

**COMMON COUNCIL
AGENDA
REGULAR STATED MEETING
March 2, 2015
7:30 P.M.**

PLEDGE TO THE FLAG: Hon. John Martin

ROLL CALL: City Clerk

RECOGNITION: Daniel Gilder, Eagle Scout
Junior Assistant Scoutmaster
Troop 613
Boy Scouts of America

APPOINTMENTS:

1. Communication from the Council President in relation to the re-appointment of Luz H. Barrera and Tim James to the Library Board to a term which will expire on December 31, 2017.

ADJOURNED

PUBLIC HEARINGS:

2. Public Hearing in relation to the application submitted by Daniel J. Coughlan, Proprietor, on behalf of Coughlan, Inc., for a renewal of a Special Permit to operate a cabaret at The Coliseum located at 15 South Broadway.
3. Public Hearing in relation to the application submitted on behalf of Executive Billiards Inc., ("Applicant") for a Special Permit to operate a cabaret at Executive Billiards located at 109 Mamaroneck Avenue.

18. Deputy Commissioner, Traffic Division
19. Traffic Commission
20. Environmental Officer
21. Environmental Findings Resolution
22. Ordinance amending an ordinance entitled, “The Zoning Ordinance of the City of White Plains” with respect to the parking requirements for “Stores for Sales at Retail or Performance of Customary Personal Services or Services Clearly Incident to Retail Sales, including “Cafes” and “Real Estate Offices, “ but not including Sales of Automobile Parts and Accessories including installation at Point of Sale”.

**FIRST READING
ORDINANCES:**

23. Communication from the Mayor in relation to the temporary appointment of John G. Callahan, Corporation Counsel, as Acting City Clerk.
24. Ordinance of the Common Council of the City of White Plains authorizing pursuant to Section 50 of the Charter of the City of White Plains the appointment of Corporation Counsel and Chief of Staff John G. Callahan as Acting City Clerk in the absence of the City Clerk.
25. Communication from Commissioner of Public Works in relation to the closure of certain public streets and appropriate parking restrictions on Saturday, March 14, 2015, for the 18th Annual St. Patrick’s Day Parade.
26. Ordinance of the Common Council of the City of White Plains authorizing the closure of certain public streets and appropriate parking restrictions on March 14, 2015, for a Saint Patrick’s Day Parade sponsored by the White Plains Saint Patrick’s Day Parade Committee and the White Plains Business Improvement District.
27. Communication from Commissioner of Public Safety in relation to an amendment to the Municipal Code Chapter 4-15 to provide an extension of a temporary surcharge of \$1.00 per trip.
28. Ordinance of the Common Council of the City of White Plains amending Article V, entitled, “Rates and Charges,” of Chapter 4-15 of the White Plains Municipal Code, entitled “Taxicabs,” at Section 4-15-71(j) with respect to a temporary fuel surcharge.
29. Communication from Commissioner of Finance in relation to a three year agreement between the City and Danziger & Markhoff LLP, to provide OPEB actuarial and consulting services for Fiscal Years ending June 30, 2015, June 30, 2016 and June 30, 2017.

30. Ordinance authorizing the Mayor to direct the Commissioner of Finance to enter into a three (3) year agreement with Danziger & Markhoff LLP.
31. Communication from Director, Youth Bureau, in relation to the Schedule of User Fees for FY 2015-2016 to take effect July 1, 2015.
32. Ordinance of the Common Council of the City of White Plains establishing and approving a Schedule of User Fees for FY 2015-2016, for the White Plains Youth Bureau.
33. Communication from Director, Youth Bureau, in relation to a contract with the Westchester County Invest in Kids Program and accepting an award in the amount of \$35,000 to operate the Higher Aims Program.
34. Ordinance authorizing the Mayor or his designee, to enter into a contract with the Westchester County Invest In Kids Program to accept an award on behalf of the City of White Plains, through its Youth Bureau, to operate the Higher Aims Program for the period of January 1, 2015 through December 31, 2017, and to amend the FY 2014-2015 Youth Development Fund to reflect said award.
35. Communication from Director, Youth Bureau, in relation to a contract with the Westchester County Invest in Kids Program to accept an award in the amount of \$135,000, to operate the Step Up Program.
36. Ordinance authorizing the Mayor or his designee, to enter into a contract with the Westchester County Invest In Kids Program to accept an award on behalf of the City of White Plains, through its Youth Bureau, to operate the Step Up! Program for the period January 1, 2015 through December 31, 2017, and to amend the FY 2014-2015 Youth Development Fund to reflect said award.
37. Communication from Director, Youth Bureau, in relation to a contract with the Westchester County Invest In Kids Program to accept an award in the amount of \$135,000 to operate the Healthy & Fit for Life Program.
38. Ordinance authorizing the Mayor or his designee, to enter into a contract with the Westchester County Invest In Kids Program to accept an award on behalf of the City of White Plains, through its Youth Bureau, to operate the Healthy and Fit for Life Program for the period of January 1, 2015 through December 31, 2017, and to amend the FY 2014-2015 Youth Development Fund to reflect said award.
39. Communication from Director, Youth Bureau, in relation an amendment to a previously adopted ordinance in relation to a contract with the Westchester County Department of Community Mental Health to increase a previously awarded amount of \$181,299 by \$1,151 to \$182,450 to operate the Project Hope Program.

40. Ordinance amending an ordinance adopted January 5, 2015 entitled, “An ordinance of the Common Council of the City of White Plains authorizing the Mayor to enter into a contract with the County of Westchester Department of Community Mental Health, in order to receive \$181,299 in funding to continue the Project Hope Program through the New York State Office of Alcoholism and Substance Abuse Services (OASAS) providing alcohol and substance prevention services to the City of White Plains.
41. Communication from Director, Youth Bureau, in relation to an amendment to a previously adopted ordinance in relation to a contract with U.S. Department of Health and Human Services, Substance Abuse and Mental Free Communities Grant to increase a previously awarded amount of \$125,000 by \$7,333 to \$132,233 to operate a Drug Free Communities Program.
42. Ordinance amending an ordinance adopted October 6, 2014 entitled, “An ordinance authorizing the Mayor or his designee to enter into a contract with the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA), to receive a Drug Free Communities Grant in the amount of \$125,000 and to authorize the Budget Director to amend the FY 2014-2015 Youth Development Fund to reflect this grant.”
43. Communication from Director, Youth Bureau, in relation to an amendment to a previously adopted ordinance regarding an award from the Westchester Clubmen Foundation to operate the Clubmen Higher Aims Program, and increasing the same from \$25,000 to \$45,000, and to accept a one-time grant in the amount of \$1,000 from the New York Community Trust and the Gleason Family Fund.
44. Ordinance amending an ordinance adopted January 5, 2015 entitled, “An ordinance amending an ordinance adopted October 6, 2014, ‘An ordinance of the Common Council of the City of White Plains authorizing the Mayor, or his designee, to execute a contract to accept, on behalf of the City of White Plains Youth Bureau, an award from the Westchester Clubmen Foundation to be used to operate the Clubmen Higher Aims Program, and to authorize the Budget Director to amend the FY 2014-2015 Youth Development Fund to reflect this award’.”
45. Communication from Deputy Commissioner of Parking in relation to proposed amendments to the Traffic Ordinance.
46. Ordinance amending the Traffic Ordinance of the City of White Plains in relation to deleting a “Fifteen Minute Parking” Zone on the south side of Lyon Place; deleting a “Fifteen Minute Parking” Zone on the north site of Lyon Place; creating a “Thirty Minute Parking” Zone on both sides of Lyon Place; and creating a “No Parking 10:00 a.m. to 11:00 a.m., Monday through Friday” zone on both sides of Hawley Street.

RESOLUTIONS:

47. Communication from Commissioner of Building in relation to a proposed amendments to the Zoning Ordinance with respect to Special Permit Uses in Non-Residential Districts, revising the definition of "Cabaret" and adding the definition of "Primary Cabaret" and "Accessory Cabaret", and proposed amendment to the White Plains Municipal Code "Cabarets" by amending Article I of Chapter 4-4 in its entirety and amending Section 4-4-30 of Article II of Chapter 4-, and scheduling a public hearing for April 6, 2015.
48. Communication from the Planning Board
49. Resolution of the Common Council of the City of White Plains scheduling a public hearing for April 6, 2015, in relation to the proposed amendment to various sections of the Zoning Ordinance of the City of White Plains with respect to Special Permit Uses in non-residential districts, revising the definition of "Cabaret" and adding the definition of "Primary Cabaret" and "Accessory Cabaret."
50. Communication from Corporation Counsel in relation to an application submitted on behalf of St. Gregory the Enlightener Armenian Church for an amendment to a previously approved site plan to construct a one story, approximately 7,000 sq. ft, addition to the existing Church building which is proposed to house the Church Sunday School, and connected to the existing structure vial an enclosed walkway.
51. Communication from Commissioner of Building
52. Resolution of the Common Council of the City of White Plains scheduling a public hearing for April 6, 2015, in relation to the application submitted on behalf of St. Gregory the Enlightener Armenian Church, for an amendment to its approved site for a proposed one story, approximately 7,000 sq. ft. addition to the existing Church building located at 1131 North Street.
53. Communication from the Mayor in relation to authorization to certify a Home Rule Request extending the Sunset Provision in relation to the City of White Plains Occupancy Tax.
54. Resolution of the Common Council of the City of White Plains authorizing the certification of a Home Rule Request seeking enactment of State Legislation amending Section 1202-AA of the Tax Law to extend the Sunset Provision in relation to authorizing the City of White Plains to impose an Occupancy Tax (Assembly Bill No. A05138) (Senate Bill No. S03303).
55. Communication from the City Clerk in relation to a requested submitted on behalf of Renaissance Hotel Partners, LLC and The Ritz-Carlton Hotel Company LLC, d/b/a Ritz-Carlton Westchester, 221 Main Street, White Plains, for a waiver of the thirty (30) day notification requirement for a new hotel On-Premises License to seel alcoholic beverages.

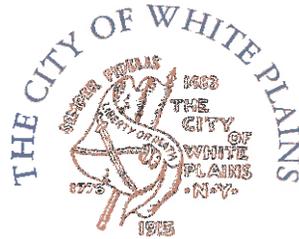
56. Resolution of the Common Council of the City of White Plains waiving the thirty (30) day notification requirement set forth in the New York Alcoholic Beverage Control Law, in regard to an application submitted on behalf of Renaissance Hotel Partners, LLC and The Ritz-Carlton Hotel Company, LLC, d/b/a Ritz-Carlton Westchester, located at 221 Main Street, for a new hotel On-Premises License to sell alcoholic beverages.

ITEM FOR REFERRAL:

57. Communication from Acting Commissioner of Planning in relation to a proposed amendment to the Zoning Ordinance of the City of White Plains to establishing a new Light Industrial Mixed Use (LI-M) Zoning District and re-zoning certain properties in the Light Industrial (LI) Zoning District.
58. Communication from Commissioner of Building in relation to a proposed amendment to the Zoning Ordinance of the City of White Plains amend Section 12.7 regarding the requirement for publication of notice of a public hearing and reducing the requirement from three (3) days to one (1) day for zoning amendments, special permit applications, variances, site plans involving an environmental sensitive site, appeals from the determinations from the Commissioner of Building, and other zoning related applications.
59. Communication from Commissioner of Building in relation to an application submitted on behalf of the Hindu Temple of Tri-State requesting an extension on a previously approved site plan for the construction of a two story, approximately 15,000 sq. ft Temple at 390 North Street.
60. Communication from the City Clerk in relation to a petition to amend the Zoning Ordinance of the City of White Plains submitted on behalf of White Plains LLC (Saber) and Chauncey White Plains LLC (Chauncey) for amendments to the Zoning Ordinance and Zoning Map potentially affecting real property known and designated as Section 126.61, Block 3 Lots, 11-15, 16.2, 23-29, (Westchester Avenue Urban Renewal Project WPUR - 14).

ITEM FOR INFORMATION:

61. Communication from the City Clerk transmitting copies of Parts 1 and 2 of the NYS Environmental Quality Review - Full Environmental Assessment Forms to supplement the submission of the petition to amend the Zoning Ordinance of the City of White Plains submitted on behalf of White Plains LLC (Saber) and Chauncey White Plains LLC (Chauncey) for amendments to the Zoning Ordinance and Zoning Map potentially affecting real property known and designated as Section 126.61, Block 3 Lots, 11-15, 16.2, 23-29, (Westchester Avenue Urban Renewal Project).



COMMON COUNCIL
MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NY 10601
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John M. Martin
Council President

TO THE HONORABLE MAYOR AND COMMON COUNCIL MEMBERS:

I am pleased to announce the re-appointment of Tim James and Luz H. Barrera to the Library Board to a term which will expire on December 31, 2017.

