Seaside Park & Community Arts Center Special Permit

3052 West 21st Street, Brooklyn, NY

August 2025

1. Introduction

The New York City Economic Development Corporation ("EDC"), New York City Department of Citywide Administrative Services ("DCAS") and Seaside Park LLC ("Seaside Park"), (together "the Applicants"), seek approval of five land use actions in connection with the existing Seaside Park & Community Arts Center located in the Coney West Subdistrict of the Special Coney Island District (CI) in Brooklyn Community District 13. The existing Seaside Park & Community Arts Center consists of Brooklyn Block 7071 Lots 27, 28, 30, 32, 34, 76, 130, 142, 200, 226, 231 and 300, and upon approval of the proposed land use actions it will be expanded to include Lots 79, 81 and a part of (p/o) 123 on Block 7071 (the "Project Area" or "Development Site"). The site is adjacent to the northern edge of Coney Island's iconic Riegelmann Boardwalk between West 21st Street to the east and West 23rd Street to the west.

The Seaside Park & Community Arts Center is an entertainment and recreation complex that was developed following approvals granted by the City Planning Commission ("CPC"), Landmarks Preservation Commission ("LPC"), and Public Design Commission ("PDC") in 2013. It features the Coney Island Amphitheater, a 5,099-seat outdoor performance venue, as well as the Childs Restaurant Building, a Landmarks Preservation Commission landmarked building, and an expansive public open space with active and passive recreation. The work to develop the amphitheater and public open space, and restore and repurpose the Childs Restaurant Building, was completed in 2016. The Seaside Park & Community Arts Center was open to the public in 2016.

The proposed land use actions include (together "the Proposed Actions"):

1. Zoning Text Amendment to delete Zoning Resolution ("ZR") Section 131-60 (Special Permit for Auditoriums) and add a new paragraph (d) to ZR Section 74-182 (Arenas, auditoriums, stadiums or trade expositions) which would authorize the City Planning Commission to permit on Parcels B and G of the Coney West Subdistrict of the Special Coney Island District an arena with a capacity in excess of 2,500 seats. The Zoning Text Amendment would also add to ZR Article XIII (Special Purpose Districts), Chapter 1 (Special Coney Island District) a new Section 131-16 (Special Permit for Certain Arenas), which would provide that the City Planning Commission may permit an arena in accordance with the provisions of paragraph (d) of Section 74-182 on Parcels B and G in the Coney West Subdistrict of the Special Coney Island District.

2. Zoning Special Permit pursuant to the proposed ZR Section 74-182(d) to allow on the Development Site an arena with a maximum capacity of 6,000 seats.

3. Disposition of City-owned property located on Block 7071, Lots 27, 28, 30, 32, 34, 76, 79, 81, 130, 142, 200, 226, 231, 300 and p/o 123, restricted to the conditions pursuant to proposed ZR Section 74-182 (d) (Special Permit for Arenas, auditoriums, stadiums or trade expositions) for the use and operation of the existing Seaside Park & Community Arts Center, as well as enlargement of the existing public open space with the addition of Lots 79 and 81.

4. Disposition of City-owned property located on Block 7071, Lot 130 and p/o 123, not restricted to the conditions pursuant to proposed ZR Section 74-182(d), to allow EDC and DCAS to flexibly tenant the Childs Restaurant Building on Lot 130 and the immediately adjacent vacant land on p/o Lot 123, and thereby provide the City with the ability to seek additional or supplemental operators for the Childs Restaurant Building, as appropriate and to maximize community benefit. This second unrestricted disposition would take effect at such time that the Child's Restaurant Building on Lot 130 and adjacent p/o Lot 123 are no longer being operated in tandem with the Seaside Park & Community Arts Center.

5. Acquisition of property by the City of New York from the New York City Economic Development Corporation to allow the City to acquire a p/o Lot 123 on Block 7071, which would be a slight enlargement of the Development Site.

2. Background

On December 4, 2013, CPC granted an application for a special permit for the Seaside Park & Community Arts Center pursuant to the then proposed ZR Section 131-60 (Special Permit for Auditoriums). The requested special permit, along with its related actions, facilitated the development of the Seaside Park & Community Arts Center, which included a limited term amphitheater, public open space, and restoration of the historic Childs Restaurant Building in the Coney Island neighborhood of Brooklyn Community District 13 ("the Seaside Park Project"). The implementation of the proposed development required approval by CPC on the following actions which were considered concurrently ("Seaside Park Project Actions"):

M 090107(B) MMK:	Administrative modification to City Map Amendments approved by the City Planning Commission on December 3, 2010.
C 140063 ZSK:	Special Permit pursuant to ZR Section 131-60 to allow an open-air auditorium with a maximum of 5,100 seats for a term no greater than ten (10) years.
N 140064 ZRK:	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 Subdistrict.

C 1400065 ZMK: Amendment to the Zoning Map, Section No. 28d, establishing a Special Coney Island District generally bounded by West 22nd Street, Riegelmann Boardwalk, West 23rd Street and a line 245 feet northerly of the boardwalk.

