CITY PLANNING COMMISSION

May 21, 2014/Calendar No. 10 C 140227 MCK

IN THE MATTER OF an application submitted by the Department of Parks and Recreation and Xavier High School, pursuant to Section 197-c of the New York City Charter, for a major concession to Xavier High School to use and renovate Red Hook Park Field Ballfield Number Three, 100-134 Bay Street (Block 602, Lot 1), Community District 6, Borough of Brooklyn.

The City of New York Department of Parks and Recreation (DPR) filed an application on January 2, 2014 to grant a major concession to Xavier High School (Xavier), the co-applicant, for the use of Red Hook Park Ballfield Number Three (the "Ballfield). The proposed action would allow Xavier High School to renovate and modernize the Ballfield in exchange for Xavier's continued use of the ball field on a scheduled basis for a ten year term.

BACKGROUND

The Ballfield is located in Red Hook Park at 100-134 Bay Street (Block 602, Lot 1) in the Red Hook neighborhood of Brooklyn Community District 6. The Ballfield, and entirety of Red Hook Park, are mapped parks under the jurisdiction of and maintained by DPR.

For the last 10 years, Xavier High School has held a DPR permit for use of the Ballfield and other locations in Red Hook Park. Xavier High School was founded in 1847 and is a Catholic Jesuit college preparatory school located in Manhattan at West 16th Street, educating young men of diverse backgrounds and means. Besides an academic college prep curriculum, Xavier fields over 32 teams including football, soccer and rugby. Xavier has utilized facilities in Red Hook Park since the 1950's.

Red Hook Park is a 58 acre park that has active and passive recreation facilities, including: soccer fields, baseball fields, benches, a public pool, waterfront access, and picnic areas. The Ballfield (Block 602 Lot 1) is adjacent to a track, park pathways, and landscaping, with handball courts and restroom facilities to the west. All recreational fields within Red Hook Park contain field lights, except for Ballfield Number Three. Red Hook Community Farms is located one block to the west of the Ballfield and Columbia Street.

A few blocks north of the park is the New York City Housing Authority-owned Red Hook Houses, and to the southwest, is the Red Hook IKEA. The surrounding area to the south, east, and northwest is generally developed with industrial properties, including a cement factory, vehicle storage lots, one-story warehouses, and the iconic, but vacant, grain terminal.

The area is generally zoned for industrial uses with a residential district to the north of the Ballfield. An M1-1 district is mapped to the west and northeast, and an M3-1 district to the south encompasses nearby industrial and commercial uses. R5 and R6 districts (with a C1-3 overlay over a portion along Lorraine Street) are a couple blocks to the north. Aside from Red Hook Houses, there are also some three-story townhomes, a day care facility, and one-story commercial buildings with local retail uses along Lorraine Street.

Columbia Street to the west of the Ballfield is a major north-south connecting street within Red Hook. Further west is the Van Brunt Street commercial corridor. The Gowanus Expressway abuts the neighborhood to the north, leading to the Hugh L. Carey Tunnel connecting Brooklyn

to Lower Manhattan. The F and G subway lines stop at Carroll Street and Smith and 9th Streets to the north and east of the neighborhood. The B57 and B61 bus lines run along Lorraine Street to the north of the Ballfield. Also a nearby Ferry stop is located in the Erie Basin at Ikea and runs on afternoons, evenings and weekends.

The applicants propose a concession agreement that would allow Xavier High School to use the field on days and at times mutually agreed upon by DPR, and subject to approval by the Franchise and Concession Review Committee, which is part of the Mayor's Office of Contracts. In exchange, Xavier will make capital improvements to the Ballfield and adjacent amenities, thereby expanding the playing hours of the Ballfield and creating an improved recreational facility that will be easier for DPR to maintain for the local community.

Currently, the playing surface area of the Ballfield is extremely worn due to heavy use and the difficulties involved for DPR to maintain a seeded lawn. The Ballfield is surrounded by a running track, which is a quarter-mile oval with a rubberized surface. There are no field lights currently at Ballfield Number Three, and therefore there is no play at dusk or in the evening.