Sincerely,

John M. Martin
Council President

Dated: February 17, 2015



PLANNING DEPARTMENT
Thomas M. Roach, Mayor
Linda Puopolo, Acting Commissioner

March 2, 2015

TO: TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

RE: APPROVAL BY THE COMMON COUNCIL OF THE WESTCHESTER AVENUE URBAN RENEWAL PROJECT, PROJECT NO. WPUR-14

Introduction

At its meeting on November 24, 2014, the White Plains Urban Renewal Agency (the "Agency") adopted Resolution 12-2014 entitled RESOLUTION (1) FINDING THE PROPOSED AREA FOR THE WESTCHESTER AVENUE URBAN RENEWAL PROJECT, PROJECT NO. WPUR-14 DESCRIBED HEREIN TO BE APPROPRIATE FOR URBAN RENEWAL; (2) RECOMMENDING THAT THE COMMON COUNCIL DELINEATE AND DESIGNATE THE AREA FOR THE WESTCHESTER AVENUE URBAN RENEWAL PROJECT, PROJECT NO. WPUR-14, AND, (3) UPON SAID DESIGNATION, DIRECTING THE AGENCY STAFF TO PREPARE AN URBAN RENEWAL PLAN FOR THAT AREA FOR SUBMISSION TO THE AGENCY.

At its December 1, 2014 meeting, the White Plains Common Council approved the recommendation to delineate and designate the area for the Westchester Avenue Urban Renewal Project, Project No. WPUR-14. Accordingly, the staff of the White Plains Urban Renewal Agency and the Department of Planning undertook and prepared the Urban Renewal Project Area Designation Report for the Westchester Avenue Urban Renewal Project No. WPUR-14 ("Project Area Designation Report") to assess the conditions of the properties located in the area proposed for designation.

The Project Area includes a total of 19 properties totaling 6.2 acres along portions of Westchester Avenue and Franklin Avenue. The vision of this plan is "to transform the underutilized site into a vibrant, mixed-use development that transitions from commercial uses along Westchester Avenue to residential uses along Franklin Avenue, thereby harnessing the full potential of the site, increasing the tax base, and creating a welcoming place for people to live, work and shop."

At its meeting of January 7, 2015, the White Plains Urban Renewal Agency ("Agency") adopted Resolution 1-2015 entitled RESOLUTION OF THE WHITE PLAINS URBAN RENEWAL AGENCY ADOPTING AN URBAN RENEWAL PLAN FOR THE WESTCHESTER AVENUE URBAN RENEWAL PROJECT, PROJECT NO. WPUR-14 WHICH PROJECT AREA WAS DELINEATED AND DESIGNATED AS AN URBAN RENEWAL AREA BY THE COMMON COUNCIL AT ITS MEETING OF DECEMBER 1, 2014. The urban renewal plan is entitled the

WESTCHESTER AVENUE URBAN RENEWAL AREA PROJECT NO. WPUR – 14 PHASE I URBAN RENEWAL PLAN.

The Agency referred the Westchester Avenue Phase I Plan to the Planning Board and Common Council for review.

Pursuant to General Municipal Law (“GML”) Section 505, at its meeting of January 20, 2015, the Planning Board held a duly noticed public hearing on the Westchester Avenue Phase I Plan. After the public hearing, the Planning Board, pursuant GML Section 505, prepared a report to the Common Council certifying that the Westchester Avenue Phase I Plan complies with the provisions of Section 502(7), and finding that the area designated as the Westchester Avenue Phase I Urban Renewal Project, Project No. WPUR-14 is appropriate for urban renewal as defined in GML 502(3).

Prior to the Common Council taking action on the Westchester Avenue Urban Renewal Plan, GML Section 505(3) requires that the Common Council, itself, hold a public hearing on the Plan. Therefore, pursuant to GML Section 505 (3), at its February 2, 2015 meeting, the Common Council scheduled a public hearing on the Westchester Avenue Plan, to be held before the Common Council on March 2, 2015.

Analysis

Based on this vision statement and the issues identified in the Project Area, the Westchester Avenue Phase I Urban Renewal Plan sets forth the following goals related to improving conditions in the Phase I Project Area:

1. To eliminate substandard conditions
2. To promote mixed-use redevelopment of underutilized land
3. To create a safe and attractive pedestrian environment
4. To improve safety and efficiency in vehicular access and circulation
5. To address deficiencies in off-street parking
6. To enhance the aesthetics and overall image of the Project Area; and
7. To help generate economic activity and increase the tax base.

The Project Area Designation Report prepared by Agency staff and the Planning Department identified the following conditions within the Westchester Avenue Project Area:

1. the Project Area includes 19 properties, totaling 6.2 acres, located along portions of Westchester Avenue and Franklin Avenue;
2. the properties located in the proposed Westchester Avenue Project Area have not been previously reviewed or considered for urban renewal project designation; and
3. the properties in the Project Area are characterized by the following:
 - (a) irregularity of the lots;
 - (b) inadequacy of streets, circulation, and parking;
 - (c) inadequate utilization of land;
 - (d) poorly functioning drainage area; and
 - (e) traffic safety issues and congestion.

Consistency with the Comprehensive Plan

The Phase I Plan addresses the consistency of the Plan with the 1997 Comprehensive Plan of the City of White Plains as amended through 2006 ("Comprehensive Plan"). The Westchester Avenue Project Area is identified in the City's Comprehensive Plan as an "Area Where Major Redevelopment Could Occur," with recommendations for its redevelopment included in the Comprehensive Plan discussions of New Corridors and Major Properties. Specific Comprehensive Plan recommendations for the redevelopment of the proposed Westchester Avenue Urban Renewal Project Area are listed below:

1. Intersections with high degrees of pedestrian-vehicular conflict are predominantly found along ... Westchester Avenue. Possible modifications to reduce these conflicts include neck downs (sidewalk extensions at intersections), pavement design changes used in other communities, more pedestrian crosswalks, and curbside parking during non-rush hour periods.
2. The Plan's vision for this segment of Westchester Avenue is a medium density commercial corridor that clearly separates the commercial "Specialty Retail Area" on the south side of Westchester Avenue from the intermediate business district to the north of Westchester Avenue.
3. The zoning along the northerly side of Westchester Avenue from the supermarket access road to Armory Place should remain B-3 Intermediate Business district. Any development in this area must be carefully assessed to ensure that traffic and parking impacts will not negatively impact residential uses in the RM-0.35 residential district along Franklin Avenue.
4. Protect the residential neighborhoods of Eastview and Carhart, which abut the Core Area's Specialty Retail Area and Westchester Avenue, from intrusion of commercial uses, accessory uses and their impacts, including parking, traffic and conversion of residential uses to nonresidential uses.
5. The Plan's vision for the Eastview School and the adjacent publicly and privately- owned properties running through to Westchester Avenue ... envisions the unified redevelopment of the northern Westchester Avenue frontage with new commercial uses, particularly including a supermarket.
6. From an overall perspective, Westchester Avenue would provide a more appropriate frontage for retail development than would the Eastview property. The area presently contains a mix of uses, including a municipal parking lot with development significantly less than the zoning potential. The opening of The Westchester has increased the value of Westchester Avenue as a retail location. Any commercial development along this frontage should have access from Westchester Avenue, preferably at the Bloomingdale Road intersection and not from neighborhood streets such as Franklin Avenue or Amherst Place.

Therefore, the Planning Department finds that the goals of the Westchester Avenue Phase I Plan are consistent with the goals and objectives of the City's Comprehensive Plan.

Recommendation

Based on the analysis above and after the close of the duly noticed public hearing, the Planning Department recommends that the Common Council approve the Westchester Avenue Phase I Urban Renewal Plan.

Respectfully submitted,

A handwritten signature in cursive script that reads "Linda Puoplo".

Linda Puoplo
Acting Commissioner of Planning



ENVIRONMENTAL OFFICER

PLANNING DEPARTMENT • 70 CHURCH STREET • WHITE PLAINS, NEW YORK 10601

(914) 422-1300; FAX: (914) 422-1301

THOMAS M. ROACH
MAYOR

ROD JOHNSON
ENVIRONMENTAL OFFICER

February 20, 2015

TO: THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: ADOPTION OF URBAN RENEWAL PLAN
WESTCHESTER AVENUE URBAN RENEWAL PROJECT
PROJECT NO. WPUR-14

At its meeting on November 24, 2014, the White Plains Urban Renewal Agency (the "Agency") reviewed the Urban Renewal Project Area Designation Report for the Westchester Avenue Urban Renewal Project No. WPUR – 14 ("Project Area Designation Report"), dated November 18, 2014, which assessed the condition of the properties located in the area proposed for designation as the Westchester Avenue Urban Renewal Project, Project No. WPUR-14, and Zoning ("Project Area"). The Project Area includes a total of 19 properties totaling 6.2 acres along portions of Westchester Avenue and Franklin Avenue.

Based on the findings made by the Agency in Resolution 12-2014, the Agency recommended in said Resolution that the Common Council, on its own motion and pursuant to GML Section 504, approve the delineation and designation of the Westchester Avenue Urban Renewal Project known as the WPUR-14 Project Area

At its December 1, 2014 meeting, the Common Council adopted a resolution finding that the proposed Westchester Avenue Urban Renewal Project No. WPUR-14, encompassing the 19 properties in said Project Area, is a substandard or insanitary area which may tend to impair or arrest the sound growth and development of the City and 74 which is suitable and appropriate for urban renewal and I directed the Agency to prepare an urban renewal plan for the Westchester Avenue Urban Renewal Project No. WPUR-14

At its January 7, 2015 meeting, the Agency Adopted Resolution 1- 2015, approving the Westchester Avenue Phase I Urban Renewal Plan for the Westchester Avenue Urban Renewal Project No. WPUR- 14, dated December 30, 2014 ("Urban Renewal Plan").

The Phase I Project Area was selected for the Phase I Plan based on the fact that the majority of the total land area of the Phase I parcels is held by or contracted to be sold to one common owner. The Project Area includes 15 parcels (5.17 acres) of the 19 parcels (6.2 acres) in the Westchester Avenue Urban Renewal Area.

The Urban Renewal Plan provides the following goals related to improving conditions in the Phase I Project Area:

Eliminate Substandard Conditions

- Remove impediments to land assemblage in order to provide a site for construction of a new mixed-use development.
- Remove substandard structures and land uses that do not contribute to the vitality of the neighborhood, which have a blighting influence on the Project Area, the surrounding residential and commercial area, and are incompatible with recommendations of the Comprehensive Plan.
- Identify any potential for contaminated materials in the project area has been properly investigated and remediated, as appropriate.

Promote Mixed- Use Development

- Facilitate new mixed-use development, including new multi-family housing; retail and service uses, and shared private/public parking through appropriate modifications to City land use regulations, including zoning regulations.

Improve Public Safety by Creating a Safe and Attractive Pedestrian Environment

- Acquire the driveway that runs along the east side of the Westchester Burger Company building, located at 106 Westchester Avenue, for the following purposes: to address existing safety hazards for pedestrians and vehicles; and to provide access to a new parking garage to serve the entire Project Area.
- Acquire or obtain an easement from the Avis/Budget car rental site (116 Westchester Avenue) for the purpose of developing a pedestrian walkway/sidewalk connecting the Franklin-Windsor/Eastview neighborhood with the Project Area and other destinations on Westchester Avenue and beyond.

Address Deficiencies in Off-Street Parking

- Transfer ownership of the 153-space Franklin municipal parking lot from the City to the Agency for the purpose of re-developing the existing surface lot into a parking garage that increases the number of available spaces on the site, for use by existing

residents of the neighborhood and for the future development of the Phase I Project Area.

- Design a parking structure that will accommodate required parking for the private mixed-use development in the urban renewal area

Enhance the Aesthetic and Overall Image of the Project Area.

- Provide clear development standards for the mixed-use redevelopment of the area.
- Remove large areas of deteriorating structures and surface parking.
- Move uses that have a negative visual impact to below grade locations thereby retaining existing business while utilizing prime street level space for retail and pedestrian friendly uses

Generate Economic Activity and increase the Tax Base

- Replace unimproved surface parking areas and under-developed one story structures with new multi-story mixed-use buildings that will generate higher tax revenues and create both temporary construction and permanent operating jobs.

The proposed Urban Renewal Plan has been reviewed for compliance with the New York State Environmental Quality Review (SEQR) regulations. The adoption of the Urban Renewal Plan (“Proposed Action”) is an Unlisted Action for which the Common Council is required to make a SEQR determination prior to approval.

Segmentation

The Urban Renewal Plan would serve to facilitate the redevelopment of the project area along Westchester Avenue and promote mixed-use development that transitions from commercial uses along Westchester Avenue to residential uses along Franklin Avenue. The Urban Renewal Plan anticipates coordinated actions such as designation of a redeveloper, possible amendments to the Zoning Ordinance if requested by the redeveloper, possible acquisition of certain limited properties identified in the Urban Renewal Plan for acquisition, site plan approval on the application by the redeveloper, improvements to public facilities or utilities, and other related actions as may be necessary.

By letter dated February 19, 2015, the City received the “Petition of Saber White Plains, LLC (“Saber”) and Chauncy White Plains, LLC (“Chauncy”) for amendments to the Zoning Ordinance and Zoning Map of the City of White Plains potentially affecting real property known and designated on the City of White Plains Tax Assessment Map as Section 126.61, Block 3, Lots 11, 12, 13, 14, 15, 16.1, 16.2, 23, 24, 25, 26, 27, 28, and 29. The subject properties are generally known as at 62 thru 106 Westchester Avenue and 30 thru 62 Franklin Avenue and represent the area coterminous with the Westchester Avenue Urban Renewal Project land area.

SEQR regulations permit the segmented environmental review of separate, but related approval actions if a determination is made by the Common Council that such a review is appropriate and no less protective of the environment.

