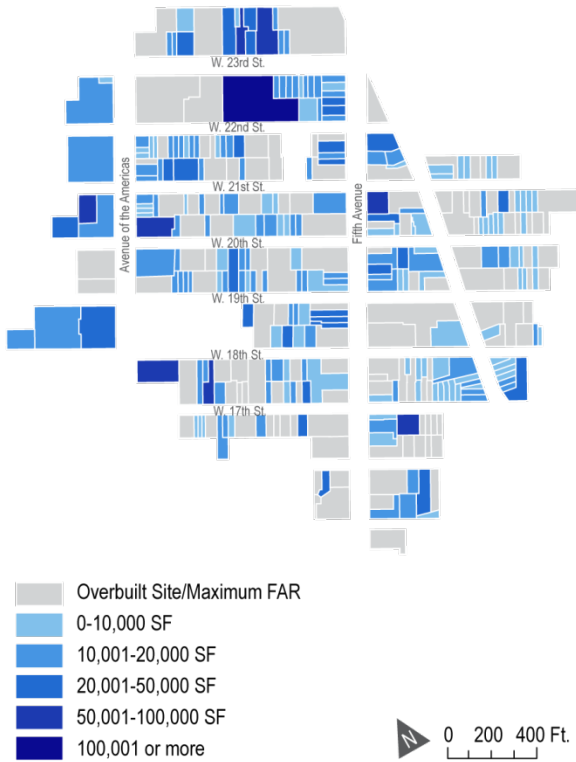
To generate a map that would show the remaining square feet of development in Ladies' Mile the attribute of remaining square feet of development per lot was assigned a color based on the number of square feet remaining. In addition to showing overbuilt sites and sites built to their maximum FAR, sites were also identified by the amount of developable area remaining in the ranges of 1-10,000 sq. ft., 10,001-100,000 sq. ft., 100,001-500,000 sq. ft., 500,001-1,000,000 sq. ft., or over 1,000,000 sq. ft in figure ten. The map shows the lots that have more remaining square feet of development in darker colors. The FAR is also mapped using a color gradient in figure 11.

Findings

118 lots (33.42%) are overbuilt totaling 2,539,956 square feet, four lots are built to the maximum FAR, and there is 4,036,211 square feet of remaining developable square feet on 231 lots (Figure 10). For comparison, Figure 11 shows the available FAR remaining on each block. The maximum developable square feet in Ladies' Mile is 19,547,545 so the remaining square feet of development potential account for 12.99% of the developable area making the district 87.01% built out. However, if the overbuilt portion is taken into account, Ladies Mile as a whole district is built out to 92.34% capacity.

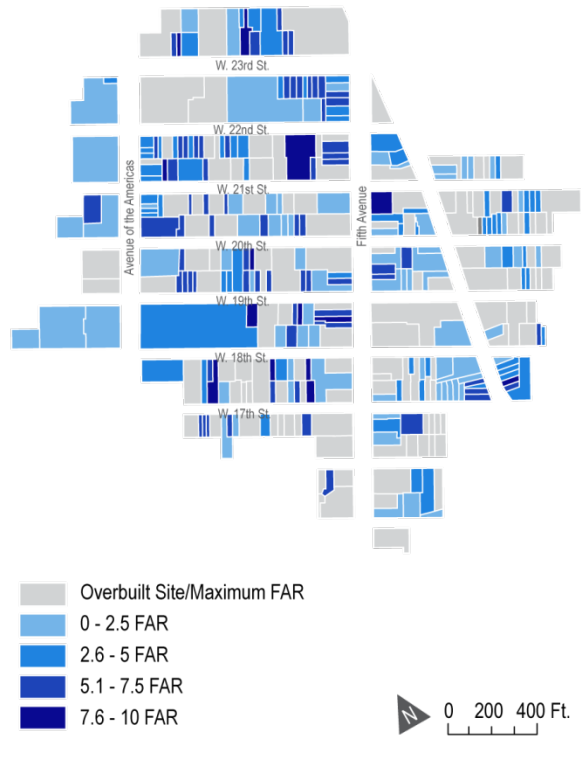
The combination of these two maps creates an interesting tool for a developer. The map showing the available square feet of development remaining on site in combination with the FAR that remains could be used together help show where the best sites for development are within historic districts. Sites with a high remaining number of square feet for potential development and with a low FAR (as 1-2 story rooftop editions would be practically attainable) would be the ideal sites to purchase if one was interested in adding to a building to build to the maximum allowable FAR while meeting the LPC standards of non-visibility for rooftop additions.

