



CITY PLANNING COMMISSION

December 4, 2013, Calendar No. 14

M 090107 (B) MMK
CORRECTED¹

IN THE MATTER OF a resolution adopted by the City Planning Commission on June 17, 2009 (Calendar No. 14) approving an application (C 090107 MMK) for an amendment to the City Map involving, *inter alia*, the elimination of streets and the establishment of streets and parks within an area bounded by Surf Avenue, West 23rd Street, the Public Beach and West 24th Street in accordance with Map Nos. X-2711 dated January 14, 2009, revised June 17, 2009 and August 16, 2013 and X-2739 dated August 16, 2013 and signed by the Borough President, in the Coney Island neighborhood, Borough of Brooklyn, Community District 13.

WHEREAS at its meeting on June 17, 2009, in order to facilitate a comprehensive plan to redevelop and revitalize the Coney Island amusement area and the surrounding blocks, the City Planning Commission (the “Commission”) adopted resolutions which approved several actions including an amendment to the City Map (C 090107 MMK, Cal. No. 14) , shown on Map Nos. X-2710, X-2711, Y-2715, X-2716, X-2717, and Y-2718 establishing a new street and park system; and

WHEREAS, at its meeting on July 29, 2009, the City Council subsequently approved the City Map amendment (Resolution No. 2138) with modifications to Maps Y-2715 and Y-2718 which provided for, *inter alia*, the narrowing of portions of Wonder Wheel Way and renaming them to East Walk and West Walk, terminating W. 16th Street and W. 10th Street in a turn around, carving out of the Wonder Wheel property from the park mapping, and dividing Map Y-2715 into two maps by adding Map X-2719; and

WHEREAS, at its meeting on December 13, 2010 (Calendar No. 1), the City Planning Commission adopted a resolution approving application (N 090107 (A) MMK) which modified approved City Map amendment (C 090107 MMK) by modifying Map No’s. Y-2715, Y-2718 and X-2719 to retain a 105.44 foot-long segment of Jones Walk and to remove 0.07 acres from within this portion of Jones Walk from the proposed parkland mapping in order to facilitate efforts to preserve the Wonder Wheel, a Coney Island icon and amusement park attraction; and

WHEREAS, the property in question was never acquired by the City for parkland purposes and the July 2009 maps had not been effectuated by filing, the elimination of this portion of Jones Walk from the parkland mapping did not require State enabling legislation; and

WHEREAS, an application (M 090107 (B) MMK) was filed on August 1, 2013 requesting a modification to previously approved City Map amendment (C 090107 MMK) to separate the elimination of Highland View Avenue and a portion of West 22nd Street from the mapping of Highland View Park by adding Map No. X-2739, and making a minor modification to Map No. X-

¹The original resolution date was corrected to June 17, 2009.

2711, in order to facilitate the development of a limited term amphitheater, public open space, and restoration of a historic restaurant, which are the subject of related actions (C 140063 ZSK, N 140064 ZRK, C 140065 ZMK, C 140066 PQK, C 140067 PPK) which are being considered concurrently with this application; and

WHEREAS, this application (M 090107 (B) MMK), in conjunction with the application for the related actions, (C 140063 ZSK, N 140064 ZRK, C 140065 ZMK, C 140066 PQK, C 140067 PPK), was reviewed pursuant to the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead agency is the Office of the Deputy Mayor for Economic Development (ODMED). The designated CEQR number is 13DME014K; and

WHEREAS, a summary of the environmental review and the Final Environmental Impact Statement appears in the related report for a special permit application (C 140063 ZSK); and

WHEREAS, this application (M 090107 (B) MMK), and its related actions (C 140063 ZSK, N 140064 ZRK, C 140065 ZMK, C 140066 PQK, C 140067 PPK), was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 13, 1999 and by New York State Department of State on May 28, 2002, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 *et seq.*) and determined that it was consistent with the policies of the WRP. The designated WRP number for this application and its related actions is 13-047; and

