Historic Preservation in New York City: Confronting the Challenges and Imagining the Future

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Historic Preservation in New York City: 
Confronting the Challenges and Imagining the Future

by

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Abstract

In New York City, community effort is often a necessary component in ensuring the successful designation of a historic district. This project explores the challenges of establishing a historic district in New York City by drawing on the experiences of the individuals directly involved in this initiative. Six historic districts, from three boroughs of New York City, were selected to serve as case studies. Expert interviews were conducted with eleven participants. Each of the participants interviewed is or was significantly involved with a community organization dedicated to establishing a historic district in their respective neighborhoods. In addition, one interview was conducted with a staff member from the Historic Districts Council. Building on the experiences of the participants, this project begins to consider the pressing issues confronting the future of preservation, and the opportunities to strengthen the field, and move it beyond its current limitations. The recommendations offered reflect the ideas of the participants, as gleaned from the information gathered in the research findings. The hope is that this project could provide a stepping-stone to reignite the conversation concerning the future possibilities and goals of preservation in New York City.
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List of Acronyms

CHNA – Crown Heights North Association
EVCC – East Village Community Coalition
DUMBO – Down Under the Manhattan Bridge Overpass
Friends-UES – Friends of the Upper East Side Historic Districts
GVSHP – Greenwich Village Society for Historic Preservation
HDC – Historic Districts Council
LPC – Landmarks Preservation Commission
REBNY – Real Estate Board of New York
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1.0 INTRODUCTION
Urban landmarks merit recognition as an imperiled species alongside the ocelot and the snow leopard.

-- Costonis 1972, p. 574

Historic preservation can play a vital role in shaping the future of cities. Preservation enriches our understanding of the past by protecting the architectural, historical, cultural, and aesthetic qualities of the built environment. In preserving the most valuable qualities of the urban landscape, preservation often results in higher property values to residents and businesses. In communities and cities that are subject to disinvestment, preservation can serve as a catalyst in strengthening the local economy, spurring investment, and revitalizing neighborhoods. Preservation enhances sustainability by promoting the rehabilitation of existing historic buildings and structures. Rehabilitation requires fewer materials, is cost-efficient, and is higher in labor intensity compared to new construction.

Cities today, as in the past, continue to struggle in terms of how to both protect the legacy of the past while meeting the needs of the future. With a growing population, and a rising demand on goods and services in the city, the future of preservation remains uncertain. At the core of the ongoing debate between density and preservation is the pretense that preservation stymies growth and density in the city. To demonstrate that preservation and development could work together, Liz Dunn, a panelist at the Municipal Art Society 2012 Summit for New York City, provides several case studies where historic buildings were successfully paired with new developments, or readapted to new uses. Reflecting the words of Jane Jacobs, Dunn notes that there is a different type of density that can be achieved from retaining a diversity of building stock, or “granularity” as she calls it. As Dunn suggests, density should not only be measured in terms of square footage per acre, but also in terms of 24 hour, 7 day a week intensity of human activity. The future challenges of preservation lie in bridging the ongoing schism between preservation and development, both of which are necessary in fostering an interesting and dynamic city.

1.1 Research Focus

In New York City, communities play a significant role in historic preservation. While the Landmarks Preservation Commission (the New York City preservation agency) is charged with identifying, designating, and regulating landmarks, designation often occurs as a result of community effort. Historic districts, in particular, are rarely designated without substantial community involvement and support.

The various factors necessary to ensure the success of historic designation are well documented; however there is little research on the challenges communities face during the historic designation process. The purpose of this research study is to understand the challenges involved in establishing a historic district, based on the experiences of the community. (For the purposes of this research, the study will focus only on historic districts, rather than on all landmarks, as historic districts pose the greatest challenges to individuals). Drawing on participants’ experiences in preservation, the study also seeks to identify the critical issues threatening the future of preservation in New York City and to provide recommendations on the areas in which the field could be strengthened. The goal of this research is to contribute to the conversation concerning the future aspirations and long-term goals of preservation in New York City. The three questions that guided this research are:

(1) What challenges do individuals face in establishing a historic district?
(2) What are the critical issues affecting the future growth of preservation?
(3) What opportunities are there to strengthen the field of preservation?
1.1.1 Methodology

The methods utilized in this research consisted of a literature review, case studies, and expert interviews. Case studies provided an opportunity to understand how the context of place shaped the individuals’ experiences within historic preservation. Six historic districts, from three boroughs of New York City, were selected to serve as case studies, in order to provide a breadth of perspective. The historic districts selected were as follows: (Proposed) Bedford Historic District, Crown Heights North II Historic District, and DUMBO Historic District, in Brooklyn; Upper East Side Historic District Extension and East Village/Lower East Side Historic District, in Manhattan; and Sunnyside Gardens Historic District, in Queens.

The information gathered from the interviews served as the backbone of the project, as it guided the research findings, and allowed the researcher to draw conclusions and recommendations from the research findings. Expert interviews were conducted with 11 participants, who were significantly involved, through community organizations, in establishing a historic district in their respective neighborhoods. One abbreviated interview was conducted with a staff member of the Historic Districts Council. Participants were asked questions regarding their experiences during the historic designation process, and their thoughts on how the historic designation process could be improved. The interview questionnaire can be viewed in Appendix C.

The Historic Districts Council is the citywide advocate for New York City’s historic districts. Simeon Bankoff, the Executive Director of the Historic Districts Council, served as the primary liaison in connecting the researcher with the participants. Bankoff provided contact information for five of the participants. Contact information for the additional six participants was received from the five participants interviewed initially. All of the participants were contacted via e-mail, and were sent a copy of the consent form, informing them of the purpose of the project, and the terms of confidentiality. Interviews were conducted over a span of seven weeks, between mid-October to late November. The majority of interviews were conducted in-person, but due to several of the participants’ time constraints, as well as distance barriers, a few interviews were conducted over the phone and Skype. Interviews were conducted in a semi-structured format and went between 30 minutes and an hour in a half. With the consent of the participant, each interview was recorded and transcribed. Eleven of the twelve participants provided their consent to be recorded. In the circumstance where one interview could not be recorded, notes were taken. To respect the participants’ views and opinions, as well as to comply with the terms of the UBC Behavioral Ethics Review Board, all of the participants’ identities have been kept confidential.

1.2 Report Structure

The project is divided into seven chapters. Chapter 1 provides an introduction to historic preservation, explains the focus of the research, and the methodology employed in gathering research. Chapter 2 consists of a preliminary literature review on the past and current perspectives associated with historic preservation. The literature review includes the definition of historic preservation; the underlying philosophies that guided the preservation movement; the social, cultural, economic, and environmental values of preservation; and the critical issues, which have affected the field’s growth. Chapter 3 lays the contextual background by reviewing historic designation in the United States, the historical development and rules of the Landmarks Law (the historic preservation law in New York City), the formal designation process for creating a historic district in New York, and the community’s role in the designation process. Chapter 4 includes a brief historical background of each case study, and presents the research findings. Chapter 5 discusses the research findings. Chapter 6 provides recommendations on how historic preservation can be strengthened in New York. Chapter 7 concludes the report and considers areas for further research.
2.0 LITERATURE REVIEW
2.1 Defining Preservation

The term historic preservation lends itself to varying interpretations. Murtagh (2006: 4) indicates that preservation carries a distinct meaning, different from other terms it is often associated with, such as restoration and conservation. Early preservationists defined the profession as the process of “spatializing memory” – preserving and expressing historical memory in physical form (Mason & Page 2004: 140). The office of the Secretary of the Interior (as cited in Murtagh 2006), defines preservation as:

The act or process of applying measures to sustain the existing form, integrity, and material of a building or structure, and the existing form and vegetative cover of a site. It may include initial stabilization work, where necessary, as well as ongoing maintenance of the historic building materials. (5)

2.2 Philosophy of Preservation

Summerson (as cited in Gilbert, Kellogg, & Williams 1983) credits the origins of the philosophy of preservation to English art critic John Ruskin, author of the 1849 pivotal book *Seven Lamps of Architecture*. In a passage from *The Lamp of Memory*, Ruskin (as cited in Gilbert et al., 1983) eloquently writes:

> For, indeed, the greatest glory of a building is not in its stones, nor in its gold. Its glory is in its Age, and in that deep sense of voicefulness, of stern watching, of mysterious sympathy, nay, even of approval or condemnation, which we feel in walls that have long been washed by the passing waves of humanity. (20)

As expressed by Ruskin, the justification for preservation was contained in the age of the building itself, which bore witness to generations of inhabitants and a sequence of historical events. Ruskin was part of a Romantic Movement of artists and writers in 19th century Great Britain who championed the ‘truth and nobility’ of the Medieval Period as a contrast to the rapidly emerging industrial capitalist society. The Gothic architecture of the period laid the foundation necessary to stir their imagination; within it, they saw “the highest expression of the human quest for the infinite” (Barthel 1989: 89-90).

William Morris, a writer, artist, and a colleague of Ruskin’s, was a staunch proponent of preservation. He considered preservation a necessity in a “commercialized and despiritualized world” (Barthel 1989: 90). Furthermore, Morris opposed the idea that a building could be restored to its original condition, based on the premise that there was no precise point in time when the building was perfect and complete (Summerson as cited in Gilbert et al., 1983: 23). Restoration, as he called it, was “a modern euphemism for wholesale destruction and the worst desecration” (Murtagh 2006: 4).

This ‘let-it-alone’ school of thought lay at odds with the philosophy of Eugene Emmanuel Viollet-le-Duc, a contemporary French writer and architect, who devoted his life to the restoration of medieval buildings in France, as well as authored a doctrine on historical restoration (Dubont as cited in Gilbert et al., 1983: 9-16; Murtagh 2006: 3). However, Viollet-de-Duc’s restorations were questioned on ethical grounds, as illustrated in a passage by Dubont (as cited in Gilbert et al., 1983), describing the restoration of Notre Dame de Paris:

> He replaced the thirteenth-century windows [which were not harmonious] by rose windows of the twelfth century that were his own invention. He added a central spire, and for the western porches he made new statues inspired by those of the cathedral of Bordeaux. (16)

Following the death of Viollet-le-Duc, criticism stirred against his restorations, but the question of how to reconcile nonintervention with the careful maintenance of buildings remained unanswered (Dubont as cited in Gilbert et al., 1983: 16). The writings of Ruskin, Morris, and Viollet-le-Duc illustrate the competing ideologies that guided the
trajectory of the historic preservation movement. Along similar lines, Stripe (2003: 443) notes that a few of the present challenges of historic preservation are issues such as the amount of modification a building can undergo while still maintaining its ‘integrity’ and the stage at which a building should be considered eligible for historic designation.

