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**IN THE MATTER OF** an application submitted by the New York City Economic Development Corporation and Seaside Park LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-182(d)\* of the Zoning Resolution to allow an arena with a maximum seating capacity of 6,000 seats and, in conjunction with such arena, to modify the sign regulations of Sections 32-64, 32-65, and 131-20, the parking regulations of Sections 36-20 and 131-51, and the loading regulations of Section 36-66, in connection with a proposed arena use, on property located at 3052 West 21<sup>st</sup> Street (Block 7071, Lots 27, 28, 30, 32, 34, 76, 79, 81, 130, 142, 200, 226, 231, 300 and p/o Lot 123) in R5 and R7D/C2-4 Districts, within the Special Coney Island District.

\* Note: a zoning text amendment is proposed to modify Section 74-182 of the Zoning Resolution under a concurrent related application for a Zoning Text change (N 260028 ZRK).

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This application for a zoning special permit (C 260026 ZSK) pursuant to proposed Zoning Resolution Section 74-182(d) was filed by Seaside Park LLC, the New York City Economic Development Corporation (EDC), and the New York City Department of Citywide Administrative Services (DCAS) on August 1, 2025. This application, in conjunction with the related actions, would facilitate the amphitheater use at the Seaside Park & Community Arts Center, the expansion of Seaside Park, and the operation of the Childs Building, the Coney Island Amphitheater, and Seaside Park in the Coney Island neighborhood of Brooklyn, Community District 13.

**RELATED ACTIONS**

In addition to the zoning special permit (C 260026 ZSK) that is the subject of this report, the proposed project also requires action by the City Planning Commission (CPC) on the following applications, which are being considered concurrently with this application:

**N 260028 ZRK**      Zoning text amendment to modify Sections 74-182, 131-16, and 131-60 of the Zoning Resolution to authorize the CPC to permit an arena.

- C 260029 PQK** Acquisition of a portion of Block 7071, Lot 123 by the City to enlarge the project area.
- C 260027 PPK** Disposition of City-owned property of Block 7071, Lots 27, 28, 30, 32, 34, 76, 79, 81, 130, 142, 200, 226, 231, 300 and p/o 123 to facilitate the continued use and operation of an arena.
- C 260012 PPK** Disposition of City-owned property of Block 7071, Lots 130 and p/o 123 pursuant to zoning to allow operation and maintenance of the historic Childs Building.

## **BACKGROUND**

The applicant seeks a zoning special permit, along with several related actions, to allow an amphitheater use at the Seaside Park & Community Arts Center, the expansion of Seaside Park, and the operation of the Childs Building, the Coney Island Amphitheater, and Seaside Park in the Coney Island neighborhood of Brooklyn, Community District 13.

The project area is coterminous with the development site and consists of Block 7071, Lots 27, 28, 30, 32, 34, 76, 79, 81, 130, 142, 200, 226, 231, 300, and a portion of Lot 123. The project area includes approximately 133,475 square feet of area and is generally bound by West 21<sup>st</sup> Street, a 60-foot-wide street that terminates at Riegelmann Boardwalk, to the east, Riegelmann Boardwalk to the south, West 23<sup>rd</sup> Street, a 60-foot-wide street, to the west, and the southern edge of Ocean Way between West 21<sup>st</sup> Street and West 22<sup>nd</sup> Street to the north. Ocean Way is a 75-foot-wide street that was mapped as part of the Comprehensive Coney Island Rezoning Plan, which runs east to west and approximately 250 feet north of Riegelmann Boardwalk.

In 2009, the CPC approved the Comprehensive Coney Island Rezoning Plan (Coney Island Plan) (N 090272 ZMK, et. al.), which established a 27-acre amusement and entertainment district designed to re-establish Coney Island as an open and accessible mixed-use destination by preserving and growing amusement uses in perpetuity in their historic location along the Riegelmann Boardwalk. In addition, new mixed-use residential and retail districts were planned to address the local need for housing, greater access to retail goods and services, and jobs. The Coney Island Plan also created the Special Coney Island District (SCID), which included four

subdistricts: Coney East, the heart of the amusement area; Coney North, an area intended for mixed-use residential and retail along Surf Avenue connecting Coney East and Coney West subdistricts; Mermaid Avenue, an area intended for residential and retail uses under contextual zoning regulations; and Coney West , which was envisioned as a year-round mixed-use residential and retail neighborhood along the revitalized Riegelmann Boardwalk. A portion of the project area, Lot 130 (Childs Restaurant Building) and Lot 142, was included within the Coney West subdistrict as part of the Coney Island Plan, the latter of which was intended for mixed-use development.

In addition to establishing the SCID, the Coney Island Plan included amendments to the City Map to eliminate and establish new parkland, including future Highland View Park adjacent to the project area; adjust the grade of streets to better reflect flood elevations; and reconfigure the street network south of Surf Avenue to facilitate the goals of the Coney East and West subdistricts. There were also commitments to undertaking major infrastructure upgrades to the stormwater and sanitary sewers in Coney Island in order to realize the anticipated residential and commercial development. In Coney West, the infrastructure upgrades have been completed, as has the reconfigured street network that included the demapping of Highland View Avenue (now Lot 200) and a portion of West 22<sup>nd</sup> Street (now Lot 300) and the establishment of Ocean Way.

In 2013, the CPC approved an application that included a series of actions facilitating the development of the Seaside Park & Community Arts Center (C 140063 ZSK, et. al.), as an interim use while the infrastructure and other aspects of the Coney Island Plan were implemented. The application included a zoning map amendment, a zoning text amendment, a zoning special permit, acquisitions and dispositions, and a City Map amendment. The project also received approval from the Landmarks Preservation Commission (LPC) and Public Design Commission (PDC).

The zoning map amendment enlarged the SCID to encompass the site of future Highland View Park (Block 7071, Lots 27, 28, 30, 32, 34, 76, 79, 81, 226, and 231). The zoning text amendment modified Zoning Resolution (ZR) Sections 131-00 to create 131-60 (Special Permit for Auditorium Use) and modify 131-00 Appendix A (Coney Island Special District Plan) to enlarge

the SCID and Coney West Subdistrict and create Parcel G. The text amendment allowed an applicant to seek, for a period of ten years from the issuance of a temporary or permanent certificate of occupancy, a special permit for the operation of auditoriums with a maximum of 5,099 seats on parcels B and G of the Coney West Subdistrict, subject to conditions and findings. The zoning special permit pursuant to ZR 131-60 granted the amphitheater use, as well as modified underlying parking, loading, and signage regulations. The acquisition of property by the City included Block 7071, Lots 27, 28, 30, 32, 34, 76, 79, 81, 130, 226, and 231, and disposition of City-owned property to EDC of those same lots, including future Lots 200 and 300 (former Highland View Avenue and p/o West 22nd Street) with the intent that EDC would lease the subject properties.

The approval permitted construction of the limited-term amphitheater and included new public open space on the site as well as restoration of the Childs Building, a historic landmark designated by the LPC. The first temporary certificate of occupancy (TCO) was issued on June 27, 2016, marking the beginning of the 10-year term as permitted by the special permit approval.

The project area generally comprises three elements: the historic Childs Building at the eastern portion of the site, the seasonal Coney Island Amphitheater in the middle of the site, and Seaside Park at the western edge of the site.

The Childs Building, constructed in 1923 and designated a New York City Landmark by the LPC in 2003, is a three-story building containing 56,272 square feet of floor area located on Lot 130, an approximately 25,400 square foot lot. The building contains the amphitheater's restroom facilities and operational areas, including the amphitheater's stage, which is set into its western façade. During the off-season, the Childs Building is utilized as an indoor entertainment venue as well as restaurant and banquet facility.

