THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, NY 10007

# NOTICE OF COMPLETION

## FINAL ENVIRONMENTAL IMPACT STATEMENT
## for

## SEASIDE PARK AND COMMUNITY ARTS CENTER

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| Lead Agency: | Office of the Deputy Mayor for Economic Development |
| CEQR Number: | 13DME014K |
| SEQR Classification: | Type I |
| Date Issued: | November 21, 2013 |
| Location: | Block 7071, Lots 27, 28, 30, 32, 34, 76, 79, 81, 142, 130, 226, and 231<br>Community District 13<br>Borough of Brooklyn |

Pursuant to City Environmental Quality Review, Mayoral Executive Order 91 of 1977, as amended, and the City Environmental Quality Review Rules of Procedure found at Title 62, Chapter 5 of the Rules of the City of New York (CEQR), and the State Environmental Quality Review Act, Article 8 of the New York State Environmental Conservation Law and its implementing regulations found at Part 617 of 6NYCRR (SEQRA), a Final Environmental Impact Statement (FEIS) has been prepared for the actions described below and is available for public inspection at the offices listed at the end of this notice.

In accordance with SEQRA/CEQR, the Office of the Deputy Mayor for Economic Development (ODMED) issued a Positive Declaration on May 16, 2013, requiring that an EIS be prepared for the proposed project. A Draft Scope of Work was made available to agencies and the public for review and comment. To provide a forum for public comments on the Draft Scope of Work, a public scoping meeting was held on June 17, 2013. The scoping hearing was held at Abraham Lincoln High School, 2800 Ocean Parkway, Brooklyn, New York, 11235. Written comments on the Draft Scope of Work were accepted until 5:00 PM on June 27, 2013. Based on comments received, a Final Scope of Work was prepared and issued on

September 4, 2013. The Notice of Completion and the Draft Environmental Impact Statement (DEIS) for this project were issued on September 5, 2013. A public hearing was held on the DEIS in conjunction with the City Planning Commission's public hearing pursuant to the Uniform Land Use Review Procedure (ULURP) on October 23, 2013 at Spector Hall, 22 Reade Street, New York, New York to accept oral and written comments on the DEIS. Written comments on the DEIS were accepted through 5:00 PM on November 4, 2013.

## 1. PROJECT DESCRIPTION

The Applicant, Coney Island Holdings LLC, is proposing a number of land use actions to facilitate the development of the Seaside Park and Community Arts Center (the "proposed project") in the Coney Island neighborhood of Brooklyn Community District 13. The proposed project involves the development of approximately 2.41-acres of publicly accessible open space, which would include an approximately 5,100-seat seasonal amphitheater for concerts and other events. The proposed project also includes the landmarked (Former) Childs Restaurant Building, which would be restored for reuse as a restaurant and banquet facility and renovated for adaptive reuse to provide the stage area for the open-air concert venue and use as an indoor entertainment venue during the off-season months.

The proposed project would be located in Brooklyn Community District 13 along the western portion of the Riegelmann Boardwalk at Coney Island Beach on Block 7071, Lots 27, 28, 30, 32, 34, 76, 79, 81, 130, 142, 226, and 231 (the "project area"). The (Former) Childs Restaurant Building is located on Lot 130. The project area encompasses the site proposed for the Seaside Park and Community Arts Center (the "development site"), as well as two adjacent tax lots (lots 79 and 81 on Block 7071, the "outparcels") that would be affected by the proposed zoning map amendment, but are not part of the development site. The development site and outparcels are described below.

With regard to the existing zoning districts within which the project area is located, the portion of the site east of West 22nd Street (Tax Block 7071, Lots 130 and 142) is zoned R7D with a C2-4 commercial overlay and is within the Coney West Subdistrict of the Special Coney Island District. The Special Coney Island R7D District has a residential FAR of 4.35, which is 0.15 higher than typical R7D districts, expanded to 5.8 with the provision of affordable housing through the Inclusionary Housing Program. The C2-4 commercial overlay permits commercial uses with a maximum FAR of 2.0. Along the Riegelmann Boardwalk in the Coney West Subdistrict, uses are limited to amusement and entertainment. Lots within the first 70 feet of the blocks fronting the Riegelmann Boardwalk have base height minimums of 20 feet and maximums of 40 feet, in order to create a streetscape compatible with the landmarked (Former) Childs Restaurant Building on the corner of West 21st Street and the Riegelmann Boardwalk, which is 40 feet tall. In order to maintain the continuity of the street wall, a new building can be no closer to the street line than any other building within 150 feet on the same block, but need not be farther than 15 feet.

The portion of the project area west of West 22nd Street (Tax Block 7071, Lots 27, 28, 30, 32, 34, 76, 79, 81, 226 and 231) is located within an R5 zoning district. These ten tax lots were designated as an approximately 1.41 acre neighborhood park, Highland View Park, as part of the Coney Island Rezoning. Although this portion of the project area is shown on New York City Zoning Map 28d as "Highland View Park," these properties presently remain in private ownership and have not been formally established as a public park. The formal establishment of "Highland View Park" is expected to occur at some time in the future.

## Development Site

The development site is generally bounded by the boardwalk to the south, West 23rd Street to the west, West 21st Street to the east, and properties fronting Surf Avenue to the north. The development site is an assemblage of ten tax lots on Block 7071 (Lots 27, 28, 30, 32, 34, 76, 130, 142, 226, and 231), as well as the beds of Highland View Avenue and a portion of West 22nd Street (approved for demapping in the 2009 Coney Island Rezoning), and covers an aggregate lot area of approximately 130,404 square feet (sf) (3.0 acres). The area is currently underdeveloped, and the only built structure occupying the development site is the (Former) Childs Restaurant Building (25,400 sf; Lot 130), a designated New York City landmark that is currently vacant and in deteriorated condition. The remainder of the development site is comprised of vehicle storage (18,004 sf; Lots 27, 28, 30, 32, 34, and 76), vacant unimproved land (14,157 sf; Lots 226 and 231), a decommissioned community garden (44,327 sf; Lot 142)[1] , and approximately 28,516 sf of paved streets, (Highland View Avenue and a portion of West 22nd Street, approved for demapping in 2009 in the Coney Island Rezoning). Lot 142 and the streets (72,843 sf) are City-owned, and the remainder of the site is owned by the Applicant (57,561 sf).

## Remainder of Project Area – Outparcels

The proposed zoning map amendment would also encompass Lots 79 and 81 on Block 7071, which are located immediately to the northwest of the development site. Both outparcels are currently comprised of paved lots, with a combined lot area of approximately 6,000 sf, and are under private ownership by persons/entities independent of the Applicant. Lots 79 and 81 are not part of the proposed Seaside Park and Community Arts Center project, and those two outparcels are excluded from the defined development site described above.

## Surrounding Area

The area surrounding the project area is characterized by a variety of uses, densities, and building types. Development is most concentrated along the area's main pedestrian and automotive thoroughfares, including Surf and Mermaid Avenues, and buildings tend to range from 1 to 6 stories in height. Predominant land uses include vacant land and vehicle storage, public facilities, and institutional, residential, and commercial facilities. The remainder of Block 7071 immediately to the north of the project area between West 22nd and West 23rd Streets is comprised of a variety of land uses. A two-story, mixed-use building on the southeast corner of Surf Avenue and West 23rd Street has rental apartments on the second floor and vacant commercial space on the ground floor. Immediately to the east on Surf Avenue is a parking and vehicle storage lot adjacent to the one-story Niermatus Roofing Specialists building and an accompanying storage/parking lot. There is a one-story Stop Supermarket on the southwest corner of Surf Avenue and West 22nd Street, adjacent to another one-story commercial building facing Surf Avenue which is currently vacant. The portion of the block fronting West 23rd Street is comprised of vacant lots, parking and vehicle storage facilities, and two- to four-story residential buildings. Fronting West 22nd Street are vacant lots, vehicle storage and parking lots, three- to seven-story residential buildings, and a one-story building accommodating Brooklyn Stairs (a carpentry company). The portion of the block between West 22nd and West 21st streets is comprised of a parking lot and a three-story building that accommodates the New York City Human Resources Administration's Coney Island Medicaid Office and fronts West 21st Street.

[1] Although the community garden is decommissioned, field observations indicate that it is currently being used for gardening purposes.

Along the east side of West 21st Street, immediately to the east of the project area, is a vacant lot that has served in recent years as a temporary location for the Seaside Summer Concert Series. The Sea Crest Health Care Center and Surf Manor, two large institutional facilities, are located directly west of the project area, across West 23rd Street. The Sea Crest Health Care Center is a five-story nursing home specializing in therapy and rehabilitation, with approximately 305 residents, and Surf Manor is a four-story assisted living facility for adults with approximately 200 residents. There are also several three-story residential buildings located midblock between the institutions. All other lots on this section of that block are currently vacant or accommodate vehicle storage and parking. Further to the west, across West 24th Street, is the Haber Houses NYCHA development, a seniors-only residence that includes three 14-story buildings and 380 apartments total.

