



**COMMON COUNCIL  
AGENDA  
REGULAR STATED MEETING  
JUNE 3, 2019  
7:30 PM**

**PLEDGE TO THE FLAG:** Hon. Dennis Krolian

**ROLL CALL:** City Clerk

**PUBLIC HEARINGS:**

1. Public Hearings 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; and 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. **OPENED/CLOSED**

**ITEMS 2 - 8 F/S**

2. Communications from Commissioner of Public Safety
3. Commissioner of Public Works
4. Deputy Commissioner of Parking
5. Transportation Commission
6. Commissioner of Parking
7. Westchester County Planning Board
8. Environmental Officer
9. Environmental Findings Resolution **ADOPTED**

10. 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,” Laser Tag, Esports, and Virtual Reality Games/Rides; 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. **ADOPTED 7 - 0**

**FIRST READING  
ORDINANCES:**

11. Communication from Corporation Counsel in relation to an agreement with WP Two Housing Development Fund Corporation and Trinity Brookfield Commons Four Phase Two Limited Partnership with respect to an Inter-municipal Agreement for a Housing Implementation Fund Grant from the County of Westchester in support of the Winbrook Redevelopment Phase II Affordable Housing Development located at 223-225 Rev. Dr. Martin Luther King Blvd. in the City of White Plains. **F/S**
12. Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee to enter into an agreement with WP Two Housing Development Fund Corporation and Trinity Brookfield Commons Four Phase Two Limited Partnership with respect to an Inter-municipal Agreement for a Housing Implementation Fund Grant from the County of Westchester in support of the Winbrook Redevelopment Phase II Affordable Housing Development located at 223-225 Rev. Dr. Martin Luther King Blvd. in the City of White Plains. **ADOPTED 7 - 0**
13. Communication from Commissioner of Public Works in relation to a transfer of funds for additional expenses in the Department of Public Works in the Fiscal Year 2018-2019. **F/S**
14. Ordinance of the Common Council of the City of White Plains authorizing the transfer of funds of \$371,495 within the Department of Public Works FY 2018-2019 Budget in relation to snow removal and other expenses. **ADOPTED 7 - 0**
15. Communication from Commissioner of Public Works in relation to an amendment to a previously approved ordinance on the closure of certain public streets and appropriate parking restrictions for City events. **F/S**
16. Ordinance of the Common Council of the City of White Plains amending Section 6 of an ordinance entitled: “An ordinance of the Common Council of the City of White Plains authorizing the closure

of certain portions of public streets for certain events and celebrations taking place in 2019. **ADOPTED 7 - 0**

17. Communication from Commissioner of Public Safety in relation to an agreement between the City and Westchester County for prisoner transportation reimbursement. **F/S**
18. Ordinance of the Common Council of the City of White Plains authorizing the Mayor, or his designee, to execute a prisoner transportation reimbursement agreement with the County of Westchester. **ADOPTED 7 - 0**
19. Communication from Commissioner of Recreation and Parks in relation to an agreement with the Westchester County Department of Senior Programs and Services to provide funds for AAA Transportation to provide bus transportation. **F/S**
20. Ordinance authorizing the Mayor, or his designee, to enter into an agreement accepting an award from AAA Transportation through the Westchester County Department of Senior Programs and Services for Program Year 2019-2020, to be used for senior citizens bus transportation. **ADOPTED 7 - 0**
21. Communication from Director, Youth Bureau, in relation to a grant in the amount of \$50,000 from the Board of Advisors of the Westchester Community Foundation through the Wallace Westchester Fund in support of the Social Justice for Youth Program. **F/S**
22. Ordinance of the Common Council of the City of White Plains authorizing the Mayor, or his designee, to extend the contract with the Westchester Community Foundation to support the launch of the Social Justice for Youth Program. **ADOPTED 7 - 0**
23. Communication from Chairman, Traffic Commission, in relation to proposed amendments to the Traffic Ordinance. **TABLED**
24. Ordinance amending the Traffic Ordinance of the City of White Plains in relation to Right Turns Prohibited. **TABLED**

#### **RESOLUTIONS:**

25. Communication from Corporation Counsel scheduling a public hearing for July 1, 2019, in relation to a petition to amend the Zoning Ordinance 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 yard. **F/S**

