



IN THE MATTER OF an application submitted by Seaside Park LLC, New York City Department of Citywide Administrative Services and New York City Economic Development Corporation, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, amending special permit provisions of Article VII, Chapter 4 (Special Permits by the City Planning Commission) and of Article XIII, Chapter 1 (Special Coney Island District).

This application for a zoning text amendment (N 260028 ZRK) was filed by Seaside Park LLC, New York City Department of Citywide Administrative Services (DCAS), and NYC Economic Development Corporation (NYCEDC) 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 text amendment (N 260028 ZRK) 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:

- C 260026 ZSK** Zoning special permit to allow an amphitheater use with a maximum capacity of 6,000 seats.

- 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, Lost 130 and p/o 123 pursuant to zoning to allow operation and maintenance of the historic Childs Building.

BACKGROUND

A full background discussion and description of this application appear in the report for the related zoning special permit (C 260026 ZSK).

ENVIRONMENTAL REVIEW

This application (N 260028 ZRK), 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 (N 260028 ZRK) 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.

PUBLIC REVIEW

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

Community Board Public Hearing

Brooklyn Community Board 13 held a public hearing on this application (N 260028 ZRK), in conjunction with the related actions, on September 25, 2025. On October 22, 2025, Community Board 13 voted to adopt a resolution to recommend approval of the application with conditions by a vote of 33 in favor, 2 opposed, 0 abstaining, and 1 recusal. A summary of the recommendation appears in the report for the related zoning special permit (C 260026 ZSK).

Borough President Recommendation

The Brooklyn Borough President held a public hearing on this application (N 260028 ZRK) and the related applications on November 18, 2025, and, on December 4, 2025, issued a recommendation to approve the application. A summary of the recommendation appears in the report for the related zoning special permit (C 260026 ZSK).

City Planning Commission Public Hearing

On November 19, 2025 (Calendar No. 3), the CPC scheduled December 3, 2025, for a public hearing on this application (N 260028 ZRK) and the related applications. The hearing was duly held on December 3, 2025 (Calendar No. 12).

As described in the report for the related zoning special permit (C 260026 ZSK), four speakers testified in favor of the application. There were no other speakers, and the hearing was closed.

CONSIDERATION

The Commission believes that this application (N 260028 ZRK), in conjunction with the related applications, is appropriate.

A full consideration and analysis of the issues and reasons for approving the application appear in the report for the related action (C 260026 ZSK).

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 Section 197-c and 200 of the New York City Charter, that submitted based on the environmental determination, and the consideration and findings described in this report, the Zoning Resolution of the City of New York, effective as of December 5, 1961, and as subsequently amended, is hereby amended as follows:

Matter underlined is new, to be added;
Matter ~~struck-out~~ is to be deleted;
Matter within # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution.

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ARTICLE VII ADMINISTRATION

Chapter 4 Special Permits by the City Planning Commission

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74-10 SPECIAL PERMIT USES

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74-18 Recreation, Entertainment, and Assembly Spaces

* * *

74-182 Arenas, auditoriums, stadiums or trade expositions

C4 C6 C7 C8 M1 M2 M3

- (a) The City Planning Commission may permit arenas, auditoriums or stadiums, or trade expositions, as listed in Use Group VIII, with a capacity in excess of 2,500 seats for arenas, auditoriums or stadiums, or with a rated capacity in excess of 2,500 persons for trade expositions, provided that the following findings are made:
- (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;
 - (3) that such #use# is not located within 200 feet of a #Residence District#;
 - (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#.