Across Surf Avenue, to the northwest of the project area between West 22nd and West 24th streets, is the Carey Gardens NYCHA development, consisting of three, 15- to 17-story buildings with 683 apartments total. To the east of Carey Gardens are a single-story commercial building at the northeast corner of West 22nd Street and Surf Avenue and a surrounding 12-story residential building. Further east is the 18-story NYCHA Coney Island 1 (Site 1B) building. The Riegelmann Boardwalk and the Coney Island Beach are to the south of the project area.

Two blocks to the east of the project area is MCU Park, the home of the Brooklyn Cyclones, a New York Mets minor league baseball team. The newly opened Steeplechase Plaza, which features the landmarked Parachute Jump and iconic B & B Carousel, is also located to the east of the project area. These attractions and other landmarks, including the Cyclone Roller Coaster and the Wonder Wheel, are directly accessible from the development site via the Riegelmann Boardwalk and Coney Island Beach to the south. The Shore Theatre is located several blocks to the northeast at Surf and Stillwell Avenues, and further east is Luna Park, a new amusement park that opened in 2010, featuring a variety of rides and attractions. Due to the seasonal nature of the amusement uses, pedestrian activity within the vicinity of the project area peaks during the summer months and declines considerably during the winter. The areas immediately to the west and north of the project area are generally characterized by low- to mid-rise multi-family apartment buildings, parking lots, and vacant land.

The project area and the surrounding areas are accessible to the entire New York City metropolitan area via the N, Q, D, and F subway lines terminating at the recently renovated Stillwell Avenue subway station. The area is also served by five major bus lines: the B82, B74, B68, B64, and the B36. In addition, MTA-NYC Transit provides two express buses to and from Midtown Manhattan. The area is also accessible by car via the Belt Parkway, which connects Brooklyn to Staten Island over the Verrazano Bridge, and the Brooklyn-Queens Expressway, which connects the area to Manhattan and Queens.

## Coney Island Rezoning

On July 29, 2009 the New York City Council adopted the Coney Island Rezoning, with modifications, which was the subject of the *Coney Island Rezoning FEIS* (CEQR No. 08DME007K, June 5, 2009) and two subsequent Technical Memoranda dated June 15, 2009 and July 22, 2009, respectively. The 2009 rezoning resulted in the establishment of the Special Coney Island District (CI) along the southern shoreline of Brooklyn Community District 13, which overlays approximately 17 blocks located between the New York Aquarium, the Riegelmann Boardwalk, Mermaid Avenue, and West 22nd Street. The Special Coney Island District is comprised of four subdistricts, including “Coney East,” “Coney North,” “Coney West,” and “Mermaid Avenue.” The Coney Island plan was intended to facilitate the creation of a 27-acre amusement and entertainment district that would include a 9.39-acre mapped open

amusement park as its centerpiece. The rezoning and Special Coney Island District were anticipated to result in an incremental increase in development of approximately 584,664 sf of amusement uses and amusement-enhancing uses like eating and drinking establishments; 606 hotel rooms; 2,408 residential units, of which 607 would be affordable units; 43,236 sf of small-scale accessory retail uses in the amusement and entertainment district (the Coney East subdistrict); 277,715 sf of general retail uses outside of the amusement and entertainment district; and 3,843 parking spaces, including 566 spaces for public parking, a portion of which would serve the Coney East subdistrict.

As part of the Coney Island Rezoning, the eastern portion of the Seaside development site (Lots 130 and 142) was rezoned from C7 to R7D with a C2-4 commercial overlay, within the Special Coney Island District and was identified as Parcel B of the Coney West subdistrict in Appendix A of the Coney Island District Plan. The eastern portion of the Seaside development site was also identified as part of projected development Site 2 in the *Coney Island Rezoning FEIS*. The 2009 FEIS anticipated that development on the eastern portion of the development site would total approximately 93,978 sf of commercial space, including local retail uses along the north side of the boardwalk and the reactivation of the 60,000 sf (Former) Childs Restaurant Building, and approximately 223,118 sf (223 DUs) of residential space.

The Coney Island Rezoning also designated the western portion of the project area (Lots 27, 28, 30, 32, 34, 76, 89, 91, 226 and 231 on Tax Block 7071) as an approximately 1.41 acre neighborhood park, Highland View Park, that would include both active and passive recreational amenities. To facilitate the development of Highland View Park, Highland View Avenue, between West 22nd Street and West 23rd Street, and the southern portion of West 22nd Street were approved to be demapped. Although this portion of the project area is shown on New York City Zoning Map 28d as "Highland View Park," these properties presently remain in private ownership and have not been formally established as a public park. The formal establishment of "Highland View Park" is expected to occur at some time in the future.

## Description of the Proposed Project

The Seaside Park and Community Arts Center would be a temporary use of the development site for a term of ten years from completion of construction. The proposed project is intended to invigorate and enliven the western end of the Special Coney Island District by introducing recreational, entertainment and restaurant uses that would be appropriate and compatible with the surrounding area. As designed, the proposed project would provide a publicly accessible open space with passive and active recreational areas, and opportunities for extending pedestrian activity along the western portion of the Riegelmann Boardwalk in Coney Island. The proposed project would activate the blocks between West 21st Street and West 23rd Street during a period when the residential and commercial development contemplated by the Coney Island Rezoning proceeds in the surrounding area to the east and north of the development site.

The proposed project includes the construction of a seasonal concert venue with approximately 5,100 seats and expansive publicly accessible playground spaces, picnic area, and rest areas. The proposed project would provide the community with a year-round public space for seasonal concerts, festivals, cultural events, public gatherings, and outdoor recreational activities, while also creating a modern performance venue for both paid and free events, including the free Seaside Summer Concert series. Additionally, the proposed project includes the restoration and adaptive reuse of the (Former) Childs Restaurant Building, measuring approximately 60,000 sf, which would accommodate approximately 440

diners as an entertainment, banquet, and restaurant facility, with additional outdoor rooftop seating (approximately 74 seats).

It is anticipated that the proposed amphitheater and other project components would be completed by summer 2015, with the first full year of operation being 2016. Upon completion, the amphitheater would be owned by the City of New York, under the jurisdiction of the New York City Economic Development Corporation (EDC) and operated by a joint venture that involves a not-for-profit entity under a ten year lease with the city. The amphitheater is expected to serve as a concert venue for the next ten years and provide the community with additional recreational and entertainment opportunities during the off-season.

As part of the proposed project, a free shuttle would be provided to the New York Aquarium parking lot as needed, for those times when the concert and an adjacent baseball game are occurring on the same evening. The shuttle is expected to operate on Surf Avenue between the Aquarium parking lot and the development site with a frequency of 10 minutes.

### *Proposed Site Plan*

The proposed publicly accessible open space and amphitheater would extend outward from the western façade of the restored (Former) Childs Restaurant Building and would be roughly bound by the Riegelmann Boardwalk to the south, West 23rd Street to the west, and properties fronting Surf Avenue to the north. The proposed public open space and amphitheater would occupy approximately 105,004 sf (2.41 acres) along the Riegelmann Boardwalk. The amphitheater seating would be comprised of a paved plaza and seating stairs and located west of the (Former) Childs Restaurant Building. A portion of the seats would be covered by a tensile fabric roof, which would be removed during the off-season when concerts and other events are not taking place. During concert events, the tensile fabric roof and a deployable canopy extension would provide covering for all of the seating. A walkway through the development site from the northern edge at West 22nd Street would provide physical and visual access to the Riegelmann Boardwalk and the beach, as well as to the proposed open space and amphitheater.

The development site itself would be accessible from a number of paths that would connect the Boardwalk to the upland areas. It is expected that loading docks for equipment and performance trailers would be located at the northwestern side of the (Former) Childs Restaurant Building, and would be accessible via a curb cut from the southern portion of West 22nd Street.

From May through October, the restored (Former) Childs Restaurant Building and proposed amphitheater would be physically connected – the stage and “back of the house” areas would be located within the (Former) Childs Restaurant Building. Restaurant and banquet uses would occupy the remaining space in the (Former) Childs Restaurant Building (approximately 24,000 sf). During the balance of the year, the opening in the western façade of the (Former) Childs Restaurant Building would be closed and the stage would function in the interior of the building, providing an indoor entertainment venue as well as restaurant and banquet facilities.

Each project component is described below.