The Coney Island Amphitheater consists of a large plaza within a sloped bowl and stepped terraces that face the stage. The plaza and terraces provide seating to accommodate a maximum of 5,099 attendees. The main entrance is on Riegelmann Boardwalk and a separate entrance for performers, staff, and VIP guests is located in the Childs Building. These entrances also act as

egress points, and an additional means of egress is located at the northern side of the bowl at the southern terminus of West 22<sup>nd</sup> Street. As required by the original approvals, a pedestrian connection is provided between the southern terminus of West 22<sup>nd</sup> Street and the boardwalk when the venue is not in use. A tensile fabric roof mounted on arched metal trusses are installed over the plaza and terraced seats and side-panel noise mitigating curtains wrap the perimeter of the facility. Fencing is located around the Amphitheater, beginning along the southern edge of the property moving westward along the boardwalk and generally following the line formed by the tensile roof. During events, removable panels are deployed between the western edge of the Childs Building along the perimeter of the property at Riegelmann Boardwalk to the comfort stations, and fencing is added along the footpath at the rear perimeter of the amphitheater from the main gate entrance to the terminus of West 22<sup>nd</sup> Street at the north of the amphitheater.

The remainder of the site comprises the public open space known as Seaside Park. The park extends from the western edge of the Coney Island Amphitheater to West 23<sup>rd</sup> Street along Riegelmann Boardwalk. The space features both active and passive recreational areas, including several small playgrounds, a large sloping lawn, and an area with curving paths and planting. Seating is distributed throughout the area, which is accessed from multiple points on the boardwalk, West 23<sup>rd</sup> Street, and West 22<sup>nd</sup> Street. A comfort station with restrooms is located along the boardwalk. The area is open to the public year-round; however, access to the sloping lawn directly to the west of the amphitheater, as well as the comfort station, is limited to event-goers during events.

Lots 79 and 81, which are 4,000 square feet and 2,000 square feet, respectively, are located directly northwest of Seaside Park and are currently paved and utilized as parking. These lots would be added to the project area and utilized as additional public open space.

The portion of Lot 123 that is to be added to the site is a triangular-shaped parcel between the historic Childs Building and the newly-constructed Ocean Way. This is a small parcel that remained when Ocean Way was constructed per the 2009 Coney Island Rezoning.

There are elements of the site that have been altered since the original approvals. The original approval included a temporary roof structure and rain fly to be removed off-season, but DOB rules requiring such structures to handle snowfall made the provision of a removable roof structure infeasible. The sound curtains at the rear of the amphitheater beneath the roof also remain year-round. Additionally, an eight-foot moveable fence and opaque visual screen along the boundary of the site along Riegelmann Boardwalk were added to address operational needs, and a handrail outside the rear of the bowl has been reconstructed, reducing the width of the path next to the bowl from 12 feet to eight feet. Areas located at the top of the terraced seating have been modified to accommodate operational needs and now include high-top tables, and the concession areas are now restricted and fenced.

The surrounding area is characterized by a variety of uses and building typologies, as well as undeveloped land as the remainder of the Coney Island Plan is realized. A mix of housing typologies are found in the surrounding area, including one- to six-story walk-up residential buildings along West 22<sup>nd</sup> and West 23<sup>rd</sup> Street as well as tower-in-the-park campuses found primarily between Surf and Mermaid avenues. Many of these campuses are New York City Housing Authority (NYCHA) or Mitchell-Lama developments and have towers rising 13 to 22 stories in height.

Several affordable housing developments planned pursuant to the Coney Island Plan have either been completed or are under construction within the surrounding area. Within the Coney West Subdistrict, completed buildings include the nine-story Surf Vets Place, a supportive housing building for formerly homeless veterans, and the 20-story Raven Hall, which contains residences above ground floor retail. Both of these developments are located just northeast of the project area along Surf Avenue between West 21<sup>st</sup> and West 20<sup>th</sup> streets. Luna Green, a 23-story affordable housing development, is currently under construction on the same block. In addition, a 16-story building containing 446 units above ground floor retail was recently completed on the northeast corner of Surf Avenue and West 20<sup>th</sup> Street. EDC issued a Request for Proposal (RFP) in early 2025 to develop the block just north of the Childs Building between West 21<sup>st</sup> and West 22<sup>nd</sup> streets with affordable housing and retail uses, and a developer was selected in October 2025. To the west of the project area, the City plans to partner with a nonprofit organization to

develop 178 affordable and supportive housing units as part of the Coney Landing project. Additionally, a Request for Qualifications (RFQ) was also released in 2025 to renovate the nearby Abe Stark Sports Center.

This area of Coney Island is home to several regional entertainment uses, including Maimonides Park, home to the Brooklyn Cyclones baseball team, and the Abe Stark Sports Center, both of which are located just east of the project area. Further east, the Coney East subdistrict contains the Luna Park and Deno's Wonder Wheel Amusement Park.

The surrounding area contains institutions and community facilities. There are several nursing and rehabilitation centers in the surrounding area, including the Sea Crest Nursing & Rehabilitation Center, located just across West 23<sup>rd</sup> Street from the project area. A branch of the Brooklyn Public Library is located on the northwest corner of Mermaid Avenue and West 19<sup>th</sup> Street, and the Coney Island branch of the YMCA is located on 29<sup>th</sup> Street between Mermaid Avenue and Surf Avenue. Several schools are located in the area, including PS 288 (The Shirley Tanyhill School), PS 329 (The Surfside School), PS 188K (The Michael E. Berdy School), and IS 239 (the Mark Twain School for the Gifted and Talented).

In addition to the on-site open space, the Coney Island Beach and Riegelmann Boardwalk, and several open spaces are found in the neighborhood. Surf Playground (0.93 acres), Poseidon Playground (2.94 acres), and Nautilus Playground (1.38 acres), are located between West 25<sup>th</sup> and West 29<sup>th</sup> streets, and include sports courts, spray showers, and fitness equipment. Kaiser Park, a 26-acre park home to several sports fields and a playground, is located northwest of the project area along Coney Island Creek.

The project area is well served by public transit. The New York City Transit (NYCT) Coney Island-Stillwell Avenue Station, located approximately half a mile from the project area, serves the D/F and N/Q subway lines. These subway lines provide service to Jamaica, the Bronx, and Astoria via Manhattan. The B74 bus line, which runs along Mermaid Avenue and connects Coney Island and Sea Gate, provides services to the Coney Island-Stillwell Avenue station. Additionally, the X28 and X38 buses run along Surf Avenue and provide express service to

Manhattan. The B36 bus provides service to Sheepshead Bay via Surf Avenue. Neptune Avenue, a wide street with four lanes of traffic and parking lanes three blocks north of the project area, also features unprotected bike lanes in both directions.

The project area is located in a flood zone. Based on the current Preliminary Flood Insurance Rate Map (PFIRM), the project area is predominantly classified as Zone A. All new construction within these designations are subject to the flood-resilient construction standards set forth in Appendix G of the NYC Building Code.

The surrounding area contains a mix of R5, R6, R7D, and R7D/C2-4 zoning districts. Additionally, the project area is located within the Coney West Subdistrict of the SCID. The project area is split between an R7D/C2-4 zoning district to the east of West 22nd Street and an R5 district to the west of West 22<sup>nd</sup> Street.

R5 districts are low-density non-contextual zoning districts in which residential buildings are limited to a maximum floor area ratio (FAR) of 1.50, or 2.00 for qualifying residential sites, and community facility FAR of 2.00. Buildings in R5 districts can have a maximum base height of 35 feet and a maximum building height of 45 feet, but for qualifying residential sites the maximum base height is 45 feet and the maximum building height is 55 feet. In the Outer Transit Zone, parking is required for 35 percent of standard dwelling units, but parking may be waived if 10 or fewer spaces are required.