2.3 Values of Preservation

2.3.1 Social and Cultural Values

Stripe (as cited in Gilbert et al., 1983) notes that historic resources serve as a physical link to our past, in order to enrich our understanding of “who we are, how we became so and, most important, how we differ from others of our species” (59). In this way, it provides us access to the past, as it cannot be viewed by printed page or photograph. Poinsett (as cited in Gilbert et al., 1983: 61) refers to the educational component of historic preservation as creating a “three-dimensional learning experience.”

Preservation of many structures and sites exist as a marker of our respect of the past, and strengthens our nostalgia and patriotism. In providing an understanding and appreciation of the past, they shape our imagination and creativity, and serve as potential sources of inspiration. Beyond the historical value of preservation, the architecture and landscapes of the past serve an intrinsic value as art, as well as provide aesthetic value to the built environment (Stripe as cited in Gilbert et al., 1983: 59).

2.3.2 Economic and Environmental Values

The economic benefits derived from the rehabilitation of historic buildings provide strong incentives for supporting historic preservation. Numerous case studies of cities have demonstrated that urban historic preservation has the potential to strengthen local economies and revitalize inner-city neighborhoods. In many cities throughout North America, developers and entrepreneurs have successfully readapted dilapidated properties into productive private residences, shops, restaurants, and museums. Furthermore, rehabilitation of existing structures is cost-efficient compared to new construction, as well as high in labor intensity. In many cases, the rise in property values from these preservation initiatives and the added employment provides the catalyst necessary to stimulate economic activity, bring people and businesses back to the city, and generate tourism revenue (Bever as cited in Gilbert et al., 1983: 79).

Donovan Rypkema of PlaceEconomics (as cited in Tyler 2009: 237-238) provides one hundred financial advantages of historic preservation in his book, The Economics of Historic Preservation: A Community Leader’s Guide. Among the reasons he cites for supporting historic preservation are:

- Historic buildings are located where public infrastructure already exists, thus saving the community and the investor the costs of new water lines, sewer lines, streets, and gutters.
- As a general rule, new construction is 50 percent labor and 50 percent materials. Rehabilitation, on the other hand, is 60-70 percent labor. The added labor provides additional jobs, thus playing a role in greater local economic impact, dollar for dollar, than new construction.

In a report prepared for the Brookings Institution Metropolitan Policy Program, Professor Mason (2005: 7) reviews the findings on the economic value of historic preservation and the methods used to assess that value. His report places into perspective many studies, including Rypkema’s work, and finds substantial evidence to support Rypkema’s claim—that in virtually every analysis conducted, property values from historic district status have maintained at worst, and usually are enhanced.

Numerous studies have also demonstrated the environmental benefits derived from the rehabilitation of existing structures. A study produced by the Preservation Green Lab of the National Trust for Historic Preservation (2011),
entitled *The Greenest Building: Quantifying the Environmental Value of Building Reuse*, concludes that the greenest building is one that is already built. Reflecting Rypkema’s earlier research on preservation, the report finds that by minimizing the input of new construction materials, building reuse almost always offers greater environmental savings over demolition and new construction. The environmental savings gained from building reuse can vary between 4 and 46 percent, based on numerous factors including building type, location, and level of energy efficiency (vi).

### 2.4 Challenges to Preservation

#### 2.4.1 Measuring Significance

The underlying predicament of preservation is that everything associated with the past can be judged as meaningful. However, every building, structure, and district cannot be memorialized, without reducing their meaning in the context of the city. Given these challenges, the field of historic preservation must grapple with the evolving questions of: Whose history is important? What are the appropriate criteria for determining whether a building or district receives designation? (Mason & Page 2004: 6).

To illustrate an example, in a 2009 Chicago court case, two Chicago property owners filed a lawsuit on the basis that Chicago’s ordinance for designating landmarks was vague. The Chicago ordinance requires that landmarks meet two of seven criteria, including its association with a significant historical event, and evidence of important architecture or a unique visual feature. The state appellate court ruled that terms like “significant” and “important” were “vague, ambitious, and overly broad”; the ruling was overturned in 2012 by the county court as not “unconstitutionally vague” (Kamin 2012).

#### 2.4.2 Preservation and Development

The false dichotomy between preservation and development is a long-standing issue in contemporary preservation practice and policy. The two ends of the debate dictate that preservation stymies development and that preservation offers a host of economic benefits, including an increase in property values and added jobs (Mason & Page 2004: 11). The threat to development has spurred numerous court cases, perhaps the most famous case being Penn Central Transportation Co. v. City of New York in 1978. In the court case, Penn Central challenged New York City’s landmark ordinance as unconstitutional on the grounds that the company was prevented from building a 55-story office tower atop the historic Grand Central Terminal in Manhattan. The commission determined that the proposed tower would not have been within the scale or character of the terminal. The Supreme Court ruled that New York’s ordinance was constitutional on the basis that enacting land-use restrictions to preserve the “character and desirable aesthetic features of a city” was within the right of the state and city (Beaumont 1996: 20).

#### 2.4.3 Aesthetic Regulation

The core role of historic preservation is to preserve elements of the past by regulating historic sites. As a result, the regulatory component of historic preservation places restrictions on the types of changes property owners are allowed to make to their landmarked property. A long-line of state court decisions have been held on the legal question of whether aesthetic considerations provide a constitutional basis for the regulation of private property. Among the earliest court cases was a 1941 case from the Louisiana Supreme Court, which upheld restrictions limiting the size of signs in the historic French Quarter of New Orleans. The case ruled, “Preventing or prohibiting eyesores in such a locality is within the police power and within the scope of this municipal ordinance” (Beaumont 1996: 21). In the 1954 court case, Breman v. Parker, the U.S. Supreme Court upheld that the government could regulate private property if it benefits public welfare (Beaumont 1996), citing as follows:
The concept of the public welfare is broad and inclusive...The values it represents are spiritual as well as physical, aesthetic as well as monetary. It is within the power of the legislature to determine that the community should be beautiful as well as healthy, spacious as well as clean, well-balanced as well as carefully patrolled. (21)

Although the rulings of these two court cases do not speak to all cases, in the majority of court case decisions, the goals of preservation were considered to be within the interest of the general welfare (Beaumont 1996: 22). The decisions of the court cases illustrated in this chapter highlight the gamut of legal issues concerning historic preservation.
3.0 PRESERVATION POLICY
3.1 Overview of Historic Designation

There are three levels of historic designation in the United States: the National Register of Historic Places (NRHP), the State Register of Historic Places, and the local-level historic preservation office. The State and National Registers of Historic Places are the federal government’s official list of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering, and culture (HDC 2012a).

The National Register is administered through the National Park Service, under the U.S. Department of the Interior. The State Register is administered through the State Historic Preservation Office (SHPO), which in New York State is part of the New York State Office of Parks, Recreation, and Historic Preservation. Individuals apply to both the State and National Registers through the SHPO (HDC 2012a). Listing on the National and State Register provides recognition of a community’s significant properties, as well as gives communities certain financial opportunities for rehabilitating their properties, however it offers little legal protection. Owners of private property listed in the National and State Register are “free to maintain, manage, or dispose of their property as they choose” (NPS 2012).

Local designation of historic resources, made under the authority of local law, provides greater protection than the National and State Register. At the local level, there is a review process designed to protect the historic appearance of buildings, sites, structures, and objects (NPS 2012). In New York City, the Landmarks Preservation Commission (LPC) governs historic designation, based on the rules of the Landmarks Law. While one of the smallest New York City agencies, the LPC is the largest municipal preservation agency in the nation (New York City Landmarks Preservation Commission 2012a).

3.2 The Landmarks Law

3.2.1 Historical Development

The 1965 passage of the Landmarks Law is considered to be a pivotal point in the history of the preservation movement in New York City. Prior to the law, preservation efforts were isolated, irregular, and often, failures. Among the most significant structures of the city’s heritage to be demolished were the Brokaw Mansion and the legendary Pennsylvania Station. The Brokaw Mansion, an opulent mansion located on East 79th Street, at the entrance to Central Park, was consumed in the city’s building boom on April 11, 1965- a week prior to the enactment of the Landmarks Law. The demolition of Pennsylvania Station, two years earlier in 1963, marked a loss of significant proportions to the city’s historic fabric (Woods 2008: 2-7).

The original Pennsylvania Station, located at the site of present-day Madison Square Garden, was a massive 1910 railroad station, occupying two full city blocks (Woods 2008: 7, 301). Hiss (2003) provides the following vivid description of the station:
A facade lined by 84 massive pink granite columns led those in taxis into a carriageway derived from the Brandenburg Gate, while those on foot traversed a long, coolly elegant, light-drenched Italian-style shopping arcade. Then came a waiting room a block and a half long and 15 stories high that was modeled on, but larger than, an imperial Roman bathhouse.

The grandiosity of Pennsylvania Station captured the imagination of writers, as made evident in a famous passage by Thomas Wolfe (as cited in (Woods 2008): “the voice of time remained aloof and unperturbed, a drowsy and eternal murmur below the immense and distant roof” (7).

Contrary to myth, the demise of Pennsylvania Station was not the genesis of the Landmarks Law, however its imagery became the icon of preservation policy (Woods 2008: 7). The date of interest in creating a formal process to protect the city’s landmarks can be traced to the 1940s. In 1941, as Woods (2008:13-14) reports, a meeting was scheduled between the New York Historical Society and the American Scenic and Historic Preservation Society to discuss the subject of historic preservation in the City of New York. The meeting concluded with a resolution for the creation of a permanent board to ensure the protection of historic sites and buildings. The threat to historic Castle Clinton in Manhattan’s Battery Park was the likely trigger for the meeting and subsequent resolution.

The threat, or actual demolition, of historic sites and buildings, such as in the case of Pennsylvania Station, raised public awareness of the need to protect the city’s architectural, historical, and cultural heritage (NYC LPC 2012a). The Landmarks Law was enacted in response to New Yorkers’ growing concern that New York’s heritage was not protected by a legal system, and therefore, was vulnerable to loss (Woods 2008:15).