26. Communication from the Planning Board. **F/S**
27. Communication from the City Clerk. **F/S AND REFERRED TO LAW, BUILDING DEPARTMENT, DESIGN REVIEW BOARD, PLANNING DEPARTMENT, PLANNING BOARD, PUBLIC SAFETY, PUBLIC WORKS, TRAFFIC DIVISION, TRANSPORTATION COMMISSION, PARKING DEPARTMENT, WESTCHESTER COUNTY PLANNING BOARD AND THE ENVIRONMENTAL OFFICER.**
28. Resolution of the Common Council of the City of White Plains noticing a public hearing for July 1, 2019 in relation to an ordinance amending an ordinance entitled, "The Zoning Ordinance of the City of White Plains" in relation to Footnote (D) in the Schedule of Dimensional Regulations. **ADOPTED**
29. Communication scheduling of a public hearing for July 1, 2019, in relation to the application submitted by 3 Barker Avenue LLC, for a Governmental Use Permit to relocate the Department of Motor Vehicles to property known as 3 Barker Avenue. **F/S AND REFER TO TRAFFIC DIVISION, TRANSPORTATION COMMISSION, PARKING DEPARTMENT, PLANNING BOARD, PUBLIC WORKS.**
30. Resolution of the Common Council of the City of White Plains scheduling a public hearing for July 1, 2019 in relation to the application submitted by 3 Barker Avenue LLC, for a Governmental Use Permit to relocate the Department of Motor Vehicles to property known as 3 Barker Avenue. **ADOPTED**
31. Communication from Commissioner of Planning in relation to scheduling a public hearing for July 1, 2019 on a proposed amendment to the Senior Citizen Rent Increase Exemption (SCRIE) Program to increase income eligibility from \$30,000 to \$50,000 and establish a Local Disability Rent Increase Exemption (DRIE) Program. **F/S**
32. Resolution of the Common Council of the City of White Plains noticing a public hearing for July 1, 2019 in relation to an amendment to the Senior Citizens Rent Increase Exemption (SCRIE) Program to increase income eligibility from \$30,000 to \$50,000 and establish a Local Disability Rent Increase Exemption (DRIE) Program. **ADOPTED**
33. 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. **F/S**

**ITEMS 34 - 43 F/S**

- 34. Design Review Board
- 35. Commissioner of Planning
- 36. Planning Board
- 37. Commissioner of Public Safety
- 38. Commissioner of Public Works
- 39. Deputy Commissioner Parking
- 40. Transportation Commission
- 41. Commissioner of Parking
- 42. Westchester County Planning Board
- 43. Environmental Officer

44. Environmental Findings Resolution **ADOPTED**

45. 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). **ADOPTED 5 - 2. NAYS: LECUONA AND KROLIAN**

46. 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. **F/S**

**ITEMS 47 - 56 F/S**

- 47. Design Review Board
- 48. Commissioner of Planning
- 49. Planning Board
- 50. Commissioner of Public Safety
- 51. Commissioner of Public Works
- 52. Deputy Commissioner Parking
- 53. Transportation Commission
- 54. Commissioner of Parking
- 55. Westchester County Planning Board ???
- 56. Environmental Officer

57. Environmental Findings Resolution **ADOPTED**

58. Resolution of the Common Council of the City of White Plains extending for the second time the site plan amendment approval originally granted on May 1, 2017, for an additional one year expiring on May 1, 2020, to New York Life Insurance Company for new signage at 44 South Broadway, known as Westchester One. **ADOPTED**

59. 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. **F/S**

**ITEMS 60 - 69 F/S**

60. Design Review Board  
61. Commissioner of Planning  
62. Planning Board  
63. Commissioner of Public Safety  
64. Commissioner of Public Works  
65. Deputy Commissioner Parking  
66. Transportation Commission  
67. Commissioner of Parking  
68. Westchester County Planning Board  
69. Environmental Officer

70. Environmental Findings Resolution **ADOPTED**

71. Resolution of the Common Council of the City of White Plains approving the application submitted on behalf of Westpark Associates NY LLC (“Applicant”), owner of the property known as 1111 Westchester Avenue, for an extension of an amendment to an approved site plan to construct a new parking garage and other site improvements. **ADOPTED**

72. Communication from Corporation Counsel in relation to the Westchester County Industrial Development Agency’s issuance of Sales Tax and Mortgage Tax Exemptions to construct Hamilton Green, consisting of 860 residential units and approximately 85,400 square feet of speciality retail use and restaurant use and associated parking at 200 Hamilton Avenue. **F/S**

73. Resolution of no objection to Westchester County Industrial Development Agency’s issuance of Sales Tax and Mortgage Tax Exemptions and a partial Real Property Tax Abatement to construct 860 residential units and approximately 85,400 square feet of speciality retail use and restaurant use, including a food and craft hall, approximately 27,000 square feet of office space, open space and associated parking at 200 Hamilton Avenue for the benefit of Kenneth D. Narva and/or WP Mall Realty, LLC, and/or a special purpose entity to be formed or controlled by either of the foregoing entities and other entities by a straight lease of the property. **ADOPTED 6 - 1. Nay: Lecuona**

**ITEMS FOR REFERRAL:**

74. Communication from Commissioner of Building in relation to an application submitted on behalf of “little dirty grinder Inc.” d/b/a “little drunken chef,” for

a Special Permit for Cabaret Use at 91 Mamaroneck Avenue. **F/S AND REFERRED TO LAW, BUILDING DEPARTMENT, PLANNING DEPARTMENT, PLANNING BOARD, PUBLIC SAFETY, PUBLIC WORKS, TRAFFIC DIVISION, TRANSPORTATION COMMISSION, PARKING DEPARTMENT, WESTCHESTER COUNTY PLANNING BOARD AND THE ENVIRONMENTAL OFFICER.**