C 140066 PPK: Disposition, by lease agreement, of City Owned Property to the Economic Development Corporation ("EDC") of the following lots on Block 7071: 27, 28, 30, 32, 34, 76, 130, 142, 226 and 231 and the beds of the current Highland View Avenue and a portion of West 22nd Street south of the approved Ocean Way, restricted to the conditions pursuant to ZR Section 131-60 (Special Permit for Auditoriums).

C 140067 PQK: Acquisition of property by the City to allow the City to acquire the following lots on Block 7071: Lots 27, 28, 30, 32, 34, 76, 130, 226 and 231.

The Seaside Park Project Actions authorized development of the Seaside Project, including the construction of the 5,099 seat Coney Island Amphitheater, along with a new public open space with active and passive recreational amenities, and restoration of the Childs Restaurant Building, a historic landmark building designated by NYC Landmarks Preservation Commission, that was repurposed as a restaurant, catering, and entertainment facility. Seaside Park's first Temporary Certificate of Occupancy (CO #320595762T001) was issued by the Department of Buildings on June 27, 2016, which marked the beginning of the 10-year term as permitted by the Special Permit approval.

The application for the Seaside Park Project Actions was preceded four years earlier by the City Council approval of the Comprehensive Coney Island Rezoning Plan (C 090272 ZMK) in July 2009 ("the Coney Island Rezoning Plan"), which included creation of a 27-acre amusement and entertainment district designed to re-establish Coney Island as an open and accessible mixed-use destination by preserving and growing amusement uses in perpetuity in their historic location along Riegelmann Boardwalk. In addition, the Coney Island Rezoning Plan was designed to create opportunities for new mixed-use residential and retail neighborhoods to address the local need for housing, greater access to retail goods and services and jobs. In furtherance of those objectives, the Coney Island Rezoning Plan established the Special Coney Island District with three subdistricts, including Coney East, which constituted the core amusement and entertainment area, as well as Coney North and Coney West, which provided opportunities for residential and retail development. This included approximately 5,000 units of housing, with approximately 900 units of affordable housing, and a significant number of local retail space to service the existing community and the new residences, as well as provide jobs.

The Coney Island Rezoning Plan consisted of the following land use actions:

N 090273(A) ZRK Zoning Text Amendment to create the Special Coney Island District.

C 090272 ZMK Amendment to the Zoning Map, Section Nos. 28d, to rezone C7 and R6 districts to R7A, R7X and R7D districts with C2-4 overlays within the

	proposed Special Coney Island District and to rezone a C7 district to R5 outside of the Special Coney Island District.
C 090107 MMK	Amendment of the City Map to eliminate and establish parkland, to eliminate, discontinue and close, establish, and extend certain streets and to modify the grades of existing streets.
C 090274 PQK	Acquisition of property located within the Coney East Subdistrict.
C 090275 PQK	Acquisition of property located at West 19th Street and Surf Avenue.
C 090276 HAK	UDAAP designation, project approval and disposition of City-owned property located between West 19th Street and West 20th Street and between Surf Avenue and Mermaid Avenue.
C 090277 PPK:	Disposition of City-owned property within the Coney East subdistrict.

The Coney Island Rezoning Plan's City Map Amendment mapped new parkland called Highland View Park, consisting of approximately 1.41 acres adjacent to the Riegelmann Boardwalk between West 22nd and West 23rd Street and immediately west of what was then a boundary of the Special Coney Island District. The land comprising Highland View Park included the lots presently identified on the City's tax map as Lots 27, 28, 30, 32, 34, 76, 79, 81, 200, 226, 231 and 300[1] on Block 7071. Highland View Avenue (today comprising Lot 200), which was located immediately north and parallel to the Boardwalk between West 22nd and West 23rd Streets, and the southernmost portion of West 22nd Street (today comprising Lot 300) were demapped as streets and mapped as parkland in order to facilitate the creation of Highland View Park.

Although the former Highland View Avenue (currently Lot 200) and the former southernmost portion of West 22nd Street (currently Lot 300) were demapped to facilitate the creation of Highland View Park, together with Lots 27, 28, 30, 32, 34, 76, 79, 81, 226 and 231, the Map establishing Highland View Park was not filed and the property was not established as official parkland (notwithstanding that on Zoning Map 28d the lots are designated as "Park"). Instead, upon approval of the Seaside Park Actions in 2013, with the exception of Lots 79 and 81, the lots intended to comprise Highland View Park were included as the Seaside Park & Community Arts Center public open space. Lots 79 and 81 were not included with the Seaside Park Project Actions because the lots were neither owned by the City nor under the control of the Applicant Coney Island Holdings, Inc., at the time of the approval of the Seaside Park Project Actions.[2] At such time that the Development Site is no longer used for the purposes of the

[1] Lots 200 and 300 officially did not exist at the time the Coney Island Rezoning Plan was approved as what is presently Lot 200 was formerly Highland View Avenue and what is presently Lot 300 was the southernmost portion of West 22nd Street before both streets were demapped in 2009 under ULURP No. C090107 MMK. Lots 200 and 300 first appeared on the official DOF Tax Map on June 25, 2014.