It is recommended that the Common Council find that the segmented or separate review of the adoption of the Urban Renewal Plan and any subsequent actions or development is appropriate for the following reasons:

- a. The Common Council previously designated and determined the overall Westchester Avenue Urban Renewal Project area is eligible for the Urban Renewal Program.
- b. The UR offers recommendations for the redevelopment of the Project Area and does not approve any specific project.
- c. The UR Plan does not involve relocation of any residential facilities.
- d. The UR Plan does not provide for the acquisition of any buildings within the designated area in that portions of two properties would be acquired for pedestrian and driveway access and a City of White Plains Parking lot would be acquired for use in obtaining a parking garage to increase available municipal parking needed for neighborhood residents within a parking garage structure to be constructed on the site of the existing lot.
- e. The UR Plan provides that any redevelopment shall be completed in accordance with dimensional standards of the Zoning Ordinance, as same may from time to time be amended.

The UR Plan only proposes minor zoning changes generally consistent with the existing zoning districts with some changes to accommodate existing businesses on the site in a manner that would further the improvement of the area.

Any proposed amendments to the Zoning Ordinance shall be on petition by a designated redeveloper, not the City of White Plains. No specific amendment to the Zoning Ordinance is being considered as part of this Proposed Action.

Any application for an amendment to the Zoning Ordinance will receive a full environmental review in conformance with SEQR regulations.

- f. While improvements to public facilities or utilities, and other related actions are anticipated to accommodate redevelopment in compliance with the UR Plan, necessary improvements will be determined during the City's review and planning in regard to a site plan application by a designated redeveloper. At this time, no specific public improvements have been identified or are being considered as part of this Proposed Action.
- g. The Phase I Project Area was selected for the Phase I Plan based on the fact that the majority of the total land area of the Phase I parcels is held by or contracted to be sold to one

common owner. It can reasonably be anticipated that proposals and applications for specific redevelopment will be formally submitted by this party. However, in accordance with the formal requirements of the proposed UR Plan, no project redeveloper has been designated at this time, and no application for site plan approval has been submitted or is currently available for consideration.

- h. Any application for site plan or special permit approvals that involve properties within the UR area will receive a full environmental review in conformance with SEQR regulations.

SEQR Review

It is recommended that the Common Council (a) designate itself as the Lead Agency to undertake the environmental review for the Proposed Action; (b) find that the Proposed Action represents an Unlisted Action under the SEQR regulations; (c) find that the segmented SEQR review of the Proposed Action separate from the SEQR review of any future redevelopment in the Urban Renewal Project area or any related future amendment to the Zoning Ordinance is appropriate and no less protective of the environment; and (d) find that the Proposed Action will not have a significant effect on the environment for the following reasons:

- (a) The Proposed Action is generally consistent with the White Plains Zoning Ordinance and the 1997 Comprehensive Plan.

The City's Comprehensive Plan, White Plains Vision: A Plan for the 21st Century, as amended by the 2006 Revision to the 1997 Comprehensive Plan, is recognized as the guide for future development of the City of White Plains. Combined, these documents meet the NYS General Municipal Law definition of a "comprehensive community plan," and establish goals and strategies for the redevelopment and revitalization of the Westchester Avenue corridor area.

- The Westchester Avenue Project Area is identified in the City's Comprehensive Plan as an "Area Where Major Redevelopment Could Occur," and recommendations for its redevelopment are included in the discussions of New Corridors and Major Properties. Specific Plan recommendations for the redevelopment of the proposed Westchester Avenue Urban Renewal Project Area are listed below:
- Intersections with high degrees of pedestrian-vehicular conflict are predominantly found along ... Westchester Avenue. Possible modifications to reduce these conflicts include neck downs (sidewalk extensions at intersections), pavement design changes used in other communities, more pedestrian crosswalks, and curbside parking during non-rush hour periods."
- The Plan's vision for this segment of Westchester Avenue is a medium density commercial corridor that clearly separates the commercial "Specialty Retail Area" on the south side of Westchester Avenue from the intermediate business district to the north of Westchester Avenue.

- The zoning along the northerly side of Westchester Avenue from the supermarket access road to Armory Place should remain B-3 Intermediate Business district. Any development in this area must be carefully assessed to ensure that traffic and parking impacts will not impact the residential neighborhoods of Eastview and Carhart, which abut the Core Area's Specialty Retail Area and Westchester Avenue, from intrusion of commercial uses, accessory uses and their impacts, including parking, traffic and conversion of residential uses to nonresidential uses. negatively impact residential uses in the RM-0.35 residential district along Franklin Avenue.
- The Plan's vision for the Eastview School and the adjacent publicly and privately-owned properties running through to Westchester Avenue ... envisions the unified redevelopment of the northern Westchester Avenue frontage with new commercial uses, particularly including a supermarket.
- From an overall perspective, Westchester Avenue would provide a more appropriate frontage for retail development than would the Eastview property. The area presently contains a mix of uses, including a municipal parking lot with development significantly less than the zoning potential. The opening of The Westchester has increased the value of Westchester Avenue as a retail location. Any commercial development along this frontage should have access from Westchester Avenue, preferably at the Bloomingdale Road intersection and not from neighborhood streets such as Franklin Avenue or Amherst Place.

The proposed designation of the project area for urban renewal purposes is consistent with identification in the Comprehensive Plan as an "Area Where Major Redevelopment Could Occur". In addition, the designation of the Project Area is consistent with the Plan's identification of public safety issues related to pedestrian/vehicular conflicts along the Westchester Avenue corridor. The Plan's goals for the area are all consistent with the use of urban renewal powers to assist in the redevelopment of the area.

On January 20, 2015, the White Plains Planning Board, in accordance with Section 505 of Article 15 of the General Municipal Law, certified that the Project area continues to be appropriate for urban renewal and that the Urban Renewal Plan conforms to the Comprehensive Plan.

The UR Plan provides that any redevelopment shall be completed in accordance with dimensional standards of the Zoning Ordinance, as same may from time to time be amended.

The Phase I Plan's land use strategy consists of blending the uses currently permitted in the existing B-3 (Intermediate Business District) and RM-0.35 (Residential Multi-Family District), zoning districts. The land uses permitted by the underlying zoning of the WPUR-14 are generally appropriate. However, with the acquisition and assemblage of parcels for redevelopment, certain existing parcels currently located in different districts

with different dimensional standards and permitted uses may be appropriate for classification as a single development site. Therefore, some zoning changes to dimensional standards and permitted uses may be needed to achieve the goals of this Plan. By encouraging re-development through one mixed-use development site, coverage in the B-3 may be extended into the RM-0.35 portion of the site provided the aggregate building coverage for the development site does not exceed the total combined coverage permitted on each lot.

Any proposed amendments to the Zoning Ordinance shall be on petition by the redeveloper, not the City of White Plains.

Any amendment to the Zoning Ordinance will receive a full environmental review in conformance with SEQR regulations.

- (b) The Proposed Action should not cause a substantial adverse change in existing air quality, ground or surface water quality, traffic or noise levels, solid waste production levels or potential for erosion, flooding, leaching or drainage problems.

The Proposed Action does not itself represent a specific development proposal and will not, without further applications, result in a specific action that would alter the physical environment. Any subsequent application for construction on a specific site will require review for and compliance with municipal codes

The project area is located in an established and developed area of White Plains which is fully served by all municipal and private utility services necessary to support the redevelopment.

Any application for site plan or special permit approvals that involve properties within the project area will receive a full environmental review in conformance with SEQR regulations.

- (c) No large quantities of vegetation or fauna will be removed by the Proposed Action. No endangered species of plant or animal should be adversely affected by the Proposed Action. No other significant adverse impacts to natural resources will result from the Proposed Action.

The Urban Renewal Project area is now developed and is fully occupied by buildings and parking lots. There are no naturally landscaped areas or natural resources within the Project area.

- (d) The character or quality of important historical, archeological, architectural or aesthetic resources of the City or any neighborhood will not be adversely affected by the Proposed Action.

The Urban Renewal Plan would serve to facilitate the redevelopment of the project area along Westchester Avenue and promote mixed-use development that transitions from commercial uses along Westchester Avenue to residential uses along Franklin Avenue.

The Proposed Action is consistent with the White Plains Zoning Ordinance and the Comprehensive Plan.

The Proposed Action will not result in any specific development that would have any significant impacts to the physical environment.

The Plan seeks to minimize commercial uses and activities on the Franklin Avenue side of the site as follows:

- Prohibit or restrict commercial loading activities from the Franklin Avenue side of the site.
- Permit access from Franklin Avenue to the development site only to above-ground parking garage to be developed on Franklin Avenue and only for municipal parking facility permit holders and residents of any new development in the Project Area.
- Prohibit above-ground commercial uses fronting on Franklin Avenue

Any application for site plan or special permit approvals that involve properties within any UR area will receive a full environmental review in conformance with SEQR regulations.

- (e) No major change in type or quantity of energy used will result from the Proposed Action.
- (f) No hazard to health or human safety will be created.

There is no reason to expect any hazard to human health or safety resulting from this Proposed Action. All development is subject to the appropriate municipal safety codes and approved by the Departments of Building, Public Safety, Public Works and Traffic.

- (g) The Proposed Action will not create a substantial change in the use, or intensity of use, of land or other natural resources or the area's capacity to support existing uses. It will not attract a significantly large number of people to the place, neighborhood or community.

The Urban Renewal Plan would serve to facilitate the redevelopment of the project area along Westchester Avenue and promote mixed-use development that transitions from commercial uses along Westchester Avenue to residential uses along Franklin Avenue

In context to the City of White Plains as a regional center, The Westchester shopping mall across Westchester Avenue form the Project Area and the RM-0.35 residential apartment neighborhood just north of the Project Area, any change resulting from the Proposed Action will not be significant.

- (h) The Proposed Action will not result in the creation of a material demand for other actions which would result in one of the above consequences.
- (i) The Proposed Action will not result in changes in two or more elements of the environment, no one of which has a significant effect on the environment, but which when taken together, result in a substantial adverse impact on the environment.
- (j) The Proposed Action does not represent a change in two or more related actions that, when considered cumulatively, would result in substantial environmental impacts.
- (k) No significant impacts have been identified as a result of the Proposed Action when assessed in connection to its setting, duration, geography scope, magnitude and number of people affected.

A resolution which makes these findings is offered for the Common Council's consideration.

Respectfully submitted,



Rod Johnson,
Environmental Officer

ENVIRONMENTAL FINDINGS RESOLUTION REGARDING THE
ADOPTION OF THE URBAN RENEWAL PLAN FOR THE
WESTCHESTER AVENUE URBAN RENEWAL PROJECT, PROJECT NO. WPUR-14

WHEREAS, at its meeting on November 24, 2014, the White Plains Urban Renewal Agency (the "Agency") reviewed the Urban Renewal Project Area Designation Report for the Westchester Avenue Urban Renewal Project No. WPUR – 14 ("Project Area Designation Report"), dated November 18, 2014, which assessed the condition of the properties located in the area proposed for designation as the Westchester Avenue Urban Renewal Project, Project No. WPUR-14, and Zoning, ("Project Area"). The Project Area includes a total of 19 properties totaling 6.2 acres along portions of Westchester Avenue and Franklin Avenue; and

WHEREAS, based on the findings made by the Agency in Resolution 12-2014, the Agency recommended in said Resolution that the Common Council, on its own motion and pursuant to GML Section 504, approve the delineation and designation of the Westchester Avenue Urban Renewal Project known as the WPUR-14 Project Area; and

WHEREAS, at its December 1, 2014 meeting, the Common Council adopted a resolution finding that the proposed Westchester Avenue Urban Renewal Project No. WPUR-14, encompassing the 19 properties in said Project Area, is a substandard or insanitary area which may tend to impair or arrest the sound growth and development of the City and which is suitable and appropriate for urban renewal and I directed the Agency to prepare an urban renewal plan for the Westchester Avenue Urban Renewal Project No. WPUR-14; and

WHEREAS, at its January 7, 2015 meeting, the Agency Adopted Resolution 1- 2015, approving the Westchester Avenue Phase I Urban Renewal Plan for the Westchester Avenue Urban Renewal Project No. WPUR- 14, dated December 30, 2014; and

WHEREAS, the Phase I Project Area was selected for the Phase I Plan based on the fact that the majority of the total land area of the Phase I parcels is held by or contracted to be sold to one common includes 15 parcels (5.17 acres) of the 19 parcels (6.2 acres in the Westchester Avenue Urban Renewal Area; and

WHEREAS, under the New York State Environmental Quality Review (SEQR) regulations (6 NYCRR 617), the Common Council is required to incorporate environmental considerations in approval actions by a) identifying environmental issues; b) taking a "hard look" at relevant environmental concerns; and c) making a "reasoned elaboration" as a basis for an environmental determination; and

Segmentation

WHEREAS, the Urban Renewal Plan would serve to facilitate the redevelopment of the project area along Westchester Avenue and promote mixed-use development that transitions from commercial uses along Westchester Avenue to residential uses along Franklin Avenue. The

Urban Renewal Plan anticipates coordinated actions such as designation of a redeveloper, possible amendments to the Zoning Ordinance if requested by the redeveloper, possible acquisition of certain limited properties identified in the Urban Renewal Plan for acquisition, site plan approval on the application by the redeveloper, improvements to public facilities or utilities, and other related actions as may be necessary; and

WHEREAS, by letter dated February 19, 2015, the City received the “Petition of Saber White Plains, LLC (“Saber”) and Chauncy White Plains, LLC (“Chauncy”) for amendments to the Zoning Ordinance and Zoning Map of the City of White Plains potentially affecting real property know and designated on the City of White Plains Tax Assessment Map as Section 126.61, Block 3, Lots 11, 12, 13, 14, 15, 16.1, 16.2, 23, 24,25,26,27,28,and 29. The subject properties are generally known as at 62 thru 106 Westchester Avenue and 30 thru 62 Franklin Avenue and represent the area coterminous with the Westchester Avenue Urban Renewal Project land area; and

WHEREAS, the SEQR regulations permit the segmented environmental review of separate, but related approval actions if a determination is made by the Common Council that such a review is appropriate and no less protective of the environment; and

WHEREAS, the Environmental Officer has recommended that the Common Council find that the segmented environmental review and SEQR determination regarding the adoption of the UR Plan separate from a related, future Zoning Ordinance amendment and also any future site plan or special permit approvals for properties located within the Urban Renewal Project Area, is appropriate and no less protective of the environment for the following reasons

- a. The Common Council previously designated and determined the overall Westchester Avenue Urban Renewal Project area is eligible for the Urban Renewal Program.
- b. The UR offers recommendations for the redevelopment of the Project Area and does not approve any specific project
- c. The UR Plan does not involve relocation of any residential facilities.
- d. The UR Plan does not provide for the acquisition of any buildings within the designated area in that portions of two properties would be acquired for pedestrian and driveway access and a City of White Plains Parking lot would be acquired for use in obtaining a parking garage to increase available municipal parking needed for neighborhood residents within a parking garage structure to be constructed on the site of the existing lot.
- e. The UR Plan provides that any redevelopment shall be completed in accordance with dimensional standards of the Zoning Ordinance, as same may from time to time be amended.