3.2.2 Understanding the Landmarks Law

Mayor Robert F. Wagner signed the Landmarks Law on April 19, 1965; at the heart of the law was the establishment of the Landmarks Preservation Commission. The Landmarks Preservation Commission is a panel consisting of eleven Commissioners, and supported by a full-time staff of approximately sixty members, that has primary responsibility for identifying, designating, and regulating landmarked buildings, historic districts, and scenic landmarks in New York City. The rules governing the Landmarks Preservation Commission are derived from the New York City Charter (2012), under Chapter 74: Landmarks Preservation Commission. By law, the eleven Commissioners must include at least three architects, one historian, one city planner or landscape architect, one real estate agent, and one resident of each borough. The Chairman of the Commission is a full-time, paid Commissioner; the remaining Commissioners serve part-time and do not receive a salary (HDC 2006: 56; NYC LPC 2012a).

The Landmarks Law provides a formal government process to identify, designate, and regulate historic sites (Historic Districts Council 2006: 5; Woods 2008: 15). The Landmarks Law is governed by the New York City Administrative Code (2012) under Title 25: Land Use, Chapter 3: Landmarks Preservation and Historic Districts.
The Commission may designate four types of landmarks: individual (exterior) landmark, interior landmarks, scenic landmarks, and historic districts (NYC LPC 2012a).

Figure 3: Four Types of Landmarks

- **Interior Landmark**: An interior space that has been designated. Interior landmarks must be customarily open or accessible to the public.

- **Scenic Landmark**: A landscape feature or group of features that has been designated.

- **Individual (exterior) Landmark**: A property, object, or building, whose “exterior” features have been designated.

- **Historic District**: An area of the city that represents one or more periods or styles of architecture typical of one or more eras in the city’s history; and cause such area to constitute a distinct section of the city.

From left to right: The Daily News Building (Interior Landmark), Central Park (Scenic Landmark), New York Public Library, Main Branch, (Individual Landmark), and Brooklyn Heights Streetscape (Historic District)

Source: NYC LPC (2012a)

Photos: Waldman (2012)
The Landmarks Law (NYC Admin. Code 2012: 25-302) provides the following definitions for the terms improvement, landmark, and historic district:

**Improvement:** “Any building, structure, place, work of art or other object constituting a physical betterment of real property, or any part of such betterment.”

**Landmark:** “Any improvement, any part of which is 30 years old or older, which has a special character or special historical or aesthetic interest or value as part of the development, heritage or cultural characteristics of the city, state, or nation.”

**Historic District:** “Any area which contains improvements which, (a) 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 (c) cause such area, by reason of such factors, to constitute a distinct section of the city.”

The Landmarks Law upholds the Landmarks Preservation Commission’s regulatory role as necessary for protecting the public welfare. As expressed in the Landmarks Law (NYC Admin. Code 2012):

> ...The protection, enhancement, perpetuation and use of improvements and landscape features of 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. (25-301)

The Landmarks Law (NYC Admin. Code 2012: 25-301), supports the protection of historic resources to:

(a) safeguard the city’s historic, aesthetic and cultural heritage;
(b) stabilize and improve property values in such districts;
(c) foster civic pride in the beauty and accomplishments of the past;
(d) 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.

### 3.2.3 Regulations

The Landmarks Preservation Commission ensures the preservation of landmarked buildings and historic districts by "regulating alterations to their significant features." These regulations are necessary in order to prevent inappropriate alterations that could “detract from the special character of the city’s landmarks and historic districts” (NYC LPC 2012b).

Once a building or district is designated, the Commission must approve any restoration, alteration, reconstruction, demolition, or new construction affecting any designated property, including buildings in historic districts. For instance, if a property owner wishes to make changes to their property, which will affect the exterior of the designated building, they must obtain a permit from the Commission. However, the Commission does not require owners to restore their property to its original condition. Furthermore, the Commission does not require a permit for ordinary repairs or maintenance, such as replacing broken window glass (NYC LPC 2012b). The Commission has the power to seek civil fines if these regulations are violated (NYC LPC 2012c).
3.3 Creating a Historic District: The Process

The two primary sources that outline the Landmarks Preservation Commission’s procedure for considering and designating landmarks is the Landmarks Preservation Commission’s (2012d) website and the Historic District’s Council (2006) handbook, *Creating an Historic District: A Guide for Neighborhoods*. The Commission’s procedure is a formal process that applies to all landmarks, although the rules vary slightly for historic districts.

The Designation Process for Creating a Historic District

1. The Request for Evaluation (RFE) is the start of the Landmark’s Preservation Commission’s formal process. The Commission requests that any individual, or group, who wishes to propose a property or area for designation to fill out an RFE form. The RFE asks for information about the property or area to be considered, as well as for supporting material if available.

2. An RFE Committee, consisting of the Chairman of the Commission and senior staff, review the material submitted, and determine whether the proposed property or area meets the Commission criteria for designation. The applicant is notified of the committee’s decision via a letter.

3. If the proposed area meets the Commission criteria for designation, the full Commission reviews the potential district at public meetings. The materials reviewed include draft maps of the potential district and options for boundaries. Setting the shape of the district’s boundaries are amongst the most difficult aspects of designation, as the district may be interrupted by non-conforming structures. At these public meetings, the Commission can vote to calendar. Calendaring is the action that schedules the item for a Public Hearing.

4. During the Public Hearing, the Director of Research will present the area under consideration; members of the community, public officials, and interested parties are invited to testify afterwards for or against the proposed district. Letters and written testimony submitted in advance by individuals and organizations are also entered into the record.

5. During the interim period, between the Public Hearing and the Commission Designation, the Research Department writes the formal designation report. The report describes the area’s architectural, historical, and/or cultural significance to New York, incorporates a detailed description of each building in the proposed district, and includes accompanying photographs.

6. The LPC votes on designation at a public meeting. Six votes are necessary to approve or deny the designation. Landmark designation is effective following the Commission’s vote, and all rules and regulations of the law apply. After the vote, the LPC submits the designation report to the City Planning Commission, the City Council, and any other city agencies. A notice of designation is sent to all property owners.

7. The role of the City Planning Commission (CPC) is to review the designation report and produce a report for the City Council on the effects of the designation on zoning, development, and the city’s growth.

8. Under the NYC Charter, the City Council has to approve, reject, or modify the historic district. The Council has 120 days from the time of the LPC filing to vote on the designation. The Mayor can veto the City Council vote; in turn, the City Council can override the Mayor’s vote by two-thirds vote.
3.4 The Role of the Community

The Landmark Preservation Commission’s procedure for designating landmarks does not fully illustrate the complexity of historic district designation. Most historic districts require substantial community effort in order to receive designation. The Historic District Council’s (2006) handbook provides individuals and organizations with detailed information about the Commission’s procedure for designating a historic district, as well as a list of various tasks, which need to be accomplished by the community, in order to ensure historic district designation.

The Historic Districts Council (2006: 1-2) indicates that the Commission lacks an adequate budget and has limited staff. The Commission receives a plethora of Request for Evaluations each year. As the designation process requires a great deal of time and resource expenditure, the Commission is not in a position to conduct research, create a report, and hold a hearing for every potential district, particularly if there is a chance that it may be overturned by the City Council. Therefore, it is the obligation of the community organization to make a strong case to the Commission for why their neighborhood is worthy of designation.

The Commission provides preference to potential districts that have (a) active community involvement and support, (b) do not have significant community opposition, (c) have political support from the local councilmember and community board, (d) are under threat from development, and (e) are feasible in terms of staff time available for research. HDC (2006: 11) also recommends that organizations seek designation in the State and National Registers of Historic Places in order to add to the validity and importance of the site.

The community’s role in establishing a historic district includes: gathering community support and involvement; educating residents and property owners about designation, and the significance of the neighborhood; as well as maintaining ongoing communication with the Landmarks Preservation Commission and local officials. The community is also encouraged to seek advice and collaborate with organizations such as the Historic Districts Council, the Municipal Arts Society, and New York Landmarks Conservancy, as these organizations have a wealth of knowledge to offer, and can provide invaluable guidance to individuals and groups seeking designation (HDC 2006).

In order to establish a historic district, each building and structure in the proposed district has to be studied and recorded in an inventory, as part of a survey. An area surveyed in the past minimizes the amount of time staff needs for research, and expedites the designation process. The designation process can also be expedited if the community provides assistance to the research department by conducting architectural, historical, and cultural research on the neighborhood (HDC 2006: 1, 6-7).
3.5 Reading Historic Districts

There are over 100 historic districts in the City of New York (NYC LPC 2012e). Approximately 4 percent of all buildings are landmarked (Chaban 2012a). Table 1 provides a breakdown of the number of historic districts per borough, as of December 2012. Figure 5 presents a map of all the historic districts in New York City.

### Table 1: Historic Districts by Borough, New York City

<table>
<thead>
<tr>
<th>Borough</th>
<th>Historic Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bronx</td>
<td>11</td>
</tr>
<tr>
<td>Brooklyn</td>
<td>29</td>
</tr>
<tr>
<td>Manhattan</td>
<td>55</td>
</tr>
<tr>
<td>Queens</td>
<td>10</td>
</tr>
<tr>
<td>Staten Island</td>
<td>3</td>
</tr>
</tbody>
</table>

Source: NYC LPC 2012e

Figure 5: Map of Historic Districts, New York City

Source: Author
4.0 RESEARCH FINDINGS
4.1 Research Findings: Part 1

The research findings in this chapter are based on interviews conducted with participants. Part 1 of the research findings provides contextual and historical background on each of the six historic districts, and explores, through participants’ experiences, the challenges of establishing a historic district. Part 2 consider the broad challenges confronting the future of preservation.

The six historic districts selected for the study are: (Proposed) Bedford Historic District, Crown Heights North II Historic District, and DUMBO Historic District, in Brooklyn; Upper East Side Historic District Extension and East Village/ Lower East Side Historic District, in Manhattan; and Sunnyside Gardens Historic District, in Queens. Table 2 presents all of the case studies, organized by borough, neighborhood, and the community organization(s) associated with each historic district. Table 3 presents selected characteristics of each historic district, including the duration of each district’s designation process, and the date of designation. (It may be noted that the duration of designation marks the time from when work began on establishing a historic district till when the district was designated. It does not mark the time from when the Request for Evaluation was submitted or when interest in designation began).

Expert interview were conducted with 11 participants. The participants interviewed were as follows: (1) volunteer from the Bedford Stuyvesant Society for Historic Preservation; (1) volunteer from the Crown Heights North Association; (1) volunteer from the DUMBO Neighborhood Alliance; (2) board members and (1) former board member from Friends of the Upper East Side Historic Districts; (1) staff member, (1) former staff member from the East Village Community Coalition, and (1) staff member from the Greenwich Village Society for Historic Preservation; (2) volunteers from the Sunnyside Gardens Preservation Alliance. One interview was also conducted with a staff member from the Historic Districts Council, (the findings of which are presented in part 2 of this chapter). As may be observed, half of the participants were part of volunteer-based organizations, and half were part of non-profit organizations. The preservation-orientated non-profit organizations were generally established earlier, and have a wealth of experience in designation. In a few cases, these differences among the participants were reflected in their experiences.