[2] Lots 79 and 81 were acquired by the City in January 2020, and pursuant to the Disposition, the Applicants seek to enlarge the Seaside Park & Community Arts Center public open space with the inclusion of these two lots.

amphitheater and the adjacent public open space, it is anticipated that Lots 27, 28, 30, 32, 34, 76, 79, 81, 200, 226, 231 and 300 on Block 7071 will be established as Highland View Park in accordance with the Coney Island Rezoning Plan.

Since its opening in June 2016, the Coney Island Amphitheater at the Seaside Park & Community Arts Center has hosted a wide variety of paid and free events, including concerts, family shows, comedy shows, multicultural happenings and graduations. The Seaside Park & Community Arts Center has hosted SummerStage events under the auspices of the New York City Parks Foundation, which each season has featured free concerts across a broad spectrum of musical genre featuring artists like Tony Vega, La Excelencia, and Funk Flex. The notable and diverse music icons who have performed over the last nine years include Sting, Peter Gabriel, the Beach Boys, Travis Scott, Beres Hammond, Charlie Cruz, the Foo Fighters, Ice-T, Counting Crows, Culture Club, the Sugar Hill Gang, the Temptations, the Four Tops, and Willie Nelson. The wide-variety of community-based events at the amphitheater have included school graduations, film screenings produced by Coney Island USA, the Mermaid Parade Ball, the Great Irish Fair, the Yeshiva Boys Choir's Chol Hamoed Spectacular, and the Pizza Zoo Anniversary Party.

In furtherance of the continued operation of the Coney Island Amphitheater pursuant to the proposed arena special permit, which would continue to feature concerts, other entertainment, and community-based events, EDC plans to release a Request for Proposals ("RFP") for a new amphitheater operator in the late summer/early fall of 2025. The RFP will be seeking a new operator or operators for the amphitheater and/or the Childs Restaurant Building for a duration to be determined at a later date.

Significantly, the Coney West Subdistrict of the Special Coney Island District has experienced significant residential and retail development in the area surrounding the Seaside Park & Community Arts Center since the opening of the Coney Island Amphitheater, all in accordance with the goals for the Coney West Subdistrict envisioned by the 2009 Coney Island Rezoning. Indeed, on Coney West's Parcel C, which is bounded by Surf Avenue to the north, West 20th Street to the east, Ocean Way to the south and West 21st Street to the west, two lots have been developed and one is under construction with mixed-use retail and residential buildings. The northwest parcel has been developed with a nine-story supportive housing building, known as Surf Vets Place, which provides housing for formerly homeless veterans and contains local retail uses on the ground floor. The northeast parcel has been developed with a 20-story mixed-use building, known as Raven Hall, which contains ground floor retail and residential uses above. A new 23-story mixed-use affordable housing development known as Luna Green is currently being built on the southwest portion of Parcel C.

The City recently announced a partnership with a private developer to build what is being referred to as Coney Island Phase III, a mixed use development located along the north side of Surf Avenue between West 17th and West 19th Streets, in the Coney North Subdistrict, which is an area immediately north of the proposed Project Area. The project will bring 420 new affordable housing units, commercial and community facility uses to a vacant parcel. Five blocks to the west of the Project Area, on West 28th Street between Surf and Mermaid Avenues, the City

will be partnering with a not-for-profit organization to develop 178 affordable and supportive housing units as part of the Coney Landing Project.

In February 2025, EDC issued an RFP to develop Parcel A within the Coney West Subdistrict, which is a city-owned site consisting of approximately 76,200 sq. ft. of lot area, bound by Surf Avenue to the north, West 21st Street to the east, Ocean Way to the south and West 22nd Street to the west. As described by EDC, the future development of Parcel A is expected to bring more than 500 mixed-income homes — 25 percent of which would be affordable — and ground-floor retail to the site. EDC also issued a Request for Qualifications for a design-build team to lead the $42 Million renovation of the 46,000 square-foot Abe Stark Sports Center, located east of the Seaside Park & Community Arts Center.

No other land use actions have been approved within 1,000 feet of the Project Area in the past 15 years.

3. Description of the Surrounding Area

The proposed Project Area is located in the Coney Island neighborhood of Brooklyn Community District 13. The Project Area is generally bounded by West 21st Street to the east, the Riegelmann Boardwalk to the south, West 23rd Street to the west, and the southern edge of Ocean Way between West 21st Street and West 22nd Street to the north. Ocean Way is an approximately 75-foot-wide street that was mapped as part of the Coney Island Rezoning in 2009. It runs east-west parallel to and approximately 250 feet north of the Riegelmann Boardwalk from the future Parachute Way, which will be an extension of West 19th Street south of Surf Avenue, to West 22nd Street to the west. The portion of Ocean Way from West 20th Street to West 22nd Street was built recently and will be open to vehicular traffic in the near future. The portion of Ocean Way from West 20th Street moving east to the future Parachute Way has not yet been built. The proposed Project Area is within the Coney West Subdistrict of the Special Coney Island District (CI), which was established by the provisions of ZR Article XIII, Chapter 1.