WHEREAS, on September 9, 2013, this application (M 090107 (B) MMK) and related application N 140063 ZRK, were referred to Brooklyn Community Board 13 and the Brooklyn Borough President in accordance with the procedures for non-ULURP matters, along with the related applications (C 140063 ZSK, C 140065 ZMK, C 140066 PPK, C 140067 PQK) which were certified as complete by the Department of City Planning in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b); and

WHEREAS, the Community Board did not submit a recommendation for this application (M 090107 (B) MMK); and

WHEREAS, the Borough President of Brooklyn submitted a recommendation of approval as described in the lead report for the related action ((C 140063 ZSK); and

WHEREAS, implementation of the proposed development would require a change to the order of the filing of previously approved maps No. X-2710, Y-2715, X-2716, X-2717, Y-2718 and X-2719; and

WHEREAS, the proposed application does not alter the scope of previously approved applications C 090107 MMK and N 090107 (A) MMK, as the previously approved maps No. X-2710, Y-2715,

X-2716, X-2717, Y-2718 and X-2719 would be unchanged and the same streets will be eliminated and parkland will be established once all maps are filed; and

WHEREAS, the Borough President of Brooklyn has reviewed and submitted to the Department of City Planning, Map Nos. X-2711, dated January 14, 2009, revised June 17, 2009 and August 16, 2013, and X-2739 dated August 16, 2013 to reflect the subject modification; and

WHEREAS, the Borough President of Brooklyn has submitted to the Department technical language describing the discontinuance and closing for modified Map No. X-2711; and

WHEREAS, the City Planning Commission may adopt a resolution approving the revised maps without review pursuant to the Uniform Land Use Review Procedure (ULURP), since it relates to a minor modification to a previous approval; and

NOW THEREFORE, the Commission adopts the following resolution:

RESOLVED, by the City Planning Commission, that based on the considerations described in this report, the revised Maps Nos. X-2711, dated January 14, 2009, revised June 17, 2009 and August 16, 2013, and X-2739, dated August 16, 2013, and signed by the Borough President, are hereby approved; and be it further

RESOLVED, the City Planning Commission, having reviewed the waterfront aspects of this action, finds that the actions will not substantially hinder the achievement of any Waterfront Revitalization Program policy and hereby determines that this action is consistent with WRP policies; and be it further

RESOLVED that, pursuant to Section 5-432 of the New York City Administrative Code, the City Planning Commission determines that with respect to all streets shown discontinued and closed that “such closing or discontinuance will further the health, safety, pedestrian or vehicular circulation, housing, economic development or general welfare of the City”; and be it further

RESOLVED that, pursuant to Section 5-433 of the New York City Administrative Code, the City Planning Commission adopts the legally required number of counterparts of Map Nos. X-2711, dated January 14, 2009, revised June 17, 2009 and August 16, 2013, providing for the discontinuance and closing of Highland View Avenue from West 23rd Street to West 22nd Street and a segment of West 22nd Street between Ocean Way and the Public Beach more particularly described as follows:

**STREETS TO BE DISCONTINUED AND CLOSED AS SHOWN ON ALTERATION
MAP NO. X-2711, DATED JANUARY 14, 2009, REVISED JUNE 17, 2009 AND AUGUST
16, 2013**

PARCEL 1

Starting at a Point of Beginning located at the intersection of the easterly street line of West 22nd Street and the newly established southerly street terminus line of West 22nd Street, said point being distant 46.96 feet southerly along said easterly street line of West 22nd Street from its intersection with the newly established southerly street line of Ocean Way, as those streets and public beach were hereinbefore laid out on the City Map;