R6 districts can be found north of Surf Avenue. R6 districts are medium-density residence zoning districts where the maximum permitted FAR for residential buildings is 3.0 within 100 feet of a wide street and 2.20 FAR beyond 100 feet of a wide street. For buildings with qualifying affordable housing, the maximum FAR is 3.9. Community facility buildings have a maximum FAR of 4.80. Buildings in R6 districts have a maximum height of 85 feet, or 95 feet on wide streets. In the Outer Transit Zone, off-street parking is required for 25 percent of the standard dwelling units and no parking is required for qualifying affordable or senior housing. Parking requirements can be waived if 15 spaces or fewer are required.

R7D districts are medium-density contextual residence zoning districts where the maximum permitted FAR for residential and community facility buildings is 4.66. For buildings with qualifying affordable housing, the maximum FAR is 5.60. Buildings in R7D districts have a maximum height of 105 feet, or 125 feet when qualifying affordable housing is included. In the Outer Transit Zone, off-street parking is required for 15 percent of the standard dwelling units and no parking is required for qualifying affordable or senior housing. Parking requirements can be waived if 15 spaces or fewer are required. However, the floor area and height and setback regulations are modified for sites in the SCID and differ depending on the location of each lot. In the Coney West Subdistrict, the maximum permitted FAR for Parcels A, B, C, and D is 4.8 for standard residences and 5.8 for qualifying affordable/senior housing. For Parcels E and F, the maximum permitted FAR is 4.6 for standard residences and 5.5 for qualifying affordable/senior housing. Within 70 feet of Riegelmann Boardwalk, the maximum base height permitted is 40 feet, and beyond 80 feet from the Boardwalk, the maximum transition height permitted is 95 feet for either or part of Parcels A through F. Above the 95-foot-tall transition height, towers regulations apply. The Childs Building and a portion of the amphitheater is located in Parcel B and the remainder of the project area is located in Parcel G.

C2-4 districts are commercial overlay districts mapped within residential neighborhoods along streets that serve local retail needs. C2-4 districts allow a range of local-serving commercial retail and service uses, such as grocery stores, restaurants, general stores, barber shops, laundromats and other similar retail and services businesses. When mapped within R7D districts, C2-4 districts allow commercial uses to a maximum of 2.0 FAR. However, the SCID modifies these regulations depending on the subdistrict in which the parcel is located and the streets the parcel fronts.

The applicant is proposing the continued operation of the Seaside Park & Community Arts Center and the expansion of Seaside Park. In addition, the applicant is seeking to codify existing conditions on the site, as certain elements have changed since the zoning special permit approval in 2013, as outlined above.

Seaside Park is to be expanded with the addition of Lots 79 and 81, directly adjacent to West 23<sup>rd</sup> Street. This expanded portion would feature the same furniture and materials currently found in the existing open space, including concrete walking paths, benches, rail fencing, ADA accessible game tables and seating, and trash receptacles. Additional trees are to be planted, and irrigation and site maintenance would be implemented to direct stormwater pollutants into infiltration basins. The design of the expanded Seaside Park was coordinated with PDC and the Department of Parks & Recreation (DPR).

Changes to the amphitheater since the original approval, including the roof and sound curtains, would remain. Further, event fencing and circulation plans would be updated to reflect operational needs. The future operator would continue to work with DPR and the NYPD on a queuing system, which currently includes event-goers queuing along the northern portion of the boardwalk in a “secure zone” delineated by barriers, which are disassembled soon after an event begins in an effort to limit interference with the public’s use of the boardwalk.

The Childs Building is to be maintained as a banquet facility that hosts weddings and other events. When not reserved for special events, it would continue to serve the public as a restaurant. It also would continue to house the stage and several back of house operations for the amphitheater.

EDC plans to release an RFP in January 2026 to seek proposals for the repositioning, operation, and maintenance of the Seaside Park & Community Arts Center, including the Childs Building. EDC intends to select an operator for a duration between June 2026 and the end of 2036.

In order to facilitate the proposed project, the applicant is seeking the following actions:

***C 260026 ZSK: Special Permit to allow an amphitheater***

The applicant requests a zoning special permit pursuant to ZR Section 74-182 to allow an arena use with a capacity of 6,000 seats and permit modifications of the underlying parking, loading and signage regulations.

Pursuant to proposed ZR Section 74-182(d), the CPC may permit an arena with a maximum seating capacity of 6,000 seats and permit modifications to signage, parking, and loading regulations on Parcels B and G in the Coney West Subdistrict of the SCID, providing certain conditions and findings are met. While the text of the zoning special permit allows arenas with up to 6,000 seats to align with the existing special permit for such use, the Coney Island Amphitheater is not currently proposing an increase in capacity, remaining at a capacity of 5,099 seating spaces.

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

Pursuant to the underlying zoning, the proposed development would require 66 accessory off-street parking spaces. However, the proposal does not include the provision of off-street parking and a waiver to underlying parking regulations is requested.

The applicants propose one off-street loading area with three berths, which exceeds the two berths required by zoning. However, the underlying zoning does not allow such loading facilities to be located within 50 feet of an intersection of two streets, or an unenclosed loading area within 60 feet of a residential zoning district boundary. The proposed unenclosed off-street loading area is located within 50 feet of the intersection of Ocean Way and West 22<sup>nd</sup> Street and would be located within 60 feet of a residential zoning district boundary. Hence, the loading waiver is requested.

***N 260028 ZRK: Zoning text amendment to modify ZR Sections 74-182, 131-16, and 131-60***

The applicant requests a zoning text amendment to modify Sections 74-182, 131-16, and 131-60 of the Zoning Resolution. The text amendment would delete the entirety of Section 131-60, created in 2013, which currently allows an open-air amphitheater with a maximum capacity of 5,100 seats.

The text amendment would modify ZR Section 74-182 to allow by special permit an arena with up to 6,000 seats in the Coney West Subdistrict of the SCID. The new special permit would allow the CPC to permit the amphitheater in accordance with the provisions of Section 74-182(a), which govern arenas, auditoriums, stadiums, and trade expositions citywide, and the newly-created Section 74-182(d), which would permit the use and modifications to signage, parking, and loading regulations provided that specific conditions are met.

***C 260029 PQK: Acquisition of Property by the City***

DCAS is seeking the acquisition of a portion of Lot 123 on Block 7071, which is currently owned by EDC. This portion was not acquired by DCAS during the 2013 approval as the lot was improved at that time with an office building occupied by the NYC Human Resources Administration (HRA). That building has since been demolished to make way for Ocean Way. This portion of Lot 123 is the remainder of the lot after the construction of Ocean Way and directly adjacent to the Childs Building.

***C 260027 PPK: Disposition of City Owned property***

The applicant requests the disposition of the entirety of the project area located on Block 7071, Lots 27, 28, 30, 32, 34, 76, 79, 81, 130, 142, 200, 226, 231, 300, and a portion of Lot 123, restricted to the conditions of the aforementioned special permit per ZR Section 74-182(d). This disposition includes the entirety of the Seaside Park & Community Arts Center, including the portion of Lot 123 to be acquired by the City, as well as Lots 79 and 81, which are to be added to Seaside Park.

***C 260012 PPK: Disposition of City Owned property***

The applicant requests an additional disposition of Lots 130 and a portion of Lot 123 pursuant to zoning, provided that, at the time of disposition, the property is not subject to the aforementioned proposed special permit pursuant to ZR Section 74-182(d). These lots are currently improved with the Childs Building, and this action is being sought to allow EDC and DCAS to continue to tenant the landmarked building in the future with flexibility in the event the special permit expires or is not used.

### **ENVIRONMENTAL REVIEW**

This application (C 260026 ZSK), in conjunction with the applications for the related actions, was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 *et seq.* and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead is the Mayor's Office of Environmental Coordination (MOEC). The designated CEQR number is 13DME014K.

A Technical Memorandum (Technical Memorandum 003) was prepared and issued on August 8, 2025, which determined that the modified project would not result in any new significant adverse environmental impacts that had not been previously identified in the Final Environmental Impact Statement issued on November 21, 2013, or subsequent Technical Memoranda.