The UR Plan only proposes minor zoning changes generally consistent with the existing zoning districts with some changes to accommodate existing businesses on the site in a manner that would further the improvement of the area.

Any proposed amendments to the Zoning Ordinance shall be on petition by a designated redeveloper, not the City of White Plains. No specific amendment to the Zoning Ordinance is being considered as part of this Proposed Action.

Any application for an amendment to the Zoning Ordinance will receive a full environmental review in conformance with SEQR regulations.

- f. While improvements to public facilities or utilities, and other related actions are anticipated to accommodate redevelopment in compliance with the UR Plan, necessary improvements will be determined during the City's review and planning in regard to a site plan application by a designated redeveloper. At this time, no specific public improvements have been identified or are being considered as part of this Proposed Action
- g. The Phase I Project Area was selected for the Phase I Plan based on the fact that the majority of the total land area of the Phase I parcels is held by or contracted to be sold to one common owner. It can reasonably be anticipated that proposals and applications for specific redevelopment will be formally submitted by this party. However, in accordance with the formal requirements of the proposed UR Plan, no project redeveloper has been designated at this time, and no application for site plan approval has been submitted or is currently available for consideration.
- h. Any application for site plan or special permit approvals that involve properties within the UR area will receive a full environmental review in conformance with SEQR regulations; and

WHEREAS, the Environmental Officer has recommended that the Common Council (a) designate itself as the Lead Agency to undertake the environmental review for the Proposed Action; (b) find that the Proposed Action represents an Unlisted Action under the New York State Environmental Quality Review regulations; (c) find that the segmented SEQR review of the Proposed Action separate from the SEQR review of any future redevelopment in the Urban Renewal Project area or any future related amendment to the Zoning Ordinance is appropriate and no less protective of the environment; and (d) find that the Proposed Action, when compared to the SEQR criteria of environmental effect, will not have a significant effect on the environment; and

WHEREAS, the Common Council has considered the Project Area Designation Report, the findings and recommendation of the Urban Renewal Agency and the Planning Board regarding the adoption of the UR Plan, the UR Plan, the Proposed Action and reports from the various City departments, boards or commissions and involved agencies, and public comments which, when

considered together, constitute the Environmental Review Record which serves as a basis for the SEQR determination; now, therefore, be it

RESOLVED, based on the foregoing reasons, that the Common Council hereby designates itself Lead Agency for the environmental review of the Proposed Action; and be it further

RESOLVED, based on the foregoing reasons, that the Common Council hereby determines that the Proposed Action is an Unlisted Action under SEQR; and be it further

RESOLVED, based on the foregoing reasons, that the Common Council hereby determines that the segmented environmental review and separate SEQR determination for the Proposed Action separate from any future Zoning Ordinance amendment and also any future site plan or special permit approvals for properties located at within the Urban Renewal Project Area, is appropriate and no less protective of the environment; and be it further

RESOLVED that the Common Council has examined the potential environmental effects of the Proposed Action and makes the following environmental findings:

- (a) The Proposed Action is generally consistent with the White Plains Zoning Ordinance and the 1997 Comprehensive Plan.

The City's Comprehensive Plan, White Plains Vision: A Plan for the 21st Century, as amended by the 2006 Revision to the 1997 Comprehensive Plan, is recognized as the guide for future development of the City of White Plains. Combined, these documents meet the NYS General Municipal Law definition of a "comprehensive community plan," and establish goals and strategies for the redevelopment and revitalization of the Westchester Avenue corridor area.

- The Westchester Avenue Project Area is identified in the City's Comprehensive Plan as an "Area Where Major Redevelopment Could Occur," and recommendations for its redevelopment are included in the discussions of New Corridors and Major Properties. Specific Plan recommendations for the redevelopment of the proposed Westchester Avenue Urban Renewal Project Area are listed below
- Intersections with high degrees of pedestrian-vehicular conflict are predominantly found along ... Westchester Avenue. Possible modifications to reduce these conflicts include neck downs (sidewalk extensions at intersections), pavement design changes used in other communities, more pedestrian crosswalks, and curbside parking during non-rush hour periods."
- The Plan's vision for this segment of Westchester Avenue is a medium density commercial corridor that clearly separates the commercial "Specialty Retail Area" on the south side of Westchester Avenue from the intermediate business district to the north of Westchester Avenue.

- The zoning along the northerly side of Westchester Avenue from the supermarket access road to Armory Place should remain B-3 Intermediate Business district. Any development in this area must be carefully assessed to ensure that traffic and parking impacts will not Protect the residential neighborhoods of Eastview and Carhart, which abut the Core Area's Specialty Retail Area and Westchester Avenue, from intrusion of commercial uses, accessory uses and their impacts, including parking, traffic and conversion of residential uses to nonresidential uses. negatively impact residential uses in the RM-0.35 residential district along Franklin Avenue.
- The Plan's vision for the Eastview School and the adjacent publicly and privately-owned properties running through to Westchester Avenue ... envisions the unified redevelopment of the northern Westchester Avenue frontage with new commercial uses, particularly including a supermarket.
- From an overall perspective, Westchester Avenue would provide a more appropriate frontage for retail development than would the Eastview property. The area presently contains a mix of uses, including a municipal parking lot with development significantly less than the zoning potential. The opening of The Westchester has increased the value of Westchester Avenue as a retail location. Any commercial development along this frontage should have access from Westchester Avenue, preferably at the Bloomingdale Road intersection and not from neighborhood streets such as Franklin Avenue or Amherst Place.

The proposed designation of the project area for urban renewal purposes is consistent with identification in the Comprehensive Plan as an “Area Where Major Redevelopment Could Occur”. In addition, the designation of the Project Area is consistent with the Plan’s identification of public safety issues related to pedestrian/vehicular conflicts along the Westchester Avenue corridor. The Plan’s goals for the area are all consistent with the use of urban renewal powers to assist in the redevelopment of the area.

On January 20, 2015, the White Plains Planning Board, in accordance with Section 505 of Article 15 of the General Municipal Law, certified that the Project area continues to be appropriate for urban renewal and that the Urban Renewal Plan conforms to the Comprehensive Plan.

The UR Plan provides that any redevelopment shall be completed in accordance with dimensional standards of the Zoning Ordinance, as same may from time to time be amended.

The Phase I Plan’s land use strategy consists of blending the uses currently permitted in the existing B-3 (Intermediate Business District) and RM-0.35 (Residential Multi-Family District), zoning districts. The land uses permitted by the underlying zoning of the WPUR-14 are generally appropriate. However, with the acquisition and assemblage of parcels for redevelopment, certain existing parcels currently located in different districts

with different dimensional standards and permitted uses may be appropriate for classification as a single development site. Therefore, some zoning changes to dimensional standards and permitted uses may be needed to achieve the goals of this Plan. By encouraging re-development through one mixed-use development site, coverage in the B-3 may be extended into the RM-0.35 portion of the site provided the aggregate building coverage for the development site does not exceed the total combined coverage permitted on each lot.

Any proposed amendments to the Zoning Ordinance shall be on petition by the redeveloper, not the City of White Plains.

Any amendment to the Zoning Ordinance will receive a full environmental review in conformance with SEQR regulations.

- (b) The Proposed Action should not cause a substantial adverse change in existing air quality, ground or surface water quality, traffic or noise levels, solid waste production levels or potential for erosion, flooding, leaching or drainage problems.

The Proposed Action does not itself represent a specific development proposal and will not, without further applications, result in a specific action that would alter the physical environment. Any subsequent application for construction on a specific site will require review for and compliance with municipal codes

The project area is located in an established and developed area of White Plains which is fully served by all municipal and private utility services necessary to support the redevelopment.

Any application for site plan or special permit approvals that involve properties within the project area will receive a full environmental review in conformance with SEQR regulations.

- (c) No large quantities of vegetation or fauna will be removed by the Proposed Action. No endangered species of plant or animal should be adversely affected by the Proposed Action. No other significant adverse impacts to natural resources will result from the Proposed Action.

The Urban Renewal Project area is now developed and is fully occupied by buildings and parking lots. There are no naturally landscaped areas or natural resources within the Project area.

- (d) The character or quality of important historical, archeological, architectural or aesthetic resources of the City or any neighborhood will not be adversely affected by the Proposed Action.

The Urban Renewal Plan would serve to facilitate the redevelopment of the project area along Westchester Avenue and promote mixed-use development that transitions from commercial uses along Westchester Avenue to residential uses along Franklin Avenue.

The Proposed Action is consistent with the White Plains Zoning Ordinance and the Comprehensive Plan.

The Proposed Action will not result in any specific development that would have any significant impacts to the physical environment.

The Plan seeks to minimize commercial uses and activities on the Franklin Avenue side of the Project Area as follows:

- Prohibit or restrict commercial loading activities from the Franklin Avenue side of the site.
- Permit access from Franklin Avenue to the development site only to above-ground parking garage to be developed on Franklin Avenue and only for municipal parking facility permit holders and residents of any new development in the Project Area.
- Prohibit above-ground commercial uses fronting on Franklin Avenue

Any application for site plan or special permit approvals that involve properties within any UR area will receive a full environmental review in conformance with SEQR regulations.

- (e) No major change in type or quantity of energy used will result from the Proposed Action.
- (f) No hazard to health or human safety will be created.

There is no reason to expect any hazard to human health or safety resulting from this Proposed Action. All development is subject to the appropriate municipal safety codes and approved by the Departments of Building, Public Safety, Public Works and Traffic.

- (g) The Proposed Action will not create a substantial change in the use, or intensity of use, of land or other natural resources or the area's capacity to support existing uses. It will not attract a significantly large number of people to the place, neighborhood or community.

The Urban Renewal Plan would serve to facilitate the redevelopment of the project area along Westchester Avenue and promote mixed-use development that transitions from commercial uses along Westchester Avenue to residential uses along Franklin Avenue

In context to the City of White Plains as a regional center, The Westchester shopping mall across Westchester Avenue from the Project Area and the RM-0.35 residential apartment neighborhood just north of the Project Area, any change resulting from the Proposed Action will not be significant.

- (h) The Proposed Action will not result in the creation of a material demand for other actions which would result in one of the above consequences.
- (i) The Proposed Action will not result in changes in two or more elements of the environment, no one of which has a significant effect on the environment, but which when taken together, result in a substantial adverse impact on the environment.
- (j) The Proposed Action does not represent a change in two or more related actions that, when considered cumulatively, would result in substantial environmental impacts.
- (k) No significant impacts have been identified as a result of the Proposed Action when assessed in connection to its setting, duration, geography scope, magnitude and number of people affected; and be it further

RESOLVED, that, based on the foregoing findings, the Common Council determines that the Proposed Action will not have a significant effect on the environment; and be it further

RESOLVED that the Environmental Officer is authorized to file the appropriate notice as required by SEQR.

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS
APPROVING THE PHASE I URBAN RENEWAL PLAN FOR THE WESTCHESTER
AVENUE URBAN RENEWAL PROJECT, PROJECT NO. WPUR-14.

