



**COMMON COUNCIL
AGENDA
REGULAR STATED MEETING
MAY 6, 2019
7:30 PM**

PLEDGE TO THE FLAG: Hon. John Kirkpatrick

ROLL CALL: City Clerk

**ADJOURNED
PUBLIC HEARINGS:**

1. Public Hearings in relation to the petition submitted on behalf of WP Development NB, Inc., to amend the Zoning Ordinance to create a new Planned Residential Development Zoning District and amend the Zoning Map classification from RM-1.5 to Planned Residential Development and the Draft Environmental Impact Statement.
2. Communication from Environmental Officer.
3. Environmental Findings Resolution

PUBLIC HEARING:

4. Public Hearing in relation to the proposed Tax Budget of the City of White Plains for Fiscal Year 2019-2020.
5. Public Hearing in relation to an ordinance amending an ordinance, entitled "The Zoning Ordinance of the City of White Plains" in relation to: amending Section 2 - Definitions to amend the definition of "Recreation Facilities" to include "Electronic Games"; and amending Section 5.1 Schedule of Use Regulations to allow commercial indoor "Recreation Facilities" as a Permitted Principal Use in the B-6 Zoning District and amending 5.2 List of Use Regulations at B-6 to reflect this change.
6. Communications from Commissioner of Public Safety

7. Commissioner of Public Works
8. Deputy Commissioner Parking
9. Transportation Commission
10. Commissioner of Parking
11. Westchester County Planning Board

12. Communication from Commissioner of Planning in relation to a proposed change to amend a previously referred Zoning Ordinance Amendment definition of "Recreation Facilities" which made "Recreation Facilities" as a permitted use in the B-1 and B-6 Zoning Districts, and amending Section 5.2 List of Use Regulations at B-1 and B-6 to reflect this change.

13. Communication from Corporation Counsel in relation to the scheduling of a public hearing for June 3, 2019 to consider amending the Zoning Ordinance Amendment definition of "Recreation Facilities" to make "Recreation Facilities" as a permitted use in the B-1 and B-6 Zoning Districts.

14. Resolution of the Common Council of the City of White Plains noticing a public hearing for June 3, 2019, in relation to an ordinance amending an ordinance entitled, "The Zoning Ordinance of the City of White Plains" in relation to amending Section 2 - Definitions to amend the Definition of "Recreation Facilities" to include "Electronic Games"; and amending Section 5.1 Schedule of Use Regulations to allow commercial indoor "Recreation Facilities" as a permitted principal use in the B-1 and B-6 Zoning Districts; and amending Section 5.2 List of Use Regulations at B-1 and B-6 to reflect this change.

15. Public Hearing in relation to an ordinance amending an ordinance entitled "The Zoning Ordinance of the City of White Plains" in relation to amending Section 10.4.4, Notice of Hearing Before the Board, and Section 12.7, Notice of Hearing to require posting of signage noticing a public hearing on a subject property.

16. Communications from Commissioner of Building
17. Commissioner of Planning
18. Planning Board
19. Commissioner of Public Safety
20. Commissioner of Public Works
21. Deputy Commissioner Parking
22. Transportation Commission
23. Commissioner of Parking
24. Westchester County Planning Board

25. Ordinance amending an ordinance entitled, "The Zoning Ordinance of the City of White Plains" in relation to amending Section 10.4.4, Notice of Hearing Before the Board, and Section 12.7 Notice of Hearing to Require Posting of Signage Notice a Public Hearing on a Subject Property.

26. Public Hearing in relation to the adoption of the new Affordable Housing Rental Program (ARHP) Regulations and amending certain sections of the Zoning Ordinance regarding Affordable Housing.
27. Communications from Commissioner of Planning
 28. Planning Board
 29. Commissioner of Public Safety
 30. Commissioner of Public Works
 31. Deputy Commissioner Parking
 32. Transportation Commission
 33. Commissioner of Parking
 34. Westchester County Planning Board
35. Ordinance of the Common Council of the City of White Plains amending Title IX of the White Plains Municipal Code entitled, "Zoning, Planning, Buildings and Structures," by adding a new Chapter 9-7 entitled, "Affordable Housing Regulations."
36. Ordinance amending an ordinance entitled, "The Zoning Ordinance of the City of White Plains" in relation to references to Affordable Housing.