*Proposed Amphitheater Component*

The amphitheater would be comprised of a stage house and paved seating areas for approximately 5,100 attendees. As previously noted, the amphitheater would serve as a venue for concert events, cultural performances, and other public events. For environmental analysis purposes, the EIS will conservatively assume that the amphitheater would be fully occupied and would also attract up to an additional 900 standing attendees (6,000 total) and the concert season would extend from May to October (currently the Seaside Summer Concert Series extends from Independence Day to Labor Day). It is anticipated that the proposed amphitheater would host a combination of free and paid events both during the week and on weekends for a total of 40 to 50 events during the approximately 150 day season.

Between May and October, the amphitheater space would be fully accessible to the public, except during ticketed events. A temporary event screening perimeter with gated entries would be set up around the seating area during paid events. This would allow for appropriate security or crowd-control measures during such events by limiting physical and visual access only to concert patrons with paid tickets.

The proposed amphitheater would operate during the summer concert season. It would feature a tensile fabric roof and support trusses that would be removed during the off-season, but remain in position throughout the summer concert season. The tensile fabric roof would be harnessed by seasonal truss structural supports that would also be removed during the off-season, and would create appropriate shade. During concerts, the proposed amphitheater would also have additional noise reduction features, including a deployable sound curtain on the northwest side, backing sound baffles on the inside of the tensile fabric roof, and a deployable canopy extension and sound curtains on the western side. The temporary canopy extension would extend approximately 95 feet to the west of the seasonal tensile fabric roof, and its maximum width would be approximately 180 feet. The temporary canopy extension would be attached to the westernmost arch by a closure flap at a height of 45 feet 6 inches above the boardwalk and fastened to the six westernmost floodlight poles at a height of 17 feet 6 inches to 20 feet above the boardwalk. In addition, a total of six acoustical curtains would be attached and drop down from the edges of both the seasonal tensile fabric roof and the canopy extension at various locations. The bottoms of five of the acoustical curtains would be affixed to the ground. The acoustical curtain at the West 22$^{nd}$ Street entrance would not drop to the ground. Instead, an 80 inch minimum clearance is proposed to create an entrance and a view corridor through to West 22$^{nd}$ Street. In addition, for concert events, backing sound baffles would be affixed to the inside of the tensile fabric roof, the deployable canopy extension, and sound curtains. These sound reduction features would be temporary and would only be deployed immediately before concerts and subsequently removed. The seasonal tensile fabric roof would cover the plaza area during on-season non-event days, providing a shaded area for the comfort of beachgoers and visitors to Coney Island's amusement areas. During on-season event nights, the tensile fabric roof and deployable canopy extension on the western side would collectively cover all of the seating.

The proposed publicly accessible open space and amphitheater would enable the 34 year old Seaside Summer Concert Series to continue to host top-name performers in a broad range of musical genres, thereby also serving area residents who would otherwise have to travel to other concert venues in other parts of the City. During the summer months, it is envisioned that the proposed amphitheater would host evening concert events on both weekdays and weekends. In addition, the proposed amphitheater would also provide a space for smaller events such as cultural performances, school graduations, and

fairs. The new public open space and amphitheater would also feature removable seating in order to provide the community with year-round recreational opportunities, as the amphitheater would be publicly accessible during the off-season, as well as during non-event days during the season.

The proposed amphitheater would operate in compliance with the Administrative Code of the City of New York, and the New York City Noise Control Code standards applicable to the proposed project. In order to be conservative, the analyses in the EIS evaluate the full range of representative days (i.e., both weekdays and weekends).

*STAGE HOUSE*

The proposed amphitheater would have a permanent "stage house," an enclosed structure at the rear of the proposed venue with a stage opening similar to that found in a typical theater, projecting outward from the (Former) Childs Restaurant Building's western façade. Unlike the building's eastern and southern façades, the western façade once served as a party wall and is constructed of plain brick which is without historic architectural value. The stage is designed to allow for the space to be enclosed in the "off-season" and function as part of the interior of the (Former) Childs Restaurant Building.

In addition to being able to close the stage house to the amphitheater to the west, the stage would be designed to accommodate a wide range of musical performances and other cultural events and would have the technological ability to support diverse performance requirements. The stage would feature rigging accommodations that would provide support structures for hanging lights, speakers, and scenic elements on chain hoists. The backstage area would offer ancillary amenities, including dressing rooms, multi-purpose rooms, restrooms, as well as administrative and security offices for the entertainment venue. The stage house and backstage areas would have the capacity during the off-season (between November and April) to accommodate smaller events in order to provide year-round indoor entertainment within the restored (Former) Childs Restaurant Building.

*SEATING AREAS*

The proposed amphitheater's seating capacity of approximately 5,100 seats would be comprised of movable seats within a paved plaza as well as fixed seats on seating stairs. The location of the seating was designed to enhance sight lines to the stage. The plaza seating area (accommodating most of the seats) would be covered by a tensile fabric roof that would be installed for the entire concert season and removed "off-season" when the plaza is not being used for seating for concerts or other staged events. The balance of the seating would be covered by a temporary canopy extension that would be installed on the day of a concert event and removed by the following morning. For environmental analysis purposes, the EIS conservatively assumes that the amphitheater would attract up to an additional 900 standing attendees (6,000 total) to the area.

## *Proposed Renovation of the (Former) Childs Restaurant Building*

The proposed project includes the renovation and restoration of the interior and exterior of the landmarked (Former) Childs Restaurant Building. The reclamation of the Dennison & Hirons-designed Spanish Colonial Revival stucco structure, considered relatively rare in New York City, would include the restoration of the building's arches, window openings, and end piers, as well as the elaborate polychrome terra-cotta nautical motifs along the eastern and southern building façades. Physical alterations of the exterior of the building would include removal of a portion of the western party wall

to facilitate the connection of the (Former) Childs Restaurant Building with the proposed amphitheater's stage and back of house. The alterations would also include rooftop additions for the stage house roof and mechanical equipment, all of which would be covered by a new membrane roofing above the portion of the building occupied by the stage house, and minimally visible from the boardwalk and surrounding streets. Additionally, the building's interior would be retrofitted to accommodate restaurant and banquet uses, which would operate year-round and also function in the off-season months as an indoor entertainment venue. It is expected that the renovated (Former) Childs Restaurant Building would have a seating capacity of approximately 440, exclusive of proposed seasonal rooftop seating that can accommodate approximately 74 diners. The exterior work to the (Former) Childs Restaurant Building requires a Certificate of Appropriateness from the Landmarks Preservation Commission (LPC). The LPC approved Certificate of Appropriateness 14-6038 on July 10, 2013.

*Proposed Publicly Accessible Open Space at Development Site*

The publicly accessible open space on the development site would include a garden walk located at the northwest corner of the development site, with playground equipment amenities. Between the plaza and seating stairs at the eastern portion of the development site, and the garden walk to the west, would be a landscaped lawn bowl with perimeter plantings, that would serve as a place for lawn seating and passive recreation. The open space would also feature a planted entry garden with native plantings and beach seating at the southwestern portion of the development site. Each of the open space components is described below.

Visitors entering the open space from the southern terminus of West 23rd Street would experience a seven-foot grade change raising them to the elevation of the adjacent Riegelmann Boardwalk. The proposed winding routes would facilitate an accessible slope and would create an opportunity for small scale seating areas within a shaded garden setting, which would convey the feel of a "neighborhood park" along the Riegelmann Boardwalk. This entry garden would include benches as well as picnic tables for the public's use.

At the top of the rise from West 23rd Street, an intimate seating node would signal the joining of a larger walkway that connects the Riegelmann Boardwalk to the end of West 22nd Street (the "garden walk"), flanked with benches and saltwater tolerant shade trees. From its western edge, a play space and second seating node would unfurl onto the top of a richly planted bank visually separating the open space from neighboring inaccessible lots. These spaces would be surrounded by saltwater tolerant low shrubs and high-limbed trees providing the public with the sense of intimacy while maintaining ample sightlines for security. In addition to benches, other public amenities in this area would include bicycle racks, picnic tables, and children's play equipment for the public's use.

To the east of the garden walk, visitors would come to the base of an approximately 10,000-square foot lawn sloping gently southward to a crest 10 feet above the Riegelmann Boardwalk. Ringed with high-limbed trees and capped with a small plaza, the lawn would offer a community-oriented recreational space that also provides elevated views to the Coney Island beach. From the perched plaza a stepped path would angle southeast back down to the Riegelmann Boardwalk and public restroom facilities.

From the high point of the development site, paved terraces step down eastward to the edge of a wide pedestrian corridor, which creates a direct connection along the axis of West 22nd Street to the Riegelmann Boardwalk. The proposed rise from West 22nd Street through the development site to the boardwalk would seamlessly connect the public both physically and visually to the beachfront.