WHEREAS, at its meeting of November 2, 2014, the White Plains Urban Renewal Agency (the "Agency") reviewed a study entitled "the Urban Renewal Project Area Designation Report for the Westchester Avenue Urban Renewal Project No. WPUR-14 ("Project Area Designation Report"), dated November 18, 2014" prepared by the staff of the Agency and the Planning Department; and

WHEREAS, the proposed urban renewal area, which includes 19 properties totaling 6.2 acres located along Westchester and Franklin Avenues, was shown on a map attached to the report as Figure 1 and the 19 properties in said area were listed on Table 1 in the report both of which are annexed hereto and made a part hereof; and

WHEREAS, the Project Area Designation Report found that the area was appropriate for urban renewal for the following reasons - irregularity of the lots, inadequacy of streets and circulation, inadequate utilization of land, poorly functioning drainage area and traffic safety and congestion; and

WHEREAS, the Project Area Designation Report demonstrates the proposed urban renewal area is appropriate for urban renewal in accordance with General Municipal Law Section 502 based upon the following findings:

(a) The area requires substantial continuing capital investment and rehabilitation to arrest the conditions causing these properties to be in a blighted condition and causing the area represented by these properties to be a blighting influence on the surrounding area; and

(b) Capital investment in expanded municipal parking facilities would help to alleviate parking shortages in the area that contribute to the blighted or blighting conditions; and

(c) The implementation of an urban renewal project in the Westchester Avenue Urban Renewal Project WPUR-14 Project Area is in the interest of sound community planning and in the public interest; and

WHEREAS, at its meeting of November 24, 2014, the Agency determined that, based upon the Project Area Designation Report, the proposed urban renewal area is appropriate for delineation

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and designation as an urban renewal area pursuant to Article 15 of the General Municipal Law; and

WHEREAS, the Agency, by Resolution No. 12-2014 adopted November 24, 2014, delineated and designated the Westchester Avenue Urban Renewal Project No. WPUR-14 and recommended to the Common Council of the City of White Plains ("Common Council") the delineation and designation of the same; and

WHEREAS, the Agency further requested, by Resolution No. 12-2014, that the Common Council direct the Agency to prepare an urban renewal plan therefor; and

WHEREAS, the Common Council, by resolution adopted December 1, 2014 approved the delineation and description of said area as the Westchester Avenue Urban Renewal Project No. WPUR-14; and

WHEREAS, in said resolution, the Common Council requested that the Agency prepare an urban renewal plan for the Westchester Avenue Urban Renewal Project No. WPUR-14; and

WHEREAS, the Agency at its meeting of January 7, 2015 approved the Westchester Avenue Phase I Urban Renewal Plan for the Westchester Avenue Urban Renewal Project No. WPUR- 14, dated December 30, 2014 ("the Phase I Plan") in Resolution 1-2015; and

WHEREAS, the Phase I Plan did not provide for the acquisition of any buildings within the designated area in that portions of two properties would be acquired for pedestrian and driveway access and a City of White Plains Parking lot would be acquired for use in obtaining a parking garage to increase available municipal parking needed for neighborhood residents within a parking garage structure to be constructed on the site of the existing lot; and

WHEREAS, the Phase I Plan only proposed minor zoning changes generally consistent with the existing zoning districts with some changes to accommodate existing businesses on the site in a manner that would further the improvement of the area; and

WHEREAS, the Agency in said resolution found that the purpose of the Phase I Plan was to transform the underutilized site into a vibrant, mixed-use development that transitions from commercial uses along Westchester Avenue to residential uses along Franklin Avenue, thereby harnessing the full potential of the site, increasing the tax base, and creating a welcoming place for people to live, work and shop; and

WHEREAS, the Agency found the Phase I Plan to be consistent with the Comprehensive Plan of the City of White Plains; and

WHEREAS, pursuant to General Municipal Law 505, at its meeting of January 20, 2015, the Planning Board held a duly noticed public hearing on the Phase I Plan. After the public hearing, the Planning Board, pursuant to General Municipal Law Section 505, prepared a report certifying its unqualified support of the Phase I Plan, finding it to be consistent with the plans and strategies of the Comprehensive Plan as required by General Municipal Law Section 502; and

WHEREAS, prior to the Common Council taking action on the Phase I Plan, pursuant to General Municipal Law 505(3), a duly noticed hearing was scheduled on February 2, 2015 for March 2, 2015 and held on the scheduled date;

NOW, THEREFORE BE IT

RESOLVED, that, based upon the record of the Agency, the Planning Board and the duly noticed public hearing, the Common Council, pursuant to General Municipal Law Section 505(4) concurs with the Agency and the Planning Board and makes the following findings with respect to the adoption of the Westchester Avenue Phase I Urban Renewal Plan for the Westchester Avenue Urban Renewal Project No. WPUR-14, dated December 30, 2014:

1. The area of the Phase I Plan is a substandard or unsanitary area which impairs the sound growth and development of the City;
2. The Phase I Plan affords maximum opportunity to private enterprise, consistent with the sound needs of the City, for the undertaking of an urban renewal program;
3. The Phase I Plan conforms to the City's Comprehensive Plan for the development of the City as a whole;
4. The Phase I Plan will not displace any residents nor cause any residents to have to relocate;
5. Undertaking and carrying out of the urban renewal activities in stages is in the best public interest and will not cause any additional or increased hardship to the residents of such designated area; and be it further

RESOLVED, that the Common Council, concurs with the Agency and the Planning Board, based on the above findings, that the Phase I Plan will address the condition in the area through the acquisition of certain parcels or portions thereof as delineated in the Phase I Plan and their subsequent reconveyance to a designated developer to create a mixed use development on the proposed site; and be it further

RESOLVED, based upon the above findings, the Common Council hereby approves the Westchester Avenue Phase I Urban Renewal Plan for the Westchester Avenue Urban Renewal Project No. WPUR-14, dated December 30, 2014.

THOMAS M. ROACH
MAYOR



DEPARTMENT OF BUILDING

70 Church Street, White Plains, New York 10601

Phone: (914) 422 - 1269 * Fax: (914) 422 - 1471

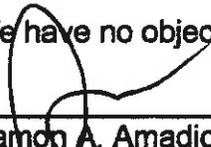
Damon A. Amadio, P.E.
Commissioner

Kevin M. Hodapp, P.E.
Deputy Commissioner

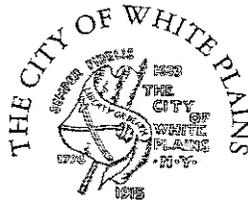
TO THE HONORABLE THOMAS M. ROACH, MAYOR
AND MEMBERS OF THE COMMON COUNCIL OF THE
CITY OF WHITE PLAINS

Per referral by the Common Council, the Department of Building has reviewed a proposed amendment to the City of White Plains Zoning Ordinance relating to the required parking for retail centers that are greater than 150,000 square feet in size.

We have no objection to this amendment being approved.


Damon A. Amadio P.E.
Commissioner of Building

Dated: February 26, 2015
(For the March 2, 2015 Common Council Meeting)



DESIGN REVIEW BOARD

70 Church Street, White Plains, New York 10601

Phone: (914) 422 - 1269 * Fax: (914) 422 - 1471

THOMAS M. ROACH
Mayor

NORMAN DICHIARA, AIA
Chairman

DAMON A AMADIO, P.E.
Commissioner of Building

KEVIN M. HODAPP, P.E.
Deputy Commissioner of Building

NICK PUJA
Secretary

January 14, 2015

TO THE HONORABLE MAYOR AND COMMON COUNCIL OF THE CITY OF WHITE PLAINS

Dear Mayor and Council Members:

The Design Review Board, at its meeting on January 12, 2015, reviewed the referral from the Department of Parking/Traffic Division is recommending the attached zoning change in parking space requirements for larger retail centers outside of the Central Parking Area (CPA). The current requirement is 5.7 space per 1,000 square feet which is appropriate for small scale isolated retail sites. For sites above 150,000 square feet which have their own separate parking facility a more appropriate rate is 4.0 space per 1,000 square feet. This rate is consistent with recent ITE parking generation rates of shopping centers at this size and reduce the construction of space that would get limited, if any use.

OUTCOME: The Design Review Board reviewed this application and had no comment at this time.

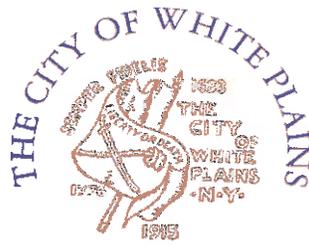
Norman DiChiara

Norman DiChiara, Chairman
Design Review Board

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<http://www.cityofwhiteplains.com>

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PLANNING DEPARTMENT
70 Church Street, White Plains, New York 10601
(914) 422-1300 Fax: (914) 422-1301
E-Mail: Planning@whiteplainsny.gov

THOMAS M. ROACH
MAYOR

LINDA K. PUOPLO
ACTING COMMISSIONER OF PLANNING

February 13, 2015

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: ZONING ORDINANCE AMENDMENT REGARDING PARKING
REQUIREMENTS FOR LARGER RETAIL USES OUTSIDE THE CENTRAL
PARKING AREA

The Deputy Commissioner of Parking/City Transportation Engineer has recommended a reduction in the parking requirement for retail stores with at least 150,000 square feet of gross floor area in a single development site that are located outside the Central Parking Area (CPA).

The current parking requirement for retail use outside the CPA is 5.7 parking spaces per 1,000 square feet of gross floor area. The Deputy Commissioner of Parking has stated that the proposed parking requirement of 4.0 parking spaces per 1,000 square feet of floor area is consistent with recent Institute of Transportation Engineers parking generation rates for shopping centers with at least 150,000 square feet of gross floor area, and that surveys of the parking garages at shopping centers in White Plains show that they are underutilized except during peak shopping Saturdays in December. A parking requirement of 4.0 seems appropriate for larger retail shopping centers. It is more than the 3.0 required for enclosed mall shopping, but less than the 5.7 required for smaller retail shopping areas outside the CPA.

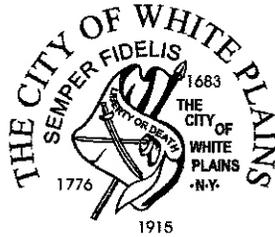
Based on the information provided by the Deputy Commissioner of Parking, the Department of Planning is supportive of the proposed zoning amendment, agreeing that parking requirements should not be established based on temporary, brief, peak demands. Further finding that excess parking increases impervious surfaces, detracts from the visual appeal of shopping centers, particularly outside the CPA near residential areas, and decreases opportunities for open space.

For the reasons set forth in this communication, the Planning Department recommends that the Common Council take all necessary steps to implement the proposed zoning amendment.

Respectfully submitted,

Linda K. Puoplo
Acting Commissioner of Planning

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DEPARTMENT OF PUBLIC SAFETY
77 SOUTH LEXINGTON AVENUE • WHITE PLAINS, NEW YORK 10601
(914) 422-6400 • FAX: (914) 422-6373

THOMAS M. ROACH
Mayor
422-1200

JAMES M. BRADLEY
Chief of Police
422-6230

DAVID E. CHONG
Commissioner
422-6350

RICHARD L. LYMAN
Fire Chief
422-6360

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

DEAR MAYOR AND COMMON COUNCIL MEMBERS:

The Department of Public Safety has reviewed the plans for the following site and there are no objections.

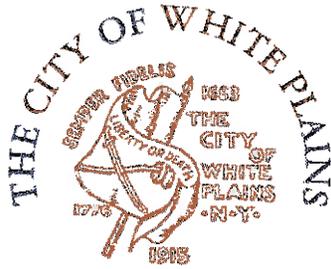
Zoning Ordinance Amendment
Retail Centers Outside the CPA
Change to Sites Above 150,000 sq. ft.



David E. Chong
Commissioner of Public Safety

DEC:bn

Dated: January 28, 2015



DEPARTMENT OF PUBLIC WORKS
MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NEW YORK 10601
(914) 422-1206 • FAX: (914) 422-1469

THOMAS M. ROACH
MAYOR

RICHARD G. HOPE
1ST DEPUTY COMMISSIONER

JOSEPH J. NICOLETTI, Jr., P.E.
COMMISSIONER / CITY ENGINEER

BRIAN M. MURPHY
2ND DEPUTY COMMISSIONER

**TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL OF
THE CITY OF WHITE PLAINS**

Dear Mayor and Common Council Members:

We have reviewed the proposed amendment to the White Plains Zoning Ordinance to add a new parking requirement for the certain uses of "Retail Stores," of 4.0 spaces per 1,000 square feet of floor area, where the use is located outside of the Central Parking Area and has a gross floor area of at least 150,000 square feet.

In conclusion, we have no objection to the proposed amendment.

Respectfully submitted,


Joseph J. Nicoletti, Jr., P.E.
Commissioner of Public Works

Dated: March 2, 2015

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THOMAS M. ROACH
MAYOR



JOHN P. LARSON
COMMISSIONER

JOHN FUERST
DEPUTY COMMISSIONER

DEPARTMENT OF PARKING
255 MAIN ST. - ANNEX BUILDING
WHITE PLAINS, NEW YORK 10601

THOMAS J. SOYK, P.E., PTOE
DEPUTY COMMISSIONER/
CITY TRANSPORTATION ENGINEER

(914) 422-1232 Phone
(914) 422-1274 Fax

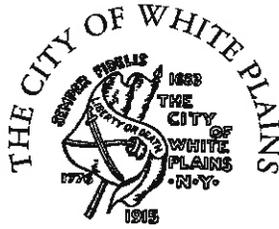
TO THE HONORABLE MAYOR THOMAS M. ROACH AND MEMBERS OF
THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS

The Department of Parking/ Traffic Division has reviewed the proposed zoning ordinance amendment regarding a change to the parking rate for retail centers above 150,000 square feet and outside the CPA, which was referred by the Common Council on January 5, 2015.

