



CITY PLANNING COMMISSION

December 4, 2013 / Calendar No. 13

C 140067 PQQ

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property generally bounded by West 21st Street, West 22nd Street and the Riegelmann Boardwalk (Block 7071, Lots 27, 28, 30, 32, 34, 76, 130, 226, and 231), Borough of Brooklyn, Community District 13.

This application for acquisition of property was filed on August 13, 2013 by Coney Island Holdings, LLC and the Department of Citywide Administrative Services to facilitate the development of limited term amphitheater, public open space, and restoration of a historic restaurant, in the Coney Island neighborhood of Brooklyn Community District 13.

RELATED ACTIONS

In addition to the proposed acquisition of property (C 140067 PQQ) which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following which are being considered concurrently with this application:

M 090107(B) MMK A proposed administrative modification to City Map Amendments approved by the City Planning Commission on December 3, 2010.

C 140063 ZSK Special Permit pursuant to Section 131-60 to allow an open-air auditorium with a maximum of 5,099 seats for a term no greater than ten (10) years
N 140064 ZRK A proposed amendment to the Zoning Resolution, modifying Sections 131-00 to create 113-60 (Special Permit for Auditorium Use) and 131-00 Appendix A (Coney Island Special District Plan to create Parcel G, enlarge the Special Coney Island District, and enlarge the Coney West Sub-district.

N 140064 ZRK A proposed amendment to the Zoning Resolution, modifying Sections 131-00 to create 113-60 (Special Permit for Auditorium Use) and 131-00 Appendix A (Coney Island Special District Plan) to create Parcel G,

enlarge the Special Coney Island District, and enlarge the Coney West Sub-district.

C 140065 ZMK A proposed amendment to the Zoning Map, Section No. 28d, establishing a Special Coney Island District (CI) generally bounded by West 22nd Street, Riegelmann Boardwalk, West 23rd Street and a line 245 feet northerly of the boardwalk.

C 140066 PPK A proposed Disposition of City Owned property to the Economic Development Corporation of the following lots on Block 7071: 27, 28, 30, 32, 34 76 79 81 130, 142, 226, and 231, and the beds of the current Highland View Avenue, and portion of West 22nd Street south of the approved Ocean Way.

BACKGROUND

A full background discussion and description of this application appears in the related report for a special permit application (C 140063 ZSK).

ENVIRONMENTAL REVIEW

This application (C 140067 PQK), in conjunction with the application for the related actions, 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.

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).

WATERFRONT REVITALIZATION PROGRAM

This application (C 140067 PQK), and its related actions (C 140063 ZSK, N 140064 ZRK, C 140065 ZMK, C 140066 PPK, M 090107(B) MMK), 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.

The City Planning Commission, acting as the City Coastal Commission, having reviewed the waterfront aspects of this action, finds that the actions will not substantially hinder the achievement of any WRP policy and hereby determines that this action is consistent with WRP policies.

UNIFORM LAND USE REVIEW

This application (C 140067 PQK), in conjunction with the application for the related actions (C 140063 ZSK, C 140065 ZMK, C 140066 PPK, M 090107(B) MMK), was certified as complete by the Department of City Planning on September 9, 2013, and was duly referred to Community Board 13 and the Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b), along with the related non-ULURP application (N 140064 ZRK), which was referred for review and comment.

Community Board Public Hearing

Community Board 13 held a public hearing on this application (C 140067 PQK) and the related applications on September 23, 2013, and on that date, by a vote of 15 in favor, 7 opposed and 7 abstentions, adopted a resolution recommending disapproval of the applications.

Borough President Recommendation

This application (C 140067 PQK), in conjunction with the related actions, was considered by the President of the Borough of Manhattan, who issued a recommendation on October 7, 2013, for approval of the applications.

City Planning Commission Public Hearing

On October 9, 2013 (Supplemental Calendar No. 1), the City Planning Commission scheduled October 23, 2013, for a public hearing on this application (C 140067 PQK). The hearing was duly held on October 23, 2013 (Calendar No. 16), in conjunction with the public hearing on the related actions.

There were a number of appearances, as described in the related report for a special permit application (C 140063 ZSK), and the hearing was closed.

CONSIDERATION

The Commission believes that this application (C140067 PQQ) for the acquisition of property, in conjunction with the related applications (C 140063 ZSK as modified, N 140064 ZRK as modified, C 140065 ZMK, C 140066 PPK, M 090107(B) MMK), is appropriate.

A full consideration and analysis of the issues, and the reasons for approving this application, appear in the related report for a special permit application (C 140063 ZSK as modified).

RESOLUTION

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on November 21, 2013, with respect to this application (CEQR No. 13DME014K), the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act & regulations, have been met and that:

1. Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the Proposed Action adopted herein is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, in accordance with environmental commitment letters, dated December 3, 2013, from the Deputy mayor for Economic Development and November 26, 2013, from Coney Island Holdings, LLC, those project components related to the environment and mitigation measures that were identified as practicable.

This report of the City Planning Commission, together with the FEIS, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; and be it further

RESOLVED, the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is

consistent with WRP policies; and be it further

RESOLVED, by the City Planning Commission, pursuant to Section 197-c of the New York City Charter, that based on the environmental determination and the consideration described in this report, the application (C 140067 PQQ) of the New York City Department of Citywide Administrative Services for the acquisition of property bounded by West 21st Street, West 22nd Street and the Riegelmann Boardwalk (Block 7071, Lots 27, 28, 30, 32, 34, 76, 130, 226, and 231) is approved.

The above resolution (C 140067 PQQ), duly adopted by the City Planning Commission on December 4, 2013 (Calendar No. 13), is filed with the Office of the Speaker, City Council, and the Borough President together with a copy of the plans of the development, in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, FAICP, Chair

KENNETH J. KNUCKLES , Vice Chairman

ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,

ALFRED C. CERULLO, III, BETTY Y. CHEN, MICHELLE DE LA UZ,

JOESEPH I. DOUEK, MARIA M. DEL TORO, RICHARD W. EADDY,

ANNA HAYES LEVIN, ORLANDO MARIN, Commissioners