**FIRST READING
ORDINANCES:**

37. Communication from Corporation Counsel in relation to the retention of Special Counsel to provide professional services relating to land use development issues.
38. Ordinance authorizing the Corporation Counsel to employ Special Counsel to provide professional services relating to land use development issues.
39. Communication from Chairman, Capital Projects Board, in relation to Capital Project No. C5540 entitled Miscellaneous Storm Water Drain Reconstruction FY 2019.
40. Communication from Environmental Officer
41. Environmental Findings Resolution
42. Ordinance of the Common Council of the City of White Plains establishing Capital Project No. C5540 entitled, Miscellaneous Storm Water Drain Reconstruction FY 19.
43. Bond Ordinance dated May 6, 2019, authorizing the issuance of \$303,000 aggregate principal amount serial bonds of the City of White Plains, County of Westchester, State of New York, to finance the costs of the acquisition and installation of storm water drainage system improvements.

44. Communication from Chairman, Capital Projects Board, in relation to Capital Project No. C5512, Park Walkway Improvements.
45. Communication from Environmental Officer
46. Environmental Findings Resolution
47. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by amending Capital Project No. C5512 entitled, Park Walkway Improvements.
48. Communication from Chairman, Capital Projects Board, in relation to Capital Project No. C5514 entitled, Miscellaneous Street Reconstruction FY 19.
49. Communication from Environmental Officer
50. Environmental Findings Resolution
51. Ordinance of the Common Council of the City of White Plains to authorize the Mayor, or his designee, to execute necessary documents to accept grant funds and to amend the Capital Projects Fund by amending Capital Project No. C5514 entitled, Miscellaneous Street Reconstruction FY 19.
52. Communication from Commissioner of Public Works in relation to the award of a grant from the New York State Energy Research and Development Authority (NYSERDA) for garage lighting retrofit in the amount of \$250,000.
53. Ordinance authorizing the Mayor, or his designee, to execute documents necessary to accept grant funds awarded to a grant for lighting improvements in four City-owned parking garages from the New York State Energy Research and Development Authority.
54. Communication from Commissioner of Recreation and Parks in relation to an agreement with the County of Westchester for the continued operation of social and nutritional services to seniors for the year 2019.
55. Ordinance authorizing the Mayor, or his designee, to enter into an agreement with the County of Westchester for the continuing operation by the City of White Plains, of programs to provide social and nutritional services to seniors for year 2019 under Title III-C, and the Nutrition Services Incentive Program of the Older Americans Act.
56. Communication from Director, Youth Bureau, in relation to a contract with the Bushido School of Karate, Inc., to provide karate classes for the youth Bureau's Healthy and Fit for Life Program.

57. Ordinance of the Common Council of the City of White Plains authorizing the Mayor, or his designee, to enter into a contract with the Bushido School of Karate, Inc., to provide karate classes for the Youth Bureau under the Healthy and Fit for Life Program for the period of February 6, 2019 through December 31, 2019.
58. Communication from Director, Youth Bureau, in relation to contributions in the amount of \$9,289, from participants to offset the expenses for the Father Daughter Dance and Mother Son Dance.
59. Ordinance of the Common Council of the City of White Plains authorizing the Mayor, or his designee, to accept on behalf of the City of White Plains (through its Youth Bureau), contributions in the amount of \$9,289, from participants to be used to offset the expenses for the 2019 Father Daughter Dance and Mother Son Dance and to amend the Fiscal Year 2018-2019 Youth Bureau General Fund to reflect said donations.
60. Communication from Chairman, Traffic Commission, in relation to proposed amendments to the Traffic Ordinance.
61. Ordinance amending the Traffic Ordinance of the City of White Plains in relation to On Street Parking Meter Zones, and Left Turns Prohibited.