The Department of Parking/ Traffic Division supports this revision.

Thomas J. Soyk, PE, PTOE
Deputy Commissioner

Dated: January 22, 2015
(for the February 2, 2015 Common Council Meeting)



TRANSPORTATION COMMISSION
255 MAIN STREET - ANNEX BUILDING • WHITE PLAINS, NEW YORK 10601
(914) 422-1232 • FAX: (914) 422-1274

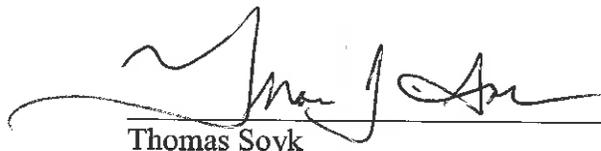
THOMAS M. ROACH
MAYOR

THOMAS J. SOYK, P.E., PTOE
DEPUTY COMMISSIONER

TO THE HONORABLE MAYOR AND MEMBERS OF THE
COMMON COUNCIL OF THE CITY OF WHITE PLAINS

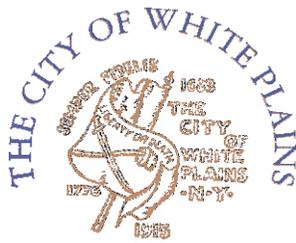
The Traffic Commission, at its meeting held on January 21, 2015, reviewed the request for an amendment to the Zoning Ordinance of the City of White Plains in relation to parking space requirements for larger retail centers outside of the Central Parking Area (CPA) as referred by the Common Council on January 5, 2015.

The Transportation Commission had no objection to the proposed changes.



Thomas Soyk
Acting Chairman

Dated: January 22, 2015 (for the February 2, 2015 Common Council Meeting)



ENVIRONMENTAL OFFICER

PLANNING DEPARTMENT • 70 CHURCH STREET • WHITE PLAINS, NEW YORK 10601
(914) 422-1300 • FAX: (914) 422-1301

THOMAS M. ROACH
MAYOR

ROD JOHNSON
ENVIRONMENTAL OFFICER

February 18, 2015

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: ZONING ORDINANCE AMENDMENT REGARDING PARKING
REQUIREMENTS FOR LARGER RETAIL USES OUTSIDE THE CENTRAL
PARKING AREA

The proposed amendment to the Zoning Ordinance to reduce the parking requirement for retail stores with at least 150,000 square feet of gross floor area in a single development site that are located outside the Central Parking Area (CPA) (the "Proposed Action") has been reviewed for compliance with the State Environmental Quality Review (SEQR) regulations.

The Proposed Action amends Zoning Ordinance Section 8.3, Schedule Parking and Loading Requirements, by adding, under Minimum Number of Parking Spaces, for "Stores for sales at retail or performance of customary personal services or services clearly incident to retail sales, including "cafes" and "real estate offices," but not including sales of automobile parts and accessories including installation at the point of sale," a new parking requirement of 4.0 for retail uses outside the CPA, having a gross floor area of at least 150,000 square feet within a single "development site."

At this time, it is recommended that the Common Council, as approving agency of the Proposed Action (a) designate itself to serve as the Lead Agency for the environmental review of the Proposed Action; (b) find the Proposed Action to be an Unlisted Action under SEQR regulations; (c) find that the Proposed Action when compared to the SEQR criteria of environmental effect, will not have a significant effect on the environment for the following reasons:

- (a) The Proposed Action is consistent with the White Plains Zoning Ordinance and the 1997 Comprehensive Plan.

The Zoning Ordinance requires the provision of adequate parking for retail uses. The Department of Parking / Traffic Division has recommended an amendment to the Zoning Ordinance to change the parking space requirements for larger retail centers outside of the Central Parking Area (CPA). The current requirement is 5.7 spaces per 1000 square feet of gross floor area which is appropriate for small scale isolated retail sites. For sites above 150,000 square feet which have their own separate parking facility a more appropriate rate is 4.0 spaces per 1000 square feet. This rate is consistent with recent Institute of Transportation Engineers (ITE)

parking generation rates of shopping centers at this size and reduces the construction of spaces that would get limited, if any use.

Throughout the Comprehensive Plan are recommendations to provide adequate parking for new development in order to reduce spillover parking into residential neighborhoods. As stated above, the ITE parking generation rates indicate that 4.0 spaces per 1,000s.f of gross retail floor area is adequate.

- (b) The Proposed Action should not cause a substantial adverse change in existing air quality, ground or surface water quality, traffic or noise levels, solid waste production levels or potential for erosion, flooding, leaching or drainage problems.

The amendment to the Zoning Ordinance does not itself represent a specific development proposal and will not without further applications result in a specific action that would alter the physical environment. Any subsequent application for construction on a specific site will require review for and compliance with municipal codes.

- (c) No large quantities of vegetation or fauna will be removed by the Proposed Action. No endangered species of plant or animal should be adversely affected by the Proposed Action. No other significant adverse impacts to natural resources will result from the Proposed Action.
- (d) The character or quality of important historical, archeological, architectural or aesthetic resources of the City or any neighborhood will not be adversely affected by the Proposed Action.

The amendment to the Zoning Ordinance does not itself represent a specific development proposal and will not without further applications result in a specific action that would alter the physical environment. Any subsequent application for construction on a specific site will require review for and compliance with municipal codes.

- (e) No major change in type or quantity of energy used will result from the Proposed Action.
- (f) No hazard to health or human safety will be created.

There is no reason to expect any hazard to human health or safety resulting from this Proposed Action. All development is subject to the appropriate municipal safety codes and approved by the Departments of Building, Public Safety, and Public Works.

- (g) The Proposed Action will not create a substantial change in the use, or intensity of use, of land or other natural resources or the area's capacity to support existing uses. It will not attract a significantly large number of people to the place, neighborhood or community.
- (h) The Proposed Action will not result in the creation of a material demand for other actions which would result in one of the above consequences.
- (i) The Proposed Action will not result in changes in two or more elements of the environment, no one of which has a significant effect on the environment, but which when taken together, result

in a substantial adverse impact on the environment.

- (j) The Proposed Action does not represent a change in two or more related actions that, when considered cumulatively, would result in substantial environmental impacts.
- (k) No significant impacts have been identified as a result of the Proposed Action when assessed in connection to its setting, duration, geographic scope, magnitude and number of people affected.

A resolution which makes these findings is offered for the Common Council's consideration.

Respectfully submitted,

A handwritten signature in black ink that reads "Rod Johnson". The signature is written in a cursive style with a large, stylized "R" and "J".

Rod Johnson
Environmental Officer

ENVIRONMENTAL FINDINGS RESOLUTION REGARDING A ZONING ORDINANCE AMENDMENT RELATED TO PARKING REQUIREMENTS FOR LARGER RETAIL USES OUTSIDE THE CENTRAL PARKING AREA.

WHEREAS, the proposed Zoning Ordinance amendment to reduce the parking requirement for retail stores with at least 150,000 square feet of gross floor area in a single development site that are located outside the Central Parking Area (CPA) (the "Proposed Action") has been reviewed for compliance with the State Environmental Quality Review (SEQR) regulations; and

WHEREAS, the Proposed Action amends Zoning Ordinance Section 8.3, Schedule Parking and Loading Requirements, by adding, under Minimum Number of Parking Spaces, for "Stores for sales at retail or performance of customary personal services or services clearly incident to retail sales, including "cafes" and "real estate offices," but not including sales of automobile parts and accessories including installation at the point of sale," a new parking requirement of 4.0 for retail uses outside the CPA, having a gross floor area of at least 150,000 square feet within a single "development site;" and

WHEREAS, the Environmental Officer has recommended that the Common Council, as approving agency of the Proposed Action (a) designate itself to serve as the Lead Agency for the environmental review of the Proposed Action: (b) find the Proposed Action to be an Unlisted Action under SEQR regulations; and (c) find that the Proposed Action when compared to the SEQR criteria of environmental effect, will not have a significant effect on the environment; and

WHEREAS, the Common Council has considered the proposed amendment and reports from the various City departments, boards or commissions and involved agencies, and public comments which, when considered together, constitute the Environmental Review Record which serves as a basis for the SEQR determination; now, therefore, be it

RESOLVED, based on the foregoing reasons, that the Common Council hereby designates itself Lead Agency for the environmental review of the Proposed Action; and be it further

RESOLVED, based on the foregoing reasons, that the Common Council hereby determines that the Proposed Action is an Unlisted Action under SEQR; and be it further

RESOLVED, based on the foregoing reasons, that the Common Council has examined the potential environmental effects of the Proposed Action and makes the following environmental findings:

- (a) The Proposed Action is consistent with the White Plains Zoning Ordinance and the 1997 Comprehensive Plan.

The Zoning Ordinance requires the provision of adequate parking for retail uses. The Department of Parking / Traffic Division has recommended an amendment to the Zoning Ordinance to change the parking space requirements for larger retail centers outside of the Central Parking Area (CPA). The current requirement is 5.7 spaces per 1000 square feet of

gross floor area which is appropriate for small scale isolated retail sites. For sites above 150,000 square feet which have their own separate parking facility a more appropriate rate is 4.0 spaces per 1000 square feet. This rate is consistent with recent Institute of Transportation Engineers (ITE) parking generation rates of shopping centers at this size and reduces the construction of spaces that would get limited, if any use.

Throughout the Comprehensive Plan are recommendations to provide adequate parking for new development in order to reduce spillover parking into residential neighborhoods. As stated above, the ITE parking generation rates indicate that 4.0 spaces per 1,000s.f of gross retail floor area is adequate.

- (b) The Proposed Action should not cause a substantial adverse change in existing air quality, ground or surface water quality, traffic or noise levels, solid waste production levels or potential for erosion, flooding, leaching or drainage problems.

The amendment to the Zoning Ordinance does not itself represent a specific development proposal and will not without further applications result in a specific action that would alter the physical environment. Any subsequent application for construction on a specific site will require review for and compliance with municipal codes.

- (c) No large quantities of vegetation or fauna will be removed by the Proposed Action. No endangered species of plant or animal should be adversely affected by the Proposed Action. No other significant adverse impacts to natural resources will result from the Proposed Action.
- (d) The character or quality of important historical, archeological, architectural or aesthetic resources of the City or any neighborhood will not be adversely affected by the Proposed Action.

The amendment to the Zoning Ordinance does not itself represent a specific development proposal and will not without further applications result in a specific action that would alter the physical environment. Any subsequent application for construction on a specific site will require review for and compliance with municipal codes.

- (e) No major change in type or quantity of energy used will result from the Proposed Action.
- (f) No hazard to health or human safety will be created.

There is no reason to expect any hazard to human health or safety resulting from this Proposed Action. All development is subject to the appropriate municipal safety codes and approved by the Departments of Building, Public Safety, and Public Works.

- (g) The Proposed Action will not create a substantial change in the use, or intensity of use, of land or other natural resources or the area's capacity to support existing uses. It will not attract a significantly large number of people to the place, neighborhood or community.
- (h) The Proposed Action will not result in the creation of a material demand for other actions

which would result in one of the above consequences.

- (i) The Proposed Action will not result in changes in two or more elements of the environment, no one of which has a significant effect on the environment, but which when taken together, result in a substantial adverse impact on the environment.
- (j) The Proposed Action does not represent a change in two or more related actions that, when considered cumulatively, would result in substantial environmental impacts.
- (k) No significant impacts have been identified as a result of the Proposed Action when assessed in connection to its setting, duration, geographic scope, magnitude and number of people affected; and be it further

RESOLVED, that, based on the foregoing findings, the Common Council determines that the Proposed Action will not have a significant effect on the environment; and be it further

RESOLVED, that the Environmental Officer is authorized to file the appropriate notice as required by SEQR.

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "THE ZONING ORDINANCE OF CITY OF WHITE PLAINS" WITH RESPECT TO THE PARKING REQUIREMENTS FOR "STORES FOR SALES AT RETAIL OR PERFORMANCE OF CUSTOMARY PERSONAL SERVICES OR SERVICES CLEARLY INCIDENT TO RETAIL SALES, INCLUDING "CAFES" AND "REAL ESTATE OFFICES," BUT NOT INCLUDING SALES OF AUTOMOBILE PARTS AND ACCESSORIES INCLUDING INSTALLATION AT THE POINT OF SALE".

The Common Council of The City of White Plains hereby ordains and enacts as follows:

Section 1. The Zoning Ordinance of the City of White Plains, adopted June 1, 1981, and amended to date, be, and it hereby is, further amended by amending the portion of Section 8.3 of the Zoning Ordinance which relates to the use category, "Stores for sales at retail or performance of customary personal services or services clearly incident to retail sales, including 'cafes' and 'real estate offices,' but not including sales of automobile parts and accessories including installation at the point of sale" (hereinafter "Retail Stores"), by adding a new parking requirement for the certain uses of "Retail Stores" of 4.0 spaces per 1,000 square feet of floor area, where the use is located outside of the Central Parking Area and has a gross floor area of at least 150,000 square feet, and the table included as part of Section 8.3 shall be amended in part to read as follows:

"USES"	MINIMUM NUMBER OF PER 1,000 sq.ft, prorated so that the requirement shall be the next highest integer	"PARKING SPACES Other
Stores for sales at retail or performance of customary personal services or services clearly incident to retail sales, including "cafes" and "real estate offices," but not including sales of automobile parts and accessories including installation at the point of sale	CPA: 3.3 B-6 District Only: 3.0 with no further adjustment for joint use pursuant to Section 8.5.3 <u>For uses outside of the CPA, having a gross floor area of at least 150,000 sq.ft within a single "development site":</u> <u>4.0</u> Other 5.7	

§2. This ordinance shall take effect immediately.