### **WATERFRONT REVITALIZATION PROGRAM**

This application (C 260026 ZSK) and all related actions were reviewed by the City Coastal Commission for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 30, 2013, and by the New York State Department of State on February 3, 2016, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981, (New York State Executive Law,

Section 910 *et seq.*). The designated WRP number is 23-033. This action was determined to be consistent with the policies of the WRP.

## **UNIFORM LAND USE REVIEW**

This application (C 260026 ZSK), in conjunction with the applications for the related actions, was certified as complete by the Department of City Planning on August 11, 2025 and was duly referred to Brooklyn Community Board 13 and the Brooklyn Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b), along with the application for a zoning text amendment (N 260028 ZRK), which was referred for information and review in accordance with the procedures for non-ULURP matters.

### **Community Board Public Hearing**

On September 25, 2025, Brooklyn Community Board 13 held a public hearing on this application (C 260026 ZSK) along with all related applications, and, on October 22, 2025, by a vote of 33 in favor, 2 opposed, 0 abstaining, and 1 recusal, recommended approval of the application with the following conditions:

- “1. Annual Community Accountability: The entity that will issue the RFP is to establish a mechanism to evaluate operators’ compliance with community obligations on an annual basis. An annual report detailing activities, community engagement, and outcomes shall be submitted to the local Council Member (NYC Council District 47) and the local Community Board (CB13). Establish clear consequences for non-compliance, including written warnings, financial penalties, and possible termination of the operating agreement for repeated violations.
2. Local Hiring Priority: The operator should provide hiring priority to community members who meet job qualifications, with efforts made to promote local employment opportunities.
3. Free Community Concerts: The operator shall organize a minimum of six (6) free outdoor concerts from April through October each year.
4. Community Event Support: The operator shall assist community groups in organizing a minimum of six (6) outdoor events utilizing the open space and/or

arena. Events may include, but are not limited to, a Farmer’s Market, Craft Market, Job Fair or Health Fair.

5. Support for Local Arts Organizations: The operator shall make indoor facilities available, free of charge, or at a discounted rate, to South Brooklyn arts-related organizations for a minimum of six (6) performances or events year round.

6. Sound Level Monitoring: The operator shall monitor and maintain sound levels during performances to ensure they do not exceed (42 decibels as measured within a nearby residence), in accordance with NYC noise regulations.

7. Sliding Scale Use for Graduations: The operator shall make the facility available for local school and community graduations on a sliding scale rate.

8. Operator to work with CAC: (Community Advisory Committee) when formed. CAC collaboration: Future operators to work with residents-led community advisory committees. As per condition #8, it was stated that the CAC shall consist of residents, NOT businesses. The Community Board will help facilitate the formation of the CAC by having a special committee that will then help chose the residents to make up the CAC.”

### **Borough President Recommendation**

The Brooklyn Borough President held a public hearing on this application (C 260026 ZSK) along with all related applications on November 18, 2025, and on December 4, 2025, issued a recommendation to approve the application.

### **City Planning Commission Public Hearing**

On November 19, 2025 (Calendar No. 1) the City Planning Commission scheduled December 3, 2025 for a public hearing on this application (C 260026 ZSK) in conjunction with all related applications. The hearing was duly held on December 3, 2025 (Calendar No. 10). Four speakers from the applicant team spoke in favor of the application. There were no speakers in opposition to the project.

The applicant team described the actions proposed for this project. They requested that the special permit expire no sooner than the end of 2036 and not during the summer, as that would be an adequate period of time for a new operator and an expiration during the summer event

season may interfere with the operations of the amphitheater. The team described the history, current uses, and general operations of both the amphitheater and the historic Childs Building, including the current lessee, who will not be continuing to operate the site following their lease expiration. The team explained that an RFP will soon be released to find operators for the venues, with the goals of increasing foot traffic to make the Coney West subdistrict a destination, improve the functioning of the venues, and maintain the amphitheater's status as a unique entertainment venue. They stated that they plan to incorporate many of the Community Board's recommendations into the RFP and intend to select an operator, or operators, by Spring 2026.

In response to the Community Board recommendation, the applicant team confirmed that they plan to publish a list of local arts organizations along with the RFP and will seek responders who have demonstrated engagement with these organizations. The team also confirmed that they plan to incorporate a local hiring preference with the RFP and explained that while the creation of a Community Advisory Committee per the recommendation may introduce logistical difficulties, they are open to the idea and plan to continue conversations.

The team discussed the development of the area pursuant to the Coney Island Plan, stating that several parcels have been completed and developers have been selected for other sites in the area.

The team also discussed some of the resiliency measures incorporated into the site, including the construction of flood-safe doors and the elevation of electrical equipment five feet above street level. The team informed the Commission that while the utilization of the site for emergency management has not been considered, they are open to discussions on the matter.

There were no other speakers and the hearing was closed.

## **CONSIDERATION**

The Commission believes that this application as modified for a zoning special permit (C 260026 ZSK), in conjunction with the related applications (N 260028 ZRK, C 260029 PQQ, C 260027 PPK, and C 260012 PPK), is appropriate.

The requested zoning special permit, along with its related actions, will permit the amphitheater use at the Seaside Park & Community Arts Center, codify existing conditions on the site that have changed since the original 2013 approvals, expand Seaside Park, and allow the operations of the Childs Building, the Coney Island Amphitheater, and Seaside Park.

The Commission believes that the Seaside Park & Community Arts Center has become an important public amenity within the community and that its continued operation will ensure that the neighborhood benefits from this resource while remaining consistent with the goals of the Coney Island Plan.

The Commission recognizes the holistic nature and importance of the 2009 Coney Island Plan. The Plan created a 27-acre amusement and entertainment district designed to re-establish Coney Island as an open and accessible mixed-use destination by preserving and growing amusement uses in their historic location along Riegelmann Boardwalk. The Commission further recognizes that the Coney West Subdistrict is an integral component of the plan, providing opportunities for affordable housing, retail, community facilities, and open spaces aimed at addressing the local need for housing, access to retail goods and services, and jobs. The amphitheater use within the Coney West Subdistrict has been and will continue to be an appropriate interim use that generates activity further west of the amusement area and has spurred the development of open space and revitalization of the Childs Building, as the Coney West parcels are redeveloped with housing and other uses.

The Commission notes that Parcel B, which contains the Childs Building and a portion of the Coney Island Amphitheater, was contemplated for housing and commercial uses. While the Childs Building and the public open space are intended to remain permanently, the Coney Island Amphitheater was intended to be a temporary asset for the community as it continues to develop and realize the goals of the 2009 Coney Island Plan. The Commission understands that City infrastructure investments in the area are a long-term undertaking, and that the implementation of redevelopment plans within the Coney West Subdistrict continues. As such, the continued use of the amphitheater use on parcels B and G remains appropriate to ensure that the community

benefits in this interim period and to bring activity and vitality to an area that is working toward a full realization of the intended housing and commercial development within the Coney Island Plan.

The Commission is pleased that the two underutilized lots adjacent to Seaside Park will be developed as public open space and will result in an expanded Seaside Park, increasing the amount of open space for residents and visitors by 6,000 square feet. This new space has been designed in a way to seamlessly integrate into the existing park and function as one open space. The Commission notes that while operational changes over the past nine years have resulted in less public access within the amphitheater, the open space has been well-used by the community and the expanded Seaside Park will continue to serve as an important resource.

The Commission acknowledges the project area's location in a flood zone and is pleased by the applicants' documentation of resiliency measures that are consistent with wet flood-proofing techniques prescribed by the American Society of Civil Engineers (ASCE). The Commission also understands that the amphitheater's roof structure and its components were determined by DOB to be compliant with Appendix G of the Building Code, and that the NYC Department of Parks and Recreation reviewed and approved the design for the amphitheater's flood vents, embankments, and other measures.