- 1) Running thence southerly, along the former easterly street line of West 22nd Street, discontinued and closed, in the projection of the existing easterly street line of West 22nd Street, 216.71 feet to its intersection with the northerly line of Public Beach;
- 2) Running thence westerly, along said northerly line of Public Beach, which is coterminous with the former southerly street terminus line of West 22nd Street, discontinued and closed, said course forming a deflection angle to the right with the last mentioned course of 79 degrees 54 minutes 12 seconds, 60.94 feet to its intersection with the former westerly street line of West 22nd Street, discontinued and closed;
- 3) Running thence northerly, along said former westerly street line of West 22nd Street, discontinued and closed, said course forming a deflection angle to the right with the last mentioned course of 100 degrees 05 minutes 24 seconds, 46.88 feet to its intersection with the former southerly street line of Highland View Avenue, discontinued and closed;
- 4) Running thence westerly, along said former southerly street line of Highland View Avenue, discontinued and closed, said course forming a deflection angle to the left with the last mentioned course of 90 degrees 28 minutes 49 seconds, 217.02 feet to its intersection with the easterly street line of West 23rd Street;
- 5) Running thence northerly, along the newly established easterly street line of West 23rd Street, said course forming a deflection angle to the right with the last mentioned course of 90 degrees 00 minutes 00 seconds, 60.00 feet to its intersection with the former northerly street line of Highland View Avenue, discontinued and closed;
- 6) Running thence easterly, along said former northerly street line of Highland View Avenue, discontinued and closed, said course forming a deflection angle to the right with the last mentioned course of 90 degrees 00 minutes 00 seconds, 218.80 feet to its intersection with the former westerly street line of West 22nd Street, discontinued and closed;
- 7) Running thence northerly, along said former westerly street line of West 22nd Street, discontinued and closed, said course forming a deflection angle to the left with the last mentioned course of 90 degrees 00 minutes 00 seconds, 54.19 feet to an angle point;
- 8) Continuing thence northerly, along said former westerly street line of West 22nd Street,

discontinued and closed, said course forming a deflection angle to the left with the last mentioned course of 0 degrees 31 minutes 31 seconds, 45.81 feet to an angle point;

- 9) Continuing thence northerly, along said former westerly street line of West 22nd Street, discontinued and closed, said course forming a deflection angle to the right with the last mentioned course of 1 degree 00 minutes 44 seconds, 20.00 feet to its intersection with the newly established southerly street terminus line of West 22nd Street;
- 10) Running thence easterly, along said newly established southerly street terminus line of West 22nd Street, said course forming a deflection angle to the right with the last mentioned course of 89 degrees 31 minutes 08 seconds, 60.00 feet to the Point or Place of Beginning.

Said street land to be discontinued and closed contains an area of 26,270.16 square feet, more or less; and be it further

RESOLVED that, all such approvals being subject to the following conditions:

- a. The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map Nos. X-2711 and X-2739 are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter and Section 5-435 of the New York City Administrative Code;
- b. The subject streets to be discontinued and closed shall be discontinued and closed on the day following the day on which such maps adopted by this resolution shall be filed in the offices specified by law.

The above resolution (M 090107 (B) MMK), duly adopted by the City Planning Commission on December 4, 2013 (Calendar No. 14), is filed with the Office of the Speaker, City Council and the Borough President, in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, FAICP, Chair
ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,
ALFRED C. CERULLO, III, BETTY Y. CHEN, MICHELLE R. DE LA UZ ,
MARIA M. DEL TORO, JOSEPH DOUEK, RICHARD W. EADDY,
ANNA HAYES LEVIN, ORLANDO MARÍN, Commissioners



New York, Referral Date
SEPTEMBER 09, 2013

CITY PLANNING COMMISSION
CITY OF NEW YORK
DIAGRAM SHOWING PROPOSED
MAP CHANGE
ON SECTIONAL MAP
28
BOROUGH OF
BROOKLYN

I. Sadko, P.E.
I. Sadko, P.E.
Chief Engineer



- NOTE:
- Indicates line of street legally adopted.
 - Indicates line of street proposed to be established.
 - - - Indicates line of street proposed to be eliminated.
 - /// Indicates Park line heretofore established and hereby retained.
(Discontinuance and Closing is shown on Alt. Map No. X-2711).