FIGURE 10:
Square Feet of Development Available in Ladies' Mile



Data Sources:
 "Historic District Boundaries," [Shapefile geospatial data], Coverage: New York City, Updated 22 April 2014, New York City Landmarks Preservation Commission.
 "MapPLUTO" [Shapefile geospatial data], Coverage: New York City, Updated October 2013 (Release 13v2), New York City Department of City Planning, Downloaded: March 2014.
 Map created by Julia Barskdale Lewis

FIGURE 11:
FAR in Ladies' Mile



Data Sources:
 "Historic District Boundaries," [Shapefile geospatial data], Coverage: New York City, Updated 22 April 2014, New York City Landmarks Preservation Commission.
 "MapPLUTO" [Shapefile geospatial data], Coverage: New York City, Updated October 2013 (Release 13v2), New York City Department of City Planning, Downloaded: March 2014.
 Map created by Julia Barskdale Lewis

Limitations

As noted before, a weakness associated with this study is that rezonings can change the allowable FAR and affect the available FAR. Alongside this, available square feet for development should just be viewed as an estimate, especially on irregular lots.

Study 3: Vacant Land and Parking Facilities in Ladies' Mile

Introduction

As explained in chapter four sometimes vacant land and parking facilities are included in the designation of a historic district. When Ladies' Mile was designated it was criticized for including vacant lots and buildings not worthy of landmark significance. These lots and buildings were included so that the context of the overall district could be maintained. The PLUTO data will be used to see how many sites are vacant or used as parking lots today.

Methodology

As in chapter four, this test used the Land Use data in PLUTO which is sourced from the department of Finance, the New York City Zoning Resolution Maps, the Department of Parks and Recreation, and the New York State Office of Parks, Recreation, and Historic Preservation. There are 11 types of land use categories identified that have a corresponding number which is found in the attribute table. The categories are as follows:

- 01: One & Two Family Buildings
- 02: Multi-family Walk-Up buildings
- 03: Multi-Family Elevator Buildings
- 04: Mixed Residential & Commercial Buildings
- 05: Commercial & Office Buildings
- 06: Industrial and Manufacturing
- 07: Transportation and Utility
- 08: Public Facilities & Institutions
- 09: Open Space & Outdoor Recreation
- 10: Parking Facilities
- 11: Vacant Land.¹¹⁹



¹¹⁹ "PLUTO Data Dictionary," (13v2) New York City Department of City Planning, October 2013. Page 19.

The lots that were identified as vacant (Land Use Category 11) are shown in red and the lots that were identified as parking facilities (Land Use Category 10) are shown in blue in figure 12.

Findings

In Ladies' Mile, out of the 352 lots where land use is accounted for: one is vacant and eight are being used for parking. That means that 0.28% of lots are vacant and 2.27% of lots are dedicated to parking. As discovered in chapter four in Manhattan .48% of lots in historic districts are vacant and .60% of lots in historic districts are used for parking. This means that Ladies' Mile has less vacant lots than historic districts in general, but more parking lots present.

Limitations

This study is subject to the same limitations as the study in chapter four. It is unknown how frequently uses are updated. It would also be beneficial to see how the presence of vacant land and parking facilities changes before and after historic district designation. This information could be derived from historic district designation reports.

Development and Investment in Ladies' Mile

REBNY strongly campaigned against the Ladies' Mile Historic District during the time leading up to its designation voicing repetitively the concern that designation would "freeze development." In a letter to the editor of *The New York Times*, Stephen Spinola, president of REBNY stated, "Landmark restrictions on this commercial area will have a chilling effect on the renovations and adaptations of long-vacant buildings, which have helped transform the area into a vibrant retail and commercial district."¹²⁰ The following studies analyze if indeed the designation of Ladies' Mile froze development or limited investment.

¹²⁰ Spinola, Stephen. "Ladies' Mile Landmark Net Would Catch Many Nondescript Fish." *The New York Times*. 04 October 1986.