Crossing the central throughway, a large paved space would slope down with three terraces to a stage built into the western façade of the historic (Former) Childs Restaurant Building. Along with the paved terraces, this space would accommodate a total of up to 5,100 patrons in movable and fixed seating during organized events and would support a wide range of community programming at other times. Planted landforms would surround approximately 23,000 sf of flexible open area, creating ideal conditions for community-oriented events, including farmers' markets, school graduations and festivals. A tensile fabric roof that would be installed and removed seasonally would protect visitors and spectators from rain and extreme sun. Truss supports, which would also be deployed seasonally, would also be removed seasonally and would provide appropriate elevation for the roof to maintain unobstructed views across the development site from the Riegelmann Boardwalk and adjacent areas. The truss system would also support the plaza lighting that would illuminate the plaza and adjacent park areas. The proposed project also includes ten concrete floodlight poles, which would provide lighting throughout the year. During concert events, the tensile fabric roof and deployable canopy extension would provide covering for all of the seating.

A planted landform would serve as a buffer between the amphitheater venue and the loading dock at the northern end of the (Former) Childs Restaurant Building. Comfort stations and restroom facilities would be located adjacent to the Riegelmann Boardwalk, as well as within the (Former) Childs Restaurant Building's basement at the southeast corner of the development site. The comfort stations and additional restroom facilities have been designed to be fully accessible from within the development site. The comfort stations would also be accessible from the boardwalk, except during paid events. Turning south, a stair would lead up to the Riegelmann Boardwalk and the box office and public queuing area.

**Scheduling and Operations**

The program for the proposed project falls into three distinct categories, including seasonal event operations, seasonal non-event operations, and off-season operations. These program components combine to make the Seaside Park and Community Arts Center a year-round destination for the current residents of Coney Island, the anticipated new residential population who would come to the neighborhood as a result of future development associated with the Coney Island Rezoning, and those who come to Coney Island's beach, boardwalk and amusement facilities.

During the summer concert season between May and October, which coincides with the season for operation of Coney Island's amusement rides and attractions that generally extends from Easter Sunday to Halloween, it is anticipated that the proposed amphitheater would host approximately 30 to 35 paid concert events and 10 to 15 free concert events on both weekdays and weekends. The amphitheater would be publicly accessible year round, with the exception of when a ticketed event is in progress.

During the summer concert season, the truss supports and a portion of the tensile fabric roof would be installed and remain in place for the entire concert season. At the time of seasonal event operations, when concerts and other events involving the amphitheater are scheduled, removable seats would be placed in the plaza. During concerts, the proposed amphitheater would also have additional noise reduction features, including a deployable canopy extension and acoustical curtains. In addition, backing sound baffles would be affixed to the inside of the tensile fabric roof, the deployable canopy extension, and sound curtains. For the free Seaside Summer Concert Series and other free events, the public would have open access to the entire development site and the concerts could also be viewed from the

Riegelmann Boardwalk. At the time of paid concerts and other paid events, a temporary fence would be installed surrounding the perimeter of the amphitheater, which would limit physical and visual access only to concert patrons with paid tickets.

At the time of seasonal non-event operations, when events are not scheduled during the concert season, the removable seating would be stored and the plaza would be open for a wide variety of public uses, which include serving as a rest area under the shade provided by the seasonal tensile fabric roof, an area for children to ride bicycles, and a place for a variety of programmed activities such as art exhibitions, community-based informational gatherings, neighborhood "street" fairs, or farmers markets.

During the time of off-season operations between November and April, the seasonal tensile fabric roof and its support trusses would be removed and the plaza would be operated in substantially the same manner as on non-event days during the concert season, with a wide array of passive and active uses appropriate to the current weather conditions. The entry garden, garden walk, play area, and lawn bowl portions of the development site west of the stepped seating area would be fully accessible to the public year round, during seasonal and off-season operations, including during the times of seasonal event operations. The (Former) Childs Restaurant Building, in part, would be operated as part of the amphitheater use during the concert season to provide stage house and back of the house facilities for the performers, their crews and the venue operator. During the time of off-season operations, movable doors would be closed to secure the portion of the (Former) Childs Restaurant Building's west façade that is open to provide the venue's stage house. This would create an interior stage making possible indoor performances during the off-season months. In addition, the (Former) Childs Restaurant Building would be a year round restaurant with seating indoors for approximately 440 guests as well as outdoor dining that can accommodate approximately 74 diners, weather permitting, on the building's roof. The building also would provide banquet facilities.

## 2. PROJECT PURPOSE AND NEED

The proposed Seaside Park and Community Arts Center is intended as an entertainment venue and recreation facility in furtherance of the goals of the Coney Island Rezoning, and to continue the City's efforts to reinvigorate Coney Island. The proposed project would introduce a new recreational and entertainment destination along the Riegelmann Boardwalk on underutilized land that, while approved for future residential development pursuant to the Special Coney Island District plan, is currently underutilized and does not exhibit the characteristics of a well-developed residential neighborhood. The proposed actions would result in the development site's use year round as an expansive open space with indoor and outdoor dining facilities at the (Former) Childs Restaurant Building.

The proposed project includes a publicly accessible and landscaped 2.41-acre open space extending between West 21$^{st}$ and West 23$^{rd}$ Streets along the Riegelmann Boardwalk, which includes active playground spaces and extensive rest areas with bench and lawn seating and a public picnic area that would benefit the surrounding neighborhood. From May to October, a portion of the park would feature a seasonal outdoor concert venue. A seasonal tensile fabric roof would cover a majority of the approximately 5,100 removable seats. During concert events, the tensile fabric roof and a deployable canopy extension would provide covering for all of the seating. This modern performance venue would host Coney Island's historic free Seaside Summer Concert Series along with paid concert events, as well as provide the community with a year-round public space for other seasonal concerts, festivals, cultural events, public gatherings, and outdoor recreational activities. The paid events would support the costs

of maintenance and operation of the amphitheater as well as the open space that is part of the development site west of the plaza portion of the park, which would be continuously open to the public even during the times when events are taking place in the amphitheater. Additionally, the proposed project includes the restoration and adaptive reuse of the (Former) Childs Restaurant Building, which would accommodate approximately 440 restaurant patrons and additional seating capacity for seasonal rooftop dining, as well as catered events and indoor entertainment. The (Former) Childs Restaurant Building would operate year round and also function in the off-season months as an indoor entertainment venue. Thus, the proposed project would provide further opportunity for entertainment in this area of Coney Island, and would extend pedestrian activity westward along the boardwalk.

## 3. PROPOSED ACTIONS

The proposed project would require several City approvals. Some of these are discretionary actions requiring review under the CEQR process; others are ministerial and do not require environmental review. It is anticipated that the following discretionary actions would be required to facilitate the proposed project:

- Zoning Map amendments (Zoning Map No. 28d) to modify the boundaries of the Special Coney Island District (CI) and the Coney West subdistrict to extend further west to West 23rd Street and to include Lots 27, 28, 30, 32, 34, 76, 79, 81, 226, and 231 of Block 7071, as well as the former beds of Highland View Avenue and a portion of West 22nd Street.
- Zoning text amendments to (1) establish a new Parcel G within the Special Coney Island District comprised of Lots 27, 28, 30, 32, 34, 76, 226 and 231 on Tax Block 7071 (see Figure ES-8); (2) extend the Coney West subdistrict to include these parcels; and (3) to create a new special permit, Section 131-60, with a ten-year term to allow an open-air auditorium with a maximum capacity of 5, 100 seats as an interim use in the Coney West subdistrict on new Parcel G and existing Parcel B (Lots 130 and 142).
- Zoning Special Permit pursuant to the proposed zoning text amendment (proposed Zoning Resolution Section 131-60), to allow an amphitheater with a capacity of approximately 5,100 seats as a temporary use for a term of 10 years, comprised of Parcels B and G in the Coney West subdistrict of the Special Coney Island District (Lots 27, 28, 30, 32, 34, 76, 142, 130, 226 and 231 on Tax Block 7071).
- Acquisition by the City of New York of privately-owned real property that is part of the development site consisting of Lots 27, 28, 30, 32, 34, 76, 130, 226, and 231 on Block 7071.
- Disposition by lease agreement to the New York City Land Development Corporation of the acquired parcels (Block 7071, Lots 27, 28, 30, 32, 34, 76, 130, 226, and 231) together with Lot 142 that presently is owned by the City, which also requires approval of the Mayor and the Brooklyn Borough Board pursuant to New York City Charter Section 384(b)(4).
- City capital funding.
- Any other approvals as may be required to facilitate the proposed project contemplated under the Special Permit.

