

**Brooklyn Borough
President
Recommendation**



CITY PLANNING COMMISSION
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INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representatives as indicated on the Notice of Certification.

APPLICATION # 090107 MMK – 090272 ZMK – 090273 ZRK – 090274 POK
 090275 POK – 090276 HAK – 090277 PPK Coney Island Plan

In the matter of applications submitted by the Department of City Planning, pursuant to Sections 197-c and 201 of the New York City Charter seeking the approval of these items to facilitate the implementation of the Coney Island Plan.

COMMUNITY DISTRICT NO. 13 BOROUGH OF BROOKLYN

RECOMMENDATION

APPROVE
 APPROVE WITH
MODIFICATIONS/CONDITIONS

DISAPPROVE
 DISAPPROVE WITH
MODIFICATIONS/CONDITIONS

BOROUGH PRESIDENT

April 27, 2009

DATE

Recommendation report to follow

**BOROUGH PRESIDENT MARTY MARKOWITZ'S
RECOMMENDATIONS FOR THE PROPOSED
CONEY ISLAND PLAN**

**090107 MMK – 090272 ZMK – 090273 ZRK – 090274 PQK –
090276 HAK – 090277 PPK**

These applications by the Department of City Planning (DCP) are for the following actions: amendment to the Zoning Map and text; the acquisition of property; the designation of an Urban Development Action Area; and the disposition of City-owned property. Approval of these actions are being sought in order to facilitate the redevelopment of Coney Island which will include a year-round entertainment venue (with an increase of amusement uses), housing opportunities (including affordable housing) and retail outside the amusement area, all providing job opportunities to the community.

PUBLIC HEARING AND COMMENTS

On March 30, 2009 Brooklyn Borough President Marty Markowitz held a public hearing for a proposal by DCP which garnered approximately 160 attendees of which 33 provided oral testimony. Subsequent to the hearing, the borough president received many letters and e-mails in lieu of or in addition to testimony the borough president has considered in formulating his recommendation.

There were 14 speakers in favor of the application, 13 speakers against the application, and six speakers whose testimony was neutral. Speakers in support included Council Members Domenic Recchia and Michael Nelson. Council Member Nelson highlighted that the proposed applications are outside of his councilmatic district; however, the constituents within his district will be affected by this plan. The council member believes the plan does not address the needs of Coney Island Hospital in terms of the need to improve and expand its facilities.

Proponents for the application commented on the importance of revitalizing the Coney Island area. They stressed that with redevelopment, there would be an opportunity to realize more affordable housing; jobs with living wages; and, more shopping options. Supporters of the proposal also spoke of the importance of creating a plan that will not ignore the current needs of the community while transforming the area.

Opponents to the proposal had a variety of concerns which included a need to address the infrastructure of Coney Island given existing inadequacies and as a result from more development, additional burdens will be placed on the system. Other speakers questioned the appropriateness of siting residential towers and hotels in close proximity to the amusement area and whether the plan should allow for the inclusion of big-box type stores within Coney Island.

CONSIDERATION

Coney Island, once known as "America's Playground," possesses a unique character, ambience and personality which has symbolized this Brooklyn community to the entire world. The Mayor, working in conjunction with the DCP, under the direction of its Chair Amanda Burden, the Economic Development Corporation, the Coney Island Development Corporation, and Council Member Domenic Recchia, should all be applauded for recognizing that Coney Island is a worldwide treasure that should be preserved as an amusement district.

Most theme parks, like Six Flags Great Adventure, charge a general admission or have a "pay-one-price" admission policy. One of the reasons that Coney Island holds a prominent significance in the minds of people throughout the world is that visitors are able to pay per ride. It has always been the place where working class families can escape to play and to dream. With this plan, the borough president believes that the city has gone a long way to set the framework for Coney Island to transform it into an entertainment mecca and major tourist destination. Through this plan, Coney Island can again become relevant in the lives of Brooklynites, Americans, and the world.

The borough president supports the goals of the Coney Island Plan. However, as may be expected with a comprehensive proposal of this significance and magnitude, there are a number of concerns that the borough president believes deserves more discussion.

Amusement Area

The borough president is interested in seeing a revitalized Coney Island featuring more traditional amusements such as rides, attractions, and side shows, features that has made it renowned. The plan, as proposed, does not do enough to ensure that sufficient space for amusements would be available. On April 9, 2009, DCP issued a modification to the proposed Coney Island zoning text amendment. In the modification, through the urging of the borough president, DCP has clarified what is meant by an amusement use by creating two "Use Groups" with specific definitions. Although the borough president agrees with this change, he believes that more can be accomplished to bolster the presence of amusement options at Coney Island.