- (b) In Community District 7 in the Borough of the Bronx, the Commission may permit an indoor arena with a maximum seating capacity of 6,000 within 200 feet of a #Residence District# and, in conjunction with such arena, permit modifications of the provisions of Sections 32-64 (Surface Area and Illumination Provisions), 32-655 (Height of signs in all other Commercial Districts), and 36-62 (Required Accessory Off-street Loading Berths), provided that:

* * *

- (c) In the Pennsylvania Station Subarea B4 of the Farley Corridor Subdistrict B of the #Special Hudson Yards District#, the Commission may permit arenas with seating in excess of 2,500 persons, provided that the following findings are made:

* * *

Special Coney Island District

- (d) 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;

- (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#.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on #signs#, requirements for soundproofing of arenas or auditoriums, shielding of floodlights, screening of open #uses# or surfacing all access roads or driveways. The Commission may also prescribe requirements for pedestrian-accessible open areas surrounding the arena, auditorium or stadium, including #accessory# directional or building identification #signs# located therein.

In addition, within Pennsylvania Station Subarea B4 of the #Special Hudson Yards District#, design changes to existing #plazas# located within such pedestrian-accessible open areas may be made without a certification by the Chairperson of the Commission pursuant to Section 37-625, and the design standards of Section 37-70, inclusive, shall not apply to such #plazas#.

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ARTICLE XIII SPECIAL PURPOSE DISTRICTS

Chapter 1 Special Coney Island District

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131-10 SPECIAL USE REGULATIONS

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131-16 Special Permit for Certain Arenas

On Parcels B and G in the Coney West Subdistrict of the #Special Coney Island District#, the City Planning Commission may permit an arena in accordance with the provisions of paragraph (d) of Section 74-182 (Arenas, auditoriums, stadiums or trade expositions).

131-20

SIGN REGULATIONS

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131-60

~~SPECIAL PERMIT FOR AUDITORIUMS~~

[MOVING PROVISIONS TO CPC SPECIAL PERMIT FOR ARENAS SECTION 74-182]

~~The special permit set forth in this Section is established to allow outdoor entertainment #uses# on a limited term basis in a unique beachfront location within the #Special Coney Island District#. The development of such #uses# on a temporary basis pursuant to this special permit provides for the opportunity for a valuable public amenity to exist within an area 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. Any special permit granted under this Section shall be subject to a term of years, in order to ensure that such #uses# are consistent with, and do not impede, the goal of long term revitalization of the surrounding area, pursuant to the #Special Coney Island District# plan.~~

~~In the Coney West Subdistrict, for Parcels B and G, the City Planning Commission may approve, by special permit, open air auditoriums with greater than 2,000 seats, for a term no greater than 10 years from the date a certificate of occupancy, including a temporary certificate of occupancy, has been issued, provided that the proposed auditorium meets the conditions of paragraph (a) and the findings of paragraph (b) of this Section, in addition to the #sign# provisions of paragraph (c) and parking provisions of paragraph (d) of this Section.~~

~~For any application for such special permit, the applicant shall provide plans to the Commission including, but not limited to, a site plan, signage plan, parking and loading plan, lighting plan and an operations plan (the "Proposed Plans").~~

- (a) ~~The Commission may permit open air auditoriums with a maximum of 5,100 seats, provided the Proposed Plans demonstrate that:~~
- ~~(1) at all times when Riegelmann Boardwalk is open to the public, all publicly accessible space, as shown on the Proposed Plans, will remain accessible to the public, except that access may be restricted as necessary during scheduled events, for the setup and takedown for such events, and in connection with maintenance activities. Any barriers erected for the purpose of restricting access or visibility during such events shall be completely removed at all other times;~~
 - ~~(2) the height of all structures, temporary or fixed, does not exceed 70 feet in height, as measured from the level of Riegelmann Boardwalk;~~
 - ~~(3) any roof or structural canopy above the open air auditorium seating area will be removed prior to the month of November and shall remain removed during the~~

~~entire off-season period between November through April, as well as in advance of severe weather events;~~

- ~~(4) the signage plan and parking and loading plan comply with the provisions of paragraphs (c) and (d) of this Section, respectively; and~~
- ~~(5) the City and applicant will enter into an agreement under which Parcel G will be returned to the City as of the expiration of the term of the special permit in a condition set forth in such agreement appropriate for #use# as a #public park#.~~