The area surrounding the proposed Project Area is characterized by a variety of uses, densities and building typologies. Development in the nearby neighborhood is concentrated along the main pedestrian and automotive thoroughfares, including Surf Avenue and Mermaid Avenue, located one and two blocks north of the proposed Project Area. The existing buildings primarily range in height from one to six stories as well as several tower in the park style NYCHA and Mitchel-Lama developments rising between 13 and 22 stories, housing a sizable proportion of residents in the area.

New affordable housing developments, as mentioned above, include the 9-story supportive housing development dedicated to homeless veterans and the other 20-story affordable housing development, were recently built on Coney West Parcel C along Surf Avenue between West 21st Street and West 20th Street, immediately northeast of the Project Area. A 16-story mixed-use building on the northeast corner of Surf Avenue and West 20th Street was also recently built, containing 446 dwelling units and ground floor retail uses. A residential health facility for seniors is located across West 23rd Street just west of the Project Area. A 3-story building used by the NYC Human Resources Administration (“HRA”) formerly occupied the lot

immediately north of the Childs Restaurant Building along the western side of West 21st Street. The building was demolished in September 2023 under DOB Job #B00847527, to make way for the construction of Ocean Way.

Regional entertainment uses are concentrated in the Coney East Subdistrict, including the world-famous Luna Park and Deno's Wonder Wheel Amusement Park, as well as the Maimonides Park baseball stadium, the Abe Stark Ice-Skating Rink and the New York Aquarium, all of which are no more than a 15-minute walk from the proposed Project Area. Riegelmann Boardwalk runs along the entire width of the Project Area and extends a total length of 2.7 miles along the southern shore of the Coney Island peninsula to the east and west of the Project Area.

Notable community facility uses within the surrounding area include the Saints Joachim & Anne Nursing and Rehabilitation Center and the Seagate Rehabilitation & Nursing Center, both of which are located beginning approximately four blocks west of the proposed Project Area on the southern side of Surf Avenue between West 27th and West 28th Streets and West 28th and West 29th Streets, respectively. Additionally, a branch of the Brooklyn Public Library is located on the northwest corner of Mermaid Avenue and West 19th Street and the Shrine Church of Our Lady of Solace is located on the northwest corner of Mermaid Avenue and East 17th Street, two blocks north of the proposed Project Area.

The Project Area is part of the Coney West Subdistrict within the Special Coney Island District. The Coney West Subdistrict is bound by Surf Avenue to the north, the future Parachute Way to the east, the Riegelmann Boardwalk to the south and West 23rd Street to the west. The Subdistrict contains seven Parcels identified in Appendix A of ZR Article XIII, Chapter 1 as Parcels A through G. Parcels A through F were established by the Coney Island Rezoning Plan in July 2009 and Parcel G was added as part of the Seaside Park Project in December 2013. The Project Area consists of Parcels B and G within the Coney West Subdistrict. The goal of the Coney West Subdistrict, when it was established in 2009, was to create a new mixed-use residential and retail neighborhood that would address the local need for housing, provide greater access to retail goods and services, and jobs. The new residential and retail community was also meant to help establish the Coney Island area as a year-round destination that would support the entertainment and amusement district that has typified the Coney Island neighborhood.

Parcels A through F in the Coney West Subdistrict located east of West 22nd Street are zoned R7D/C2-4 while Parcel G located west of West 22nd Street is zoned R5. The parcels in the R7D/C2-4 District were formerly in an Inclusionary Housing Designated Area before DCP eliminated that designation with the passage of the City of Yes for Housing Opportunity text amendment in December 2024. The entire Project Area is located on a Waterfront Block, in the NYC Coastal Zone Boundary and Flood Zone A as per FEMA's preliminary Flood Insurance Rate Maps with a 1% annual floodplain chance.

R7D Districts typically promote new contextual development along transit corridors. Residential uses are permitted up to a maximum 4.66 FAR for basic buildings and up to 5.6 FAR for buildings providing qualifying affordable/senior housing. Standard base heights may rise

between 60 and 85 feet and total building heights may reach a maximum of 105 feet. However, for buildings providing qualifying affordable/senior housing or in Mandatory Inclusionary Housing Areas, base heights may rise between 60 and 95 feet before setting back and may continue to a maximum building height of 125 feet. Parking is required depending on geographic location. In the Outer Transit Zone, which is where the Project Area is located, parking is required for 15% of dwelling units and no parking is required for affordable units. However, the floor area and height and setback regulations are modified for sites in the Special Coney Island District and differ within the Special District depending on the location of each lot. In the Coney West Subdistrict for example, the maximum permitted FAR for Parcels A, B, C and D is 4.8 for standard residences and 5.8 for qualifying affordable/senior housing and for Parcels E and F, the maximum permitted FAR is 4.6 for standard residences and 5.5 for qualifying affordable/senior housing. Within 70 feet of Riegelmann Boardwalk, the maximum base height permitted is 40 feet and beyond 80 feet from the Boardwalk, the maximum transition height permitted is 95 feet for either of or part of Parcels A through F. Above the 95-foot-tall transition height, towers regulations apply.