Xavier will undertake the following improvements:

1. Reconstructing the existing bare grass field and replacing it with synthetic turf, which will eliminate the need for DPR to seed the field on a regular basis, which is both a

maintenance expense and also puts the field out of service for over two weeks while seed takes hold and grows

2. Installing field lights for evening play, which will increase playing time for the larger community on a yearly basis
3. Resurfacing the perimeter running track
4. Reconstructing the low chain-link fence that surrounds the running track.

It is anticipated that, pursuant to the concession agreement, the Ballfield would be used by Xavier for a ten year term, at the following times: for 3 days a week between the hours of 3 p.m. and 6 p.m. between September and May, and for a few hours during the weekday during two weeks in August. This is subject to the availability of the Ballfield, and at DPR's discretion they may be directed to utilize other ball fields. Although the running track would be improved by Xavier, it would not be part of the concession agreement for specific use by Xavier.

The improvements will result in a field that has been upgraded and maintained for the betterment of the larger community. The provision of synthetic turf and the addition of field lights will result in an increase in the number of hours the field can be used by members of the public. The improvements will conform to DPR standards and the maintenance of the area subject to the proposed concession agreement will remain the responsibility of DPR and subject to DPR's Parks Inspection Program.

ENVIRONMENTAL REVIEW

This application (C 140227 MCK) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 *et seq*. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 14DPR006K. The lead agency is the Department of Parks and Recreation.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on January 8, 2014.

UNIFORM LAND USE REVIEW

This application (C 140227 MCK) was certified as complete by the Department of City Planning on January 21, 2014, and was duly referred to Community Board 6 and the Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 6 held a public hearing on this application on February 22, 2014, and on March 12, 2014, at a public meeting by a vote of 35 to zero with one abstention, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application was considered by the Borough President, who held a public hearing on February 27, 2014 and issued a favorable recommendation with conditions on April 25, 2014 as follows:

1. "The Department of Parks and Recreation memorialize in the major concession documents that construction must commence in the late fall and that such work a restriction [*sic*] be incorporated into relevant bid specification documents.

2. "Xavier retains Brooklyn-based contractors and subcontractors, especially those that are designated LBEs consistent with section 6-108.1 of the City's Administrative Code and MWBE establishments as a means to meet or exceed standards per Local Law 1 (not less than twenty percent participation) and that such firms pursue the hiring of residents in Red Hook."

City Planning Commission Public Hearing

On April 23, 2014, (Calendar No. 3), the City Planning Commission scheduled a public hearing for May 7, 2014 on this application (C 140227 MCK). The hearing was duly held on May 7, 2014 (Calendar No. 23). There were three speakers in favor of the application and none in opposition.

Two speakers in support represented the Department of Parks and Recreation, and one represented Xavier High School. Representatives from the Department of Parks and Recreation (DPR) described the current condition of the Ballfield and how the lack of field lights prevents play at dusk or in the evening and that the maintenance of the seeded grass lawn further reduces play hours due to not only seeding, but also waiting for the field to dry after heavy rains. Xavier High School described their long history of use on the Ballfield, their multiple meetings with

Community Board 6 and their desire to set a positive example of a private/public partnership that would benefit a local community. There were no other speakers and the hearing was closed.

Waterfront Revitalization Program Consistency Review

This application 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 the 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.). The designated WRP number is WRP13-057.

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.

CONSIDERATION

The Commission believes that the application by the Department of Parks and Recreation and Xavier High School for a major concession for use of a ball field is appropriate.

The site is located in Red Hook Park at 100-134 Bay Street in the Red Hook neighborhood of Brooklyn Community District 6, on Block 602, Lot 1. The proposed concession would facilitate

the modernization of a heavily-used ball field and extend the operational hours of the field through new field lights, while improving the safety of the field through synthetic turf designed to reduce playing injuries.

The Commission believes that the proposed concession would provide an improved facility for the betterment of the larger community and reduce the maintenance demands for the Department of Parks and Recreation relating to maintaining a seeded lawn. The applicants have stated that they would work to ensure that construction of the improved field would occur during off-season to reduce impacts to park users. The Department of Parks and Recreation has also stated that it would work to ensure that local Red Hook youth groups and teams would have the first opportunity to request the additional hours generated by the improvements.