**Zoning Special Permit: C 260026 ZSK**

The Commission believes that the proposed zoning special permit pursuant to ZR Section 74-182 (d), as modified, is appropriate. The special permit will allow an amphitheater use on parcels B and G of the Coney West Subdistrict of the Special Coney Island District for a fixed term expiring on December 31, 2036, as well as modifications to signage, parking, and loading regulations.

The Commission believes that the amphitheater use continues to be an appropriate use at this location within the Coney West Subdistrict, and that the facility has been designed to minimize vehicular, pedestrian, and noise impacts on the surrounding area.

The Commission notes that while elements of the original approvals have changed due to operational constraints, the overall site plan with the expanded Seaside Park ensures the site will continue to function as a high-quality amenity for residents and visitors.

The Commission believes that the facility has been arranged to minimize vehicular traffic through nearby residential streets in the surrounding area. The amphitheater is at the southernmost portion of the Coney West Subdistrict, adjacent to the Riegelmann Boardwalk, and does not have any vehicular entrances. Principal vehicular access for the amphitheater is on Surf Avenue, but no direct vehicular access exists from Surf Avenue to the amphitheater. West 23<sup>rd</sup> Street and West 21<sup>st</sup> Street, which border the project area to the west and east, respectively, both intersect with Surf Avenue and each have dead ends at the Riegelmann Boardwalk. Therefore, neither of the streets provide direct vehicular access to the principal public entrance on the Boardwalk. West 22<sup>nd</sup> Street intersects Surf Avenue but dead ends at the northerly frontage of the amphitheater, which is only used as a means of egress and serves as access for emergency services. The Commission also notes that there are public parking lots along Surf Avenue. Therefore, the Commission understands that the experience of the previous nine years illustrates that only minimal vehicular traffic has been drawn to these streets for events at the amphitheater.

The Commission notes that the area is well served by public transit including multiple train lines and bus lines. The Coney Island-Stillwell Avenue Station, which serves the D/F and N/Q subway lines, is located just over half a mile from the site, and the B74 bus line, which provides services to the Coney Island-Stillwell Avenue station, the X28 and X38 buses, which provide express service to Manhattan, and the B36 bus, which provides service to Sheepshead Bay, all serve the project area. The Commission believes that these transit options allow visitors to easily and efficiently access the Coney Island Amphitheater while minimizing vehicular traffic to the site.

The Commission notes that there is adequate gathering, queueing, and circulation areas to reduce any disruptions to nearby open spaces and residences. The amphitheater has four total points of entry, avoiding interference with pedestrians on Riegelmann Boardwalk as well as the surrounding streets. The Commission understands that the operators will work with City agencies to ensure barriers, fencing, and signage are provided to ensure appropriate circulation spaces

exist on the site. While the Commission understands that the public may not utilize the sloped lawn within Seaside Park immediately west of the amphitheater during an event, the Commission is pleased that public access to Seaside Park is maintained during events via the northern entrance at the southern terminus of West 22<sup>nd</sup> Street.

The Commission believes that the noise attenuation features adequately reduce noise impacts on surrounding residences, public parks, and other open spaces, noting that such noise reduction measures have successfully reduced event-related noise in the surrounding areas to levels compliant with provisions of the New York City Noise Control Code and other applicable laws and regulations. These features include a tensile fabric roof, side-panel sound curtains, and other measures taken pursuant to the Final Environmental Impact Statement (FEIS) prepared at the time of approval of the Coney Island Amphitheater in 2013.

The Commission acknowledges that the applicant is requesting modifications to the underlying signage, parking, and loading requirements, and believes that these modifications are appropriate and will not negatively effect nearby residences, public parks, and other public spaces.

The Commission believes that the requested waiver of minimum parking requirements is appropriate. While 66 parking spaces are required, the Commission acknowledges that the Coney Island Amphitheater has successfully existed with no on-site parking provided since its opening in 2016 and further believes that the amphitheater is served by a combination of surrounding public parking facilities as well as mass transit connections.

The Commission believes that the proposed modifications to loading requirements are appropriate. Two loading berths are required by ZR Section 36-62, and the project provides three unenclosed loading berths at the northern side of the amphitheater, which are located within 50 feet of the intersection of two streets and within 60 feet of a residence district boundary. The Commission notes that the loading berths are accessed via West 22<sup>nd</sup> Street and no trucks park along Surf Avenue, the major street in the surrounding area. The Commission finds that the loading berths address the needs of the amphitheater and that such trips are minimal and completed in dedicated windows for set-up and breakdown before and after an event. The

Commission therefore finds that the required loading plan addresses the operational needs of the amphitheater without imposing adverse impacts on nearby residential districts or traffic circulation in the area.

The Commission believes that the proposed modifications to signage regulations are appropriate. With the exception of the elimination of one blade sign, the location, size, height, and illumination of all signs remain unchanged from the 2013 approval. The Commission believes that such signage is appropriate in scale and design for the site and use and will not negatively impact the surrounding area. The Commission notes that the signage is designed to appropriately announce the presence of the facility while being adequately limited with respect to surface area, height, and illumination to ensure compatibility with surrounding existing and future developments and the historic and prevalent signage in the SCID.

The Commission believes that a fixed term expiring on December 31, 2036 is appropriate. The Commission notes that the amphitheater was intended as an interim use and reaffirms that as the Coney West Subdistrict continues to develop pursuant to the goals of the Coney Island Plan. The Commission notes that the term for the active zoning special permit pursuant to ZR 131-60, which is proposed to be deleted under the proposed zoning text amendment as discussed below, was granted for 10 years from the issuance of a TCO, and as such the special permit will expire on June 27, 2026. The Commission acknowledges that the expiration of a term in the middle of the summer concert season would introduce practical difficulties for the operation of the amphitheater and the rest of the site by extension. As such, the Commission believes that a term expiring on December 31, 2036, is appropriate as it will allow the amphitheater to be utilized as a cultural facility for the community for approximately 10 additional seasons past the expiration of the current permit. The special permit term will enable the Commission to reappraise the findings and conditions in an appropriate timeframe.

**Amendment to the Zoning Resolution: N 260028 ZRK**

The Commission believes that the amendment to the Zoning Resolution is appropriate. The conditions and findings found within ZR Section 74-182 for arenas, auditoriums, stadiums or

trade expositions, as well as the new conditions and findings established within Section 74-182(d), are appropriate for the prospective use and operation of the Coney Island Amphitheater. The regulations established in 2013 within the former ZR Section 131-60 outlined operational and temporal requirements that are more appropriately determined and enforced between EDC and a future operator. Further, relocating the conditions and findings for such a facility within ZR Section 74-182 is appropriate as it brings the Coney Island Amphitheater regulations within the same section as other similar facilities throughout the City.

**Acquisition of Property by the City: C 260029 PQK**

The Commission believes that the proposed acquisition of a portion of Lot 123 on Block 7071 by the City is appropriate. The Commission believes this action to be appropriate as it will ensure that no parcels or areas of the project area fall outside of the purview of the future operators of the Seaside Park & Community Arts Center.

**Disposition of City Owned Property: C 260027 PPK**

The Commission believes that the proposed disposition of City-owned property, as modified, is appropriate. The proposal will allow for the disposition of Block 7071, Lots 27, 28, 30, 32, 34, 76, 79, 81, 130, 142, 200, 226, 231, 300, and p/o 123. With the exception of Lots 79, 81, and p/o 123, these lots presently comprise the Seaside Park Project & Community Arts Center. As the project area has expanded, this disposition action further includes Lots 79, 81, and p/o 123 to capture the entire project area. As described in the application and during public review, this disposition action shall be restricted to the conditions of the special permit (C 260026 ZSK) pursuant to proposed ZR Section 74-182(d).

Upon approval, the entirety of the site will be transferred to EDC, which will lease the subject properties to a new operator, or operators, who will then be responsible for all operations and maintenance of the facility for the duration of the lease agreement. This restricted disposition will ensure that regardless of the individual operator(s) selected, the amphitheater and remainder of the project area are bound by the conditions of the new zoning special permit.