In addition, the proposed project requires an administrative modification for a previously approved City Map application to separate the filing of the demapping of West 22nd Street and Highland View Avenue from the mapping of Highland View Park.[2] Other actions associated with the proposed project include a

[2] Ten of the privately owned lots comprising the project area, as well as the bed of Highland View Avenue and a portion of West 22nd Street, are shown on New York City Zoning Map 28d as "Highland View Park" but they presently remain in private ownership and have not been formally established as a public park. The formal establishment of "Highland View Park" is expected to occur at some time in the future.

Certificate of Appropriateness from the New York City Landmarks Preservation Commission for the proposed alteration and restoration of the (Former) Childs Restaurant Building, as well as approvals from the New York City Public Design Commission. The project would also require building permits from the New York City Department of Buildings.

## 4. ANALYSIS FRAMEWORK

The lead and involved agencies are required to take a hard look at the environmental effects of a proposed project and, to the maximum extent practicable, avoid or mitigate significant adverse impacts on the environment consistent with social, economic, and other essential considerations. The EIS identifies and analyzes the significant adverse environmental impacts of a proposed action and how those impacts could be avoided or minimized, providing a means for agencies to consider environmental factors and choose among alternatives in their decision-making processes.

The *CEQR Technical Manual* serves as the general guide on the methodologies and impact criteria for evaluating the proposed project's potential effects on the various environmental areas of analysis. In disclosing impacts, the EIS considers the proposed project's adverse impacts on the environmental setting. Because the proposed project is anticipated to be fully operational in 2016, its environmental setting is not the current environment, but the future environment. Therefore, the technical analyses and consideration of alternatives assess current conditions and forecast these conditions to 2016 (the analysis year that was determined appropriate for this project) for the purposes of determining potential impacts. The EIS provides a description of "Existing Conditions" for the year 2013 and forecasts these conditions to the future 2016 analysis year without and with the proposed project ("No-Action" and "With-Action" scenarios, respectively). To forecast the No-Action scenario, information on known land-use proposals, and as appropriate, changes in anticipated overall growth are incorporated. The differences between No-Action and With-Action conditions are assessed for whether such differences are adverse and/or significant; any significant adverse environmental impacts are disclosed. The EIS also identifies and analyzes appropriate mitigation for any identified significant adverse environmental impacts.

The proposed project is considered to be the reasonable worst-case development scenario for the purpose of analyzing the potential environmental impacts of the proposed project. To establish a conservative framework for assessing potential impacts in the future analysis year, the EIS assumes a baseline condition in which, absent the proposed project, the development site would be developed with residential, commercial, and open space uses as analyzed in the Coney Island Rezoning FEIS (2009).

## 5. PROBABLE IMPACTS OF THE PROPOSED PROJECT

### Land Use, Zoning and Public Policy

No significant adverse impacts on land use, zoning, or public policy would occur as a result of the proposed project. The proposed project would not create new land uses or result in zoning that would be inappropriate or incompatible with surrounding land uses, or conflict with existing public policies. The detailed analysis of land use, zoning, and public policy prepared in conformance with the *CEQR Technical Manual* shows that the proposed project would enhance the project area through the development of open space, entertainment, and restaurant space. The publicly accessible open space, the new amphitheater, and restoration and reactivation of the vacant (Former) Childs Restaurant Building that would occur as a result of the proposed project would invigorate and enliven the

development site and surrounding area, and extend pedestrian activity along the western portion of the Riegelmann Boardwalk. The proposed project would also be consistent with applicable public policies, including the Waterfront Revitalization program, and presents an opportunity to further City-wide planning goals, as expressed in PlaNYC, of promoting new development in areas that are well-served by public transportation and repurposing underutilized sites for public enjoyment with commercial and recreational uses. As such, the proposed project would not result in significant adverse impacts related to land use, zoning, and public policy.

## Open Space

Although the proposed project would result in changes to the planned future Highland View Park, it would not diminish or eliminate any acreage of this planned open space resource, or reduce its utilization or aesthetic value. In fact, the proposed project would provide the project area with an additional 1.14 acres of publicly accessible open space compared to No-Action conditions, and would provide comparable or better amenities and facilities than would have otherwise been provided. Therefore, the proposed project would not result in a significant adverse direct impact with regard to open space.

## Shadows

The proposed project would cast incremental shadows on the Riegelmann Boardwalk on June 21. On this analysis day, incremental shadow coverage would be minimal in terms of size and duration (a maximum duration of 3 minutes on the Riegelmann Boardwalk). As the Riegelmann Boardwalk does not contain vegetation, and the extent of shadows would be limited throughout the year, the incremental project-generated shadows would not adversely affect the utilization or enjoyment of the Riegelmann Boardwalk. Therefore, the proposed project would not result in a significant adverse shadows impact on any nearby sunlight-sensitive resources.

In addition, the open space component of the proposed project would experience large areas of direct sunlight for most of the analysis days in all seasons. Shadows cast would generally be limited to the northern portion of the park during the early mornings, but would exit by early afternoon, leaving the open space almost completely in sun. It is important to note that during the off-season when concerts and other events are not taking place, the tensile fabric roof and support trusses of the amphitheater would be removed. Therefore, even in the winter months, the proposed project's park component is expected to receive ample sunlight for active and passive recreational use.

## Historic and Cultural Resources

The proposed project would not result in any significant adverse impacts to archaeological resources. The proposed project is intended to benefit the development site's historic architectural resources by restoring the (Former) Childs Restaurant Building's historic character through extensive façade renovations. All proposed exterior work on the (Former) Childs Restaurant Building would proceed pursuant to Certificate of Appropriateness 14-6038 issued by LPC on July 10, 2013. Because the proposed project involves the full restoration of the building's historic façade pursuant to LPC-approved plans, it would not adversely impact the exterior of the (Former) Childs Restaurant Building. As such, the proposed project would not result in any significant adverse direct physical impacts to designated historic resources. In fact, the proposed restoration and reuse of the (Former) Childs Restaurant Building

that would occur in the future with the proposed project would improve the physical condition of the building, restore the architectural features, and enhance the surrounding area.

Moreover, as the proposed publicly accessible open space and amphitheater would be located to the west of the (Former) Childs Restaurant Building, neither would eliminate or screen significant public views of the historic resource, or alter its visual relationship to the streetscape. There are no other designated historic resources in the study area. As such, the proposed project would not have any potential indirect contextual impacts on historic resources.

In addition, with the implementation of the appropriate construction protection measures mandated by the NYC Department of Buildings (DOB)'s Technical Policy and Procedure Notice (TPPN) #10/88, no construction-related impacts on historic resources would be anticipated as a result of the proposed project.

## Urban Design and Visual Resources

The proposed project would not result in significant adverse impacts to urban design or visual resources as defined by the guidelines for determining impact significance set forth in the *CEQR Technical Manual*. The creation of publicly-accessible open space and an amphitheater on the development site as well as the rehabilitation and reactivation of the (Former) Childs Restaurant Building would enhance pedestrian experiences in the project area and secondary study area. The New York City Landmark (NYCL)-designated (Former) Childs Restaurant Building is an important visual resource in the area as its eastern and southern facades are historically and architecturally significant. The proposed project would involve the restoration and adaptive reuse of the (Former) Childs Restaurant Building, which would improve the physical condition of the building and enhance the surrounding area's visual character. The proposed open space and amphitheater would not block any significant view corridors, views of visual resources, or limit access to any visual resources in the study area. Additionally, the creation of the open space and amphitheater would create new view corridors between the project area and the Coney Island Beach, further enhancing the pedestrian experience in and around the project area. As such, the proposed project would not result in any significant adverse impacts on urban design in the project area, and no significant adverse impacts on visual resources are anticipated as a result of the proposed project.

## Hazardous Materials

Phase I Environmental Site Assessments (ESAs) were prepared for all lots included within the project area. The ESAs indicated that no hazardous materials exist in the project area, and did not identify any Recognized Environmental Conditions (RECs) on-site, with the exception of an (E) designation for hazardous materials on the (Former) Childs Restaurant Building. This (E) designation may require special activities coordinated through the New York City Office of Environmental Remediation (OER) to be performed at the time of site redevelopment such as subsurface investigations, preparation of remedial action work plans, site specific health and safety plans, and others. For properties where existing buildings would be converted with no intrusive soil work, a copy of the development plans must be provided to OER, prior to receiving a Notice of No Objection, which would enable the New York City Department of Buildings to issue the conversion permit. The (E) designation would reduce or avoid the potential for an adverse impact to human health and the environment resulting from the proposed project.

While the Phase I ESAs did not identify any on-site RECs, based on the historical on-site and surrounding area land uses, (E) designations are recommended for Lots 27, 28, 30, 32, 34, 76, 79, 81, 142, 226, and 231 in order to avoid any potential for significant adverse hazardous materials impacts. (E) designations would ensure that testing and mitigation would be provided as necessary before any future development and/or soil disturbance.