The Commission is pleased that the applicant stated that the design and construction will take into account the location of the Ballfield within a flood prone area. The proposed grading of the site was reviewed by the Public Design Commission, and the synthetic turf is designed to allow water to percolate through into the ground.

In addition, the Commission is pleased to note that DPR indicated that they are dedicated to ensuring that there is a public benefit from the concession agreement. They noted that while Xavier is providing field lights, Xavier does not need or intend to use those lights. The lights will, however, allow DPR to schedule adult leagues in the later evening, freeing up more prime

afterschool and early evening time slots for youth. They also noted that Xavier will be using less than 5% of the playing time available on the field.

DPR indicated that the last similar concession occurred in 1999 and that this is a unique situation. They feel that this is appropriate due to Xavier being a long-time, well-respected and respectful user of the facility and the generous nature of the public benefit derived from the new lights, synthetic turf, running track and fence.

The Commission believes that the proposed concession would facilitate the modernization and improvement of a ball field that provides recreation for the city as a whole as well as the community of Red Hook. The proposed concession would provide Red Hook and South Brooklyn youth additional opportunities for engaging in team sports and exercise, and is appropriate, considering the surrounding neighborhood and land uses. The Commission, therefore, believes that the approval of a major concession for the modernization of Ballfield #3 in Red Hook Park in exchange for scheduled use of the Ballfield by Xavier High School is appropriate.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, that 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 Sections 197-c of the New York City Charter, that based on the environmental determination, and the consideration described in this report, the application (C 140227 MCK) by the Department of Parks and Recreation and Xavier High School, pursuant to Section 197-c of the New York City Charter, for a major concession to Xavier High School, to use and renovate Red Hook Park Ballfield Number Three, 100-134 Bay Street in the Red Hook neighborhood of Brooklyn Community District 6, is approved.

The above resolution, (C 140227 MCK), duly adopted by the City Planning Commission on May 21, 2014 (Calendar No. 10), 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.

CARL WEISBROD, Chairman
KENNETH J. KNUCKLES, ESQ., Vice Chairman
ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,
MICHELLE R. DE LA UZ, MARIA M. DEL TORO, JOSEPH DOUEK,
ANNA HAYES LEVIN, ORLANDO MARÍN, Commissioners

THE CITY OF NEW YORK
COMMUNITY BOARD SIX

Eric Adams
Borough President

Daniel M. Kummer
Chairperson

Craig Hammerman
District Manager

March 31, 2014

Carl Weisbrod
Chairperson
City Planning Commission
22 Reade Street
New York, New York 10007

Re: Red Hook Ballfield #3 Major Concession
ULURP #C140227MCK, CEQR #14DPR006K

Dear Commissioner Weisbrod:

I am writing to advise you that at its March 12, 2014 general meeting Brooklyn Community Board 6 resolved by a vote of 35 in favor, 0 against, with 1 abstention to approve the Red Hook Ballfield #3 Major Concession, for a major concession to Xavier High School to use and renovate Red hook Park Field Ballfield Number Three.

This subject application has been discussed publicly many times over the better part of the last decade, primarily through Parks/Recreation/Cultural Affairs Committee which has met repeatedly with representatives for the City's Department of Parks & Recreation, Xavier High School, Red Hook Ballfield #3 users, various neighborhood stakeholders and other interested parties. The primary impetus behind our strong support for this application is the two-fold outcome we are expecting from this action.

First, Xavier High School has agreed to renovate and help maintain the existing ballfield and in the course of renovation will be undertaking much-needed capital improvements that will create an improved recreational facility that will be easier to maintain. The replacement of the bare grass field with synthetic turf and installation of field lights will allow for more active use of the field and will decrease the level of maintenance work for Parks staff. We see this as being particularly advantageous since synthetic turf requires far less maintenance than the existing bare grass surface.

