

**Comments to the Subcommittee on Zoning and Franchises
Regarding modified Zoning Text Amendment on Residential Tower Mechanical Voids
April 16, 2019**

The American Council of Engineering Companies of New York (ACEC New York) represents close to 300 consulting engineering and affiliate firms comprising 30,000 employees throughout New York State, with a concentrated presence in New York City. Our members plan and design the structural, mechanical, electrical, plumbing, civil, environmental, fire protection and technology systems for buildings and infrastructure across the City.

ACEC New York appreciates this opportunity to share our comments regarding the proposed modified zoning text amendment in relation to regulating mechanical voids in residential and mixed use buildings consisting of 75% or more residential area.

We applaud the City Planning Commission (CPC) for modifying the originally proposed zoning text amendment to increase the 25-foot threshold upward to 30 feet before mechanical space is identified as zoning floor area. As the CPC recognized, "This change will allow appropriate flexibility to meet energy efficiency and resiliency standards without requiring a building to equally offset important occupiable space."

Numerous engineers and design professionals testified at the March 13, 2019 CPC hearing in support of the need for a 30 foot floor to structure distance. This insignificant increase above the originally proposed 25 foot dimension provides responsible and necessary space for the systems to deliver the structural, energy efficiency, life safety and resilience requirements of a modern high performing building. With this modification, we believe the CPC struck the appropriate balance between responsible design and the goal of discouraging the development of buildings with excessively large voids.

At the time of the CPC hearing the measured dimension was defined in Section 23-16 (a) (2) as being from the top of the floor slab to the bottom of the 'structural ceiling' which we and others understood to mean the bottom of the structural beams, girders or trusses, etc putting this structure outside the measured dimension. Our CPC testimony was based on this understanding of the definition.

Upon review of 23-16 (a) (2) in the latest document we see that the measured dimension is now 'measured from the top of a structural floor to the bottom of a structural floor directly above such space' which seems to indicate that any structural systems (beams, girders, trusses, etc) are now considered to be within the measured dimension. The height of structural systems on transfer floors can range from 10-20 feet so this definition change could reduce the net available space for mechanical systems on a transfer floor from the discussed 30 feet to as little as 10 feet. We have previously concluded that a 25-30 foot clear height is in many conditions necessary to meet the City's advancing goals for efficiency, life safety, air quality, etc so the conflict is clear. The dimension of the structural system can vary widely based on the building size and the structural systems chosen so we believe the original definition that excluded this system from the measured dimension is the most appropriate way to address this variability.

We urge the City Council to address the change to this definition to restore the height of transfer floors to a useful height or, alternatively, exempt transfer floors from these requirements.

If you have any questions, I would be happy to address them.

Contacts:

Hannah O'Grady, Vice President, ACEC New York

Bill Murray, NYC Director of Government Relations, ACEC New York

8 West 38 Street, Ste 1101, New York, NY 10018

P: 212-682-6336 hannah@acecny.org/bill@acecny.org www.acecny.org