As such, the proposed project would not increase human exposure to hazardous materials. Moreover, the proposed project would not introduce new activities or processes using hazardous materials. Therefore, it is expected that no significant adverse hazardous materials impacts would result from construction on the development site, and following construction, there would be no potential for significant adverse hazardous material impacts.

## Water and Sewer Infrastructure

Extensive infrastructure planning in conjunction with the redevelopment of Coney Island has already been undertaken by the City in the surrounding area. In 2010, an Amended Drainage Plan (ADP) was prepared by the New York City Department of Environmental Protection (DEP) identifying drainage improvements for the Coney Island rezoning area and downstream of the rezoning area based on the 2009 Coney Island Rezoning FEIS. The following year, the ADP was edited to reflect grade changes to West 21st Street (ULURP #C 100469 MMK), and in 2012, infrastructure improvements to improve stormwater drainage and upgrade the sanitary sewer system in accordance with the ADP were assessed in the Coney Island Infrastructure Improvements EAS (CEQR #11DEP045K). While the ADP accounted for redevelopment of the development site, an analysis of the proposed change of use on water and sewer infrastructure has been undertaken to assess the potential impacts of the proposed project on the sewer infrastructure system. Based on the methodology set forth in the *CEQR Technical Manual,* the proposed project would not result in a significant adverse impact on the City's water and sewer infrastructure.

### *Water Supply*

The proposed project would result in a total water demand of approximately 54,600 gallons per day (gpd). Given the size of New York City's water supply system and the City's commitment to maintaining adequate water supply and pressures, few actions have the potential to cause significant impacts on this system. Demand in the future with the proposed project would represent less than 0.01 percent of the city's water demand. The water demand associated with the proposed project would, therefore, not adversely impact the city's water supply or system water pressure. In addition, water infrastructure improvements in the surrounding area associated with the Amended Drainage Plan (ADP) would ensure that area water supply would operate with ample capacity and the existing system and grid of water mains serving the development site is expected to continue to provide adequate water supply and pressure in the future with the proposed project. Therefore, the proposed project would not adversely affect the City's water supply or system water pressure.

### *Sanitary Sewage*

Anticipated With-Action wastewater generation would total approximately 44,400 gpd compared to 75,240 gpd in the No-Action condition. Wastewater from the development site would be treated by the Coney Island WPCP, which has a SPDES permitted capacity of 110 mgd of wastewater. The sanitary sewage generated by the proposed project would represent less than 0.1 percent of the Coney Island

WPCP's SPDES permitted capacity. As such, the Coney Island WPCP would continue to have ample reserve capacity with this anticipated new demand, and no significant adverse impacts to the city's wastewater treatment services would occur as a result of the proposed project. In addition, sanitary sewer infrastructure improvements associated with the ADP, including installation of upgraded sanitary sewers in the surrounding area by the City would ensure that the existing sanitary sewers serving the development site would operate with ample capacity, and the proposed project would not result in a significant adverse impact to sanitary sewage conveyance and treatment.

### *Stormwater Drainage and Management*

While the proposed project would result in an increase in the amount of impervious surface area on the development site compared to existing conditions, the proposed project would also improve the development site's stormwater infrastructure by installing an underground stormwater management system to capture and treat stormwater generated on the development site, and incorporating Best Management Practices (BMPs), as described in Chapter 8, "Water and Sewer Infrastructure." With the incorporation of these on-site infrastructure improvements, as well as additional infrastructure improvements currently underway in the surrounding area in accordance with the ADP, the proposed project would not result in significant adverse impacts on the stormwater conveyance and treatment infrastructure.

## Transportation

### *Traffic*

Weekday pre-concert event ("pre-event") and post-concert event ("post-event") and Saturday pre-event and post-event peak hour traffic conditions were evaluated at a total of 28 intersections generally bounded by the Belt Parkway to the north, Ocean Parkway to the east, Surf Avenue to the south and West 22nd Street to the west. These 28 intersections, where project-generated trips are expected to be most concentrated, were analyzed for the reasonable worst case scenario of a concert at the proposed project site coinciding with a baseball game at the nearby MCU Park.

The traffic impact analysis indicates that there would be a potential for significant adverse impacts at three intersections during both the weekday pre-event and post-event peak hours, four intersections during the Saturday pre-event peak hour, and five intersections during the Saturday post-event peak hour, as outlined below. The "Mitigation" section below discusses measures to mitigate these significant adverse traffic impacts.

*WEEKDAY PRE-EVENT PEAK HOUR*

- Shell Road and Shore Parkway westbound off-ramp – westbound left-turn movement
- Neptune Avenue and Cropsey Avenue/West 17th Street – eastbound left-turn movement and southbound through-movement
- Surf Avenue and West 17th Street – southbound right-turn movement

*WEEKDAY POST-EVENT PEAK HOUR*

- Neptune Avenue and West 20th Street – northbound approach
- Neptune Avenue and Cropsey Avenue/West 17th Street – eastbound left-turn movement

- Mermaid Avenue and West 20th Street – northbound approach

*SATURDAY PRE-EVENT PEAK HOUR*

- Shore Parkway westbound off-ramp at Shell Road – westbound left-turn movement
- Neptune Avenue and Cropsey Avenue/West 17th Street –southbound through movement
- Surf Avenue and West 17th Street – southbound right-turn movement
- Surf Avenue and Stillwell Avenue – southbound approach

*SATURDAY POST-EVENT PEAK HOUR*

- Shore Parkway Eastbound Off-Ramp and On-Ramp at Cropsey Avenue/Bay 52nd Street – northbound right-turn movement
- Shore Parkway Westbound Off-Ramp and On-Ramp at Cropsey Avenue/Bay 50th Street – northbound left-turn movement
- Neptune Avenue and West 20th Street – northbound approach
- Neptune Avenue and Cropsey Avenue/West 17th Street – eastbound left-turn movement and westbound through/right movement
- Mermaid Avenue and West 20th Street – northbound approach

## ***Transit***

The proposed project would not result in any significant adverse transit impacts with respect to subways and buses.

*SUBWAY*

Based on 2012 survey data, it is anticipated that all project generated subway trips would essentially utilize only one subway station – the Coney Island-Stillwell Avenue (D, F, N, Q) station located approximately 0.4-mile to the east of the project site. This station is expected to experience more than 200 project generated trips in all analysis peak hours (pre-event and post-event on a weekday and a Saturday) and would therefore have the potential to experience significant adverse impacts under *CEQR Technical Manual* criteria. The results of the analysis of future conditions indicate that all stairways, ramps and fare arrays at this subway station that are likely to be used by concentrations of project-generated demand would continue to operate at acceptable levels of service in all four peak hours in the With-Action condition. The proposed project would therefore not result in significant adverse impacts at the Coney Island-Stillwell Avenue subway station.

*BUS*

The project area in Coney Island is currently served by five NYC Transit bus routes, with several of these routes terminating in the vicinity of the Stillwell Avenue subway station. With a relatively low level of new bus demand that would be concentrated in off-peak periods and distributed over a total of five bus routes, significant adverse bus impacts are not expected due to the proposed project. Therefore, a further detailed bus analysis is not included in this EIS.

### *Pedestrians*

The proposed project would not result in any significant adverse impacts to sidewalks, corner reservoir areas or crosswalks. Pedestrian trips generated by the proposed action are expected to be concentrated on the Boardwalk, as well as along sidewalks, corners and crosswalks closest to the project site. A total of five sidewalks, four corners and four crosswalks were selected for analysis in the four peak hours. The results of the analysis of future conditions with the proposed action indicate that all analyzed sidewalks, corner reservoir areas and crosswalks would continue to operate at acceptable levels of service in the weekday pre-event and post-event and Saturday pre-event and post-event peak hours in the With-Action condition. It should be noted that the pedestrian analysis takes into account pedestrian queuing in proximity to the main amphitheater access point and box office entrance on the Riegelmann Boardwalk.

### *Pedestrian and Vehicular Safety Evaluation*

One intersection in the study area (Neptune and Stillwell Avenue) experienced five or more pedestrian and/or bicyclist injury crashes in one or more years from 2009-2011 and is therefore at the threshold of a high accident location as per the *CEQR Technical Manual*. This intersection is not immediately adjacent to the development site where project-generated pedestrian trips would be most concentrated. Additionally, it should be noted that crashes involving pedestrians often involve conflicts with turning vehicles. It is therefore important to note that, out of 86 and 64 project-generated vehicle trips per hour at this intersection, only 14 and 12 vph are turning movements during the weekday and Saturday pre-event peak hour, respectively. Therefore, given the low project-generated traffic passing through this already signalized intersection, a significant impact on pedestrian/bicycle safety is not anticipated. However, pedestrian and bicyclist safety could potentially be improved by renewing the existing road markings for increased visibility.