Second, with the additional of field lighting as part of the new design, the field will offer more playable hours to potential users. We recognize that Xavier High School will get a minimum guarantee of use during the hours of 3pm-6pm on weekdays during the school year, and for Saturday games for a period of ten years. We also recognize that with the additional lighting, there will be a greater total number of hours that the field will be usable, and that even after

250 Baltic Street • Brooklyn, New York 11201-6401 • www.BrooklynCB6.org
t: (718) 643-3027 • f: (718) 624-8410 • e: info@BrooklynCB6.org

subtracting Xavier's allotted time, the community will still net more playable time on the field then it currently has.

For us, this proposal is a win-win-win. The Parks Department gains an improved ballfield with a significant reduction in maintenance responsibilities. Xavier High School gains access to an improved ballfield with a guarantee of hours so it can schedule and plan accordingly. And our Red Hook community gains additional access to an improved local facility. For these reasons, we encourage your favorable consideration of this application.

Thank you for the opportunity to comment.

Sincerely,

/ S /

Daniel M. Kummer
Chairperson

cc: Hon. Eric Adams
Hon. Carlos Menchaca
Hon. Velmanette Montgomery
Hon. Felix Ortiz
Hon. Nydia Velázquez
Borough Commissioner Kevin Jeffrey, DPR
Jack Raslowsky, President, Xavier High School

RECOMMENDATION FOR RED HOOK PARK MAJOR CONCESSION
140227 MCK

The applicant, the Department of Parks and Recreation (DPR), proposes to grant a major concession to Xavier High School (Xavier) to use and renovate Red Hook Park Field Number Three.

On March 19, 2014, the Borough President held a public hearing on the proposed major concession. A representative for Xavier noted that the installation of the light fixtures as well as the resurfacing of the track are entirely meant to be community benefits, as Xavier is not seeking a permit for the track and its intended field hours do not require field lighting. The type of surface, "field turf," percolates water to the subsurface and is a flexible turf that is a vast improvement on earlier version of synthetic surfaces; it will thus minimize knee and ankle injuries. In addition, it will keep the field open throughout the year, as DPR ceased field use twice a year to reseed and allow the new grass to get established.

Given the approximately 500 expanded hours of use, the Brooklyn Borough Parks Commissioner expressed intent to work with the local community to develop community-based leagues and that time allotments would be blocked out for more casual non-league play. Due to the condition of the field, interest for league play has decreased, though with the improvement it is anticipated that there will be demand for available permit slots.

The Commissioner noted that most hours, when the field is reserved for use by Xavier, the track will still be open to the public. Though, as a safety precaution, this would not be the case for Xavier home games when spectators need to be accommodated. In addition, for six track meets there would be no use of the field as a measure to assure the safety of the runners.

The representative for Xavier noted that the construction is expected to take about four months and that it can proceed during the winter, provided there would not be extreme weather conditions. This time of year would result in the least interruption to league play. Regardless of what month the final approval is in place, the construction would take place during the late fall of that year, though it is uncertain whether it could start in 2014. If any scheduled league play were to conflict with the construction sequencing, it is agency practice to accommodate youth organizations as nearby as possible and thus defer adult leagues nearby to make such accommodations or shift such adult leagues to another facility if available.

Finally, the Deputy Borough President noted the Borough President's policy to maximize job opportunities for Brooklynites on local construction projects and was seeking for the applicant to incorporate Brooklyn-based contractors, including participation by MWBEs and Brooklyn material supply firms in the construction process. The representative of Xavier noted that the field turf installation requires specialized contractors, where locally-based firms are in either Long Island or New Jersey, though it might be feasible for those working at the direction of the foreman to be locally-based hires. DPR has shared with the president of Xavier the importance of pursuing locally-sourced contractors/supplier and their willingness to assist with achieving participation by MWBE firms.

In response to concern expressed by a representative of Assemblymember Ortiz regarding accommodations for surrounding schools and after-school programming, the Commissioner noted

how arrangements are made to layout soccer fields in the combined outfields of other Red Hook Park fields and that the lighting will result in a year-round 6 PM to 8 PM permit slot reserved for youth programming, while slots through midnight would be established as this park is separated by ball fields and commercial uses from the nearest residential occupancy. When permits become available (several months before actual availability) they are typically filled on a first come, first served basis online as follows: https://www.nycgovparks.org/permits/field-and-court/request

CONSIDERATION

Community Board 6 approved the application.