All of the participants were significantly involved, through a community organization, in establishing a historic district in their respective neighborhoods, and had collaborated, to some degree, with the Historic Districts Council. Among the various tasks conducted by the participants were: gathering community support; educating residents about what designation means to them, about the advantages of designation, and about the significance of the neighborhood; and meeting with elected officials, and the Landmarks Preservation Commission staff. Participants worked in educating the public by distributing fact sheets, conducting walking tours of the neighborhoods, and holding information sessions with the community. In some communities, such as Sunnyside Gardens, the Landmarks Preservation Commission staff attended the information sessions to address residents’ concerns regarding designation, and leaflets were distributed to encourage residents to testify at the public hearing. Three of the organizations interviewed contributed to the research department by conducting research on the neighborhood and one organization, Friends-UES, conducted a survey of the neighborhood.
### Table 2: Case Studies of Historic Districts, New York City

<table>
<thead>
<tr>
<th>Borough</th>
<th>Neighborhood</th>
<th>Historic District</th>
<th>Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brooklyn</td>
<td>Bedford-Stuyvesant</td>
<td>(Proposed) Bedford Historic District</td>
<td>Bedford Stuyvesant Society for Historic Preservation</td>
</tr>
<tr>
<td>Brooklyn</td>
<td>DUMBO</td>
<td>DUMBO Historic District</td>
<td>DUMBO Neighborhood Alliance</td>
</tr>
<tr>
<td>Manhattan</td>
<td>Upper East Side</td>
<td>Upper East Side Historic District Extension</td>
<td>Friends of the Upper East Side Historic Districts (Friends-UES)</td>
</tr>
<tr>
<td>Manhattan</td>
<td>East Village / Lower East Side</td>
<td>East Village/ Lower East Side Historic District</td>
<td>East Village Community Coalition (EVCC), Lower East Side Preservation Initiative (LESPI), Greenwich Village Society for Historic Preservation (GVSHP)</td>
</tr>
<tr>
<td>Queens</td>
<td>Sunnyside Gardens</td>
<td>Sunnyside Gardens Historic District</td>
<td>Sunnyside Gardens Preservation Alliance</td>
</tr>
</tbody>
</table>

Source: Author

### Table 3: Case Studies of Historic Districts: Selected Characteristics

<table>
<thead>
<tr>
<th>Historic District</th>
<th>State/ National Register Listing</th>
<th>Duration of the Designation Process</th>
<th>Designated Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Proposed) Bedford Historic District</td>
<td>-------</td>
<td>5 years</td>
<td>Pending</td>
</tr>
<tr>
<td>Crown Heights North II Historic District</td>
<td>-------</td>
<td>3 years</td>
<td>June 28, 2011</td>
</tr>
<tr>
<td>DUMBO Historic District</td>
<td>2000</td>
<td>10 years</td>
<td>December 18, 2007</td>
</tr>
<tr>
<td>Upper East Side Historic District Extension</td>
<td>2006</td>
<td>10 years</td>
<td>March 23, 2010</td>
</tr>
<tr>
<td>East Village/ Lower East Side Historic District</td>
<td>-------</td>
<td>1.5 years</td>
<td>October 9, 2012</td>
</tr>
<tr>
<td>Sunnyside Gardens</td>
<td>1984</td>
<td>3-4 years</td>
<td>June 26, 2007</td>
</tr>
</tbody>
</table>

Source: Author; Friends-UES 2007: 7; NYC LPC 2007a; NYC LPC 2007b; NYC LPC 2011; NYC LPC 2010; NYC LPC 2012h; Sunnyside Gardens Preservation Alliance 2012
Historical Background of Bedford Stuyvesant

Bedford-Stuyvesant is historically renowned as having been one of the largest African-American and Caribbean-American residential communities in the nation for two-thirds of the twentieth-century. The neighborhood reached the height of its development between 1870 and 1900, when speculative builders and investors commissioned architects to build residences, schools, churches, and other institutions. The masonry row houses and small apartment houses were constructed in a variety of architectural styles including: Italianate, neo-Grec, Queen Anne, Romanesque Revival, and Renaissance Revival. By the 1930s, with the construction of the IND transit lines connecting the area to Harlem, Bedford-Stuyvesant became the community of choice for many of New York’s African American residents (NYC LPC 2012f).
Table 4: (Proposed) Bedford Historic District: Drawing on Experience

<table>
<thead>
<tr>
<th>Categories</th>
<th>Participant’s Insights</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Maintaining energy</strong></td>
<td>The Bedford Historic District experienced several periods wherein the Commission was slow to respond to the requests of the community. The RFE for the Bedford Historic District was submitted in 2008. Although the community received a letter early on informing them of the Commission’s decision to move ahead with the designation, the process was delayed until late 2009, at which time the Commission agreed to re-survey Bedford-Stuyvesant. In the Summer of 2010, the LPC re-surveyed all of Bedford-Stuyvesant, but did not respond to the community until December 2010, when a private meeting was held between members of the community and the LPC.</td>
</tr>
<tr>
<td><strong>Disagreements within the community</strong></td>
<td>The volunteer of Bedford Stuyvesant Society and the Chair of Brooklyn Community Board 3 shared different ideas on how to proceed with landmarking of the proposed district in Bedford Stuyvesant. The Community Board Chair was utilizing the successful designation of the Alice and Agate Courts Historic District as a case study on how to proceed with landmarking. The chair believed that the community should submit the RFE and wait for the Commission to respond. The volunteer felt that this was not the correct approach, as the two historic districts were not comparable in size. Alice and Agate Courts Historic District has 36 buildings landmarked, Bedford Historic District alone would have approximately 800 buildings landmarked.</td>
</tr>
<tr>
<td><strong>Little experience with historic designation</strong></td>
<td>During the first year, the volunteers at the Bedford Stuyvesant Society were not well informed of all of the various tasks necessary to successfully designate a historic district, such as gathering community involvement and support. This contributed in delaying the designation process.</td>
</tr>
<tr>
<td><strong>Limited funding and resources</strong></td>
<td>The Historic Districts Council (HDC) recommends that the community conduct research on the historic district (necessary for the designation report), in order to expedite the process. The Bedford Stuyvesant Society decided to conduct their own research. With limited funding and resources, they accepted the help of a volunteer, who offered to conduct research on the neighborhood.</td>
</tr>
</tbody>
</table>

Source: Author

“I think our biggest challenge was getting LPC to notice us....They came out and did the survey, and nothing happened.”
- Volunteer, Bedford Stuyvesant Society for Historic Preservation

“We lost a lot of valuable time because we didn’t understand the process.”
- Volunteer, Bedford Stuyvesant Society for Historic Preservation
4.1.2 Crown Heights North II Historic District

Context
Crown Heights is a residential neighborhood located in central Brooklyn. The Crown Heights Historic District is occurring in phases. Crown Heights North Historic District and Crown Heights North II Historic District are designed; the Crown Heights North III Historic District is currently pending. The Crown Heights North II designation extends southward from the Crown Heights North Historic District to Eastern Parkway, and is bounded by Dean Street to the north, Nostrand Avenue to the west, and Brooklyn Avenue to the east. Crown Heights North II Historic District includes over 600 buildings, including single- and two-family row houses, freestanding residences, flats buildings, churches and apartment houses (NYC LPC 2011).

Historical Background of Crown Heights
Crown Height’s earliest row houses were constructed during the 1870s, and construction reached its peak following the 1888 opening of the Kings County Elevated Railroad, connecting the neighborhood to Brooklyn Bridge. Between the late 1880s and into the early 1900s, hundreds of freestanding, attached, and row houses were constructed in the Queen Anne, Romanesque Revival, Renaissance Revival, and Colonial Revival styles. During the 1920s, following the opening of the IRT Subway extension under Eastern Parkway, new styles were introduced into the neighborhood such as Tudor Revival, Art Deco, and Art Moderne design. Since the 1940s, Crown Heights has been a diverse community, home to African-Americans, Caribbean-Americans, and Hasidic Jews (NYC LPC 2011: 4-5).
Table 5: Crown Heights North II Historic District: Drawing on Experience

<table>
<thead>
<tr>
<th>Categories</th>
<th>Participant’s Insights</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gathering community support</td>
<td>In order to gather community support, the community had to dispel many of the preconceived myths around preservation, including that preservation would result in gentrification.</td>
</tr>
<tr>
<td>Maintaining energy</td>
<td>The designation process typically takes years to come to fruition. Therefore maintaining patience, as well as energy during the community, was cited as one of the largest difficulties.</td>
</tr>
</tbody>
</table>

Source: Author

“Well, I think the biggest challenge is just getting a majority of people on board...A lot of community people felt that being landmarked was just another step in the gentrification process...And so we really had to work really hard to convince people that that wasn’t the case.”
- Volunteer, CHNA

“And also waiting is a tough challenge. It’s a process that you have to be very patient in, it takes years, and you have to stay on top of the LPC, to remind them that you’re here, and you have to stay on top of your elected officials, to remind them that you’re here, get them to remind the LPC that you’re here, and so you know, it takes a while, there’s a lot going on in between, you have to really be dedicated to the big picture and be patient.”
- Volunteer, CHNA
4.1.3 DUMBO Historic District

Context
DUMBO, an acronym for Down Under the Manhattan Bridge Overpass, is an industrial neighborhood located along the East River waterfront in Brooklyn. The historic district is bounded by the East River to the north, the Brooklyn-Queens Expressway to the south, Main Street (at the border with Brooklyn Bridge) to the west, and Bridge Street to the east. The vestiges of DUMBO’s industrial heritage are seen in the brick facade buildings with massive wooden posts and beams. The dominant feature of the district is Manhattan Bridge, which soars over the area. The historic district is comprised of approximately 91 buildings, illustrating the nineteenth- and early-twentieth century industrial architecture in New York City (NYC LPC 2007a).