### *Parking*

The parking analysis examines the available capacity of seven off-street parking lots in the proximity of the project site in addition to on-street parking availability within a ½-mile radius of the project site. Parking surveys were conducted on both game and non-game days. In the future with the proposed project, it is proposed to operate both the MCU Park Satellite Lot and the Aquarium Parking Lot as attended parking facilities on days when amphitheater events coincide with baseball games (fewer than ten times per year). With the increase in parking the attended lots would provide, it is expected that project generated parking demand would be accommodated by the off- and on-street parking capacity in the study area. In addition, as part of the proposed project, there would be a free shuttle provided to the New York Aquarium parking lot as needed, for those times when the concert and an adjacent baseball game are occurring on the same evening. This measure would help patrons park within an approximate 0.6-mile radius of the project site by providing assured parking and transportation to the project site. Therefore, it is not expected that the proposed project would result in any significant parking impacts.

## Air Quality

A screening analysis following the *CEQR Technical Manual* guidelines was performed for stationary and mobile sources. The results indicated that there is no potential for stationary source impacts from the (Former) Childs Restaurant Building HVAC system.

Of the 28 intersections evaluated in the traffic analysis for the pre- and post-event weekday and Saturday peak hours, 14 resulted in traffic increments over the CEQR screening threshold criteria of 170 or more project-generated vehicles for CO evaluation. The five intersections with the highest peak hour volumes and traffic increments were selected for detailed microscale CO modeling analysis. The result of this analysis indicated that all intersections analyzed would not exceed the 8-hour standard. The maximum estimated concentration of 3.12 ppm with the proposed project is below the NAAQS of 9 ppm. Also, the NYCDEP CO *de minimis* criteria would not be exceeded, since the maximum increment from the proposed project (0.42 ppm) would not have the potential to cause CO impacts that are considered to be significant (2.97 ppm).

All intersections passed the screening criteria for $PM_{2.5}$ analysis (more than 23 project generated heavy duty trucks). As such, there is no potential for exceeding the $PM_{2.5}$ NAAQS, and NYCDEP *de minimis* criteria for significant impacts.

The result of this analysis is that the stationary and mobile source impacts of the proposed project would not significantly impact local air quality levels.

## Greenhouse Gas Emissions

Following the methodology provided in the *CEQR Technical Manual*, it is estimated that, the proposed project would annually result in approximately 628 metric tons of GHG emissions from operations, and 2,707 additional metric tons of GHG emissions from mobile sources. This would result in a net annual total of approximately 3,335 metric tons of GHG emissions, as compared to New York City's 2011 annual total of 53.4 million metric tons. As such, the contribution of the proposed project's GHG emissions to GHG emissions citywide is insignificant. The proposed project would seek certification under LEED®, with a commitment to attaining a Silver rating for the renovated (Former) Childs Restaurant Building. Further, the proximity of the proposed project to public transportation, reuse of an existing historic building, and measures to minimize non-renewable energy use are all factors that contribute to the proposed project's energy efficiency. In addition, the proposed project is being designed to meet all current building code requirements regarding potential flooding elevations.

## Noise

Noise levels were evaluated for the traffic network, as well as for the concert venue itself, for sensitive receptor locations in the vicinity of the development site in order to project future noise levels at buildings near the proposed amphitheater venue. No impacts due to increases in traffic were projected. CADNA and EASE models were used to model concert noise, and the concert noise levels were logarithmically added to the traffic noise levels for With-Action Conditions. As discussed above, a number of sound reduction features would be installed on concert days, including a deployable canopy extension and acoustical curtains. In addition, backing sound baffles would be affixed to the inside of the tensile fabric roof, the deployable canopy extension, and sound curtains.

Based on design features to limit propagation of noise levels beyond the site boundaries, and a commitment to limit the $L_{max}$ concert levels at the mixing board to 98 dBA before 10 PM and 92 dBA after 10 PM (equivalent levels at the front row of to 100 dBA before 10 PM and 94 dBA at and after 10 PM) with a specific speaker array as described in Appendix D of the FEIS, no noise impacts due to concerts are projected. As part of the commitment to limit the $L_{max}$ concert music amplification levels,

the amphitheater operator will set forth the restrictions on concert music amplification in the Artist Booking Sheet provided to the talent performing at the venue. The same restriction will be set forth in the contracts between the venue operator and the individuals and groups performing at the amphitheater. A dB meter will be installed at the mix position in the amphitheater and used for every event, which will enable the venue operator to confirm compliance with the limit on the amplification levels during concert events. With these features in place, the proposed project would not result in significant adverse noise impacts at any sensitive receptor location.

In addition, the analysis results also indicate that concert noise levels would not exceed the permissible noise increments in Section 24-244 of the NYC Noise Code. Further, based on the results of the CEQR analysis, the proposed action is not projected to exceed the commercial music standards in Section 24-231 of the Noise Code, although predicting noise levels within receiving properties is difficult. Should a violation occur, it would be handled as an enforcement action.

## Public Health

The proposed project would not result in significant adverse impacts to public health. No unmitigated significant adverse impacts have been identified in any technical areas applicable to public health (hazardous hazardous materials, water quality, air quality, and noise).

## Neighborhood Character

The proposed project would not cause significant adverse impacts regarding land use, zoning, and public policy; open space; shadows; historic and cultural resources; urban design and visual resources; or noise. As a result of the proposed project, changes to the project site's land use would occur, as well as increases to traffic, transit, and pedestrian activity. The proposed project would return the long-vacant (Former) Childs Restaurant Building to productive use. With the exception of transportation, the proposed project would not result in any significant adverse impacts on any of the technical areas that could impact neighborhood character. The scale of significant adverse impacts to transportation and noise would not affect any defining feature of neighborhood character, nor would a combination of moderately adverse effects affect the neighborhood's defining features. The proposed project would therefore not have a significant adverse neighborhood character impact.

## Construction

The proposed project would facilitate the development of publicly accessible open space, including an approximately 5,100-seat seasonal amphitheater, and the restoration and reuse of the landmark (Former) Childs Restaurant Building. Construction activities associated with this development is expected to occur over a 15-month period. Given the small mostly vacant site, short construction period, and minimal construction activity of the project, the proposed project would not result in a significant amount of construction related impacts. Construction-related activities resulting from the proposed project are not expected to have any significant adverse impacts on hazardous materials, transportation, air quality, or noise conditions. In addition, with the implementation of the appropriate construction protection measures mandated by the DOB's TPPN #10/88, no construction-related impacts on historic resources would be anticipated as a result of the proposed project. Moreover, the construction process in New York City is highly regulated to ensure that construction period impacts are eliminated or minimized, and construction of the proposed project would be subject to compliance with the New York City Noise Code.

## 6. MITIGATION MEASURES

### Transportation

### *Traffic*

Traffic conditions were evaluated at 28 intersections during the weekday pre-event and post-event and Saturday pre-event and post-event peak hours. As discussed in Chapter 9, "Transportation," the potential for impacts was identified at a total of eight intersections, with different subsets of these eight intersections impacted depending on the analysis period. The traffic impact analysis indicates that the proposed project would have significant adverse impacts at three intersections in both the weekday pre-event and post-event peak hours, at four intersections in the Saturday pre-event peak hour, and at five intersections in the Saturday post-event peak hour.

Table 1 summarizes the recommended mitigation measures to address these impacts, which are subject to review and approval by NYCDOT. As shown in the table, the majority of the locations significantly impacted could be mitigated using standard traffic capacity improvements, such as standard signal timing changes, road markings and parking regulation modifications, which are considered readily implementable measures as per Table 16-18 in the *CEQR Technical Manual*, and conform to the guidance in NYCDOT's 2009 *Street Design Manual*. Recommended mitigation measures include 1 to 3 seconds of signal timing changes at four of the eight impacted intersections, as well as parking regulation modifications at three of the eight intersections. With implementation of these recommended mitigation measures, all of the significant adverse traffic impacts would be fully mitigated, with the exception of traffic movements at the intersections of (1) Shore Parkway Westbound Service Road at Shell Road and (2) Neptune Avenue at Cropsey Avenue/West 17$^{th}$ Street. With respect to these two intersections, traffic would be monitored on days when amphitheater concerts coincide with baseball games at MCU Park in order to see if actual conditions would reflect the analyzed With-Action conditions that are based on very conservative assumptions. If necessary, traffic enforcement agents (TEAs) would be assigned to these two intersections on days when amphitheater concerts coincide with baseball games to facilitate traffic flow and eliminate any adverse impacts. It should be noted that the TEAs stationed to manage traffic generated by baseball games at MCU Park are typically assigned to locations in the vicinity of MCU Park along Surf Avenue and would not overlap with the TEAs at the intersections of Shore Parkway Westbound Service Road at Shell Road and Neptune Avenue at Cropsey Avenue/West 17$^{th}$ Street.

