



## Legislation Details (With Text)

<b>File #:</b>	Res 2110-2013	<b>Version:</b>	*	<b>Name:</b>	LU 999 - Zoning, Elimination of streets within an area bounded by West 22nd St, West 23rd St, and Public Beach in accordance with Map Nos. X-2711 dated January 14, 2009, revised June 17, 2009 and August 16, 2013. (M 090107(B) MMK)
<b>Type:</b>	Resolution	<b>Status:</b>		<b>In control:</b>	Adopted Committee on Land Use
<b>On agenda:</b>	12/19/2013				
<b>Enactment date:</b>		<b>Enactment #:</b>			
<b>Title:</b>	Resolution approving the decision of the City Planning Commission on ULURP No. M 090107(B) MMK, an amendment to the City Map (L.U. No. 999).				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Attachments:</b>	1. Committee Report, 2. Hearing Transcript - Stated Meeting 12-19-13				

Date	Ver.	Action By	Action	Result
12/18/2013	*	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC	
12/19/2013	*	City Council	Approved, by Council	Pass

### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 2110

Resolution approving the decision of the City Planning Commission on ULURP No. M 090107(B) MMK, an amendment to the City Map (L.U. No. 999).

By Council Members Comrie and Weprin

WHEREAS, the City Planning Commission filed with the Council on December 5, 2013 its decision dated December 4, 2013 (the "Decision"), on the resolution adopted by the City Planning Commission 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 23<sup>rd</sup> Street, the Public Beach and West 24<sup>th</sup> 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, (ULURP No. M 090107(B) MMK), Community District 13, Borough of Brooklyn (the "Application");

WHEREAS, the Application is related to applications C 140063 ZSK (L.U. No. 994), a 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 (L.U. No. 995), 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 (L.U. No. 996), a proposed amendment to the Zoning Map, Section No. 28d, establishing a Special Coney Island District (CI) generally bounded by West 22<sup>nd</sup> Street, Riegelmann Boardwalk, West 23<sup>rd</sup> Street and a line 245 feet northerly of the boardwalk; C 140066 PPK (L.U.

No. 997), 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 C 140067 PQQ (L.U. No. 998), a proposed acquisition of property by the City to allow the City to purchase the following lots on Block 7071, Lots 27, 28, 30, 32, 34 76 79 81 130, 226, and 231;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on December 17, 2013;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the Final Environmental Impact Statement (“FEIS”) for which a Notice of Completion was issued on October 25, 2013 (CEQR No. 13DME014K) and the CEQR Technical Memorandum dated December 18, 2013 (the “CEQR Technical Memorandum”).

RESOLVED:

Having considered the FEIS and the CEQR Technical Memorandum, with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic, and other essential considerations, from among the reasonable alternatives thereto, the Proposed Action adopted herein, as modified, is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FEIS and the CEQR Technical Memorandum will be minimized or avoided to the maximum extent practicable by incorporating as conditions to this approval, as modified, 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, those project components related to the environment and mitigation measures that were identified as practicable; and
- (4) The Decision together with the FEIS and the CEQR Technical Memorandum constitute the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and Section 5-433 of the New York City Administrative Code and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, M 090107(B) MMK, incorporated by reference herein, the Council approves the Decision, for an amendment to the City Map 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 22<sup>nd</sup> Street and the newly established southerly street terminus line of West 22<sup>nd</sup> Street, said point being distant 46.96 feet southerly along said easterly street line of West 22<sup>nd</sup> 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 22<sup>nd</sup> Street, discontinued and closed, in the projection of the existing easterly street line of West 22<sup>nd</sup> 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 22<sup>nd</sup> 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 22<sup>nd</sup> Street, discontinued and closed;
- 3) Running thence northerly, along said former westerly street line of West 22<sup>nd</sup> 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 23<sup>rd</sup> Street;
- 5) Running thence northerly, along the newly established easterly street line of West 23<sup>rd</sup> 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 22<sup>nd</sup> Street, discontinued and closed;
- 7) Running thence northerly, along said former westerly street line of West 22<sup>nd</sup> 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 22<sup>nd</sup> 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 22<sup>nd</sup> 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 22<sup>nd</sup> Street;

10) Running thence easterly, along said newly established southerly street terminus line of West 22<sup>nd</sup> 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.

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.

Adopted.

Office of the City Clerk, }  
The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on December 19, 2013, on file in this office.

.....  
City Clerk, Clerk of The Council