For the last ten years, Xavier has been a recognized DPR permit holder for practicing on Field Number Three and other locations in Red Hook Park. Xavier has been a user of Ballfield Number Three since the 1950's.

All recreational fields within Red Hook Park contain field lights, except for Ballfield Number Three. Its playing surface is extremely worn due to its heavy use and the difficulties involved for DPR to maintain a seeded lawn. Such maintenance puts the field out of service for over two weeks while the seeds take hold and grow.

Xavier is proposing to undertake capital improvements to renovate the field, including replacing the worn grass surfacing with synthetic turf, installing field lights for evening play, which will increase playing time for the larger community on a yearly basis, resurfacing the perimeter running track and reconstructing the existing chain link fence. Xavier intends to use the field primarily for football use, though other uses may include soccer, rugby and lacrosse. Although the running track would be improved by Xavier, it would not be part of the concession agreement for specific use by Xavier.

This renovation and subsequent dedicated use would be subject to a major concession to allow the intended construction, while specifying dates and time that Xavier would have exclusive use of the field. Xavier would gain an increase in the number of hours of exclusive use, though DPR would gain a greater number of available hours for Field Number Three to be available for others to use. Additionally, the improved recreational facility will be easier for DPR to maintain for the local community; maintenance will remain the responsibility of DPR and be subject to DPR's Inspection Program.

A major concession is being pursued because the area affected by the DPR permit to Xavier exceeds 30,000 square feet (approximately 73,500 sf) of a separate parcel of parkland. The concession would be for a ten-year term that schedules use by Xavier for roughly between the hours of 3 PM to 6 PM between September and May and for a several hours, time window to be determined, during weekdays during two weeks in August.

It is the Borough President's policy to support land use actions would benefit the neighborhood while providing additional recreational resources through the expanded hours of use and resulting in employment opportunities during construction.

The Borough President supports DPR's intent not to immediately fill the 500 hours of new field usage through permits as a means to allow locally-based leagues to develop. He further endorses DPR's intent to keep slots available for informal community use.

The construction pursuant to the major concession would create opportunities for jobs preparing the surface for the installation of "field turf" and the track surface, as well as the installation of lighting fixtures and chain link fence.

Though the Borough President is generally supportive of the major concession, he seeks assurances regarding the timing of the field being out of use to accommodate construction and that there will be a maximization of Brooklyn-based participation as part of the construction.

The Borough President believes that, in order to assure the least conflict with league play, the intent to commence with construction in the late fall should actually be memorialized in the major concession documentation; he urges DPR to have such commitment language in place prior to action being taken by the City Council and that such a work restriction be incorporated into relevant bid specification documents.

The Borough President is concerned that too many residents of Brooklyn are unemployed or underemployed. It is his policy to promote economic development as a means of creating more employment opportunities as well as promoting Brooklyn-based businesses, including those that qualify as MWBE and Locally-Based Enterprises (LBE). As new construction, this development provides an opportunity for Xavier High School to retain Brooklyn-based contractors and subcontractors, especially those that are designated LBEs consistent with section 6-108.1 of the City's Administrative Code and MWBE establishments as a means to meet or exceed standards per Local Law 1 (not less than twenty percent participation).

RECOMMENDATION

Be it resolved that the Borough President of Brooklyn, pursuant to sections 197-c and 201 of the New York City Charter, recommends that the City Planning Commission and City Council approve the land use action requested according to the following conditions:

1. The Department of Parks and Recreation memorialize in the major concession documents that construction must commence in the late fall and that such work a restriction be incorporated into relevant bid specification documents.
2. Xavier retains Brooklyn-based contractors and subcontractors, especially those that are designated LBEs consistent with section 6-108.1 of the City's Administrative Code and MWBE establishments as a means to meet or exceed standards per Local Law 1 (not less than twenty percent participation) and that such firms pursue the hiring of residents in Red Hook.