Parcels within the R7D district in the CI are mapped with a C2-4 commercial overlay. C2-4 overlay districts permit all local retail uses in Use Groups VI, as well as offices and select laboratories in Use Group VII and most recreational and entertainment facilities in Use Group VIII. When mapped in R7D Districts, commercial uses are permitted up to 2.0 FAR. One parking space is required per 1,000 sq. ft. of commercial floor area and commercial parking requirements are waived when less than 40 spaces are required. The CI modifies these regulations depending on the subdistrict in which the parcel is located and the streets the parcel fronts. For Use Group A uses including amusement and recreation facilities, health and fitness establishments, theaters, and arenas, one off-street parking space is required for every 2,000 sq. ft. of floor area or lot area for open uses.

The portion of the Project Area west of West 22nd Street is in an R5 District and consists of Parcel G of the Coney West Subdistrict in the Special Coney Island District. R5 districts are typically low-density general residence districts, in which all housing types are permitted including garden apartments, row houses and attached homes. Residential buildings may be built up to a maximum FAR of 1.5 for standard zoning lots and 2.0 FAR for qualifying residential sites. A maximum base height of 35 feet and a maximum building height of 45 feet is permitted for standard lots and a maximum base height of 45 feet and a maximum building height of 55 feet is permitted for qualifying residential sites. Community facility buildings can be built up to a maximum of 2.0 FAR. Above the maximum base height, a minimum setback of 10 feet along a wide street and 15 feet along a narrow street is required for residential buildings. In the Outer Transit Zone, parking is required for 35 percent of dwelling units, and no parking is required for affordable units. Parcel G though in the CI is not land that can be developed as all those lots are all part of the publicly accessible open space approved by the City as part of the Seaside Park Project in 2013, and were formally approved by the City in 2009 to be mapped as parkland with the tentative name Highland View Park, as discussed in greater detail above.

An R6 District is mapped immediately north of the proposed Project Area outside the CI, beginning north of Surf Avenue. R6 districts are general residential districts that are widely mapped in built-up, medium density areas in Brooklyn. For zoning lots along wide streets, the R6 zoning district allows residential buildings up to a maximum 3.0 FAR and up to 3.9 with qualifying affordable/senior housing. For zoning lots along narrow streets standard residences are permitted up to 2.2 FAR and up to 3.9 FAR with qualifying affordable/senior housing. For standard residences, the maximum building height is 75 feet along wide streets, while along narrow streets the maximum building height is 55 feet. However, for qualifying affordable/senior housing, the maximum building height increases to 95 feet along both wide and narrow streets. Parking for new residences is determined based on geographic location. In the Outer Transit Zone, parking is required for 25% of market rate dwelling units, while no parking is required for affordable units.

The Project Area is well served by public transit. The B36 bus runs along Surf Avenue, one block north of the Development Site with service between Coney Island and Sheepshead Bay while the B74 bus runs along Mermaid Avenue, two blocks to the north with service between Seagate and Stillwell Avenue. The New York City Transit D, N, F and Q subway lines all terminate at the Coney Island-Stillwell Avenue station located approximately 0.6 miles northeast from the Project Area providing service throughout Brooklyn, Manhattan, Queens, and the Bronx.

4. Description of the Proposed Project Area

The proposed Project Area and proposed Development Site are coterminous consisting of Lots 27, 28, 30, 32, 34, 76, 79, 81, 130, 142, 200, 226, 231, 300 and p/o 123 on Block 7071. The Project Area is in the Coney West Subdistrict within the Special Coney Island District. Lots 130 and 142 and p/o 123 are identified on the Special Coney Island District Maps as Parcel B while all remaining lots in the Project Area are identified on the Special Coney Island District maps as Parcel G.

The proposed Project Area contains a total of approximately 133,475 sq. ft. of lot area. Approximately 66,845 sq. ft. are in the R7D/C2-4 portion of the zoning lot, which is comprised of Lots 130, 142 and p/o 123 (“Parcel B”) while approximately 66,630 sq. ft. are in the R5 portion of the site, which is comprised of Lots 27, 28, 30, 32, 34, 76, 79, 81, 200, 226, 231 and 300 (“Parcel G”). The p/o Lot 123 included in the Project Area is a triangular shaped parcel between the Childs Restaurant Building and the newly constructed Ocean Way.

The Project Area is improved with the Seaside Park & Community Arts Center, which consists of the former Childs Restaurant Building to the east on Lot 130 and, immediately to the west of Lot 130, the Coney Island Amphitheater and adjacent public open space on Lots 142, 300, 27, 28, 30, 32, 34, 76, 200, 226 and 231. Lot 130 is a 25,400 sq. ft. part corner lot and part interior lot, located along the western side of West 21st Street immediately north of the Riegelmann Boardwalk. It is improved with the three-story Childs Restaurant Building, which

contains approximately 56,272 sq. ft. of floor area and was designated by LPC a landmark building in February 2003.