RESOLUTIONS:

62. Communication from Commissioner of Building in relation to an application submitted on behalf of Mount Hope A.M.E. Zion Church, requesting a extension of a previously approved site plan and special permit for the development of a new senior residence apartment building and an addition to the Church located at 65 Lake Street.
63. Design Review Board
64. Commissioner of Planning
65. Planning Board
66. Commissioner of Public Safety
67. Commissioner of Public Works
68. Deputy Commissioner Parking
69. Transportation Commission
70. Commissioner of Parking
71. Westchester County Planning Board
72. Environmental Officer
73. Environmental Findings Resolution
74. Resolution of the Common Council of the City of White Plains extending the site plan and special permit approvals granted on March 5, 2018, for an additional one year expiring on March 5, 2020, to Mount Hope A.M.E. Zion Church (“Applicant”), owner of the property known as 65 Lake Street (Section 125.46, Block 6, Lot 2.1 and Lot 2.2).

75. Communication from Commissioner of Building in relation to an application submitted on behalf of The Esplanade of White Plains Venture Partnership for a site plan extension for the adaptive reuse of two buildings located at 95 South Broadway and 4 Lyon Place.

76. Design Review Board
77. Commissioner of Planning
78. Planning Board
79. Commissioner of Public Safety
80. Commissioner of Public Works
81. Deputy Commissioner Parking
82. Transportation Commission
83. Commissioner of Parking
84. Westchester County Planning Board
85. Environmental Officer

86. Environmental Findings Resolution

87. Resolution of the Common Council of the City of White Plains approving the extension of the site plan approval originally granted on April 4, 2016, and extended by resolutions adopted on June 5, 2017 and August 6, 2018, until April 4, 2020 to Esplanade of White Plains Venture Partnership for the project located at 1 Lyon Place (formerly 95 South Broadway) and 10 Lyon Place (formerly 4 Lyon Place).

88. Communication from Commissioner of Building in relation to an application submitted on behalf of NRP RPW Westchester JC LLC, for a zoning map amendment and site plan approval for a multi-family residential construction project located on an environmentally sensitive site in the Planned Campus Development District to be know as The Flats at 1133 Westchester Avenue.

89. Communications from Design Review Board
90. Commissioner of Planning
91. Planning Board
92. Commissioner of Public Safety
93. Commissioner of Public Works
94. Deputy Commissioner Parking
95. Transportation Commission
96. Commissioner of Parking
97. Conservation Board
98. Westchester County Planning Board
99. Environmental Officer

100. Environmental Findings Resolution

101. Resolution of the Common Council of the City of White Plains approving the application submitted on behalf of NRP RPW Westchester JC INC., as authorized by RPW Group, Inc., the owner of the property known as 1133 Westchester Avenue (also known as Section 131.20, Block 1, Lot 1.1 on the Tax Assessment Maps of the City of White Plains) for a Zoning

Map Amendment and site plan approval to construct three five-story residential buildings containing a total of 303 units, and payment by the applicant of Fee-In-Lieu in the amount of \$204,731 to be used exclusively for park, playground and other recreational purposes, including the acquisition of real property, to mitigate the recreational impact of the new multi-family project, in accordance with General City Law Section 27-A.

102. Communication from Commissioner of Building in relation to an application submitted on behalf of 37 DeKalb Owner, LLC, to amend the Zoning Ordinance to allow the adaptive reuse of certain buildings in the R2-2.5 Zoning District as a Special Permit Use, to permit the conversion of a former nursing home into a multifamily rental apartment building.
103. Communications from Commissioner of Planning
104. Commissioner of Public Safety
105. Commissioner of Public Works
106. Deputy Commissioner Parking
107. Transportation Commission
108. Commissioner of Parking
109. Westchester County Planning Board
110. Environmental Officer
111. Environmental Findings Resolution
112. Ordinance amending the Zoning Ordinance of the City of White Plains to allow “Multi-family Dwellings” in the R2-2.5 District as a Special Permit Use.
113. Communication from Corporation Counsel in relation to the Westchester County Industrial Development Agency’s issuance of Sales Tax and Mortgage Tax Exemptions to construction 132 independent living units for seniors at 120 Bloomingdale Road.
114. Resolution of no objection to Westchester County Industrial Development Agency’s issuance of Sales Tax and Mortgage Tax Exemptions to construct 132 independent living units for seniors at 120 Bloomingdale Road on behalf of ND Acquisitions LLC.
115. Communication from Corporation Counsel in relation to Westchester County Industrial Development Agency’s issuance of Sales Tax, Mortgage Tax, and Partial Abatement of Real Property Tax Exemptions in relation to the construction of a new building and the renovation of an existing structure at 440 Hamilton Avenue.
116. Resolution amending part in September 4, 2018, entitled, “Resolution of no objection to Westchester County Industrial Agency’s issuance of Sales Tax, Mortgage Tax and Partial Abatement of Real Property Tax Exemptions to construct a new building and renovate and reconstruct an

existing structure which buildings will contain 468 residential units and 3,420 square feet of retail space at 440 Hamilton Avenue on behalf of 440 Hamilton Owner, LLC, by leasing and subleasing said residential and retail space.”