Study 4: New Uses in Ladies' Mile

Introduction

There have been two major influences on the uses within Ladies' Mile since the designation; a rezoning and the introduction of a Business Improvement District. Ladies' Mile was rezoned with the intent to create more housing units and allow for a wider range of uses in the neighborhood and recently a BID was created for part of the neighborhood, evidence that building owners are willing to invest additional money within the neighborhood. As previously explained, the LPC does not have regulation over the use of buildings; the use of buildings is determined by the zoning which is controlled by the City Planning Department. However, it is important to analyze the effects other city agencies have on historic districts.

Rezoning

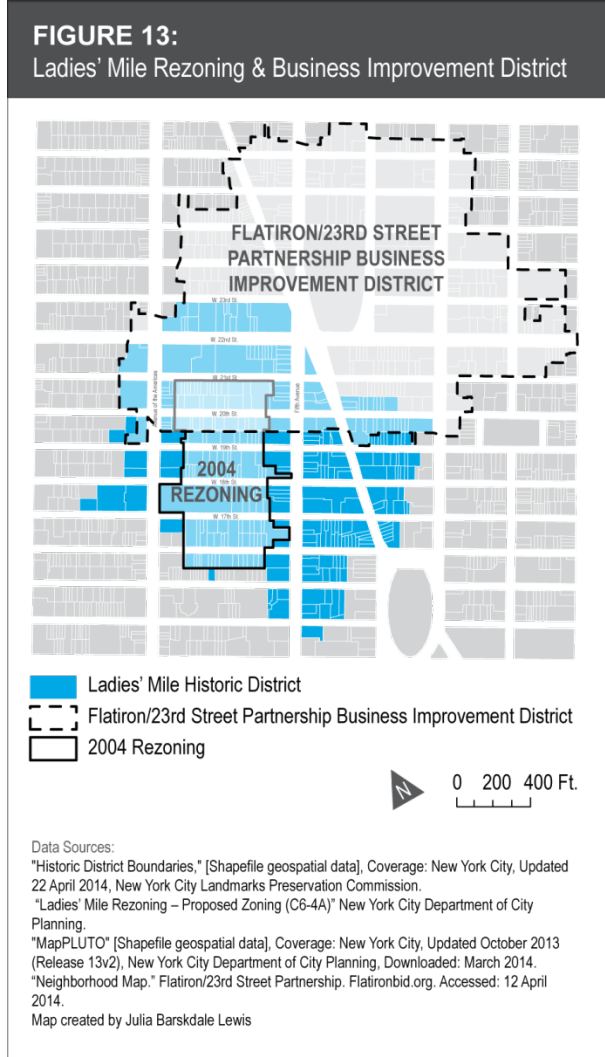
The Department of City Planning can work with the Landmarks Preservation Commission to update zoning so that the buildings within a historic district are zoned for uses that benefit the neighborhood. Ladies Mile, previously zoned for manufacturing uses, was rezoned in 2004 to allow for as-of-right residential development. The intent of the rezoning was to legalize and encouraged the mixed-use development that was already occurring. The zoning proposal stated, "The area has transitioned from a largely commercial and manufacturing center to one with a lively mix of office, retail, institutional and residential uses. Today, the area contains almost 350 residential units and just three percent of the jobs in the area are in the manufacturing sector."¹²¹ This transition allowed for residential development on underutilized lots such as parking lots. The zoning proposal cited that the addition of residential units, including affordable units, could help the housing shortage in Manhattan and that this use would "strengthen and preserve the area's built character" as new development would still have to be approved by the LPC. The DCP specifically noted their intention that the new zoning would complement the

¹²¹ "Ladies' Mile Rezoning – Proposed Zoning (C6-4A)" *New York City Department of City Planning*.

preservation of Ladies' Mile in the zoning proposal, "The existing zoning permits building types that do not reflect the prevailing character of the surrounding area. The lack of effective zoning controls governing height and setback encourages tower development without height limitations that contrasts sharply with the existing built character of the neighborhood. The proposed zoning would ensure that any new development will be in character with the built context of the surrounding historic district."¹²² It was estimated in the report that within ten years this zoning change could add approximately 900 new apartments to the neighborhood, specifically on six underused sites.¹²³ The area that was rezoned is shown in figure 13.