**Disposition of City Owned Property: C 260012 PPK**

The Commission believes this application for a second disposition of City-owned property, as modified, is appropriate. This action will allow for the disposition of Lot 130 and p/o Lot 123 on Block 7071, which comprises the Childs Building and an adjacent area of land, to ensure that the Childs Building can continue to be maintained and tenanted in the event the special permit is not used or expires. As such, it is anticipated that this disposition would take effect once the amphitheater is no longer in use and the Childs Building (and adjacent vacant area on a portion of Lot 123) is no longer being operated in tandem with the remainder of the Seaside Park & Community Arts Center site.

In response to the Community Board recommendation, the Commission notes that EDC intends to include within the RFP provisions relating to local hiring, including filling fifty percent of new job openings with local hires, ensuring forty percent of these local hires are employed for at least nine months, and thirty percent of local hires are promoted to a higher paid position within one year of their hiring; that there must be a minimum number of free community concerts per year; that the future operator must work in coordination with the Community Board and community; and that if the operator fails to comply with the conditions, it will qualify as an event of default under the lease. While outside of its purview, the Commission is also pleased that EDC will require the future operator of the site to provide annual status reports on the project, detailing compliance and operating commitments, including community engagement, and that there will be clear consequences in the lease for non-compliance, as well as their willingness to share such reports with the Community Board and Councilmember. The Commission recognizes the importance of a functional and positive relationship between the operator and the community and is pleased that EDC will continue conversations with the Community Board and Councilmember about the possible formation of a CAC.

## **FINDINGS**

The City Planning Commission hereby makes the following findings pursuant to Section 74-182 of the Zoning Resolution:

On Parcels B and G in the Coney West Subdistrict of the #Special Coney Island District#, the Commission may permit an arena with up to 6,000 seats and, in conjunction with such arena, permit modifications to #sign# and parking and loading regulations, provided that:

- (1) the provisions of paragraphs (a)(1), (a)(2), (a)(4), (a)(5) and (a)(6) of this Section are met;
  - (1) that the principal vehicular access for such use is not located on a local street but is located on an arterial highway, a major street or a secondary street within one-quarter mile of an arterial highway or major street;
  - (2) that such use is so located as to draw a minimum of vehicular traffic to and through local streets in nearby residential areas;
  - (4) that adequate reservoir space at the vehicular entrance, and sufficient vehicular entrances and exits, are provided to prevent traffic congestion;
  - (5) that vehicular entrances and exits for such use are provided separately and are located not less than 100 feet apart; and
  - (6) that due consideration has been given to the proximity of bus and rapid transit facilities to serve such use.
- (2) adequate pedestrian gathering, queueing and circulation spaces for such arena are provided to minimize disruption to the surrounding area, including at nearby #residences#, #public parks# and other publicly accessible open spaces;
- (3) the arena will include noise attenuation features and measures which serve to reduce arena-related noise in the surrounding area, including at nearby #residences#, #public parks# and other publicly accessible open spaces;
- (4) where #sign# regulations are modified, a signage plan has been submitted showing the location, size, height and illumination of all #signs# on the #zoning lot#, and the Commission finds that all such #signs#, and any illumination from or directed upon such #signs#, are located and arranged so as to minimize any negative effects from the arena #use# on nearby #residences#, #public parks# and other publicly accessible open spaces;
- (5) where parking regulations are modified, such waiver or reduction of parking spaces will not have undue adverse impacts on the residents, businesses or community facilities in the surrounding area; and
- (6) where loading regulations are modified, a loading plan has been submitted that addresses the operational needs of all servicers of the arena and shows the number, location and arrangement of all loading berths on the #zoning lot#, and the Commission finds that such loading plan is adequate to address the loading demand generated by the arena #use#.

## RESOLUTION

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

**RESOLVED**, that the City Planning Commission finds that the action described herein does not alter the conclusions of the earlier environmental review and that the Notice of Completion of the Final Environmental Impact Statement (CEQR #13DME014K) issued on November 21, 2013 and a Technical Memorandum (Technical Memorandum 003) issued on August 8, 2025 remain valid; and be it further

**RESOLVED**, the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies; and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter that based on the environmental determination and the consideration and findings described in this report, that the application submitted by the New York City Economic Development Corporation and Seaside Park LLC for the grant of a special permit pursuant to Section 74-182(d) of the Zoning Resolution to allow an arena with a maximum seating capacity of 6,000 seats and, in conjunction with such arena, to modify the sign regulations of Sections 32-64, 32-65, and 131-20, the parking regulations of Sections 36-20 and 131-51, and the loading regulations of Section 36-66, in connection with a proposed arena use, on property located at 3052 West 21<sup>st</sup> Street (Block 7071, Lots 27, 28, 30, 32, 34, 76, 79, 81, 130, 142, 200, 226, 231, 300, and p/o Lot 123) in R5 and R7D/C2-4 Districts, within the Special Coney Island District (Coney West Subdistrict, Parcels B and G), Borough of Brooklyn, Community District 13, is approved, as modified by the City Planning Commission, subject to the following terms and conditions:

1. The property that is the subject of this application (C 260026 ZSK) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and

zoning computations indicated on the following approved plans prepared by Gerner Kronick + Valcarcel, DPC, filed with this application and incorporated in this resolution:

**Z-Series Drawing Set**

<u>Drawing No.</u>	<u>Title</u>	<u>Last Date Revised</u>
Z-300	Zoning Lot Site Plan	08/07/2025
Z-301	Zoning Computations	08/07/2025
Z-302	Ground Floor – Waiver Plan	08/07/2025
Z-303	Site Sections and Elevations	08/07/2025
Z-304	Event Screen and Fence Details	08/07/2025
Z-305	Event Seating Details	08/07/2025
Z-350	Stair Sections	08/07/2025
Z-370	Arena Signage Plan	08/07/2025
Z-371	Signage Childs Building	08/07/2025
Z-372	Signage Childs Building 2	08/07/2025
Z-600	Grade Level Plan	08/07/2025
Z-601	Main Floor Plan	08/07/2025
Z-602	Mezzanine Floor Plan	08/07/2025

**L-Series Drawing Set**

<u>Drawing No.</u>	<u>Title</u>	<u>Last Date Revised</u>
L-300	Overall Open Space Plan	08/07/2025
L-302	Open Space – Ground Floor Plan	08/07/2025
L-330	Materials Plan	08/07/2025
L-331	Grading Plan	08/07/2025
L-332	Planting Plan	08/07/2025
L-333	Furnishing Plan	08/07/2025
L-340	Plaza/Park Paths Lighting Plan	08/07/2025
L-342	Plaza/Park Paths Lighting Details	08/07/2025
L-360	Pavement Details	08/07/2025
L-361	Planting Details	08/07/2025
L-362	Bench Details	08/07/2025
L-363	Plant Rail Details	08/07/2025
L-364	Fencing Details	08/07/2025
L-365	Handrail Details	08/07/2025

L-366	Site Furnishing Details	08/07/2025
L-367	Play Equipment Details	08/07/2025
L-370	Signage Plan	08/07/2025

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. In the event the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners' association, or cooperative ownership, a copy of this report and resolution and any subsequent modifications shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners' or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.
5. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee or occupant.
6. Upon the failure of any party having any right, title, or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City

Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.

7. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the City or such employee's or agent's failure to act in accordance with the provisions of this special permit.
8. This permit shall expire on December 31, 2036.

The above resolution (C 260026 ZSK), duly adopted by the City Planning Commission on January 7, 2026 (Calendar No. 5), is filed with the Office of the Speaker, City Council, and the Borough President, in accordance with the requirements of Section 197-d of the New York City Charter.