It has always been the belief of the borough president that the types of amusements at Coney Island should be of the like that is commonly associated with amusement areas, including iconic rides, open booths with games of chance, side shows, arcades, fortune telling, along with a complimentary blend of entertainment based uses such as movie theatres, bowling alleys, billiard parlors, and themed restaurants, night clubs and performance venues that would enhance its place as a "24/7/365" destination. The borough president applauds DCP for modifying the text by requiring that the amusement use floor area generated by hotel development be limited to traditional amusements rather than the movie theaters, bowling alleys, billiard parlors, etc. as in the initial text proposal. He concurs with the requirements of the modified text that these uses be limited to lobbies only on the ground floor with the primary floor area being on the upper floors.

It is important to preserve the tradition of Coney Island by fostering its pedestrian nature. The borough president believes that through mandating amusements to be located on the ground floor, this can be achieved. The plan already calls for 50 percent of the ground floor frontage along the Bowery and Wonder Wheel Way to be traditional amusements. However, the plan does not address the need to ensure that amusements are interspersed along Surf Avenue, the district's front door; along Stillwell Avenue, the prime pathway to the new dedicated open amusement area; and, West 10th Street, which borders the Cyclone and the open amusements area just as Wonder Wheel Way would. The borough president believes that at least 15 percent of these ground floor frontages house traditional amusements. In order to ensure that the blocks between Surf Avenue and the open amusement area is dominated by traditional amusement uses, the borough president would like to see changes that assures that 150,000 sf of ground floor traditional amusement space be achieved.

Architectural Design/ Signage/ Lighting/ Historic Resources

In the early 20th Century Coney Island was known for its awe-inspiring architecture, "in-your-face" ambience, and iconic rides. The borough president believes that the redevelopment of the Coney Island amusement area should aim to create a unique, creative, and iconic destination. This can be achieved through the establishment of a Coney Island Design Committee that will insure that a link exists between the new zoning and the overall design aesthetic with regards to the architecture, signage, lighting and the preservation of appropriate buildings and amusements. Along with these, the committee will be tasked with upholding certain aesthetic values for a thrilling, over-the-top design for both now and in the future while giving the best consideration to have iconic sites incorporated as sites redevelop.

Affordable Housing

While the Coney Island Plan would create nearly 4,500 apartments, there is no guarantee that a sufficient number of units would be affordable to Coney Island residents.

It is the borough president's policy to support rezonings which increase the supply of affordable housing options to area residents. Affordable housing is one of the biggest issues cited by local residents and community groups in Coney Island. Their concern is twofold - - the loss of the existing affordable housing stock as well as the potential for new development to create gentrification pressure that will result in the cost of housing to be unaffordable and thus people would be displaced. The borough president believes that it is important that the Coney Island Plan provide a substantial amount of affordable housing as a resource to those being displaced.

The borough president believes that, at best, the Inclusionary Housing program will achieve his goal of no less than 20 percent of the privately-owned properties being affordable. One way the city has proposed generating guaranteed affordable housing is by utilizing its already-controlled assets such as city-owned land. The borough president believes that in ideal circumstances it is appropriate to make units developed on such sites 100 percent affordable. However, the borough president understands that existing

parking for Keyspan Park must to be incorporated in any redevelopment of that site.

Though, with more than two million square feet of development rights on the city-owned sites, the borough president believes that a substantial amount of that floor area can be targeted to accommodate affordable housing while accounting for sufficient market rate floor area for commercial and housing to offset the cost of replacing the stadium parking. He feels confident that the blending of private sites leveraging 20 percent affordable units, that through the city-owned sites, overall we can achieve 35 percent of the units being affordable. It is important to utilize city-owned property effectively to produce affordable housing because too many individuals and families are unable to afford to continue live within the borough. With the increasing demand by Brooklyn residents for affordable housing, he believes that every attempt should be made to provide for these opportunities.