Flatiron/23rd Street Partnership Business Improvement District

The upper portion of Ladies' Mile is part of a BID, Business Improvement District. BID's are formed when property owners and business owners come together and create a fund for their commercial district to improve maintenance and development and promote their neighborhood.¹²⁴ In New York City BID's operate as a public/private partnership. The city currently has 69 BID's that invest over \$100 million dollars every year via services and programs.¹²⁵ Following the rezoning of Ladies' Mile, the Flatiron/23rd Street Partnership Business



¹²² "Ladies' Mile Rezoning – Proposed Zoning (C6-4A)" *New York City Department of City Planning*.
¹²³ "Ladies' Mile Rezoning – Proposed Zoning (C6-4A)" *New York City Department of City Planning*.
¹²⁴ "Starting a Business Improvement District: A Step-by-Step Guide." *New York City Department of Small Business Services*. www.nyc.gov. Accessed: 12 April 2014.
¹²⁵ "Help for Neighborhoods: Business Improvement Districts." *New York City Small Business Services*. www.nyc.gov. Accessed: 12 April 2014.

Improvement District was established in 2006 and includes a portion of Ladies' Mile. It was created to make improvements to the community and foster economic development within the neighborhood. 4,500 businesses that occupy around 20 million square feet of commercial space are located within the district. In addition to physically cleaning up the neighborhood through efforts like tree planting and district-wide beautification efforts, they promoted neighborhood business through the Discover Flatiron Map that highlights dining and shopping options. The BID offers walking tours every Sunday at 11am. It is one of the city's largest BID's and has an annual budget of \$1.6 million dollars.¹²⁶

Summary

It is the integration of the historic district with these tools that really maximize the potential of the neighborhood. It would be a very interesting study to examine how many rezonings occur as a result of an area becoming an historic district. The location of BID's in relation to historic districts would also make for an intriguing study.

Study 5: Investment in Ladies' Mile

Introduction

Ladies' Mile may not see as much ground up construction as other neighborhoods, but rehabilitation and renovation still occur and money is invested in the district. The impetus for this study was to see if there was a way to track changes that occur within historic districts. If this data were available the following questions could be answered:

1. Is there a decrease in the number of building permits issued before and after a neighborhood is designated?
2. Is there a way to calculate the amount of money being invested per project?
3. Is there a measurable difference between sites within and outside of districts that are being improved via new construction or rehabilitation?
4. How many permits have been issued since designation?

¹²⁶ "About Us." Flatiron/23rd Street Partnership. Flatironbid.org. Accessed: 12 April 2014.

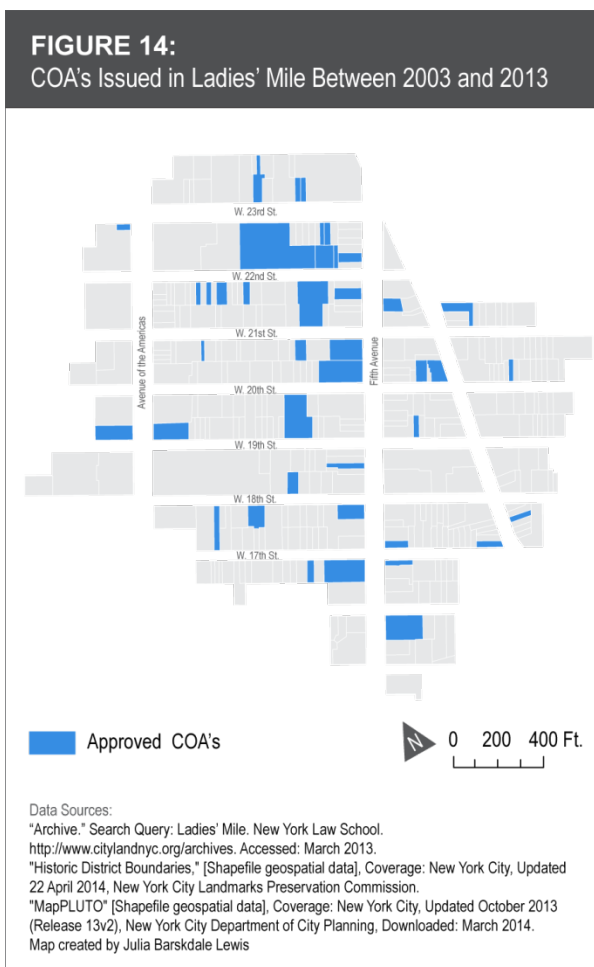
For this thesis a sample of how this data could be utilized was gathered from the New York Law School and applied to the Ladies' Mile Historic District.