Historical Background of DUMBO

DUMBO was originally developed as a residential neighborhood. In the 1830’s, the character of the neighborhood began to shift, as residential structures were replaced with commercial buildings and multi-story factories and warehouses. During the nineteenth and twentieth centuries, DUMBO was home to large manufacturing businesses producing machinery, paint, sugar, coffee, packaged groceries, paper boxes, and shoes. By the early twentieth century, Brooklyn was the fourth largest manufacturing center in the country, and DUMBO played a significant role in contributing to Brooklyn’s industrial output. In the late 1970s, with the decline of industry, artists began to move into the neighborhood and converted the industrial spaces to lofts (NYC LPC 2007a: 4-5).
Table 6: DUMBO Historic District: Drawing on Experience

<table>
<thead>
<tr>
<th>Categories</th>
<th>Participant’s Insights</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gathering community support</td>
<td>There was little interest among the community in designating an industrial neighborhood. The majority of residents residing in DUMBO were artists, who had illegally converted the industrial spaces to lofts, and therefore had larger concerns than designation. Consequently, gathering community support was a difficulty.</td>
</tr>
<tr>
<td>Building a strong case</td>
<td>Few historic districts are industrial districts; therefore the designation of DUMBO was not considered a high priority to the Commission. One of the difficulties of the process was justifying to the Commission that the neighborhood was worthy of designation.</td>
</tr>
<tr>
<td>Real Estate Speculation</td>
<td>In the intervening years prior to designation, DUMBO was under heavy real estate speculation. New development had occurred in DUMBO, including the construction of a 33-story Condominium on Jay Street and the 23-story Beacon Tower on Adams Street. Designation was not perceived by the community to be in the best interest of developers, which resulted in further tensions and placed additional political pressure on the City (Durkin 2007).</td>
</tr>
<tr>
<td>Lack of a contextual zoning plan</td>
<td>Prior to July 2009, when the City Council adopted the DUMBO rezoning, there were no contextual zoning districts in the neighborhood, which resulted in out-of-scale development in the neighborhood. Contextual zoning allows for new construction at densities consistent with the existing neighborhood character (New York City Department of City Planning 2012).</td>
</tr>
<tr>
<td>Alterations to the historic character of the built environment</td>
<td>While designation was proceeding, aspects of the historic fabric of the neighborhood were affected by development pressure. Many of the historic buildings were destroyed or altered, as were the neighborhood’s historic streets, composed of Belgian blocks (Durkin 2007). Following designation, the historic street paving continues to be threatened by development.</td>
</tr>
</tbody>
</table>

Source: Author

“For DUMBO, partially it’s because it was mostly a manufacturing area and people don’t care so much... a lot of the people that did reside here were transient in the sense that it’s an artist community...and they had so many issues for themselves...I remember during landmarking people would say to me: You’re preserving the buildings, preserve the people.”
- Volunteer, DUMBO Neighborhood Alliance

“There are not a lot of historic districts that are industrial districts, so that’s the other point, trying to convince landmarks to take it on.”
- Volunteer, DUMBO Neighborhood Alliance
4.1.4 Upper East Side Historic District Extension

Context
The Upper East Side is located east of Central Park, in Upper Manhattan. The Upper East Side Historic District, designated in 1981, is one of the largest historic districts in New York City. The Upper East Side Historic District extension encompasses two areas along Lexington Avenue, between East 63rd and East 65th Streets, and between East 71st and East 76th Streets (NYC LPC 2010). The 74 buildings contained in the Upper East Side Historic District Extension are comparable in character to those located in the adjacent Upper East Side Historic District (Friends-UES 2007: 5; NYC LPC 2010: 4).

Historical Background of Upper East Side

The Upper East Side neighborhood experienced two waves of developments. During the late 1870s, real estate developers commissioned rows of houses in the popular Italianate and neo-Grec styles. The row houses along Fifth Avenue were reserved for the city’s wealthiest citizens, while the area between Madison and Third Avenue became home to prosperous middle-class families. A second period of development occurred in the early 20th century, largely due to the completion of the IRT Lexington Avenue subway line. The rows of luxury apartment houses, distinguishable by the Renaissance Revival and Colonial Revival Styles, established the Upper East Side as the fashionable residential address for wealthy New Yorkers (NYC LPC 2010: 4, 9-11).
### Table 7: Upper East Side Historic District Extension: Drawing on Experience

<table>
<thead>
<tr>
<th>Categories</th>
<th>Participants’ Insights</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building a strong case</strong></td>
<td>As an affluent neighborhood with a large historic district, the Upper East Side was not perceived as a neighborhood of high priority to the Commission. A difficulty faced by the community was justifying to the Commission that the neighborhood warranted a second historic district.</td>
</tr>
<tr>
<td><strong>Limited funding and resources</strong></td>
<td>Prior to applying for designation with the LPC, the Friends-UES applied for designation on the State and National Register of Historic Places. In order to apply for the State and National Register, the organization had to conduct a survey and research on the area. As many other organizations, much of their energy was also expended on community outreach and education. While a membership organization, the Friends-UES were limited in resources and time, which contributed to the length of the designation process.</td>
</tr>
<tr>
<td><strong>Maintaining energy during the process</strong></td>
<td>Maintaining energy throughout the duration of the designation process (in this case 10 years) was cited as one of the most difficult aspects of the process.</td>
</tr>
<tr>
<td><strong>Strong opposition from a property owner</strong></td>
<td>One individual from within the neighborhood was “vehemently opposed” to placing the Upper East Side Historic District Extension on the National Register of Historic Places. In an attempt to prevent its designation, he drafted a letter stating the “horrors of national register nomination.” The letter was sent to all property owners, encouraging them to sign it and submit it to the State Historic Preservation Office (SHPO). According to the regulations, if more than 50 percent of property owners object to the listing, SHPO cannot list the district legally. While the individual did not succeed in preventing the district from receiving national register nomination, he did receive substantial support, which prolonged the process.</td>
</tr>
</tbody>
</table>

Source: Author

“And there’s politics involved. I mean, the Upper East Side has had one of the biggest historic districts in the entire city, so its like you have to make this sale to them, that it’s worth their efforts to do more.”
- Former Board Member, Friends-UES

As a part of the city that is perceived as being very wealthy and being relatively well protected already, it was not seen as a priority by the Commission. So it took the demolition of an important building in the heart of the district for them to really take action.  
- Board Member 1, Friends-UES

“So I mean, and that just takes a lot of time- the survey, the research. And it’s a tiny organization, so I mean, there’s a financial aspect to this as well. Half the time it was just me and then we finally did have interns and education people, etc.”
- Former Board Member, Friends-UES
4.1.5 East Village / Lower East Side Historic District

Context
The East Village is a residential and commercial neighborhood located in Manhattan, facing the East River and FDR Drive. The East Village / Lower East Side Historic District is located along Second Avenue, and the adjacent side streets between East 2nd Street in the south and St. Mark’s Place in the north. The historic district consists of approximately 325 buildings, composed of row houses, houses of worship, and institutional buildings (NYC LPC 2012h).

Historical Background of East Village / Lower East Side

The East Village is a neighborhood layered in history, stories, and cultural significance. The neighborhood emerged as a fashionable residential neighborhood in the 1830s, composed of single-family row houses. By the 1850s, immigrants of mostly German heritage supplanted wealthy New Yorkers. During the 1890s, as new immigrant groups, particularly from Eastern Europe, arrived, the neighborhood was redefined as the Lower East Side. With a growing immigrant population, the demand for tenement housing escalated. Throughout the late 19th century, tenement buildings were constructed, designed in the popular neo-Grec style, as well as in the Queen Anne, Romanesque Revival, and Renaissance Revival styles. During the 20th century Latin American immigrants, especially those from Puerto Rico, collided with artists and bohemians, thus relabeling the neighborhood as the East Village (NYC LPC 2012h: 6-7).
### Table 8: East Village / Lower East Side Historic District: Drawing on Experience

<table>
<thead>
<tr>
<th>Categories</th>
<th>Participants’ Insights</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opposition from property owners and religious leaders</td>
<td>The bulk of the opposition to landmarking came from religious leaders. Almost a dozen houses of worship, including the Russian Orthodox Cathedral of the Holy Virgin Protection, were concerned that landmarking would raise the costs of simple repairs, such as fixing a roof, as well as entangle any repairs or alterations in bureaucratic red-tape. Furthermore, there were fears that the buildings and property would loose their value if developers were restricted in what they could do (Berger 2012). One of the institutions had development plans and recognized that landmarking would disrupt their plans. In a rarely heard argument, the priest of the Russian Orthodox Cathedral cited that landmarking would undermine religious freedom, in that by “transferring authority from the cathedral to the civil authority” the civil government would be allowed to “dictate the religious freedoms of the church” (Sussman 2012).</td>
</tr>
</tbody>
</table>

Source: Author

—I would say our largest group against it was the group of individuals who went to the church at the Russian Orthodox Cathedral at East 2nd street... Their concern was that landmarks would have say on what they could and could not do, which is true when a building is landmarked.”

- Former Staff Member, EVCC

“Property owners are sometimes skittish about landmarking because of their perception of increased costs or increased oversight from landmarks on their own properties.”

- Former Staff Member, EVCC
4.1.6 Sunnyside Gardens Historic District

Context
Sunnyside Gardens is a planned residential community located in northwestern Queens. The historic district is bounded by Queens Boulevard to the south, Barnett Avenue to the north, 43rd Street to the west and 52nd Street to the east (NYC LPC 2007b). The historic district, located within 16 city blocks, contains 624 buildings, consisting of rows of townhouses and small apartment buildings (HDC 2007). 6

Historical Background of Sunnyside Gardens
Sunnyside Gardens, built between 1924 and 1928, was the first “Garden City” created in America, based largely on the ideas of English Urban Planner Ebenezer Howard. Architects Clarence Stein and Henry Wright designed Sunnyside for the City Housing Corporation, as an attempt to solve the shortage of low-cost urban housing, and the related problems of overcrowding in cities. Their objective was to create a model of high-quality residential housing for working-class people, as well as to foster a sense of community. To achieve this goal, innovative urban design strategies were introduced. Each building featured identical brick, with slight variations in the color or pattern, to provide harmony in the facades. The houses were arranged in rows, with private gardens in the back, and large shared open courtyards in the interior- integral for contributing to the sense of community (NYC LPC 2007b: 7, 26-28).
### Table 9: Sunnyside Gardens Historic District: Drawing on Experience