~~(b) In granting such permit, the Commission shall find that:~~

- ~~(1) such open air auditorium will not unduly impair the essential character or the future #use# or #development# of the surrounding area, pursuant to the goals and objectives of the #Special Coney Island District# plan;~~
- ~~(2) the outdoor lighting for such open air auditorium is located and arranged so as to minimize any negative effects on nearby #residences# and #community facilities#, and that the Proposed Plans include noise attenuation features and measures which serve to reduce the effect of noise from the open air auditorium on the surrounding area, including nearby #residences# and #community facilities#;~~
- ~~(3) the construction of a stage as part of any #building# on Parcel B, for the purpose of accommodating an open air auditorium #use#, will:~~
 - ~~(i) enable the stage area to be closed to the outdoor portion of the open air auditorium during the off season when the open air auditorium is not in use, so as to be operated for indoor entertainment #uses# with an eating and drinking establishment or other #use# permitted on Parcel B; and~~
 - ~~(ii) allow for such #building# to be operated, subsequent to the expiration of the special permit, for #uses# permitted on Parcel B, such as eating or drinking establishments with entertainment;~~
- ~~(4) appropriate visual and pedestrian connections are maintained in the general area of the former street bed from the termination of West 22nd Street to Riegelmann Boardwalk;~~
- ~~(5) the portions of the site not dedicated to the stage area or event seating are so designed to serve as a full time park like resource for the public, and the portions of the site designed for open air auditorium #use# serve as a high quality open space resource when not in auditorium use;~~
- ~~(6) any roof or structural canopy above the open air auditorium seating area will be visually unobtrusive, and maximize openness and visibility between the site and~~

Riegelmann Boardwalk;

- (7) the operations plan, which shall include a protocol for queuing for concertgoers, demonstrates that there would be no interference with the public use and enjoyment of adjacent public facilities; and
 - (8) the site plan, signage plan and lighting plan incorporate good design, effectively integrate the site with surrounding streets and Riegelmann Boardwalk, and are consistent with the purposes of the #Special Coney Island District#.
- (e) The Commission may, through approval of the Proposed Plans, permit #signs# notwithstanding the applicable #sign# regulations, except that #flashing signs# shall not be permitted and only #advertising signs# that are oriented toward the interior of the open-air auditorium and not visible from Riegelmann Boardwalk or other public area shall be permitted.

In order to permit such #signs#, the Commission shall find that proposed signage is appropriate in connection with the permitted open-air auditorium #use#, is not unduly concentrated within one portion of the site, and will not negatively affect the surrounding area.

- (d) The Commission may, through approval of the Proposed Plans, reduce or waive required parking or loading requirements, provided the Commission finds that the open-air auditorium will be adequately served by a combination of surrounding public parking facilities and mass transit. In addition, the Commission shall find that the proposed loading facilities on the site are located so as not to adversely affect the movement of pedestrians or vehicles on the #streets# surrounding the auditorium.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area. Such conditions and safeguards may include, but are not limited to, restrictions on signage or requirements for soundproofing of auditoriums, shielding of floodlights or screening of open #uses#.

Upon the first issuance of this permit for an open-air auditorium, the effective period of the permit shall be 10 years from the date a certificate of occupancy, including a temporary certificate of occupancy, has been issued. To establish the term of years for subsequent applications for this special permit, the Commission shall, in determining whether the finding of paragraph (b)(1) of this Section is met, take into account the existing character of the surrounding area, as well as #residential# and #community facility development# proposed or under construction on surrounding #blocks#, and shall also consider whether continuation of such auditorium #use# within a proposed term of years would be compatible with or may hinder achievement of the goals and objectives of the #Special Coney Island District# plan. Subsequent applications for this special permit shall be filed no later than one year prior to expiration of the term of the permit then in effect.

Appendix A
Coney Island District Plan

Map 1 - Special Coney Island District and Subdistricts

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The above resolution (N 260028 ZRK) duly adopted by the City Planning Commission on January 7, 2026 (Calendar No. 7), 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.

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