Methodology

The New York Law School archives report Certificate's of Appropriateness (COA's) that were issued in Ladies' Mile between 2003 and 2013. A COA is needed if, "The proposed work requires a Department of Buildings permit and affects the significant protected architectural features of the landmark property, has been denied a Permit for Minor Work, [or] does not conform to the *Rules of the Landmarks Preservation Commission*."¹²⁷ Examples of projects that require a COA are new construction, additions, demolitions, and any removal of architectural elements of an existing building.¹²⁸ In this study the listed COA's that were relevant to Ladies' Mile were recorded. The block and lot numbers present on the COA were translated to their matching BBL. As explained previously, the BBL code stands for Borough, Block, Lot; it is a 10 digit code that uniquely identifies every lot in Manhattan. After the BBL was derived, the data from the New York Law School was matched to the PLUTO data for GIS evaluation, shown in figure 14.

Findings

This pairing allows for one to visually see trends in changes and how many changes are



¹²⁷ "Certificate of Appropriateness." NYC Landmarks Preservation Commission. www.nyc.gov. Accessed 12 April 2014.

¹²⁸ "Certificate of Appropriateness." NYC Landmarks Preservation Commission. www.nyc.gov. Accessed 12 April 2014.

occurring within a district. As seen in this map, changes are taking place; this neighborhood is not “frozen.” This data is not inclusive of all changes that occurred and its use is merely a diagram of the potential for recording and tracking changes within historic districts. If all permits were tracked before and after historic districts, including rejected inquires, this could be a way to track the investment within districts and how much capital is prevented from being invested. The type of project could also be coded and identified so one could see how much demolition or new construction is really being allowed within districts.

Limitations

The current limitations are pertinent to the ease of access to data. There is not a holistic collection of data that this study could expand from. There could also be discrepancies in reporting techniques. It would be best to acquire post project data too, such as budget reporting. Any changes throughout the process would be relevant.

Study 6: Occupancy and Density in Ladies’ Mile

Introduction

This study examines occupancy and density in Ladies’ Mile using the census data from 2000. Although the census tracts do not align perfectly with the historic district boundaries the study was still conducted to see if there were any visible trends. Occupancy levels could indicate the desirability of living somewhere and density could show the ability of an area to accommodate a large population.