<table>
<thead>
<tr>
<th>Categories</th>
<th>Participants’ Insights</th>
</tr>
</thead>
<tbody>
<tr>
<td>Insufficient support from the local councilmember</td>
<td>Sunnyside Gardens did not have full political support from the local councilman. While the councilman did not oppose preservation, he did not hold a firm stance in favor of preservation either. The councilman’s hesitancy to fully express his support for designation publicly prolonged the designation process, giving the opposition time to put their arguments against preservation out. The Commission was nervous about proceeding with the process as the final vote has to go to the City Council and it is unlikely for the Council to designate if the local councilmember opposes designation.</td>
</tr>
<tr>
<td>Opposition from private-property advocates and other members of the public</td>
<td>Private-property advocates, who did not believe in the regulation of private property, opposed the landmarking of Sunnyside Gardens. Other opponents of preservation decried that landmark designation was anti-immigrant, that it would result in gentrification and a form of “ethnic cleansing.”</td>
</tr>
<tr>
<td>Misinformation about landmarking presented to the public</td>
<td>Misinformation about landmarking was circulated via the press. In an effort to remain unbiased, the press presented false facts about landmarking to the public. This included fears that landmarking would cause the neighborhood to become exclusive, induce high repair bills to homeowners, and raise taxes.</td>
</tr>
</tbody>
</table>

Source: Author

“One of the reasons why it took so long was that the local city councilman, Eric Gioia, was a complete non-entity, he was a complete coward, he never once really said what he felt, he was unable to take a firm stand and even though so many people were in favor of it and he expressed his support, he kept listening to the opposition, and he never did take a public position.”
- Volunteer 1, Sunnyside Gardens Preservation Alliance

“The opponents used as one of their arguments that those people in favor of preservation were really anti-immigrant and... by designating, they said, all of us in favor of preservation wanted to get the immigrants out, which really makes no sense at all.”
- Volunteer 1, Sunnyside Gardens Preservation Alliance

“There were right-wing, private-property advocates who, members of the Queens Republican Party, which is a very small, particularly wacky-group of people, who believed any form of regulation is wrong, any form of regulation of private property, particularly single-family and two-family homes is wrong. The group managed to stir up animosity among the Bangladeshi and Eastern Indian community with the [false information] that landmark designation would drive them out of the neighborhood and that landmark designation was a form of ethnic cleansing.”
- Volunteer 2, Sunnyside Gardens Preservation Alliance
“The fact that it was unnecessarily prolonged also gave juice to the press. The press loved the idea that Sunnyside Gardens was having this cat-fight over preservation... And they said, look everyone seems divided. It wasn’t that divided. It was 70-80 percent in favor of preservation.”
- Volunteer 1, Sunnyside Gardens Preservation Alliance

“There was a lot of bad press. There was a lot of effort by the local press to present ‘both sides of the story.’ So arguments that landmarking would make the neighborhood exclusive, that it would drive out people of color, were printed in the paper right alongside the accurate arguments for landmark designation. Fears that homeowners would be saddled with huge debt-inducing repair bills to their now landmarked buildings, suggestions that that would be the case, ran along the press right alongside the real fact that landmark designation doesn’t significantly change the cost of maintaining a house in Sunnyside Gardens, in fact, it typically increases the value of the house. There were rumors that landmark designation would raise all of our taxes, none of which of course happened. So that was one of the biggest difficulties we had was that persistent campaign of misinformation.”
- Volunteer 2, Sunnyside Gardens Preservation Alliance
The following exchange in January of 2007, between Sunnyside Gardens resident Warren Lehrer and Executive Director of the Historic Districts Council Simeon Bankoff, highlights the tensions that existed over the historic designation of Sunnyside Gardens.

Figure 11.4: Excerpt from a New York Times Letter to the Editor

Battle Lines in the Fight To Protect Sunnyside
Published January 7, 2007

To the Editor:

Emphasizing bricks and mortar can come at the expense of economic and ethnic diversity, and neighborliness. Thus the disagreements in the community are not between those who wish to protect the community and those who do not, but over what kinds of protections are needed and over the general character of the community in which we live.

Warren Lehrer,
Sunnyside Gardens

Figure 11.5: New York Times Letter to the Editor

Preserving Landmarks For All New Yorkers
Published January 14, 2007

To the Editor:

As a professional preservationist, I take offense at the implicit charge of racial exclusion in a letter that states, “Emphasizing bricks and mortar can come at the expense of economic and ethnic diversity” (“Battle Lines in the Fight to Protect Sunnyside,” Jan. 7).

Landmark designation does not have a racial agenda. New York City’s administrative code states clearly that “the protection, enhancement, perpetuation and use” of buildings and “landscape features of special character or historical or aesthetic interest is a public necessity and is required in the interest of the health, prosperity, safety and welfare of the people.” The people, not “some” people.

Forty years of urban experience has shown that landmark designation works to forward this worthwhile municipal goal. Landmarking does not cause population exclusion or displacement, and to place it along with redlining, urban renewal and other racially charged planning practices is both incorrect and inappropriate.

Simeon Bankoff
Executive Director
Historic Districts Council
### 4.2 Research Findings: Part 2

#### 4.2.1 Challenges to Preservation

**Table 10: Challenges to Preservation in New York City**

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<th>Categories</th>
<th>Scale</th>
<th>Participant’s Insights</th>
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| Inadequate funding and staffing | Micro | “For a major city agency that affects so much of the city, they really are grossly underfunded and definitely understaffed. And part of that is because they have a two-fold mission, not only are they the ones that do the research and everything to landmark something, they’re also the agency that’s in charge of enforcing districts when they are landmarked, so they don’t have time to do both, and both of them suffer because they try to- try to juggle their responsibilities.”  
- Volunteer, CHNA |
| Criteria for Designation         | Micro | “Having the Landmarks Commission designate on the merit rather where political power is...If there is a historic building that everyone agrees is architecturally, culturally, or historically significant, and it has significant support, and you can make a legitimate case for it, the landmarks commission should designate but instead it asks whether there is a development plan in the neighborhood, is there anyone opposed to it, what does the councilman think, what does the mayor think, so it doesn’t designate on the merits all the time, it designates where there is no opposition.”  
- Volunteer 1, Sunnyside Gardens Preservation Alliance |
| Education and Communication      | Micro | “They’re not good at saying why landmarking is important... They have all the information and they give it to you but they don’t give it to you in a way that resonates with people and I think that’s part of the reason why there’s so much misinformation out there...Their literature and their website and everything else is just very, you know, its legal, its bureaucratic.”  
- Volunteer, CHNA |
|                                  |       | “I think a lot of folks really don’t know that regular, everyday citizens can push for designation of landmarks and just like any other process, the public is involved, but is not sure how it can be involved. And I think if that were spelled out more clearly to people, there would be more interest in preservation in New York City.”  
- Former Staff Member, EVCC |
| Transparency                     | Micro | “There are complaints from the community that we would like more transparency from the LPC on why it makes the decisions it makes.”  
- Staff Member, HDC |
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<th>Categories</th>
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| Development Pressures       | Micro    | “One of our biggest challenges is a recent effort made by the Real Estate Board of New York, or REBNY...REBNY has always been opposed to the landmarks law; they fought it tooth and nail for the entire nearly 50 years of its existence. This is a specific effort that is designed to basically kneecap the law and its enforcement and so we’re fighting that very strongly... We’ve got about a dozen statements that basically say the argument the Real Estate Board of New York is making that landmark designation decreases value and hurts jobs is ridiculous and not accurate.” (see Context below)  
- Volunteer 2, Sunnyside Gardens Preservation Alliance                                                                                                                                                                                                                                                                                                                                 |
| Perception                  | Macro    | “There becomes a perceptive battle... There is this pretty hard line of preservation is bad, preservation holds ugly buildings forever, which isn’t true, or doesn’t have to be true. And so getting around that and getting past the initial reaction...can be really hard.”  
- Staff Member, EVCC                                                                                                                                                                                                                                                                                                                                                            |
|                             |          | “I think its perception. I think that for the most part even people don’t understand what historic preservation is or they don’t like it...Then I think some of the people who do know have the wrong ideas about what preservation does, that, you know, its just fuddy-duddies who want to see nothing changed... I think the problem is that there’s a really negative point of view and that we are misunderstood by the majority of people and that is what leads to the landmarks law and that is what leads to the Responsible Landmarks Coalition.” (see Context below)  
- Board Member 1, Friends-UES                                                                                                                                                                                                                                                                                                                                            |
| Preservation Identity and Ethic | Macro    | “A lot of people are saying has preservation succeeded? Did it do what it needed to do? Do we need to keep landmarking, landmarking, landmarking or don’t we? ...I think there’s this attack going on from a certain faction, but I also think that the preservation movement is in a bit of a self-questioning phase, sort of like what’s next, what do we do? How long do we keep going, going, going, indefinitely or has the preservation ethos become part of our culture now where it wasn’t before.”  
- Former Board Member, Friends-UES                                                                                                                                                                                                                                                                                                                                   |
|                             |          | “There simply isn’t a preservation ethic, sufficient preservation ethic here in New York City... The city is driven by real estate...A real estate developer will see that with regulation, he or she may not be getting the last dollar out of a site. No the constitution does not insist that everybody get the last dollar out of every site... You have no constitutional right to the highest and best use. One has to think in broader terms of what is best for the city.”  
- Board Member 2, Friends-UES                                                                                                                                                                                                                                                                                                                                            |

Source: Author
The Responsible Landmarks Coalition is a coalition of development and labor groups, formed by the Real Estate Board of New York, partially in response to the contentious designation of the Borough Hall Skyscraper Historic District. The Borough Hall Skyscraper Historic District was an effort to preserve downtown Brooklyn’s historic high-rises, to the displeasure of storefront owners and building residents, who expressed fears over increased renovation expenses and limits on signage. The primary concerns of the coalition are that the growing number of landmarked buildings and historic districts are restricting development, and hampering the growth of the city’s economy. The coalition is also seeking more transparency and public input in the landmarking process (Chaban 2012a; Hucal 2011). In May of 2012, the coalition unveiled a series of bills before City Council, to address these concerns; however, the preservation community fears that these bills would undermine the Commission’s ability to complete its job thoroughly. For instance, among the proposals presented in the bills was to place a timeline on the Commission, limiting the amount of time the Commission would have to review potential landmarks. The Commission contends that due to limited resources, they would not be able to review all of the proposals within a given time frame (Chaban 2012b).
5.0 DISCUSSION
The research findings presented in Part 1 of Chapter 4 illustrate the diversity of experiences shared by the participants. This discussion is divided into three sections. The first two sections review the research findings from Part 1 and Part 2 of Chapter 4. The third section considers how preservation’s regulatory role continues to be a point of contention, and what it means to the future of preservation.

