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## **Bronx Terminal Market And The Subverting Of The Land Use Review Process**

**by Tom Angotti**

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It used to be that big developers had to take a chance, not knowing whether their projects would get approved in the city's Uniform Land Use Review Procedure (ULURP). Now, with the Related Company's proposal for the Bronx Terminal Market, City Hall has put up a money-back guarantee. The city, through its Economic Development Corporation, is a co-applicant, but is assuming all of the risk while Related could end up with all the profits.

Mayor Michael Bloomberg is taking yet another bite out of ULURP, a public review process that is mandated by the city charter. He is already letting the state's Empire State Development Corporation override local planning powers in Brooklyn's [Atlantic Yards](#) project. He gave the state a ULURP-free hand at Ground Zero. And now with the Bronx project he's sending a strong message to everyone involved in the ULURP process that the city's money is at stake if they don't approve it.

This month the City Planning Commission is poised to approve the conversion of the Bronx Terminal Market into a million-square-foot shopping mall for big-box retailers. The Related Company bought the lease to the city-owned land under the market with the idea of evicting the 23 retailers on the site and building what they call a "gateway" to the Bronx. As reported in [the Village Voice](#) and the [New York Times](#), Related boss Stephen Ross is a friend of the mayor and former business partner of Deputy Mayor Daniel Doctoroff, who once consulted with Ross about development of the site. Not only did the city offer Related tax incentives, tax-free Liberty Bonds, low-interest loans, and \$14 million in cash; they promised they would reimburse the developer for the cost of the lease if it didn't get the zoning changes it needed.

This is a bold use of the mayor's power, and the taxpayer's money, to undermine the ULURP process and everyone who has a role in it -- community boards, borough presidents, the City Planning Commission and City Council. It's not as if the community boards and borough presidents have much to say anyway, because their votes are advisory. The local community board and Bronx Borough President Adolfo Carrion approved the project with conditions, but at the end of the day they won't be standing in front of the bulldozers. The planning commission never votes against the mayor, who appoints the majority of its members.

Though the City Council could be a deal-breaker or trouble-maker, in this case the Bronx Council members are mostly on board. The Bronx political establishment swooned at the promise of new jobs and woke up too late to influence the project. According to [recent press reports](#), Bronx City Council member Maria Baez, for one, received generous contributions from Related and supports the project. Council member Helen Foster, also from the Bronx, has come out against the project but so far hasn't found a second.

But aside from feeding the political money machine, here's what the mayor's \$32 million money-back guarantee to Related does: everyone involved in ULURP is effectively on notice that the city has a financial stake and will lose out if the project is voted down. The city will be stuck with a piece of property they have no plans for and 23 angry site tenants.

The mayor is also sending a message that he can guarantee zoning changes before they go through the required land use review process. The various bodies involved in the ULURP process, not just the mayor, are jointly entrusted with the responsibility for making decisions about the future of the city. Imagine if a borough president or the City Council were to offer an insurance policy to their favored developers -- there would be an immediate outcry from City Hall.

Following the Related project, everyone who applies for a zoning change should have the right to demand an insurance policy from the city. Is the mayor, who once said corporations don't need incentives for doing business in the city, now inventing a new one?

## **Relocation of Unique Business Complex**

Another problem with this project is the city's cheerful readiness to evict the merchants at the Bronx Terminal Market. This is a truly diverse group of small immigrant entrepreneurs, among the many thousands in the city that reflect its noted international character. They are from Africa, Asia, Latin America and the Caribbean. They supply unique ethnic and tropical produce to local retailers throughout the city. They are a Chelsea Market in the making. If only the city had an economic development policy that could promote such enterprises.

Instead of incorporating the 23 tenants in a plan to redevelop the site, the city wants to disperse them. According to Richard Lipsky of the [Neighborhood Retail Alliance](#), who supports the tenants, "the thing that makes the most sense is a site on the footprint" of the new project. Dispersed relocation would destroy the unique one-stop-shopping value for customers. The Bronx Terminal Market merchants have long-lasting ties with customers from all over the Bronx and northern Manhattan who have been shopping there for decades. They also complement each other's businesses. In their place, local consumers will be treated by Related to the same industrialized, processed food and packaged merchandise that is already available at every suburban mall in the nation. This blindness to ethnic businesses comes from an administration that filled its bid for the 2012 Olympics with romantic rhetoric about New York City's multi-ethnic character.

## City-Planned Blight

This is not to romanticize the conditions at the Bronx Terminal Market, which the site tenants have complained about for years.

The sad state of the market isn't just the fault of a bad landlord. It is the product of decades of benign neglect by the city. When the city fails to be proactive and plan for development, it sets up any outside developer who barges in and automatically looks like a savior. The city is in the habit of blindly taking any offer that produces quantitative results -- jobs and housing -- without seriously evaluating other options or looking at the impact on the quality of neighborhood and city life.

When David Buntzman extorted a 99-lease to the property from the Lindsay administration, to which he made generous contributions, the market had 100 merchants. The city never lifted a finger to improve conditions on the site. They never bothered to involve the merchants, who were summarily told to get out in March of this year. There was never a serious public discussion about what kind of development there should be on the site or how the existing merchants could be incorporated. Sadly, this same approach has been taken for decades in other areas of the city, like Willets Point in Queens, where the city is complicit in the blighting process and ignores the local businesses.

The Bronx Terminal Market project also has not been carefully planned in conjunction with another nearby megaproject, the proposed redevelopment of Yankee Stadium. The environmental studies for both projects fail to look at cumulative impacts on traffic and open space. Together, they could very well reverse the successful revival of Bronx's business and civic center that took decades of incremental improvements by local merchants and residents. Together they turn the core of the Bronx into a suburban-style mall and entertainment complex. The one hopeful sign is that Bronx's Community Board four voted down the new Yankee Stadium.

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