The Coney Island Amphitheater consists of a large plaza and stepped terraces that face a stage integrated into the western wall of the Childs Restaurant Building. The amphitheater plaza and stepped terraces provide seating to accommodate up to 5,099 attendees. A tensile fabric roof mounted on arched metal trusses are installed over the plaza, with an extension to the roof and side-panel curtains. The 2013 Seaside Park & Community Arts Center approvals required a removable roof or structural canopy above the open-air auditorium seating area. However, a removable roof was found to be incompatible and infeasible with the New York City Building Code. Subsequently, a code-compliant, non-removable roof was built.

Fencing is deployed around the Amphitheater bowl pursuant to the approval under the Seaside Park Project in 2013. Specifically, a total of approximately seventy-five 4' x 8' fencing panels are regularly deployed, beginning along the southern edge of the property moving westward along the boardwalk and then curves north following the line formed by the tensile roof thereby dividing the outdoor concession space associated with the amphitheater with the grassy hill to the west associated with the publicly accessible open space. The fencing breaks where the tensile wall begins along the western side of the amphitheater. The fencing then continues.at the West 22nd Street entrance to the park, where the tensile wall ends, continuing east to create an exit from the amphitheater seating area onto West 22nd Street. The proposed arena special permit seeks to modify the previously approved 2013 fencing plan by the addition of a motorized gate at the loading dock on West 22nd Street.

The terraced seating area remains intact and is being used as intended in accordance with its original, approved design with one minor exception. Two rows of bench seating in the northwestern corner of the terraced seating area have been replaced with two small rows of high-top tables and chairs to accommodate up to twelve people with a place to dine while attending arena events.

The amphitheater stage area, which is set into the western wall of the Childs Restaurant Building, was constructed pursuant to a Certificate of Appropriateness granted by LPC. During the outdoor concert season, doors installed in the western façade enclosing the stage are open and a stage apron is installed to enlarge the area available for performances. At the conclusion of the outdoor concert season the doors slide shut to enclose the stage area, which is re-oriented to face the interior of the building allowing the stage to support the building's off-season use as an indoor entertainment venue as well as restaurant and banquet facilities. The Amphitheater's "back of the house" areas as well as restrooms are also all located in the Child's Restaurant Building.

The richly landscaped public open space extends from the westerly edge of the Coney Island Amphitheater to West 23rd Street along the Riegelmann Boardwalk. The public open space features active and passive recreational areas, including several small playgrounds, a large sloping lawn, and an area with curving paths and planting. Seating is distributed throughout the area, which is accessed from multiple points on the boardwalk, West 23rd Street, and West 22nd

Street. This area is open to the public year- round, including during concerts and events. The public open space incorporates gently winding paths to ensure that it is fully accessible. There is bench seating with game tables and individual benches interspersed throughout the open space for public use.

Lot 79 contains 4,000 sq. ft. of lot area and Lot 81 contains 2,000 sq. ft., which yields a total lot area of 6,000 sq. ft. The lots are vacant and paved with concrete asphalt. The lots will be an addition to the Seaside Park & Community Arts Center public open space occupying the westernmost portion of the site. They will have direct access from West 23rd Street and be integrated harmoniously with the balance of the Seaside Park public open space area creating a more expansive park setting for all to enjoy.

5. Description of the Proposed Development Site

The proposed Development Site is coterminous with the proposed Project Area.

6. Description of the Proposed Development

The Proposed Actions would slightly enlarge the Development Site and allow an arena with a seating capacity of up to 6,000 patrons, as well as expand the Seaside Park & Community Arts Center public open space by the addition of Lots 79 and 81. As mentioned, the Coney Island Amphitheater as it exists today consists of a large plaza and stepped terraces that face a stage integrated into the western wall of the Childs Restaurant Building. The amphitheater plaza and stepped terraces provide seating to accommodate up to 5,099 attendees. A tensile fabric roof mounted on arched metal trusses are installed over the plaza, with an extension to the roof and side-panel curtains. The amphitheater has and will continue to host various cultural and community-based events including musical concerts, film screenings and graduations. The seating capacity of the amphitheater is expected to remain the same as a result of this application.

The proposed open space expansion would feature an at grade entrance along West 23rd Street and an accessible path that connects to the elevation of the main portion of Seaside Park. Its accessible seating areas with ADA companion seating would ensure seamless, full, and equal enjoyment of the new open space in the same way that currently all visitors to the Seaside Park & Community Arts Center enjoy access throughout the park's publicly accessible open space. The Applicants coordinated closely with the Public Design Commission regarding the current plans for the Seaside Park & Community Arts Center's Coney Island Amphitheater and public open space, and similarly coordinated with the Department of Parks & Recreation regarding the open space design.

Removable fence panels are deployed along the property's perimeter from the western edge of the Childs Restaurant Building, along the boardwalk to the western edge of the comfort station (just west of the Main Gate along the boardwalk at West 22nd Street). Other sections of fencing are deployed along the footpath north from the boardwalk at West 22nd Street, along the western and northern edges of the tensile structure, ending at West 22nd Street and the north side of the venue. On event days, members of the public who are not attending the event, or on free event days, the would-be event-goers who were denied entry for lack of space at the venue, are

permitted to sit on the boardwalk using their own beach chairs or one of the many park benches that align the boardwalk. However, in order to maintain a safety zone for security reasons, non-event-goers may not congregate on the grassy hill in Seaside Park located immediately west of the arena while an event is taking place (this area is identified on the L-Series plans accompanying this application as "Lawn" consisting of 8,712 sq. ft. of lot area). Instead, members of the public have access to the western half of Seaside Park during events, demarcated by the pathway which divides the grassy hill area east of the pathway from the remaining portion of Seaside Park, west of the pathway.

