

April 16, 2019

STATEMENT OF THE NEW YORK LANDMARKS CONSERVANCY BEFORE THE NEW YORK CITY COUNCIL SUBCOMMITTEE ON ZONING AND FRNCHISES REGARDING T2019-4177, THE PROPOSED RESIDENTIAL TOWER MECHANICAL VOIDS TEXT AMENDMENT, N190230 ZRY

Good morning Chair Moya and Council members. I am Andrea Goldwyn, speaking for the New York Landmarks Conservancy.

The Conservancy is pleased that the Department of City Planning heard the voices of elected officials, advocates, and residents from across the City, who have seen out-of-scale, out-of-context buildings rise in their neighborhoods. These towers bend the intentions of the Zoning Resolution with voids, stilts, and gerrymandered or sculpted zoning lots, among other loopholes.

This amendment addresses one of the most egregious examples by limiting excessive mechanical voids in residential buildings in some communities. But it is much too permissive. The original proposal called for limiting voids to 25 feet. We asked for that to be reduced to 12 feet. Instead it's gone up to 30'.

At the very least, we call for the Council to bring the limit of space that is not counted against FAR to 25. We heard the testimony of engineers at the City Planning Commission hearing and ask that any voids above 25' be counted against FAR. As in almost every other technology, this should incentivize innovation and equipment that fits in a smaller space with adequate clearance.

The Department has promised to come back later this year to expand the geographic area that the amendment covers. The amendment should be expanded in other ways. It should include commercial as well as residential buildings. It should be City-wide. It should look at all of the ways that developers manipulate zoning to boost building heights and count them against FAR.

The Conservancy is not against tall buildings. We are not against adequate space for mechanical equipment. What we are against are the loopholes that developers use when they see the upper limits of the Zoning Resolution as starting point for what they want to build. We always hear that developers need certainty. Residents do as well. We urge City Planning to come back with a more holistic amendment that creates comprehensive certainty and predictability in zoning.

Thank you for the opportunity to express the Conservancy's views.