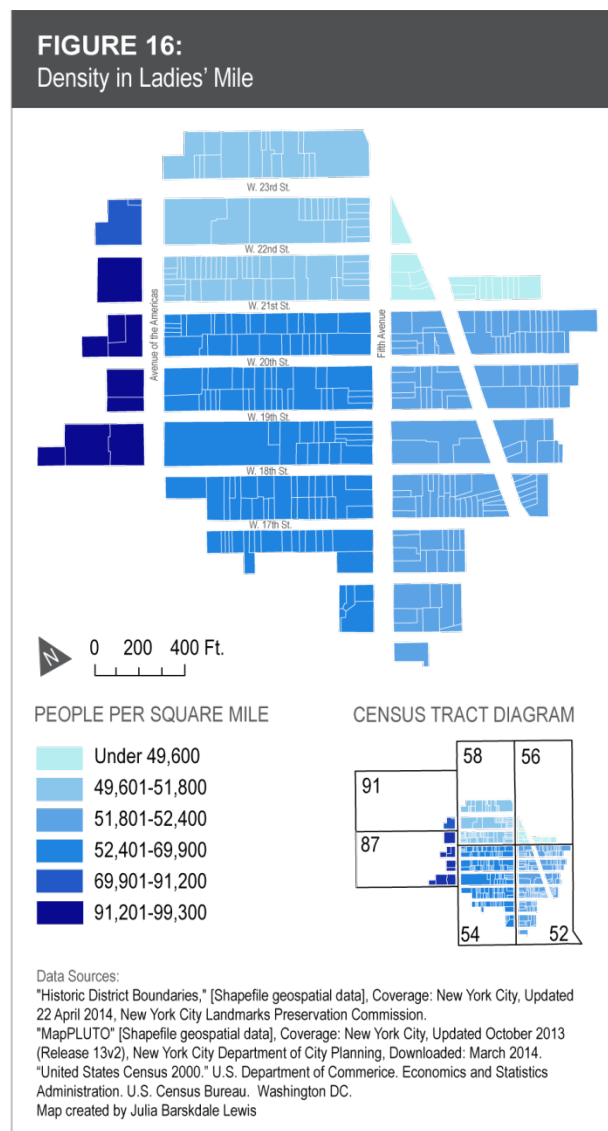
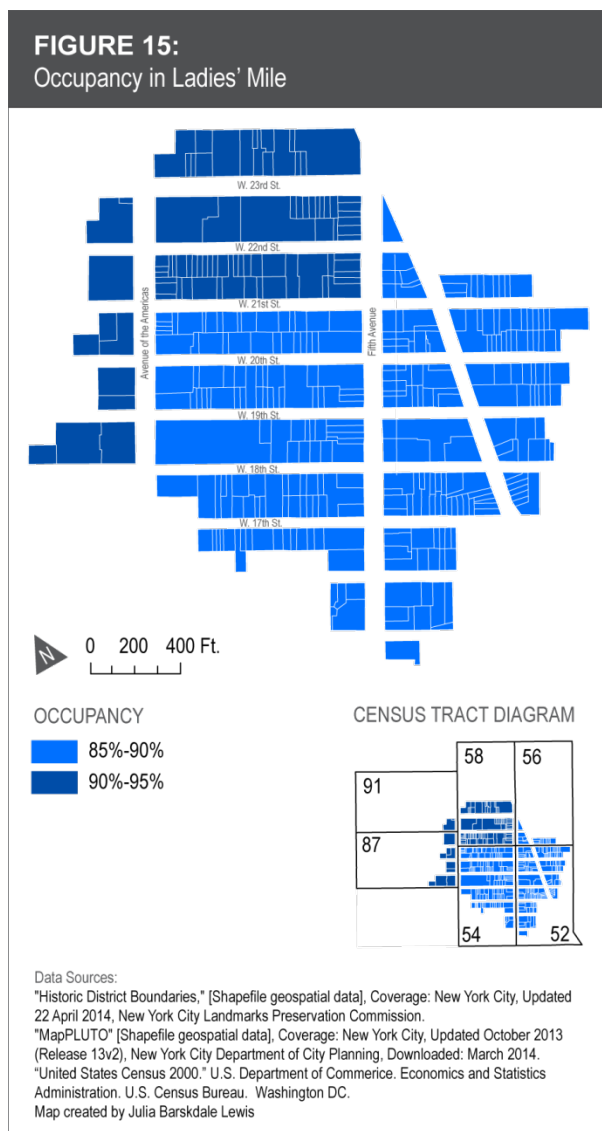
Methodology

In order to visually represent these data sets the PLUTO data and this historic district boundary data were analyzed alongside 2000 U.S. Census data. Ladies’ Mile is part of six census tracts; 91, 87, 54, 58, 56, and 52. Unfortunately each census tract includes buildings from outside of the district so it is hard to evaluate the meaning behind the numbers that are found. The census tract boundaries are shown in

Figure 15 and Figure 16 for reference. The occupancy of each census tract was calculated as a percentage of occupied units to available units and is shown in a gradient. The density of each census tract is calculated as number of people per square mile and it is also shown in a gradient.

Findings

It is challenging to evaluate the data in this form because the census tracts do not align with the lots on Manhattan. The occupancy range is between 85% and 95%. The density figure shows a wide range. Lower densities surround the more commercial heavy Madison Square.



Limitations

At this scale the study really cannot represent conclusive data about occupancy and density because of the much larger boundaries for the census tracts. Also as previously noted, the fast paced market of Manhattan makes it a challenge to evaluate the occupancy levels in real time. The study on density does not account for the variation of building uses within Manhattan, as was mentioned previously; Ladies' Mile contains more commercial than most historic districts, which would lead to a lower density of people living within the neighborhood.

CHAPTER VI: EVALUATION & RECOMMENDATIONS

The process of utilizing existing data sets to analyze historic districts uncovered new ways to think about historic districts and the role they play in New York City. It also revealed many potential studies that could occur should the data be collected in a more comprehensive and accessible manner. The commentary in this chapter focuses on evaluating and making recommendations for the research methodologies developed in chapter four and five.

Study 1: Ages of Buildings in New York City

Study 1 attempted to examine the age of buildings in New York City so that a correlation between building age and location could be identified and overlaid with historic districts. This study would have been able to visually show unique concentrations of building periods represented in the city and show if areas inside and outside of districts contained different concentrations or variations in building age. Unfortunately, the data pertaining to building age in PLUTO was inconsistent with the building data in the historic district designation report. This flaw in the system should be fixed because people rely on the data which is now freely available from the city. In addition to this, the estimated building construction data field is not an accurate indicator of whether or not the year is an estimate. It is my recommendation that this field is removed from the PLUTO data and that correct data is recorded and released.

