



Legislation Text

File #: Res 2138-2009, Version: *

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 2138

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 090107 MMK, an amendment to the City Map (L.U. No. 1142).

By Council Member Katz

WHEREAS, the City Planning Commission filed with the Council on June 18, 2009 its decision dated June 17, 2009 (the "Decision"), on the application submitted by the New York City Department of City Planning, the Department of Parks and Recreation, and the New York City Economic Development Corporation, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code, for an amendment to the City Map involving:

- the establishment of streets;
- the establishment of new parks and park additions;
- the modification and adjustment of grades of existing streets;
- the elimination, discontinuance and closing of portions of streets;
- the elimination of parks and portions of parks;
- the delineation of easements and corridors; and
- the extinguishment of record streets, all within an area generally bounded by West 8th Street, Surf Avenue, West 23rd Street, and the Public Beach;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map Nos. X-2710 and X-2711, dated January 14, 2009, revised June 17, 2009, and Map Nos. Y-2715, X-2716, X-2717, and Y-2718, dated June 17, 2009, and signed by the Borough President, (ULURP No. C 090107 MMK), Community District 13, Borough of Brooklyn (the "Application");

WHEREAS, the Application is related to ULURP Applications Numbers C 090272 ZMK (L.U. No. 1136), an 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 C7 district to R5 outside of the Special Coney Island District; N 090273 (A) ZRK (L.U. No. 1137), a zoning text amendment to create the Special Coney Island District; C 090274 POK (L.U. No. 1138), an acquisition of property located within the Coney East subdistrict; C 090275 POK (L.U. No. 1139), an acquisition of property located at West 19th Street and Surf Avenue; C 090276 HAK (L.U. No. 1140), an urban development action area project 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; and C 090277 PPK (L.U. No. 1141), a disposition of city-owned property within the Coney East subdistrict;

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 July 1, 2009;

WHEREAS, the Council has considered the relevant environmental issues; the Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on June 5, 2009 with respect to this application (CEQR No. 08DME007K) and the Technical Memoranda, dated June 15, 2009, in which the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met, and July 22, 2009 in which it was found that the Council modifications would not result in any new significant adverse environmental impacts not already identified in the FEIS;

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

RESOLVED:

Having considered the FEIS and the Technical Memoranda, with respect to the 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 action, together with the modifications thereto adopted herein, and as described in the Technical Memoranda, dated June 15, 2009 and July 22, 2009 is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable;
- (3) 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, those mitigative measures that were identified as practicable; and
- (4) The Decision, the FEIS and the Technical Memoranda dated June 15, 2009 and July 22, 2009, 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 199 of the New York City Charter, the Council approves the Decision with the following modifications:

- 1) In relation to Wonder Wheel Way, from West 10th to West 12th Streets and West 15th to West 16th Streets, a 30-foot way shall be substituted for the current 56-foot street. By administrative change, the 30-foot way between West 10th and West 12th Streets shall be shown on a separate map from the other street mappings for Coney East and shall be named "East Walk". The 30-foot way between West 15th and West 16th Streets shall be named "West Walk".
- 2) Where Wonder Wheel Way is narrowed to 30 feet, the park shall be expanded.
- 3) West 16th Street and West 10th Street shall terminate in turn-arounds, portions of which will be located in areas previously proposed to be mapped as parkland.
- 4) The Wonder Wheel site and the narrow "Panhandle", i.e., the sliver of property running east-west from

West 12th Street, comprising all of Lot 145 south of Wonder Wheel Way, shall be removed from the park mapping.

5) Notes shall be added to the Maps for the foregoing as follows:

Note A:

Between the former easterly line of West 12th Street and the former westerly line of Jones Walk, free pedestrian access between the boardwalk and the “Wonder Wheel” shall be maintained at all times that the park is open to the public.

Note B:

Park use shall be subject to a pedestrian and vehicular access easement appurtenant to the portions of Lot 145 located below West 12th Street for purposes of operation of the Wonder Wheel, for so long as such easement remains in effect, in accordance with its terms. Such easement shall run from a starting point at the northerly line of the park to the westernmost line of the portion of Lot 145 below West 12th Street, and shall be of a sufficient width to accommodate vehicular access for purposes of operation of the Wonder Wheel.

Note C:

Park use shall be subject to a vehicular access easement appurtenant to Lot 145 for so long as such easement remains in effect, in accordance with its terms, running from the easterly line of the formerly mapped West 12th Street along the northern boundary of the western extension of Lot 145. Such easement shall be of a sufficient width to accommodate large equipment when used in combination with the western extension of Lot 145 for such purpose.

All the foregoing are shown on Maps No. Y-2715 and X-2719 (previously referred to as Map X-2717 in the modification letter dated July 21, 2009 that was sent to the City Planning Commission) attached hereto and incorporated herein.

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 July 29, 2009, on file in this office.

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City Clerk, Clerk of The Council