**"The Birthplace of the State of New York"
OFFICE OF THE MAYOR**

**THOMAS M. ROACH
MAYOR**

**t:914.422.1411
f:914.422.1395**

TO THE HONORABLE MEMBERS OF THE COMMON COUNCIL

Section 50 of the Charter of the City of White Plains provides that in the case of a temporary absence of the City Clerk, if there be no Deputy City Clerk, the Common Council may appoint an Acting City Clerk for the time being, who, on taking the required oath, shall possess the powers and perform the duties of the City Clerk during any absence from office. I am requesting that you appoint Corporation Counsel John G. Callahan to serve as City Clerk in the event of a temporary absence of the City Clerk Anne M. McPherson for the period March 2, 2015 through December 31, 2015. Mr. Callahan shall receive no additional salary and compensation for serving as City Clerk.

Submitted herewith for your consideration is an ordinance, in accordance with Section 50 of the White Plains Charter, authorizing such temporary appointment of a City Clerk.

Sincerely,

Thomas M. Roach
Mayor

Dated: February 11, 2015

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING PURSUANT TO SECTION 50 OF THE CHARTER OF THE CITY OF WHITE PLAINS THE APPOINTMENT OF CORPORATION COUNSEL AND CHIEF OF STAFF JOHN G. CALLAHAN AS CITY CLERK IN THE TEMPORARY ABSENCE OF THE CITY CLERK.

WHEREAS, Anne M. McPherson, City Clerk of the City of White Plains, will be temporarily absent from her position from time to time due to vacation plans and for other matters; and

WHEREAS, there is no present Deputy City Clerk for the City of White Plains; and

WHEREAS, Section 50 of the Charter of the City of White Plains provides that in case of the temporary absence of the City Clerk, if there be no Deputy City Clerk, the Common Council may appoint a City Clerk for the time being, who, on taking the required oath, shall possess the powers and perform the duties of City Clerk during the continuance of such absence from office; now, therefore,

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The Common Council of the City of White Plains hereby appoints Corporation Counsel and Chief of Staff John G. Callahan to serve as City Clerk in the temporary absence of City Clerk Anne M. McPherson from time to time in accordance with Section 50 of the Charter of the City of White Plains.

Section 2. Corporation Counsel and Chief of Staff John G. Callahan shall receive no additional salary and compensation for said City Clerk Office.

Section 3. This ordinance shall take effect immediately and shall expire at the close of business, December 31, 2015.

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DEPARTMENT OF PUBLIC WORKS

MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NEW YORK 10601
(914) 422-1206 • FAX: (914) 422-1469

THOMAS M. ROACH
MAYOR

JOSEPH J. NICOLETTI, Jr., P.E.
COMMISSIONER / CITY ENGINEER

RICHARD G. HOPE
1ST DEPUTY COMMISSIONER

BRIAN M. MURPHY
2ND DEPUTY COMMISSIONER

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS

We have again received a request from the St. Patrick's Day Parade Committee and the White Plains Business Improvement District (BID) for permission to conduct the annual White Plains St. Patrick's Day Parade, which will be held on Saturday, March 14, 2015 at Noon. The parade route will consist of our customary path from the Old Mamaroneck Road/Mamaroneck Avenue intersection, north along Mamaroneck Avenue to Main Street, with the ending point just past City Hall. The parade will consist of bands, marching groups and floats.

In addition, the following restaurant establishments along the parade route have requested a one-day permit on March 14, 2015, to operate their previously approved sidewalk cafes during the hours between Noon and 6:00 p.m. All applicable rules, regulations and insurance requirements would apply.

Hudson Grille	- 165 Mamaroneck Avenue
Black Bear	- 166 Mamaroneck Avenue
Brazen Fox	- 175 Mamaroneck Avenue
Copper Face Jacks	- 166B Mamaroneck Avenue
Lazy Boy Saloon & Lazy Lounge	- 154 Mamaroneck Avenue
Elements	- 161 Mamaroneck Avenue
Ron Blacks	- 181 Mamaroneck Avenue
Brother Jimmy's BBQ	- 147 Mamaroneck Avenue

The BID will secure insurance for the event, and it is understood that the Common Council desires to waive all Department of Public Works deposits and permit fees. Overtime costs incurred by the Departments of Public Works and Public Safety will be reimbursed to the City by the St. Patrick's Day Parade Committee.

In addition, the White Plains Business Improvement District (BID) wishes to hold a "Sidewalk Sale" in concert with this parade, in front of participating BID retailers during business hours.

Submitted for your deliberation is legislation authorizing the Mayor to direct the Commissioner of Public Works to issue the necessary permits for closure(s) of the public rights-of-way, to authorize café approvals and finally, parking restrictions from 12:01 a.m. until the parade's conclusion on March 14, 2015.

Respectfully submitted,

A handwritten signature in blue ink that reads "Joseph J. Nicoletti, Jr." with a stylized flourish at the end.

Joseph J. Nicoletti, Jr., P.E.
Commissioner of Public Works

Dated: March 2, 2015

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF
WHITE PLAINS AUTHORIZING THE CLOSURE OF CERTAIN PUBLIC STREETS
AND APPROPRIATE PARKING RESTRICTIONS ON MARCH 14, 2015 FOR A
SAINT PATRICK'S DAY PARADE SPONSORED BY THE WHITE PLAINS
SAINT PATRICK'S DAY PARADE COMMITTEE AND THE WHITE PLAINS
BUSINESS IMPROVEMENT DISTRICT (BID).

WHEREAS, the City of White Plains has received a request for a Saint Patrick's Day Parade from the White Plains Saint Patrick's Day Parade Committee and the White Plains Business Improvement District (BID) to be held on March 14, 2015, from approximately 12:00 p.m. until approximately 3:00 p.m.; and

WHEREAS, in addition, the following establishments along the parade route have requested a one-day permit on March 14, 2015, to operate their previously approved sidewalk cafes during the hours between noon and 6:00 p.m.:

Hudson Grille - 165 Mamaroneck Avenue
Black Bear - 166 Mamaroneck Avenue
Brazen Fox - 175 Mamaroneck Avenue
Copper Face Jacks - 166B Mamaroneck Avenue
Lazy Boy Saloon - 154 Mamaroneck Avenue
Elements Food & Spirits - 161 Mamaroneck Avenue
Ron Blacks - 181 Mamaroneck Avenue
Brother Jimmy's BBQ - 147 Mamaroneck Avenue; and

WHEREAS, the BID also wishes to hold a "Sidewalk Sale" in concert with the parade, in front of participating BID retailers during business hours; and

WHEREAS, the City of White Plains is desirous of supporting this event; now, therefore,

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The following streets shall be closed on Saturday, March 14, 2015 from 10:30 a.m. until 4:00 p.m., or as consistent with this schedule as practicable by the Department of Public Safety, for the purpose of a Saint Patrick's Day Parade sponsored by the White Plains Saint Patrick's Day Parade Committee and the White Plains Business Improvement District (BID):

Mamaroneck Avenue: (Bloomingdale Road to Main Street; Main Street to DeKalb/Shapham Avenues).

Main Street (Dr. Martin Luther King, Jr Boulevard to Broadway).

Court Street (Martine Avenue to Main Street)

E.J. Conroy Drive (Main Street to Hamilton Avenue; Hamilton Avenue to Main Street).

Quarropas Street (Mamaroneck Avenue to Court Street).

Carhart Avenue (Mamaroneck Avenue to Waller Avenue).

Rutherford Avenue (Mamaroneck Avenue to Greenridge Avenue).

Livingston Avenue (Waller Avenue to Greenridge Avenue).

Old Mamaroneck Road (Mamaroneck Avenue to Doyer Avenue).

Edgewood Street (Waller Avenue to Mamaroneck Avenue)

Waller Avenue (Mamaroneck Avenue to Edgewood Street).

South Broadway (Schuyler Place to Mamaroneck Avenue).

Marion Place (Mamaroneck Avenue to DeKalb Avenue).

Mitchell Place (Mamaroneck Avenue to South Broadway).

Section 2. Appropriate parking restrictions shall be enforced by the Department of Public Safety from 12:01 a.m. on March 14, 2015 until the parade's conclusion on March 14, 2015.

Section 3. The Mayor is hereby authorized to publish a public notice of any bus service or other public services being rescheduled or rerouted by reason of the temporary closing of the aforementioned streets for the Parade and further detailing specific traffic changes for the date involved.

Section 4. Any fee or deposit for the issuance of a roadway obstruction permit to the White Plains St. Patrick's Day Parade Committee and the White Plains Business Improvement District (BID), as may be required by an ordinance establishing Rules and Regulations for Sidewalks, Curbs and Driveways and Controlling Street Openings and Street Obstructions, is hereby waived. The BID, however, shall secure insurance for the event. Overtime costs incurred by the Departments of Public Works and Public Safety shall be reimbursed to the City by the St. Patrick's Day Parade Committee.

Section 5. The following restaurant establishments along the parade route are hereby granted a one-day permit on March 14, 2015, to operate the previously approved sidewalk cafes during the hours between noon and 6:00 p.m., and all applicable rules, regulations and insurance requirements shall apply:

Hudson Grille - 165 Mamaroneck Avenue

Black Bear - 166 Mamaroneck Avenue

Brazen Fox - 175 Mamaroneck Avenue

Copper Face Jacks - 166B Mamaroneck Avenue

Lazy Boy Saloon - 154 Mamaroneck Avenue

Elements Food & Spirits -161 Mamaroneck Avenue

Ron Blacks - 181 Mamaroneck Avenue

Brother Jimmy's BBQ - 147 Mamaroneck Avenue.

Section 6. The BID is also authorized to hold a "Sidewalk Sale" in concert with the parade, in front of participating BID retailers during business hours.

Section 7. No more than 40% of the width of any sidewalk shall be permitted to be occupied by equipment and/or merchandise or otherwise obstructed, in any event a clear, unobstructed passage not less than six (6) feet in width shall be maintained at all times. In addition, no motor vehicles of any kind may be operated or parked on any sidewalk.

Section 8. The operation of the parade is subject to the conditions set forth in the permit application from the Department of Public Works.

Section 9. This ordinance shall take effect immediately.



DEPARTMENT OF PUBLIC SAFETY
77 SOUTH LEXINGTON AVENUE • WHITE PLAINS, NEW YORK 10601
(914) 422-6400 • FAX: (914) 422-6373

DAVID E. CHONG
Commissioner
422-6350

JAMES M. BRADLEY
Chief of Police
422-6230

RICHARD L. LYMAN
Fire Chief
422-6360

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL OF
THE CITY OF WHITE PLAINS.

Dear Mayor and Common Council Members:

On February 3, 2014, the Department of Public Safety requested a temporary taxicab fuel surcharge of \$1.00 per trip, which expired on December 31, 2014.

The Department respectfully requests an extension of this surcharge commencing January 1, 2015 and expiring December 31, 2015.

Therefore, submitted for your consideration is an Ordinance amending Chapter 4-15 of the White Plains Municipal Code to provide a temporary surcharge of \$1.00 per trip, to expire on December 31, 2015.

Respectfully submitted,



David E. Chong
Commissioner of Public Safety

Dated: February 9, 2015

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AMENDING ARTICLE IV, ENTITLED, "RATES AND CHARGES," OF CHAPTER 4-15 OF THE WHITE PLAINS MUNICIPAL CODE, ENTITLED "TAXICABS," AT SECTION 4-15-71(j) WITH RESPECT TO A TEMPORARY FUEL SURCHARGE.

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. Section 4-15-71(j) of Article IV, entitled "Rates and Charges," of Chapter 4-15 of the White Plains Municipal Code, entitled "Taxicabs," as last amended on February 3, 2014, is hereby amended in its entirety to read as follows:

(j) Temporary surcharge. A temporary surcharge of one dollar (\$1.00) per trip is authorized to be collected during the period from the adoption of this ordinance until December 31, 2015.

Section 2. Notwithstanding Section 34 of the Charter of the City of White Plains to the contrary, this ordinance shall take effect January 1, 2015.

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DEPARTMENT OF FINANCE

Municipal Building - 255 Main Street - White Plains, New York 10601

TEL: (914) 422-1233 - Fax: (914) 422-1273

Thomas M. Roach
Mayor

Michael A. Genito
Commissioner of Finance

Carol Endres
Deputy Commissioner

To the Honorable Mayor and Members of the Common Council of the City of White Plains

On January 5, 2015, the Finance Department issued a request for proposals for other postemployment benefits (OPEB) actuarial and consulting services (RFP). The RFP provided for valuations to be performed for fiscal years ending June 30, 2015, 2016 and 2017, with the sole option of the City to extend the contract for each of the next two succeeding fiscal years ending June 30, 2018 and 2019. The RFP was sent to the 14 nationally-recognized actuarial firms. Three firms responded with an interest in providing these services to the City.