Study 2: Remaining Developable Area in Manhattan

Study 2 examined the amount of developable square feet remaining in Manhattan. I believe this study to be one of the most important that this thesis evaluated. The "control" of the amount of land, buildings, etc., that historic districts have over the city is frequently being debated. This different way of approaching the topic, looking at remaining square feet that can be built, shows where the greatest potential for development lies within New York City. The data shows this potential is outside of the historic districts, not in them. Although the percentage of developable square feet remaining in historic districts in

Manhattan is only 8.89%, this still accounts for 87 million square feet of potential development. This study is also unable to account for zoning changes that alter the amount of FAR available and it does not take into account potential FAR bonuses. This analysis could become much more robust if zoning changes affecting available FAR were overlaid along with a factor that indicates what zoning districts are eligible for FAR bonuses. Further research could explore the overlay of this data and what it means for developers as potential sites, and to preservationists to see where development potential lays within historic districts.

Study 3: Vacant Lots and Parking Facilities in Historic Districts

Study three accessed the vacant lots and parking lots in Manhattan and within Ladies' Mile. From this data it could be calculated that in general, there are less vacant lots and parking lots within historic districts. When viewed at the historic district specific level, one can see that the parking lots and vacant lots, in the case of Ladies' Mile, are typically in the middle of the district and that removing them from the district would create gaps. This study could be expanded to evaluate how the number of parking facilities and vacant land has changed over time in relation to historic districts. In conjunction with this, the documentation of projects that have occurred on sites inside and outside of districts could provide data about the type of development that occurs inside and outside of historic districts. This would also provide the opportunity to evaluate and compare the length and costs of projects.

Study 4: New Uses in Historic Districts

Study four was designed to evaluate if new development or changes of use have occurred within historic districts. Additionally, the study examined how zoning can be utilized as a mechanism for change of use within neighborhoods. Unfortunately, there is not a way to overlay the zoning changes by year across Manhattan, it must be done manually. The zoning changes that took place in Ladies' Mile were overlaid on the district and the text explained that the purpose of the rezoning was to match the character of the neighborhood. It would be interesting to further evaluate how many historic districts have undergone rezonings such as this that were designed to meet the historic character. Additionally, the FAR that is

taken away in instances like this one could be calculated. It would be useful to track the changes in allowable FAR and link the change in FAR to certain projects, proposals, or designations. Recently there has been discussion over whether or not the FAR from sites within historic districts should be allowed to transfer outside of districts. Collecting information on FAR could greatly aid future decisions.

Study Five: Investment in Historic Districts

Study five examined how investment could be tracked within historic districts. There is currently not a holistic data collection method in place to do this. In chapter five, in regards to Ladies' Mile, data was collected from the New York Law School to track COA's. This study showed an example of how this information could be utilized. Ideally, all building permits and issuances in and outside of historic districts could be tracked in this manner. It would be ideal to include the following information: block and lot number, date of issuance, estimated project cost, and project category. Permits that were not approved should also be recorded.

Study Six: Occupancy and Density in Historic Districts

Study six evaluated occupancy land density in Manhattan using census data. The census tract lines did not match identically to this historic district borders, but there were some unique correlations found between the two data sets. If this data could be applied on a lot, or even block basis, the analysis would be much more accurate.

Historic districts never fell into the highest occupancy shading, but were almost always consistently in the 2nd and 3rd brackets of high density. If occupancy was tracked more closely, one could evaluate which areas of the city were being utilized to their maximum capacity. It could show the residents desirability to live in a certain area.

This study also looked at population density, as people living in an area per square mile. This study shows that most historic districts fall in the medium range of population density. This representation of population density though just focuses on residential, it does not account for commercial or

manufacturing uses. One can see the low population density of midtown and the financial district as it is less residential. The study of density does not contribute to the study of historic districts.

CHAPTER VII: CONCLUSION

This thesis began with a discussion of the general discourse about historic districts in New York City and then analyzed the effects of historic district designation in comparison to the designation of individual landmarks and subjects of whether historic districts “freeze development” or limit investment. This thesis has led to several conclusions about historic districts in Manhattan and how they are evaluated along with recommendations looking forward. The methodologies presented a range of successes, failures, and opportunities. The evaluation of the current processes related to data including the collection, accuracy, and parameters provides guidelines for how preservationists can best utilize data in the future. The conversation of the various entities involved with historic districts and how they can better coordinate and be predictable in their actions is included.