5.1 Review of Research Findings: Part 1

The neighborhoods of the Upper East Side, in Manhattan, and DUMBO, in Brooklyn, highlight the unique challenges faced by neighborhoods that fall outside the scope of the characteristic historic district. For distinct reasons, both the Upper East Side Historic District Extension and the DUMBO Historic District did not merit the Commission’s priority. The Upper East Side had one of the largest historic districts in Manhattan and was not perceived to be under threat. DUMBO’s industrial significance was questioned, as few historic districts were of industrial character. Participants of the DUMBO Neighborhood Alliance and the Friends-UES noted that building the case of why their historic district warranted designation was a difficulty. Consequently, work towards the designation of the two districts took approximately 10 years (much of the time was allocated towards applying for designation in the State and National Registers of Historic Places). Within that time frame, the historic fabric of the Upper East Side and DUMBO was affected by development pressure.

As highlighted in the literature, the designation process is a resource and time-intensive process, both for the Commission and the community organization. Participants from the Friends-UES, the Bedford Stuyvesant Society for Historic Preservation, and CHNA considered maintaining energy and patience throughout the duration of the designation process to be a difficulty. The volunteer of the Bedford Stuyvesant Society for Historic Preservation noted that there were several periods when the Commission delayed in responding to the community, and the community had to continually generate pressure on the Commission and their local representatives.

In every historic district, the challenge of historic designation is gathering community support. Participants of the CHNA, the DUMBO Neighborhood Alliance, and Friends-UES considered community outreach and education, necessary in order to address residents’ concerns and build support, to be a difficulty. In most circumstances, the primary concern of residents is how designation will affect their lives and their personal property. Designated buildings can incur higher maintenance costs and do result in increased oversight from the Commission. The combination of these two factors forms the basis for much of the concerns around historic preservation.

In the case study of the Sunnyside Gardens Historic District, residents’ concerns regarding preservation were amplified to new heights, wherein residents’ and other members of the public decried that the historic designation would result in higher taxes, gentrification, and the displacement of the immigrant community. In the East Village/Lower East Side Historic District religious leaders raised concerns regarding the cost of maintenance, increased oversight, and expression of religious freedom.

5.2 Review of Research Findings: Part 2

The majority of participants identified two factors, which they believed were at the root of the challenges facing the future of preservation in New York City: (1) the inadequate funding and staffing of the Commission and (2) real estate pressure. Participants noted the Commission has
too many responsibilities and therefore, is not able to thoroughly complete all of its various jobs. Consequently, the Commission sometimes fails to respond to a community going through the designation process, or to requests for a permit, in a timely fashion, which hurts the public image of the Commission. In contrast, just two participants expressed concerns that their own community organization lacked sufficient funding and resources to complete the tasks of community outreach, education, and research gathering and writing.

The perpetual anathema existing between development and preservation was identified as the major obstacle hindering the growth of historic preservation in New York City. Participants noted that the intense real estate pressure in New York was the driving force at odds with preservation. The case study of the DUMBO Historic District and the Upper East Side Historic District, where real estate speculation resulted in new construction within the district, serves as an example. Participants also alluded to the political influence of real estate organizations, as seen in the recent formation of the Responsible Landmarks Coalition and the introduction of a series of bills before City Council.

Furthermore, development threat is one of the criteria the Commission considers when considering potential landmarks. The role of preservation, as reacting to development, speaks to the animosity that can exist between preservation and development. As one participant noted, “Preservation is often, or if not almost always, a reactionary field and so in comes a development threat, here come preservationists to try and fort that threat.”

A small handful of participants identified the public’s perception of preservation as the greater challenge facing preservation. Participants noted that there is a negative perception of preservation within the public sphere, largely due to the public’s misunderstanding of preservation. Participants felt that the public viewed the profession as attempting to preserve the entire city in amber and at the same time, restricting the rights of property owners. One participant stated that the public’s misguided perception of preservation was partially the reason why the Responsible Landmarks Commission was able to gain the traction it did.

Several participants questioned whether there was a sufficient preservation ethic or identity in New York. While the preservation ethic is yet a nebulous concept, it raises intriguing questions such as whether aesthetic, social and cultural values could be measured when evaluating the “highest and best use” of the land. In imagining the future of preservation, one participant noted that it was difficult to gauge the future of preservation, as the field does not have specific goals. Rather, it appears that the field is going through a self-questioning phase of trying to understand its own future.

One participant felt that the challenge with preservation was embedded in the very nature of the designation process. The participant suggested that landmarks should be considered solely on merit, rather than on additional criteria such as political support and development threat. While the concern that landmarking is becoming politicized is valid, changing the designation process would inevitably pose difficulty. As outlined in the literature, these criteria exist as a means for the Commission to prioritize which districts to evaluate first. Measuring the value of each landmark based solely on its architectural, cultural, and historical significance may be problematic, as every potential landmark shares these qualities to a degree.

A number of participants noted that the Commission does not communicate well with the public. Participants noted that the Commission’s website does not successfully communicate the importance and benefits of preservation or clearly express how individuals could be involved. Although the website outlines the formal designation process, and states that members of the public can submit the Request for Evaluation, it does not provide further assistance to interested citizens who are seeking designation. For instance, the Commission’s website does not
direct citizens to additional resources such as the HDC, where they can receive further help. In addition, the Commission’s website does not explain the criteria the Commission utilizes when considering potential landmarks nor does it outline the various tasks that would need to be completed by the community seeking designation. As exemplified in the case study of the Bedford Historic District, the Bedford Stuyvesant Society for Historic Preservation was not initially well informed of all of the tasks necessary to successfully designate a historic district. Consequently, the organization and community board had disagreements regarding the correct approach for proceeding with landmarking, and the designation process was prolonged.

A second component of the Commission’s communication with the public is its degree of transparency. Two areas were identified in which the Commission was considered to not be as transparent with the public as it could be. Participants noted that the criteria the Commission utilizes in determining which landmarks do and do not receive designation, and the way in which historic district boundaries are structured are ambiguous to the public and the preservation community (see Case Study 1 & Case Study 2). For instance, one participant noted that the letter sent back to the applicant, in response to the Request for Evaluation, provides a “very top level answer” for why a landmark is not being considered (see Case Study 1).

Case Study 1: Potential Coney Island Historic District

In the Coney Island neighborhood in Brooklyn, the community organization Save Coney Island submitted a Request for Evaluation for a potential historic district in Coney Island, comprised of several landmarks. The Commission designated the Shore Theater and the Childs Restaurant Building as individual City landmarks, which were not under threat of development (CityLand 2011). Conversely, the other buildings within the potential historic district, which were under threat of development, were not designated, such as the Grashorn Building, Henderson’s Music Hall, and the Bank of Coney Island. In response to the Grashorn Building and Henderson’s Music Hall, a letter sent by the Commission stated that “the properties are too significantly altered.” The Bank of Coney Island was not considered for the reason that it “is not one of the best examples of neo-classical style bank architecture in New York City” (Files retrieved in-person from the Commission on October 25, 2012).

Case Study 2: Historic District Boundaries of the East Village/ LES Historic District

The historic district boundaries of the East Village/ Lower East Side Historic District have been described as unclear. Although the Commission emphasized the theatrical history and history of the arts in the designation report, HDC notes that the boundaries exclude several important buildings and streets to the district’s theatrical history, including the Orpheum Theater, St. Marks Place, and the streets east of Second Avenue (HDC 2012b).
5.3 Connecting the Past to the Present

The regulatory role of historic preservation raises several questions for dialogue. As discussed in the literature, amongst the earliest court cases concerning historic preservation were in regard to the question of whether aesthetic considerations justified the regulation of private property. The ruling of the majority of these cases was that regulating private property was legally sound, based on the premise that each individual property affects the greater fabric of the city; therefore, maintaining the aesthetic features of the city is in the interest of the public welfare.

The current discontent amongst private property owners and real estate developers is centered on the Commission’s right to regulate property, which can be traced to some of the earlier court cases in preservation history. The decisions of these court cases resulted in the affirmation that it was within the power of the government to protect the aesthetic, cultural, and historical qualities of the city for the benefit of the public good. Along the same lines, several of the participants mentioned phrases such as “collective good” and “greater good” in their defense of landmarking. The Landmarks Law reflects this idea, wherein it states that the protection of special historical and aesthetic features of the city is “a public necessity.”

The recent debate, sparked between the preservation community and the Responsible Landmarks Commission, further highlights the division that continues to exist between development proponents and preservationists. Members of the Real Estate Board allege that preservation hinders economic growth. As one member stated, landmarking is “misused to address quality of life, neighborhood, and development issues where zoning would be more appropriate.” While landmarked buildings generally do yield higher property values and more tax revenue, preservationists insist that preservation serves “a higher purpose” than economic gain. As Andrea Goldwyn, a representative of the Landmarks Conservancy asserted, “Aesthetic Issues are equally, or even more important, that economic ones where landmarks are concerned” (Chaban 2012b).

The idea that preservation serves a higher purpose echo’s back to the words of one participant from Friends-UES, who noted that the “highest and best use” of the land is subject. Therefore the value of land should not only be measured in monetary terms. As Liz Dunn (2012) suggested at the MAS Summit, the value of the built environment should also be measured in terms of 24/7 human activity. Therefore, at its roots, preservation faces the dilemma of trying to reconcile several conflicting ideologies- individual rights versus public welfare and economic gain versus aesthetics. The future of the profession leaves open-ended questions for consideration, such as how a more holistic approach can be adopted for quantitatively measuring the value of the urban landscape.
6.0 RECOMMENDATIONS
Participants’ provided a variety of recommendations in regards to how the designation process could be improved for individuals, and the areas in which historic preservation could be strengthened. The recommendations ranged in scale, from improving the Commission’s website to better communicate with the public to developing a preservation plan. The full summary of recommendations provided by the participants can be seen below. For additional insights into how the preservation field in New York City can be strengthened, see a recent report published by Minerva Partners (2009), entitled *Preservation Vision: Planning for the Future of Preservation in New York City*. The report discusses issues not addressed in this report, such as environmental sustainability, and land use regulations.

**Summary of Recommendations**

1. **Adequate funding and staffing for the LPC**
   The majority of participants acknowledged that a larger budget and more staff would allow the Commission to complete its job thoroughly and in a timely fashion. The Commission would have the resources to complete their various tasks quicker, and correspondingly, respond to individual’s permits and other concerns within a given time frame.

2. **Specialization within the Commission**
   One participant noted that the Commission should have more expertise on its staff, including a structural engineer to assess possible damage to historic buildings.

3. **Education and Communication with the Public**
   (a) Several participants suggested that the Commission could communicate the importance and benefits of preservation in a format that is more public friendly, noting that the website and literature were too “legal” and “bureaucratic” for the general public. It has also been noted that the public facing materials, such as the designation reports, could be presented in a more dynamic and engaging format to the public.