117. Communication from Corporation Counsel in relation to Westchester County Industrial Development Agency’s issuance of Sales Tax and Tax Exemptions to construct 62 residential units with a roof top terrace and some ground floor retail, commercial or manufacturing space at 138-158 Westmoreland Avenue.
118. Resolution of amending in part a resolution of the Common Council adopted September 4, 2018 entitled, “Resolution of no objection to Westchester County Industrial Development Agency’s issuance of Sales Tax and Tax Exemptions to construct 62 residential units with a roof top terrace and some ground floor retail, commercial or manufacturing space at 138-158 Westmoreland Avenue on behalf of Westmoreland Lofts, LLC by leasing and subleasing back said building.”
119. Communication from Corporation Counsel in relation to Westchester County Industrial Development Agency’s issuance of Sales Tax and Tax Exemptions to construct 814 residential units and approximately 28,056 square feet of retail use at 60 South Broadway.
120. Resolution of no objection to Westchester County Industrial Development Agency’s issuance of Sales Tax and Tax Exemptions to construct 814 residential units and approximately 28,056 of retail use at 60 South Broadway for the benefit of Maple and Broadway Holdings, LLC, a subsidiary of Lennar, Inc., and an affiliate of Lennar Multifamily Communities, LLC, or a special purpose entity to be formed or controlled by any of the foregoing entities by a straight lease of the property.
121. Communication from Environmental Officer in relation to an agreement between the City of New York and the City of White Plains for Water Demand Management Assistance.
122. Resolution of the White Plains Common Council declaring its intent to serve as Lead Agency for the environmental review of an agreement between the City of New York and the City of White Plains for Water Demand Management Assistance.
123. Communication from Commissioner of Planning in relation to the federally mandated 2019-2020 Annual Action Plan for the operation of the Community Development Block Grant Program.
124. Communication from Environmental Officer
125. Resolution of the Common Council of the City of White Plains, New York, approving the federally mandated 2019-2020 Annual Action Plan for the

City of White Plains and authorizing the Mayor or his designee to execute all necessary certifications and assurances and file the approved plan with the U.S. Department of Housing and Urban Development.

126. Communication from Commissioner of Recreation and Parks in relation to funds from the New York State Office for People with Developmental Disabilities for salary and salary related fringe benefits increases for direct care staff, for the City's People with Different Abilities Program.
127. Resolution of the Common Council of the City of White Plains authorizing the City of White Plains to claim funds from the New York State Office for People with Developmental Disabilities for salary and salary related fringe benefits increases for direct care staff, for the City's People with Different Abilities Program, and authorizing the Mayor, or his designee, to execute a certification confirming that such funds will be used to support salary and salary related fringe benefits increases for direct care staff.

ITEMS FOR REFERRAL:

128. Communication from Commissioner of Building in relation to a petition submitted on behalf of The Windward School to amend the Zoning Ordinance Section 5.3 with respect to the setback distance required between a parking lot and any rear or side lot line as identified by footnote (d) in the Schedule of Dimensional Regulations.
129. Communication from Commissioner of Building in relation to an application submitted on behalf of the New York Life Insurance Company (New York Life), requesting a one year extension of the amended site plan approval associated with the installation of three new identification signs at 44 South Broadway.
130. Communication from Commissioner of Building in relation to an application submitted on behalf of the Westpark Associates NY LLC, requesting a one year extension of a previously approved site plan to construct a parking garage at 1111 Westchester Avenue.
131. Communication from Commissioner of Building in relation to an application submitted on behalf of the Hebrew Institute of White Plains for an amendment to a previously approved site plan to permit expansion and renovation of the existing building at 20 Greenridge Avenue.

ITEMS FOR INFORMATION:

132. Communication from Commissioner of Finance transmitting the Interim Financial Report for the period ending March 31, 2019.