The proposed expanded portion of the Seaside Park public open space will employ the same furniture and materials currently found in the existing open space, including exposed aggregate concrete for the park's walking paths, 1939 World's Fair benches, two rail pipe rail fencing, ADA accessible game tables and seating, and steel waste trash receptacles. New trees in the park expansion area will provide shaded respites from the bright sun of Coney Island's beach and boardwalk. Irrigation and site maintenance will be accommodated with a system of quick-coupling hose bibs. Site stormwater will be directed to a series of bio infiltration basins, preventing the discharge of pollutants into the City's waterways in furtherance of the City's sustainability and resiliency objectives. The proposed open space expansion will significantly improve the condition of these lots and enhance the overall experience of those visiting Seaside Park.

7. Actions Necessary to Facilitate the Project

The Proposed Development as described above requires the approval of the following land use actions:

1. Zoning Text Amendment to delete Section 131-60 of the Zoning Resolution ("ZR") (Special Permit for Auditoriums) and add a new paragraph (d) to ZR Section 74-182, which would authorize the City Planning Commission to permit on Parcels B and G in the Coney West Subdistrict of the Special Coney Island District arenas, auditoriums or stadiums with a capacity in excess of 2,500 seats. The Zoning Text Amendment would also add to ZR Article XIII (Special Purpose Districts), Chapter 1 (Special Coney Island District) a new Section 131-16 (Special Permit for Certain Arenas), which provides that the City Planning Commission may permit an arena in accordance with the provisions of paragraph (d) of Section 74-182 on Parcels B and G in the Coney West Subdistrict of the Special Coney Island District.

2. A new Zoning Special Permit pursuant to the proposed ZR Section 74-182(d) to allow the arena with a maximum of 6,000 seats.

3. Disposition of City-owned property located on Block 7071, Lots 27, 28, 30, 32, 34, 76, 79, 81, 130, 142, 200, 226, 231, 300 and p/o 123, restricted to the conditions pursuant to proposed NYC Zoning Resolution Section 74-182(d) (Special Permit for Arenas, auditoriums, stadiums or trade expositions) that currently comprise the Seaside Park & Community Arts Center, to facilitate a lease term for the operation of the site, as well as enlarge the public open space with the addition of Lots 79 and 81.

4. Disposition of City-owned property located on Block 7071, Lot 130 and p/o 123, not restricted to the conditions pursuant to proposed ZR Section 74-182(d), to allow EDC and DCAS to flexibly tenant the Childs Restaurant Building on Lot 130 and the immediately adjacent land on p/o Lot 123, and thereby provide the City with the ability to seek additional or supplemental operators for the Childs Restaurant Building, as appropriate and to maximize community benefit. This second unrestricted disposition would take effect at such time that the Child's Restaurant Building on Lot 130 and adjacent p/o Lot 123 are no longer being operated in tandem with the Seaside Park & Community Arts Center.

5. Acquisition of property by the City of New York from the New York City Economic Development Corporation to allow the City to acquire a p/o Lot 123 on Block 7071.

Zoning Text Amendment

The proposed zoning text amendment would delete from ZR Article XIII, Chapter 1 Section 131-60 (Special Permit for Auditoriums) that currently applies in the Coney West Subdistrict of the Special Coney Island District to allow an open-air auditorium with a maximum capacity of 5,100 seats and add to ZR Section 74-182 (Arenas, auditoriums, stadiums or trade expositions) a new paragraph (d) that would apply in the Coney West Subdistrict of the Special Coney Island District to allow an arena, auditorium or stadium with a capacity in excess of 2,500 seats. The existing Section 131-60 was added to Article XIII, Chapter in 2013 to facilitate the development of the Seaside Park & Community Arts Center's Coney Island Amphitheater on Parcels B and G of the Coney West Subdistrict of the Special Coney Island District, with its seating capacity of 5,099 and for the initial term of ten years from the date of a final or temporary certificate of occupancy.

With the impending expiration of the initial 10-year term of the special permit granted in 2013, and based upon the experience of nearly a decade of operation of the Seaside Park & Community Arts Center, the Applicants determined that the findings and conditions established generally by ZR Section 74-182 for arenas, auditoriums, or stadiums, together with the additional findings that would be added specific to Parcels B and G in the Coney West Subdistrict of the Special Coney Island District by the proposed paragraph (d) of Section 74-182, are more appropriate for the prospective use and operation of the Coney Island Amphitheater.