   (b) In regards to educating the public on the importance of preservation, one participant noted that the LPC could do a better job of informing the public of how they could be involved in preservation. If the public was aware of how they could be involved, there might be more interest in preservation in New York City. For instance, the Commission’s website and brochures could have a section guiding individuals interested in seeking historic designation to additional resources, such as the New York Landmarks Conservancy and the Historic Districts Council. As the HDC plays a vital role in helping communities seeking historic district designation, it would benefit individuals if the Commission provided a link on their website to HDC’s website, as well as a link to HDC’s handbook, *Creating an Historic District: A Guide for Neighborhoods*.

4. **Transparency**
   Several participants noted that the LPC could be more transparent in regards to disclosing why certain landmarks receive designation and others do not, as well as why certain historic district boundaries are structured the way they are. While it might be difficult to create definitive criterion on how area and specific buildings are reviewed, better communication between the Commission and individuals would be beneficial. For instance, if a landmark is not being considered for designation, the Commission could provide a clear answer to the individual, in the Request for Evaluation letter, for why it is not being considered. The Commission could also provide clear and logical answers for any other questions posed by the community.
The Commission’s website could play a substantial role in communicating to the public how the Commission judges the significance of a landmark. This could be accomplished by listing the criteria the Commission utilizes in considering potential landmarks (as indicated in the HDC handbook). The Commission’s website could also provide more clarity on how the designation process works. For instance, the Commission could provide individuals with an abbreviated list of the various tasks they would need to accomplish in order to ensure historic district designation. While the duration of the designation process does vary greatly district to district, the Commission could provide individuals with a rough timeframe of how long a Request for Evaluation takes to process and when a public hearing could be expected to take place.

5. Access to funding for small preservation organizations
Small preservation organizations, particularly those that are volunteer-based, could benefit from additional funding to assist with conducting community outreach, education, and research on the neighborhood. For instance, HDC and the Commission could direct community organizations on where they could locate preservation grants.

6. Criteria for designation
One idea, as posed by a participant, is that the Commission should designate based on the architectural, historical, and cultural significance of the landmark, and the degree of community support, rather than taking into account other criteria, such as development threat, and political support.

7. Preservation Plan
The creation of a preservation plan, either as a chapter of the New York City comprehensive plan, or as a plan on its own, would assist the City of New York in adopting a preservation vision, preservation goals and a long-term strategy on how to realize those goals. Ideally, as one participant noted, the policy adopted by the City would prioritize the “reuse and revitalization” of historic structures, including libraries, police stations, fire stations, public schools and parks.

The preservation plan could also include a directory of all of the community organizations involved in preservation, as well as the individuals within the different city agencies who work in preservation. An important consideration to take note of is that the preservation community is currently fragmented across different city agencies and community organizations. For instance, the Metropolitan Transportation Authority has some preservation officers and the Department of Design and Construction has a preservation office, however preservation is not the primary agenda of either of these two city agencies. A directory would assist in coalescing the preservation community under one umbrella.

8. Preservation-minded thinkers
As preservation is affected by the actions of several city agencies, one suggestion offered was to employ more preservation-minded thinkers in other city agencies, such as the Department of Buildings, and the Department of Parks and Recreation.

9. Formulating a preservation ethic and identity
Several participants suggested the need for a preservation identity or ethic, which could be understood by the general public. If the general public was aware of the goals of preservation, and educated in preservation, the myths surrounding preservation might not be as prevailing.
7.0 CONCLUSION
This research study explored the challenges individuals faced during the process of establishing a historic district, as well as the critical issues confronting the future of historic preservation in New York. The research findings of this project were informed by expert interviews conducted with participants, as well as by the insights offered by a staff member at the Historic Districts Council. The hope is that this project could assist the profession in thinking concretely about its aspirations and long-term goals.

Based on the research findings gathered, a number of common challenges in establishing a historic district were identified, including gathering community support and engagement, highlighting the district’s importance to the Landmarks Preservation Commission, educating the public, and maintaining patience throughout the duration of the designation process. A series of factors, on the local and national scale, were identified as threatening the future of preservation, including: the inadequate funding and staffing of the Commission, development pressure, the public’s perception of preservation, communication between the Landmark Preservation Commission and the public, and the Landmark Preservation Commission’s degree of transparency with the public.

The recommendations, provided by the participants, offer ideas on how the designation process could be improved for individuals, and the areas in which the field could be strengthened. These areas could be addressed through collaborations between the City of New York, the Landmarks Preservation Commission, the Historic Districts Council and other preservation-orientated nonprofit organizations, and the multitude of community organizations dedicated to preserving their neighborhoods. Further research could be conducted comparing New York City’s historic preservation law and landmarking process with that of other cities which have extensive preservation agencies, such as Washington D.C., Philadelphia, Chicago, and Miami. These findings would help shed light on how other cities’ preservation policies differ from that of New York City, and may provide valuable insight.
4.0 RESEARCH FINDINGS

4.1.1 (Proposed) Bedford Historic District

1. Each year, the Historic Districts Council holds a Six to Celebrate program, which identifies six historic New York City neighborhoods that merit HDC’s priority for preservation. In 2011, Bedford-Stuyvesant was identified as one of the six historic neighborhoods. The exposure by the Historic Districts Council assisted the Bedford-Stuyvesant community in gaining the Commission’s attention.

4.1.3 DUMBO Historic District

2. With the help of the Historic Districts Council, the DUMBO Neighborhood Alliance received a state preservation grant in 1998. The grant allowed the DUMBO Neighborhood Alliance to hire an architectural historian to prepare a designation report for the State and National Register. In 2007, through the efforts of the Municipal Arts Society, the National Trust for Historic Preservation featured Brooklyn’s Industrial Waterfront on their 2007 list of America’s 11 Most Endangered Historic Places. The added publicity was beneficial in attracting the Commission’s attention.

3. The DUMBO rezoning proposal was developed in consultation with Community Board 2, the DUMBO Neighborhood Alliance, elected officials, and the LPC. Originally, the proposal included three adjacent historic districts: DUMBO, Vinegar Hill, and Fulton Ferry. The rezoning proposal that was adopted by the Commission is smaller in area, and includes a section of the DUMBO neighborhood, east of the Manhattan Bridge. The proposed rezoning has been contentious as it allows for large development outside of the rezoning boundaries, including the Dock Street project, a large development project, which the community contends will block views of the Brooklyn Bridge from the Brooklyn waterfront (Hopper 2010; NYC DCP 2012).

4. DUMBO’s historic streets, composed of granite Belgian blocks, are unique attributes of the neighborhood, and were included in the designation. The Commission’s designation report states that DUMBO’s original street paving are “important to the character of the district.” Therefore, a utility company requires a permit from the LPC and the Department of Transportation (DOT) for any new construction that may affect the designated streets. Although the LPC and the DOT mandate that the utilities restore the cobblestones to their original conditions, members of the DUMBO Neighborhood Alliance contest that the restoration of the cobblestone streets has not been authentic, noting that the streets have been paved over by contractors (Narayanan 2008).

4.1.4 Upper East Side Historic District Extension

5. In the fall of 2008, the Kean Residence was demolished. The Kean Residence was within the boundaries of the Upper East Side Historic District Extension. Echoing the story of Penn Station, the Kean Residence’s destruction galvanized the community and induced the Commission to expedite the designation process (Friends-UES 2008).

4.1.6 Sunnyside Gardens Historic District

6. In 1974, the City Planning Commission designated Sunnyside Gardens a Special Planned Community Preservation District. Under these zoning provisions no demolition, new development, and alteration of landscaping and topography was permitted within the Sunnyside Gardens district except by special permit. Among the alterations that were not permitted were the cutting of curbs to accommodate driveways, fencing of common gardens, and making alterations to houses and yards. Nonetheless, these protections were rarely enforced. Many of the residents, who were not aware of the neighborhood’s historic value, made alterations to their properties, in violation of the regulations (HDC 2012c).
References


Appendix A Historic District Maps

A-1 (Proposed) Bedford Historic District

Source: NYC LPC 2012i
A-2 Crown Heights North II Historic District

Source: NYC LPC 2011
A-3 DUMBO Historic District

DUMBO Historic District

Brooklyn, NY
Landmarks Preservation Commission

Designated: December 18, 2007

Historic District Boundary

Source: NYC LPC 2007a
A-4 Upper East Side Historic District Extension

Source: NYC LPC 2010
A-5 East Village / Lower East Side Historic District

Source: NYC LPC 2012h
Sunnyside Gardens Historic District

Source: NYC LPC 2007b
Appendix B UBC Behavioural Research Ethics Board Approval

The University of British Columbia
Office of Research Services
Behavioural Research Ethics Board
Suite 102, 6190 Agronomy Road, Vancouver, B.C. V6T 1Z3

CERTIFICATE OF APPROVAL - MINIMAL RISK

PRINCIPAL INVESTIGATOR: Thomas A. Hutton
INSTITUTION / DEPARTMENT: UBC/Applied Science/School of Community and Regional Planning
UBC BREB NUMBER: H12-02585

INSTITUTION(S) WHERE RESEARCH WILL BE CARRIED OUT:

- Institution: N/A
- Site: N/A

CO-INVESTIGATOR(S):
Mariya Chernaya

SPONSORING AGENCIES:
N/A

PROJECT TITLE:
The city as palimpsest: Confronting the challenges of Historic Preservation in New York

CERTIFICATE EXPIRY DATE: October 23, 2013

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The application for ethical review and the document(s) listed above have been reviewed and the procedures were found to be acceptable on ethical grounds for research involving human subjects.

This study has been approved either by the full Behavioural REB or by an authorized delegated reviewer
Appendix C Interview Questionnaire

Interview Questions: Individuals

1. Can you explain your role in the designation process?
2. What is the name of the community organization you were involved with? When did the organization form?
3. How many people were involved in the historic designation of this particular site?
4. How long did the process to establish a historic district take?
5. Can you describe the process you and your group went through to create a historic district? In particular, what challenges did you experience during the process?
6. Did you receive assistance from any outside organizations? If so, how did those organizations assist you in the process?
7. What are the biggest challenges you see today confronting historic preservation in NYC?
8. What are your aspirations for the future of historic preservation?
9. What are your thoughts on how the historic designation process could be improved for people?

Interview Questions: Historic Districts Council

1. What are the biggest challenges you see today confronting historic preservation in NYC?
2. What are your aspirations for the future of historic preservation?
3. What are your thoughts on how the historic designation process could be improved for people?