Private Development

The borough president believes that businesses that have operated for decades in Coney Island, through both the good years and bad, should have their contribution and success recognized. Garguilo's has been a Coney Island icon and it has clearly demonstrated with its operation that its owner, Nino Russo, has supported Coney Island in good times as well as the lean years. His vision to create a new Garguilo's restaurant and banquet hall for Coney Island in the 21st Century – along with hundreds of apartments is to be applauded. Mr. Russo submitted testimony urging that specific proposed zoning regulations be altered as they conflict with his vision for developing his property. The owner of Garguilo's has several concerns in regards to how the proposed zoning would affect development on his sites. These include: the proposed limit to the overall amount of developable floor area; a restriction of the height along the part of the side street building elevation nearest Mermaid Avenue; and, size and location restrictions of the floor area for tower floors. This is just one example where the borough president believes further dialogue is needed. The borough president urges the City to work with the owner to identify whether there should be additional modifications to the zoning before it goes into effect.

Deno's is much more than the Wonder Wheel. Its operators have certainly stood behind Coney Island at its best, seeing to it that it will always be America's amusement playground. The commitment of these operators to operate this iconic place, without regard to whether Coney Island was witnessing good times or bad, is commendable. Deno's is the last of the great amusement parks of 20th Century Coney Island and the borough president envisions that it will lead the way for Coney Island in this century. Without attractions like Deno's, there would have been no will to carry out the Coney Island Plan. There is no justification to bifurcate this amusement park or to acquire any part of it for the sake of achieving the amusement vision in the proposed public park. Deno's can readily co-exist with any future amusement development. The borough president urges the city to continue to work with the owner to identify the means of keeping this renowned amusement park intact consistent with the vision of the property owner.

Coney Island Resident Concerns

This is a critical opportunity to create much-needed public amenities for local residents of the area, including a supermarket and more recreational options.

Supermarket

There is limited access to affordable fresh food stores in many Brooklyn neighborhoods. Coney Island is one such community that has been designated by the Department of City Planning as a "food desert" – an area with little or no access to the food retail needed to maintain a healthy diet, but often served by plenty of fast food restaurants. The borough president understands that supermarkets receive no government financial incentives and that the cost of rent continues to hamper their existence. In light of this, the borough president and the mayor have been seeking to establish more supermarkets throughout Brooklyn. Among his policies is the review of all appropriate land use applications to determine whether it is appropriate to include a supermarket within the plans. The borough president believes that as Coney Island continues to redevelop, an opportunity exists for the developer of one of the city-owned properties in either Coney West or Coney North districts to provide a supermarket and that such requirement be included in all RFPs.

Abe Stark Rink

The Abe Stark Rink has a long history of providing opportunities for Brooklyn's youth hockey teams and competitive skaters. However, through the years, what once was a first class facility is now showing its age. The borough president supports the opportunity to incorporate its site into a well-conceived development plan deserves consideration, though it must not come at the expense of a break in service for this facility. Staging of its replacement site must be given the utmost consideration to insure that its replacement facility is open before the current facility be eliminated.

Coney Island Resident Discounts

In order to truly be the people's playground, the residents of Coney Island should have an opportunity to make use of the amusements. There is no better way for us to express our appreciation to the residents for hosting visitors from Brooklyn, and from around the globe than by providing substantial discounts for the attractions and rides.

P.S. 188 Gymnasium

Even with the anticipated construction of the Coney Island YMCA, the borough president believes that Coney Island youths need more indoor recreational facilities. PS 188 presents such an opportunity to provide for a gymnasium and community center. There appears to be a willingness to move the project. Partial funding has already been set aside by the borough president and Council Member Recchia. The balance of the funds must be committed so that this project can become a reality.

Local Employment/Entrepreneurial Opportunity

As plans to develop Coney Island continue, the borough president believes that an opportunity exists for local residents to further benefit.

Local Employment

In addition, while the plan would create jobs, there are no guarantees that the jobs would pay decent wages. The borough president agrees with Coney Island CLEAR, a community-based labor coalition, that the Coney Island Plan must guarantee good jobs – with responsible contractors and employers, and with a commitment that at least 50 percent of the jobs be obtained by local residents.

According to CLEAR, Coney Island's redevelopment will create as many as 25,000 (annual) construction jobs and as many as 6,000 permanent jobs once the amusements, hotels, retail, and residential buildings are open. This presents a huge opportunity to get unemployed and underemployed Coney Island residents and other New Yorkers into living wage jobs. Thirteen percent of the neighborhood's labor force is unemployed, as compared to 9.5 percent in Brooklyn and 10.7 percent in the city overall. The borough president shares CLEAR's desire to see responsible contractors and employers who treat workers fairly while delivering and operating quality developments.