Accordingly, the Applicants propose the addition of the proposed paragraph (d) to ZR Section 74-182, together with the addition of Section 131-16 (Special Permit for Certain Arenas) to ZR Article XIII, Chapter 1 which would allow the City Planning Commission to permit an arena on Parcels B and G in the Coney West Subdistrict of the Special Coney Island District in accordance with the provisions of paragraph (d) of Section 74-182.

Zoning Special Permit

The Applicants seek a special permit pursuant to the provisions of paragraph (d) that is proposed to be added to ZR Section 74-182. The requested special permit would allow the

continued operation of the Coney Island Amphitheater use with a capacity of 6,000 seats on Parcels B and G in the Coney West Subdistrict of the Coney Island Special District.

The Applicants also request modification of the underlying parking, loading and signage regulations under the proposed ZR Section 74-182. Pursuant to the underlying zoning, the proposed development would require 66 accessory off-street parking spaces. The operation of the Coney Island Amphitheater during the last nine years has shown that there is ample parking available in proximity to the Project Area for event attendees who travel to the amphitheater by motor vehicle and, therefore, the accessory parking required by the underlying zoning is not needed. With respect to the underlying loading regulations, the Applicants propose one off-street loading area with three berths, which exceeds the two berths required by zoning. However, the underlying zoning does not allow such loading facilities to be located within 50 feet of an intersection of two streets, or an unenclosed loading area within 60 feet of a residential zoning district boundary. The proposed unenclosed off-street loading area is located within 50 feet of the intersection of Ocean Way and West 22nd Street and would be located within 60 feet of a residential zoning district boundary. Hence, the loading waiver is requested.

The applicable signage requirements of the underlying zoning limit the total sign area of non-illuminated signage per frontage to 150 square feet, and do not allow signage to be mounted on the roof of a building, to project more than 12 inches for most signs across a street line, or advertising signage. The Applicants request modification of the signage regulations to allow a total sign area of 6,599 square feet including seasonal and event-only signage, as well as permanent signage, for the provision of an illuminated sign on the roof of the Child's Restaurant Building, and for advertising content to be deployed on the interior of the temporary fencing to be erected during events. The advertising content would be visible only from the interior of the concert venue, not from the public spaces adjacent to the facility.

Acquisition of Property

DCAS is seeking an acquisition action of a p/o Lot 123 on Block 7071. The parcel, currently owned by EDC, was not acquired at the time of the original Seaside Park project approvals in 2013, because Lot 123 was improved with an office building occupied by the NYC Human Resources Administration (HRA) at that time. Since then, HRA vacated the building and it was demolished to allow for the construction of Ocean Way, a new street mapped as part of the 2009 Coney Island Rezoning. The p/o Lot 123 proposed for acquisition by the City from EDC is outside the bed of Ocean Way and directly adjacent to the Seaside Park & Community Arts Center at the north side of the Child's Restaurant Building.

Disposition of Property

DCAS is seeking disposition of City-owned property located on Block 7071, Lots 27, 28, 30, 32, 34, 76, 79, 81, 130, 142, 200, 226, 231, 300 and p/o 123, restricted to the conditions pursuant to proposed NYC Zoning Resolution Section 74-182 (d). With the exception of Lots 79, 81, and the p/o 123, these lots presently comprise the Seaside Park Project & Community Arts Center. The proposed disposition would facilitate the continued use and operation of the Seaside Park & Community Arts Center pursuant to the conditions of the proposed special permit, and to

reflect the enlargement of the Seaside Park site with the addition of Lots 79, 81, and p/o 123. Lots 130 and p/o 123 are included in this restricted disposition action given portions of the Childs Restaurant Building serve as back-of-house operations for the amphitheater while the vacant open space on p/o Lot 123 is directly adjacent to the Childs Restaurant Building and thus should be maintained by the same operator. The inclusion of these parcels in the restricted disposition action further ensures that these lots are part of the Seaside Park & Community Arts Center for as long as the amphitheater and adjoining publicly accessible open space to the west are operational.

Additionally, a second disposition, not restricted to the conditions pursuant to proposed ZR Section 74-182(d), involving p/o Lot 123 and Lot 130, which is improved with the Childs Restaurant Building, is being sought to allow EDC and DCAS to flexibly tenant this landmarked building and thereby provide the City with the ability to seek additional or supplemental operators for the Childs Restaurant Building, as appropriate and to maximize community benefit. This second unrestricted disposition would take effect at such time that the Childs Restaurant Building on Lot 130 and the adjacent vacant area on p/o Lot 123 to the immediate north of the Childs Restaurant Building are no longer being operated in tandem with the Seaside Park & Community Arts Center.

8. Conclusion

The Proposed Actions will allow the continued maintenance and operation of the Seaside Park & Community Arts Center, which has become an important and valued public amenity in the Special Coney Island District, upon the expiration of the term of the existing special permit. The Proposed Actions will also enlarge the Seaside Park & Community Arts Center open space by the addition of Lots 79, 81 and p/o 123, and overall, they will continue to ensure the vitality and success of a valued neighborhood resource while remaining consistent with the goals of the Special Coney Island District. With the approval of the Proposed Actions, both the City and community will be able to continue to benefit from the Seaside Park & Community Arts Center.