[continued on page 23]

**TABLE 1**
**Recommended Traffic Mitigation Measures**

| Intersection | | No-Action Signal Timing (Seconds) (1) | | | | Proposed Signal Timing (Seconds) (1) | | | | Recommended Mitigation |
|---|---|---|---|---|---|---|---|---|---|---|
| | | WK PRE | WK POST | SAT PRE | SAT POST | WK PRE | WK POST | SAT PRE | SAT POST | |
| **Shore Parkway EB Ramps/** | EB | 45 | 45 | 45 | 45 | 45 | 45 | 45 | 44 | Shift 1 second from EB to NB/SB 9pm-11pm, |
| **Bay 52nd St (E-W) @** | NB/SB | 45 | 45 | 45 | 45 | 45 | 45 | 45 | 46 | Saturday. |
| **Cropsey Ave (N-S)** | | | | | | | | | | |
| **Bay 50th/ Shore Parkway** | WB | 31 | 31 | 31 | 31 | 31 | 31 | 31 | 31 | Shift 1 second from NB/SB to NB Only 9pm- |
| **WB Off Ramp (E-W) @** | NB Only | 18 | 18 | 18 | 18 | 18 | 18 | 18 | 19 | 11pm, Saturday. |
| **Cropsey Ave/ Ave Z (N-S)** | NB/SB | 41 | 41 | 41 | 41 | 41 | 41 | 41 | 40 | |
| **Shore Parkway WB Off** | WB | 31.5 | 31.5 | 31.5 | 31.5 | | | | | |
| **Ramp (E-W) @** | NB/SB | 58.5 | 58.5 | 58.5 | 58.5 | | | | | Unmitigatable Impact |
| **Shell Road (N-S)** | | | | | | | | | | |
| **Neptune Avenue (E-W) @** | EB/WB | 58 | 58 | 58 | 58 | 58 | 58 | 58 | 58 | Implement no standing at all times regulation for |
| **West 20th Street (N-S)** | NB | 32 | 32 | 32 | 32 | 32 | 32 | 32 | 32 | approximately 100' along the east curb and re-stripe to create 1 left/right and 1 right-turn lane NB. |
| **Neptune Ave (E-W) @** | EB | 23 | 23 | 23 | 23 | | | | | |
| **West 17th St/ Cropsey Ave (N-S)** | EB/WB | 33 | 33 | 33 | 33 | | | | | Unmitigatable Impact |
| | SB | 34 | 34 | 34 | 34 | | | | | |
| **Mermaid Avenue (E-W) @** | EB/WB | 34 | 34 | 34 | 34 | 34 | 31 | 34 | 34 | Implement no standing at all times regulation for |
| **West 20th St (N-S)** | NB | 26 | 26 | 26 | 26 | 26 | 29 | 26 | 26 | approximately 100' along the east curb of the NB approach and re-stripe to create 1 left/through and 1 right-turn lane; shift 3 seconds from EB/WB to NB 9pm-11pm, weekday. |
| **Surf Ave (E-W) @** | EB/WB | 57 | 57 | 57 | 57 | 57 | 57 | 57 | 57 | Implement no standing at all times regulation for |
| **West 17th St (N-S)** | NB | 33 | 33 | 33 | 33 | 33 | 33 | 33 | 33 | approximately 100' along the east curb of the SB approach and re-stripe to create 1 left-turn, 1 left/right and 1 right-turn lanes. |
| **Surf Ave (E-W) @** | EB/WB | 62 | 62 | 62 | 62 | 62 | 62 | 59 | 62 | Shift 3 seconds from EB/WB to NB/SB 5pm-7pm, |
| **Stillwell Ave (N-S)** | NB/SB | 28 | 28 | 28 | 28 | 28 | 28 | 31 | 28 | Saturday. |

Notes :
(1) Signal timings shown indicate Green plus Yellow (including All Red) for each phase.
(2) EB - eastbound, WB - westbound, NB-northbound, SB - southbound

## 7. ALTERNATIVES

### No-Action Alternative

The No-Action Alternative examines future conditions on the development site in the absence of the proposed project. Under the No-Action Alternative, it is assumed that the development site would be developed as-of-right with residential, commercial, and open space uses, as analyzed in the 2009 FEIS. There would be a total of approximately 223,118 sf of residential uses (223 DUs) and approximately 33,978 sf of local retail, in addition to an approximately 1.27-acre open space and a 60,000 sf restaurant in the landmark (Former) Childs Restaurant Building on the development site under the No-Action Alternative.

As with the proposed project, this alternative would not result in significant adverse impacts on land use, zoning and public policy; open space; shadows; historic and cultural resources; urban design; hazardous materials; water and sewer infrastructure; air quality; noise; greenhouse gas emissions; public health; neighborhood character; and construction. This alternative would result in fewer traffic

impacts than the proposed project. However, the No-Action Alternative would fall short of the objectives of the proposed project to reinvigorate Coney Island with a new recreational and entertainment destination along the Riegelmann Boardwalk on underutilized land and extend pedestrian activity westward along the boardwalk with the development of a year-round expansive neighborhood park.

## 8. UNAVOIDABLE SIGNIFICANT ADVERSE IMPACTS

Most of the potential significant adverse impacts of the proposed project could be avoided or mitigated by implementing a broad range of measures. However, the traffic would not be fully mitigated.

### Traffic

With the traffic mitigation plan shown in Table 1 above, all significant adverse traffic impacts could be fully mitigated except at two intersections during the weekday pre-event peak hour, and two intersections during the Saturday pre-event peak hour. Specifically, Shore Parkway Westbound Service Road at Shell Road would have unmitigated significant adverse impacts during the weekday pre-event peak hour. Neptune Avenue at Cropsey Avenue/West 17$^{th}$ Street would have unmitigated significant adverse impacts during both the weekday and Saturday pre-event peak hours.

These two intersections would be monitored to see if actual conditions would reflect the analyzed With-Action conditions that are based on very conservative assumptions, which include (1) the assignment of all on-street parkers to the project site before reaching their final curbside parking spaces and (2) the coincident analysis of a concert at the amphitheater and a game at MCU Park. If necessary, traffic enforcement agents (TEAs) would be assigned to these two intersections on days when amphitheater concerts coincide with baseball games to facilitate traffic flow and eliminate any adverse impacts.

## 9. GROWTH-INDUCING ASPECTS OF THE PROPOSED ACTION

While the new uses proposed for the Seaside Park and Community Arts Center would contribute to growth in the local Brooklyn, City, and State economies, they would not be expected to induce notable growth outside of the development site. It is unlikely that the proposed project would alter land use patterns in surrounding neighborhoods. The proposed project would not create a critical mass of uses or populations that would induce additional development. Moreover, the proposed project does not include the introduction of new infrastructure or an expansion of infrastructure capacity that would result in indirect development. Therefore, the proposed project is not expected to induce significant new growth in the surrounding area.

## 10. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

Resources, both natural and man-made, would be expended in the construction, renovation, reuse and operation of the proposed Seaside Park and Community Arts Center. These resources include the building materials used during construction of the open space and amphitheater and renovation of the (Former) Childs Restaurant Building; energy in the form of gas and electricity consumed during construction and operation of the proposed project by various mechanical and processing systems; and the human effort (time and labor) required to develop, construct, renovate, and operate various components of the proposed project. These are considered irretrievably committed because their reuse for some other purpose would be highly unlikely.

The proposed project constitutes a commitment of the existing (Former) Childs Restaurant Building as a built resource, thereby rendering its use for other purposes infeasible. However, the conversion of the vacant building into productive use would be a substantial improvement to the neighborhood and the adjacent boardwalk.

## 11. NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW

This Notice of Completion for the Final Environmental Impact Statement for the Seaside Park and Community Arts Center project has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law.

## 12. CONTACT OFFICE

Requests for copies of the FEIS should be forwarded to the contact office, Mayor's Office of Environmental Coordination, 100 Gold Street – 2nd Floor, New York, NY 10038, or by email to rkulikowski@cityhall.nyc.gov or telephone at (212) 788-9956. The FEIS is also available on the New York City Mayor's Office of Environmental Coordination website: http://www.nyc.gov/oec.

November 21, 2013

Robert R. Kulikowski, Ph.D.
Assistant to the Mayor
On behalf of the Deputy Mayor
for Economic Development

Date