The more successful studies were “Study 2: Remaining Developable Area in Manhattan” and “Study 3: Vacant Land and Parking Facilities in Historic Districts.” The study on the remaining square feet of development in Manhattan exhibited a new way to evaluate where development potential lies in Manhattan. It also demonstrated the variation in outputs that can be produced for the same subject. The location of vacant and parking facilities allowed one to visually see where the highest concentrations of these program types existed in respect to the location of historic districts.

The studies with the potential to evolve into very useful tools in the near future were “Study 1: Ages of Buildings in New York City,” “Study 4: New Uses in Historic Districts,” “Study 5: Investment in Historic Districts,” and “Study 6: Occupancy and Density in Historic Districts.” Study 1: Ages of Buildings in New York City could identify many trends, not just in preservation, if the data was accurately recorded in PLUTO. “Study 4: New Uses in Historic Districts,” could be generated from existing zoning data and could track not only the location of the zoning changes, but the implication on the use and bulk allowed within the areas in which they are implemented. “Study 5: Investment in Historic Districts,” would require the most

collection of data, but could also be incredibly relevant and useful in the future analysis of historic districts. Being able to track where and when changes occur within districts and the monetary values associated with work being done would be very valuable. "Study 6: Occupancy and Vacancy in Historic Districts," was unable to show precise trends because of the size of the census tracts. However, if this data was made available by lot it could reveal demographic information associated specifically with historic districts. Also—as collection of data becomes easier—and more frequent, it could lead to the realization of more information. Imagine if census data was collected and reported digitally every year?

The thesis highlights the importance of data collection, accuracy, and parameters. As exhibited in the first study that evaluated the age of buildings, the numbers are alarmingly inconsistent. There is so much data out there and there needs to be a concerted effort to record and store information in an accessible way. Historic Preservation is a relatively young field. A lot of efforts are frontloaded and there is rarely a follow-up phase and post-intervention evaluation. Monitoring how historic districts function after designation will allow for data to show the outcomes of designation. It could also help mold how future districts are designated and even shape how operations are occurring within a districts. For example, if one was able to evaluate exactly how many COA's were issued and how much money was indeed being invested within a historic district in comparison to the proposals that were rejected, there could be a greater sense of how historic districts function in comparison to other places in the city. Likewise, if historic districts are preventing investment, this could be addressed. By tracking allowed changes, developers could also seek examples of projects that would likely be approved. A more comprehensive collection and database of the permits that are being issued by the LPC would be able to prove exactly how much activity is occurring in historic districts. There needs to be a clear defined way of evaluating certain metrics. For example, when looking at developable square feet remaining in New York City based on FAR, the numbers vary drastically from number of lots under control of historic districts, or square area. Also, the area of which studies evaluate vary, be it by borough or even a portion of a borough.

This thesis also revealed that there needs to be a greater coordination between the departments in New York City that manage the built environment. Specifically, the Department of City Planning and the Landmarks Preservation Commission could work together more in a predictable manner. The Department of City Planning should see and utilize preservation as a planning tool. Eric Allison notes, “It should not be a stretch for planners to actively interact more with historic districts as well. Without getting involved in the details of historic district regulation – which can embrace everything from appropriate additions to paint colors – they can coordinate their activities with those of historic district commissions.”¹²⁹ In addition to planners and preservationists working together, it would be great to have the input of environmentalists, architects, economists, and real estate developers to work together to envision the best urban qualities.

Despite all of the information in the world, it is important to remember that some of debates over historic districts may stem from a difference in philosophical beliefs over property rights. Some people believe that if you own land you should be able to develop and modify it as you see fit—a right as a property owner. Others believe that the process of review and guidelines for development contribute to the overall community.

We are in an “industrial revolution of data.” This analysis of historic districts in Manhattan showed the current state of the data application and recommends ideas for further research. Historic Preservation needs to tap into the resources available to not only utilize information that exists but also to generate new data to better position itself for the future.

¹²⁹ Allison, Eric W. and Lauren Peters. “Historic Preservation and the Livable City.” Wiley. Hoboken, NJ. July 2010. Page 94.

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