**DANIEL R. GARODNICK, Esq.,** *Chair*  
**KENNETH J. KNUCKLES, Esq.,** *Vice Chairman*  
**GAIL BENJAMIN, ALFRED C. CERULLO III, ESQ., ANTHONY W. CROWELL, Esq.,**  
**JOSEPH I. DOUEK, Esq., LEAH GOODRIDGE, Esq.,**  
**RASMIA KIRMANI-FRYE, RAJU MANN, ORLANDO MARÍN,**  
**JUAN CAMILO OSORIO, RAJ RAMPERSHAD,** *Commissioners*



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

<b>Project Name:</b> Seaside Park & Community Arts Ctr Special Permit	
<b>Applicant:</b> Seaside Park LLC	<b>Applicant's Primary Contact:</b> Howard Weiss
<b>Application #</b> 260027PPK	<b>Borough:</b>
<b>CEQR Number:</b> 13DME014K	<b>Validated Community Districts:</b> K13

**Docket Description:**  
 IN THE MATTER OF an application submitted by the New York City Department of Citywide Administrative Services and the New York City Economic Development Corporation pursuant to Section 197-c of the New York City Charter, for the disposition of City-owned property located on Block 7071, Lots 27, 28, 30, 32, 34, 76, 79, 81, 130, 142, 200, 226, 231, 300 and p/o 123, pursuant to zoning, Borough of Brooklyn, Community District 13.

*Please use the above application number on all correspondence concerning this application*

<b>RECOMMENDATION: Conditional Favorable</b>			
<b># In Favor:</b> 33	<b># Against:</b> 2	<b># Abstaining:</b> 0	<b>Total members appointed to the board:</b> 35
<b>Date of Vote:</b> 10/22/2025 12:00 AM		<b>Vote Location:</b> 2601 Ocean Parkway - South Brooklyn Health	

*Please attach any further explanation of the recommendation on additional sheets as necessary*

<b>Date of Public Hearing:</b> 9/25/2025 7:00 PM	
<b>Was a quorum present?</b> Yes	<i>A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members</i>
<b>Public Hearing Location:</b>	South Brooklyn Health - 2601 Ocean Parkway, 2nd floor auditorium

**CONSIDERATION:** On October 22, 2025, at the monthly meeting of the Community Board 13, the board members in attendance voted to approve, with conditions, the ULURP for a zoning special permit, zoning special permit, zoning text amendment, disposition of city-owned property, and acquisition to facilitate modifications to previously approved plans for the Seaside Park & Community Arts Center (140063ZSK) in Coney Island, CD 13, Brooklyn. The Board vote was in favor: 33; Opposed: 2; Abstentions: 0; Recusal: 1; Total vote: 36. (Motion was carried with a quorum present). Please see the attached files for our recommendations.

Recommendation submitted by	BK CB13	Date: 11/24/2025 1:38 PM
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**BROOKLYN COMMUNITY BOARD 13**  
1201 Surf Avenue – 3<sup>rd</sup> Fl., Brooklyn, NY 11224  
(718) 266-3001 FAX (718) 266-3920  
<http://www.nyc.gov/html/bkncb13>

ANTONIO REYNOSO  
Borough President

JEFF SANOFF  
Chairperson

EDDIE MARK  
District Manager

October 24, 2025

City Planning Commission  
120 Broadway 31<sup>st</sup> Floor  
New York, N.Y. 10271

On October 22, 2025, at the monthly meeting of Community Board 13, the board members in attendance voted to approve, **with conditions**, the ULURP for a zoning special permit, zoning text amendment, disposition of city-owned property, and acquisition to facilitate modifications to previously approved plans for the Seaside Park & Community Arts Center (140063 ZSK) in Coney Island, CD 13, Brooklyn. The Board vote was **In Favor: 33; Opposed: 2; Abstentions: 0; Recusal: 1** (Motion carried with a quorum present).

The conditions were as follows:

1. **Annual Community Accountability:** The entity that will issue the RFP is to establish a mechanism to evaluate operators' compliance with community obligations on an annual basis. An annual report detailing activities, community engagement, and outcomes shall be submitted to the local Council Member (NYC Council District 47) and the local Community Board (CB13). Establish clear consequences for non-compliance, including written warnings, financial penalties, and possible termination of the operating agreement for repeated violations.
2. **Local Hiring Priority:** The operator should provide hiring priority to community members who meet job qualifications, with efforts made to promote local employment opportunities.
3. **Free Community Concerts:** The operator shall organize a minimum of six (6) free outdoor concerts from April through October each year.
4. **Community Event Support:** The operator shall assist community groups in organizing a minimum of six (6) outdoor events utilizing the open space and/or arena. Events may include, but are not limited to, a Farmer's Market, Craft Market, Job Fair or Health Fair.
5. **Support for Local Arts Organizations:** The operator shall make indoor facilities available, free of charge, or at a discounted rate, to South Brooklyn arts-related organizations for a minimum of six (6) performances or events year round.
6. **Sound Level Monitoring:** The operator shall monitor and maintain sound levels during performances to ensure they do not exceed (42 decibels as measured within a nearby residence), in accordance with NYC noise regulations.
7. **Sliding Scale Use for Graduations:** The operator shall make the facility available for local school and community graduations on a sliding scale rate.
8. **Operator to work with CAC** (Community Advisory Committee) when formed.  
CAC collaboration: Future operators to work with residents-led community advisory committees. As per condition #8, it was stated that the CAC shall consist of residents, NOT businesses. The Community Board will help facilitate the formation of the CAC by having a special committee that will then help choose the residents to make up the CAC

  
Jeff Sanoff  
Chairperson

  
Eddie Mark  
District Manager

**Brighton Ballet Theater:**

Founder and Executive Director Irina Roizin.

2001 Oriental Blvd., Bldg. T7, Room 7211  
Brooklyn, NY 11235  
718.769.9161

Since 1987, Brighton Ballet Theater / American School of Russian Ballet has been a cultural cornerstone of South Brooklyn, providing affordable, professional dance education and performance opportunities to children and adults from diverse and often immigrant backgrounds. Serving over 500 students annually and producing four to six major performances each year, including *The Nutcracker* and the *World of Dance Festival*, Brighton Ballet Theater continues to celebrate artistic excellence, inclusiveness, and community spirit. Based at Kingsborough Community College since 2005, the school partners with organizations such as MetLife, DYCD, HIAS, NYANA, BAC, and NYC DCA to deliver arts-in-education initiatives, free after-school and residency programs, and performances across Brooklyn—from local festivals and libraries to senior centers through the SU-CASA program.

**Coney Island USA:**

Adam Rinn - Artistic Director  
Coney Island USA  
1208 Surf Avenue  
Brooklyn NY, 11224

Coney Island USA operates a multi-arts center located in the heart of Coney Island. Built in 1917, 1208 Surf Avenue. Coney Island USA is an IRS 501(c)(3) Nonprofit arts organization founded in 1980 by Costa Mantis, Jane Savitt-Tennen and Dick D. Zigun Coney Island USA is funded, in part, by the New York City Department of Cultural Affairs, The New York Community Trust, the New York Council for the Humanities (2014 Congress of Curious Peoples, Coney Island USA's 2012 Disaster Recovery grant), and our loyal members.

**Shostakovich School of Music, Art and Dance:**

297 Avenue X  
Brooklyn, NY 11235  
Tel. (718) 781-0053, (718) 376-8056,  
917-991-0658

Founded in 1981, a non-profit organization with Art, Chess, Dance, Music, Theater, and Musical Rhythmic classes.

**Brooklyn Chamber Orchestra:**

157 Montague St.  
Brooklyn, NY 11201  
718-801-3811

**It is** a professional ensemble that was founded in 2002. It is led by Brooklyn native and artistic director Philip Nuzzo. The orchestra aims to build a strong foundation for classical music in the borough by presenting high-

quality, intimate, and accessible performances. The orchestra is offering season subscriptions that include six performances at historic Brooklyn churches. The orchestra offers concerts specifically for younger audiences and families, such as "Nutcracker Notes" and "Spooktacular!"