Historic Amusements

Today, the historic Cyclone and the Wonder Wheel are the only remaining major amusements operating in Coney Island. Another amusement -- a true symbol of Coney Island -- is the landmark Parachute Jump. Unfortunately, this amusement closed over thirty years ago but thanks to the mayor and EDC, its structure has been refurbished and preserved by the city. The borough president believes that it may be possible for the Parachute Jump to once again bring enjoyment to thousands of Coney Island visitors. He therefore calls on the city to conduct a study to determine the feasibility of reopening this great amusement as Coney Island's signature ride; updated to today's technology, once again for the families of this and future generations.

RECOMMENDATION

Be it resolved that the Brooklyn Borough President, pursuant to section 197-c of the New York City Charter, recommends the following:

- A. ZONING MAP CHANGE 090272 ZMK** - The borough president recommends approval.
- B. ZONING TEXT CHANGE 090273 ZRK** – The borough president recommends approval of this application by the Department of City Planning and the City Council with the following conditions:
 1. That ground floor amusement space be a minimum of 15 percent of the frontage on Surf and Stillwell Avenues and West 10th Street with a goal of

creating 150,000 square feet of ground floor amusement space in the Special Coney Island District.

2. Architecture/ Signage / Lighting/ Historic Structures – Establish a Coney Island Design Committee in order to insure that the development of the Coney Island amusement area (i.e., SCID) remains unique, creative and iconic; and, in order to create a link between the new zoning and the overall design aesthetic with regard to elements such as architecture, signage, lighting and the preservation of appropriate buildings and amusements, to codify and guarantee the upholding of certain aesthetic values for thrilling, over-the-top design both now and in the future.
3. Gargiulo's - That the city continue to work with the owner to identify additional modifications to the zoning.

C. DISPOSITIONS 090274 POK AND 090277 PPK The borough president recommends approval of this application by the Department of City Planning and the City Council with the same conditions as Zoning Text Change 090273 for the Special Coney Island District (Coney East) (please see Item B. 1 above).

D. LAND DISPOSITION 090275 POK AND UDAAP 090276 HAK - The borough president recommends approval of these applications by the City Planning Commission and the City Council with the following conditions:

1. Affordable housing – That there be an increase of the amount of affordable housing in the Coney West or Coney North districts from 20 percent to 35 percent of total units through the disposition of city-owned properties.
2. Supermarket - That the developer of one of the city-owned properties in either Coney West or Coney North districts provide a supermarket and that such requirement be included in all RFPs.

E. CITY MAP CHANGE 090107 MMK - The borough president recommends approval of this application by the City Planning Commission and the City Council with the following conditions:

1. Abe Stark Rink – That the rink continue in operation until such time that a replacement rink has been constructed at an alternative location.
2. Deno's - That the city continue to work with the owner to identify the means of keeping this renowned amusement park intact consistent with the vision of the property owner.

(Note: For supermarket and affordable housing items, please see Dispo 090275 POK and UDAAP 090276 HAK above)

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Be it further resolved that the borough president call on:

- A.** The mayor to advance the design and construction of the P.S. 188 Gymnasium project
- B.** The City to provide residential discounts for local attractions and amusements
- C.** The City to require the following in all RFP's that is issues:
 - 1. That there be targeted outreach and assistance so that residents of Coney Island (11224) benefit by obtaining not less than 50 percent of new jobs created as a result of the Coney Island Plan.
 - 2. That all contractors, subcontractors, and employers pay prevailing or area-wide wages, for every trade and position.
 - 3. That all contractors, subcontractors, and employers must have a track record of successfully performing the services at issue, paying livable wages and benefits, and complying with all applicable city, state, and federal laws, including health and safety laws, environmental laws, wage and hour laws, and antidiscrimination laws, for at least the past five years.
 - 4. That all building service workers must be paid the prevailing wage and supplement rates.
 - 5. That livable wages be paid for non-union eligible jobs.
 - 6. That to the greatest extent possible, contracts and suppliers should be minority and women-owned business enterprises and local-owned business enterprises.
 - 7. That opportunities for neighborhood entrepreneurs be promoted by encouraging developers to provide space for small businesses.
- D.** The City to conduct a study to determine the feasibility of reopening the Parachute Jump, a great amusement, as Coney Island's signature ride; updated to today's technology, once again for the families of this and future generations.