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## The Public Ought to Know: Land-use-review process can help stadium issue

By Corey Bearak

**Some of the more contentious issues over the last year involve community review, or the lack thereof. In the past year, the city adopted a new communities facilities zoning text. A proposed new R2A zoning text and district in Bayside has some good people at odds.**



Corey Bearak

The fight over the Far West Side Stadium for the Jets and the Olympics includes a development plan subject to City Council review (the stadium itself lies outside that plan; more later). Community input and review in planning and projects gives voice to neighborhood concerns that could or should be addressed - it depends on one's point of view. The review process serves a much greater purpose: It injects sunlight into the process that just might expose a raw or rotten deal.

City Charter section 197-c provides for community input and review. Under the Uniform Land Use Review Procedure, community boards composed of neighborhood folks and others with ties within a community consider projects and proposals. Their recommendations often form the basis for decisions by borough presidents and the City Council, who weigh in respectively before and after the City Planning Commission dominated by mayoral appointees does its business. For more on the role and appointment of community board members, see my July 29 column, "Commission must check board appointments" on [www.timesledger.com](http://www.timesledger.com).

The Uniform Land Use Review Procedure proscribes time limits by which community boards, borough boards/ borough presidents, the City Planning Commission and the City Council must act. Almost anything and everything gets covered by the review procedure including:

- \* city map changes in the maps of subdivisions or platting of land into streets;
- \* designating zoning districts, including changes in land use;
- \* special permits;
- \* capital project site selection;
- \* revocable consents, franchises, and major concessions;
- \* real property improvements not publicly funded;
- \* housing and urban renewal plans;
- \* sanitary or waterfront land-fills; and
- \* sale, lease (other than office space), or other disposition or acquisition (including by

condemnation) of city real property (including land under water).

Two decades ago, Mayor Koch and his Sanitation commissioner wanted to insert a sanitation garage on Creedmoor Psychiatric Center's campus adjacent to private homes within the Bellerose-Hillside civic's area. The process involved the land use review procedure under the old City Charter with the Board of Estimate playing the role now ascribed to the City Council.

The then borough president, Donald Manes, quietly agreed not to oppose siting and needed zoning changes. The site needed re-zoning from residential to commercial. Also, the city needed to acquire the land from the state.

We focused on the elected officials who sat on the board of estimate with the mayor - five borough presidents, the council president (now public advocate) and the comptroller. Rocky Hill civic's Barney Aquilino suggested an alternate site. The then comptroller, Jay Goldin, dispatched his engineer to review the alternative between the Cross Island Parkway and its north access road (the original westbound lanes before the road's reconstruction the previous decade). The alternative succeeded because community members seized the land-use-review process to review a proposal, highlight its inadequacies and develop and promote a better way.

Fast forward two decades to 2004. Our mayor still promotes a Far West Side Stadium for the 2012 Olympics and the football Jets owned by fellow billionaire Woody Johnson. The stadium and related financing involves billions of our hard-earned dollars. Much of the dollars Johnson will put up, he'll get back from those of us who by the tickets or consume products when we watch his team on the tube (the Jets get a nice sum from their share of various NFL network, cable and satellite television packages).

The stadium itself involves no land-use-review procedure. Related zoning changes, known as the Hudson Yards plan, will work their way through land use review procedure culminating with Council hearings on Dec. 13 and 14 and an expected vote on Jan. 4, 2005. This process offers an opportunity to get answers to questions ignored, obscured or inadequately responded to over the course of this plan.

Some questions I have: What is the mayor's authority to sign a deal with the International Olympic Committee next year? Where will the city get our money to fund its planned share of the stadium deal? And finally, how will the stadium and related development plan financing not divert tax dollars - both existing and future revenues - from other needs like schools and libraries?

You might have your own questions. Share them with your council member. A bit more sun as we approach winter; not bad at all.

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