**Coney Island Community Art-related organizations:**

**CONEY ISLAND YOUTH Alive INC**

2953 West 33rd Street

Brooklyn, NY 11224

[ciyouthalive@gmail.com](mailto:ciyouthalive@gmail.com)

**Parachute Literary Arts**

ParachuteLiteraryArts 9322 3rd Avenue, Suite 543

Brooklyn, NY 11209

[ParachuteFestival@gmail.com](mailto:ParachuteFestival@gmail.com)



# BOROUGH PRESIDENT RECOMMENDATION

<b>Project Name:</b> Seaside Park & Community Arts Ctr Special Permit	
<b>Applicant:</b> Seaside Park LLC	<b>Applicant's Administrator:</b> Howard Weiss
<b>Application #</b> 260012PPK	<b>Borough:</b> Brooklyn
<b>CEQR Number:</b> 13DME014K	<b>Validated Community Districts:</b> K13

**Docket Description:**

IN THE MATTER OF an application submitted by the New York City Department of Citywide Administrative Services and the New York City Economic Development Corporation pursuant to Section 197-c of the New York City Charter, for the disposition of City-owned property located on Block 7071, Lot 130 and p/o 123, pursuant to zoning, Borough of Brooklyn, Community District 13.

*Please use the above application number on all correspondence concerning this application*

**RECOMMENDATION:** Favorable

*Please attach any further explanation of the recommendation on additional sheets as necessary*

**CONSIDERATION:** Please see attached memo for full comment.

Recommendation submitted by	BK BP	Date: 12/4/2025 4:34 PM
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# BROOKLYN BOROUGH PRESIDENT ANTONIO REYNOSO

## UNIFORM LAND USE REVIEW PROCESS (ULURP) APPLICATION

ULURP NUMBER	N260028ZRK, C260026ZSK, C260027PPK, C260029PQK, C260012PPK
PROJECT NAME	Seaside Park & Community Arts Ctr Special Permit
APPLICANT TEAM	Seaside Park LLC, NYC EDC, and the Department of Citywide Administrative Services (DCAS)
PROJECT BRIEF	A zoning special permit, zoning text amendment, disposition of city-owned property, and acquisition to facilitate modifications to previously approved plans for the Seaside Park & Community Arts Center (C 140063 ZSK) in Coney Island, CD 13 Brooklyn.
COMMUNITY DISTRICT	Brooklyn Community District 13
COUNCIL MEMBER	Council Member Justin Brannan – District 47

## BROOKLYN BOROUGH PRESIDENT'S RECOMMENDATION

DATE	December 4, 2025		
<input checked="" type="checkbox"/>	FAVORABLE	<input type="checkbox"/>	UNFAVORABLE
<input type="checkbox"/>	FAVORABLE WITH MODIFICATIONS / CONDITIONS	<input type="checkbox"/>	UNFAVORABLE WITH MODIFICATIONS / CONDITIONS

Brooklyn Borough President Antonio Reynoso

## **RECOMMENDATION FOR**

Seaside Park & Community Arts Ctr Special Permit – ULURP #s N260028ZRK, C260026ZSK, C260027PPK, C260029PQK, C260012PPK

BE IT RESOLVED that the Brooklyn Borough President, pursuant to Section 197-c of the New York City Charter, recommends that the City Planning Commission and City Council approve this application.

BE IT FURTHER RESOLVED that EDC make every effort to select a new operator that will work collaboratively with CB 13 to satisfy the conditions of their recommendation.

## **PROJECT DESCRIPTION**

The Project Area is generally bounded by West 21st Street to the east, the Riegelmann Boardwalk to the south, West 23rd Street to the west, and the southern edge of Ocean Way between West 21st Street and West 22nd Street to the north. The Project Area is part of the Coney West Subdistrict within the Special Coney Island District. The Coney West Subdistrict is bound by Surf Avenue to the north, the future Parachute Way to the east, the Riegelmann Boardwalk to the south and West 23rd Street to the west. The area surrounding the proposed Project Area is characterized by a variety of uses, densities, and building typologies. Development in the Surrounding Area is concentrated along the main pedestrian and automotive thoroughfares, including Surf Avenue and Mermaid Avenue, located one and two blocks north of the proposed Project Area. The existing buildings primarily range in height from one to six stories, as well as several tower-in-the-park style NYCHA and Mitchell-Lama developments rising between 13 and 22 stories, housing a sizable proportion of residents in the area.

The Proposed Actions would slightly enlarge the Development Site and allow an arena with a seating capacity of up to 6,000 patrons, as well as expand the Seaside Park & Community Arts Center public open space by the addition of Lots 79 and 81. The amphitheater plaza and stepped terraces provide seating to accommodate up to 5,099 attendees.

In furtherance of the continued operation of the Coney Island Amphitheater pursuant to the proposed arena special permit, which would continue to feature concerts, other entertainment, and community-based events, the NYC Economic Development Corporation (EDC) plans to release a Request for Proposals (RFP) for a new amphitheater operator post-ULURP. The RFP will be seeking a new operator or operators for the amphitheater and/or the Childs Restaurant Building for a duration to be determined in the future.

The Coney West Subdistrict of the Special Coney Island District has experienced significant residential and retail development that will bring new neighbors into close proximity to this venue, increasing the need to have locally responsive offerings that build upon and reflect the local neighborhood. These new developments include:

- Surf Vets Place, a nine-story supportive housing building that provides housing for formerly homeless veterans and contains local retail uses on the ground floor;
- Raven Hall, a 20-story mixed-use building with ground floor retail;
- Coney Island Phase III, a mixed-use development that will include 420 new affordable housing units, and commercial and community facility uses; and
- The Coney Landing Project, a nonprofit partner project that will build 178 new affordable and supportive housing units; and
- EDC's Parcel A RFP, Coney Island West, which RYBAK Development was recently selected to develop, will bring a new mixed-use building with 505 units with at least 25% being permanently affordable at a blended average of 80% AMI.

RECENT DEVELOPMENT IN THE AREA



Surf Vets Place



Raven Hall



Coney Island Phase III



The Coney Landing



Parcel A- RYBAK Development

## COMMUNITY BOARD POSITION

Community Board 13 voted to approve the application with following conditions on October 22, 2025:

1. Annual Community Accountability
2. Local Hiring Priority
3. Free Community Concerts
4. Community Event Support
5. Support for Local Arts Organizations
6. Sound Level Monitoring
7. Sliding Scale Use for Graduations; and
8. Operator to work with CAC.

## BOROUGH PRESIDENT PUBLIC HEARING

The Borough President held a hearing on this item on Tuesday, November 18, 2025. No members of the public provided testimony at the hearing, and the Borough President's Office received no written testimony via email.

## APPROVAL RATIONALE

Borough President Reynoso believes that the proposed actions are appropriate. Coney Island is a place where Brooklyn's diversity is inherent. The *2025 Comprehensive Plan for Brooklyn's* Community Infrastructure Element directs strategic action around increasing community connectedness to neighbors, places, and heritage (Strategy 1) and supporting Brooklyn's cultural organizations and institutions (Strategy 2). The management and operation of Seaside Park and Community Center must be leveraged to partner with local Brooklynites to help co-create shared spaces of culture and dialogue among one another, including discounted rentals for community events, free cultural offerings, and enhancing the stability of local arts organizations.

The Borough President has previously funded local efforts that use art and culture to connect communities, such as parades, fairs, concerts, cultural and culinary events, and block parties. Coming together in our neighborhoods and as a borough, celebrating what makes us unique and what we have in common, makes Brooklyn a safer, more dynamic, and more enjoyable place to live. As Coney Island continues to welcome new neighbors and businesses, its cultural spaces are critical in supporting the preservation and celebration of what makes these neighborhoods unique.

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