Annual valuations of OPEB are performed on alternating "full cycle" and "mid cycle" fiscal years. The full cycle fiscal year valuation is more in-depth and comprehensive than the mid cycle fiscal year valuation. The mid cycle fiscal year valuation is in essence an update to the information gathered and analyzed in the immediately preceding full cycle valuation year. The City's most recently completed OPEB valuation was for the full cycle fiscal year ended June 30, 2014.

Based on our review of three proposals received, it is the recommendation of this office that the City enter into a contract with Danziger & Markhoff LLP of 123 Main Street, White Plains, NY 10601 for OPEB actuarial and consulting services at the following rates:

Fiscal year ending June 30, 2015 (mid cycle)	\$1,725
Fiscal year ending June 30, 2016 (full cycle)	\$5,975
Fiscal year ending June 30, 2017 (mid cycle)	\$1,725
Fiscal year ending June 30, 2018 (full cycle)	\$5,975 at the sole option of the City
Fiscal year ending June 30, 2019 (mid cycle)	\$1,725 at the sole option of the City

Respectfully submitted,



Michael A. Genito
Commissioner of Finance

Dated: February 9, 2015
(For the Common Council Meeting of March 2, 2015)

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AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE COMMISSIONER OF FINANCE TO ENTER INTO A NEW THREE (3) YEAR AGREEMENT WITH DANZIGER & MARKHOFF LLP.

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The Mayor is hereby authorized to direct the Commissioner of Finance to enter into a new three (3) year agreement with Danziger & Markhoff, LLP, with offices located at 123 Main Street, White Plains, NY 10601, to perform other postemployment benefits (OPEB) actuarial and consulting services for fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017. The City has the option to extend the agreement for two (2) additional one (1) year terms for the fiscal years ending June 30, 2018 and June 30, 2019. The contract shall be in a form approved by the Corporation Counsel.

Section 2. The agreement for the above OPEB actuarial and consulting services shall be in the following amounts: for fiscal year ending June 30, 2015 - \$1,725; for fiscal year ending June 30, 2016 - \$5,975; and for fiscal year ending June 30, 2017- \$1,725. If the City should opt to extend the agreement, the amount for fiscal year ending June 30, 2018 shall be \$5,975 and for June 30, 2019, \$1,725.

Section 3. The Mayor is hereby further authorized to direct the Commissioner of Finance to disburse these funds accordingly.

Section 4. This ordinance shall take effect immediately.



YOUTH BUREAU
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THOMAS M. ROACH
Mayor

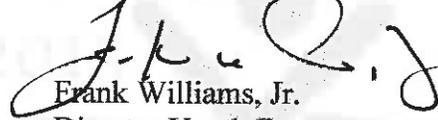
FRANK WILLIAMS, JR.
Executive Director

February 10, 2015

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL:

The City of White Plains Youth Bureau is proposing no increase to our fee based programs, the After School Connection Program, Vacation Camps and Bits & Pieces Tutorial Summer Camp for the 2015/16 fiscal year. The fees will be maintained at the FY2014/15 fee Schedule. Attached is the fee schedule for 2015/16. I am requesting that the Common Council authorize no fee increases for the 2015/16 fiscal year.

Respectfully submitted,


Frank Williams, Jr.
Director Youth Bureau

For : March 2, 2015 Common Council Meeting

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS ESTABLISHING AND APPROVING A SCHEDULE OF USER FEES FOR FY 2015-2016 FOR THE WHITE PLAINS YOUTH BUREAU.

WHEREAS, the Director of the Youth Bureau has recommended a schedule of User Fees for FY 2015-2016 for the various programs organized and operated by the Youth Bureau; and

WHEREAS, the User Fees will be maintained at the FY 2014-2015 fee schedule, as no increase in User Fees are being proposed by the Director of the Youth Bureau; and

WHEREAS, the total amount of User Fees estimated to be received by the Youth Bureau will be based on the proposed fee schedule filed with the City Clerk.

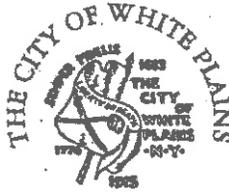
NOW THEREFORE, the Common Council hereby ordains and enacts as follows:

Section 1. The Common Council hereby establishes and approves the schedule of User Fees for FY 2015-2016, filed with the City Clerk, *attached hereto and made a part hereof*, for the various programs organized and operated by the Youth Bureau.

Section 2. This ordinance shall take effect July 1, 2015.

City of White Plains Youth Bureau
Fiscal Year 2015/16 -
Fee Schedule for Youth Bureau's Fee Based Programs

<u>Program Name:</u>	<u>FY 2014/15</u>	<u>FY 2015/16</u>
After School Connection - Full Fee	\$325.00	\$325.00
After School Connection - Reduced Fee	\$196.00	\$196.00
Bits & Pieces Camp - Full Fee	\$862.00	\$862.00
Bits & Pieces Camp - Reduced Fee	\$517.00	\$517.00
Vacation Camps	\$190.00	\$190.00



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THOMAS M. ROACH
Mayor

FRANK WILLIAMS, JR.
Executive Director

February 10, 2015

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL:

The Westchester County Invest In Kids Program has awarded the City of White Plains Youth Bureau \$105,000 to continue the *Higher Aims Program* for a period of three years starting January 1, 2015 to December 31, 2017, with a total budget of \$35,000 for each year of the program. This program will be conducted in both the High School and Middle Schools to provide youth in the City of White Plains with positive youth development after school services to strengthen their success and lead them on a path to college or work force. I am requesting that the Mayor be authorized to enter into a contract with the Westchester County to receive these funds. It is also requested that the Mayor authorize the Budget Director to amend the Fiscal Year 2014/15 Youth Development Fund as follows:

Increase Estimated Revenue:

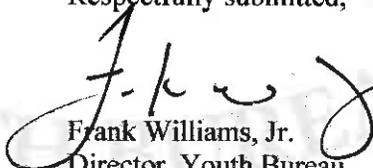
HAP15 - 02257	WC/Invest In Kids	<u>\$35,000</u>
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Increase Appropriations:

HAP15 - 1.800	Part Time Salary	\$25,403
HAP15 - 2.001	FICA	\$1,943
HAP15 - 2.020	MTA PR Tax	\$87
HAP15 - 2.101	NYS Emp. Pension	\$1,255
HAP15 - 4.910	Program Supplies	\$3,855
HAP15 - 4.970	Travel	\$2,457

Total **\$35,000**

Respectfully submitted,


Frank Williams, Jr.
Director, Youth Bureau

For: March 02, 2015 Common Council Meeting

AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A CONTRACT WITH THE WESTCHESTER COUNTY INVEST IN KIDS PROGRAM TO ACCEPT AN AWARD ON BEHALF OF THE CITY OF WHITE PLAINS (THROUGH ITS YOUTH BUREAU) TO OPERATE THE "HIGHER AIMS PROGRAM" FOR THE PERIOD OF JANUARY 1, 2015 THROUGH DECEMBER 31, 2017 AND TO AMEND THE FY 2014 - 2015 YOUTH DEVELOPMENT FUND TO REFLECT SAID AWARD.

The Common Council of The City of White Plains hereby ordains and enacts as follows:

Section 1. The Mayor, or his designee, is hereby authorized to enter into a contract with The Westchester County Invest In Kids Program to accept an award in the amount of \$35,000, on behalf of the City of White Plains (through its Youth Bureau), to operate the " Higher Aims Program" at the White Plains High School to provide White Plains youth with positive youth development after school services. The contract is for the period beginning January 1, 2015 and ending December 31, 2017. Said contract shall be in a form approved by the Corporation Counsel.

Section 2. The Mayor is hereby authorized to direct the Budget Director to amend the FY 2014 - 2015 Youth Development Fund as follows:

INCREASE ESTIMATED REVENUE:

HAP15 - 02257	WC/Invest In Kids	<u>\$35,000</u>
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INCREASE APPROPRIATIONS:

HAP15 - 1.800	Part-Time Salary	\$ 25,403
HAP15 - 2.001	FICA	1,943
HAP15 - 2.020	MTA PR Tax	87
HAP15 - 2.101	NYS Emp. Pension	1,255
HAP15 - 4.910	Program Supplies	3,855
HAP15 - 4.970	Travel	<u>2,457</u>
		<u>\$35,000</u>

Section 3. The Commissioner of Finance is hereby authorized to receive and disburse these funds for their intended purpose.

Section 4. This ordinance shall take effect January 1, 2015.



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THOMAS M. ROACH
Mayor

FRANK WILLIAMS, JR.
Executive Director

February 9, 2015

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL:

The Westchester County Invest In Kids Program has awarded the City of White Plains Youth Bureau \$135,000 to continue the "Step Up!" Program for a three year period starting January 01, 2015 to December 31, 2017 with a budget of \$45,000 for each of the program year. This program will address the needs of White Plains' most at-risk African American and Hispanic male youth. The program will include coordinating steering committee; outreach and case management; and youth-police partnership training. Step Up! Program will build community trust, skills and knowledge so that all youth have true opportunity for success. I am requesting that the Mayor be authorized to enter into a contract with the Westchester County to receive these funds. It is also requested that the Mayor authorize the Budget Director to amend the Fiscal Year 2014/15 Youth Development Fund as follows:

Increase Estimated Revenue:

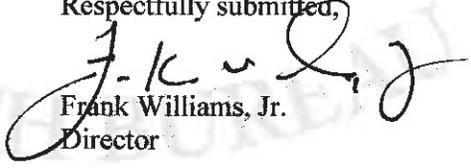
STEP15 - 02257	WC/Invest In Kids	<u>\$45,000</u>
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Increase Appropriations:

STEP15 - 1.800	Parttime Salary	\$33,444
STEP15 - 2.001	FICA	\$2,559
STEP15 - 2.020	MTA PR Tax	\$114
STEP15 - 4.910	Program Supplies	\$1,633
STEP15 - 4.940	Contracted Services	\$3,750
STEP15 - 4.970	Travel	\$3,500

Total **\$45,000**

Respectfully submitted,


Frank Williams, Jr.
Director

For: March 02, 2015 Council Meeting

AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A CONTRACT WITH THE WESTCHESTER COUNTY INVEST IN KIDS PROGRAM TO ACCEPT AN AWARD ON BEHALF OF THE CITY OF WHITE PLAINS (THROUGH ITS YOUTH BUREAU) TO OPERATE THE "STEP UP! PROGRAM" FOR THE PERIOD OF JANUARY 1, 2015 THROUGH DECEMBER 31, 2017 AND TO AMEND THE FY 2014 - 2015 YOUTH DEVELOPMENT FUND TO REFLECT SAID AWARD.

The Common Council of The City of White Plains hereby ordains and enacts as follows:

Section 1. The Mayor, or his designee, is hereby authorized to enter into a contract with The Westchester County Invest In Kids Program to accept an award in the amount of \$45,000, on behalf of the City of White Plains (through its Youth Bureau), to operate the "Step Up! Program". This program will address the needs of White Plains most at-risk African American and Hispanic male youth. The program will include a coordinating steer committee; outreach and case management; and youth-police partnership training. The contract is for the period beginning January 1, 2015 and ending December 31, 2017. Said contract shall be in a form approved by the Corporation Counsel.

Section 2. The Mayor is hereby authorized to direct the Budget Director to amend the FY 2014 - 2015 Youth Development Fund as follows:

INCREASE ESTIMATED REVENUE:

STEP15 - 02257	WC/Invest In Kids	<u>\$45,000</u>
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INCREASE APPROPRIATIONS:

STEP15 - 1.800	Part-time Salary	\$ 33,444
STEP15 - 2.001	FICA	2,559
STEP15 - 2.020	MTA PR Tax	114
STEP15 - 4.910	Program Supplies	1,633
STEP15 - 4.940	Contracted Services	3,750
STEP15 - 4.970	Travel	<u>3,500</u>
		<u>\$45,000</u>

Section 3. The Commissioner of Finance is hereby authorized to receive and disburse these funds for their intended purpose.

Section 4. This ordinance shall take effect January 1, 2015.

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**YOUTH BUREAU
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THOMAS M. ROACH
Mayor

FRANK WILLIAMS, JR.
Executive Director

February 9, 2015

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL:

The Westchester County Invest In Kids Program has awarded the City of White Plains Youth Bureau \$135,000 for *Healthy & Fit for Life Program* for a three year period starting January 1, 2015 and ending December 31, 2017, With a total budget of \$45,000 for each year of the program. The *Healthy & Fit for Life* program will encourage White Plains youth to incorporate good nutrition and fitness into their daily lives, provide life skills training to help them combat the risk factors that support negative behaviors and provide counseling support to address the barriers that prevent leading a safe, healthy, and drug free life. I am requesting that the Mayor be authorized to enter into a contract with the Westchester County to receive these funds. It is also requested that the Mayor authorize the Budget Director to amend the Fiscal Year 2014/15 Youth Development Fund as follows:

Increase Estimated Revenue:

HFL15 - 02257	WC/Invest In Kids	<u>\$45,000</u>
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Increase Appropriations:

HFL15 - 1.800	Part Time Salary	\$38,754
HFL15 - 2.001	FICA	\$2,965
HFL15 - 2.020	MTA PR Tax	\$132
HFL15 - 2.101	NYS Emp. Pension	\$966
HFL15 - 4.910	Program Supplies	\$1,183
HFL15 - 4.970	Travel	\$1,000

Total	<u>\$45,000</u>
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Respectfully submitted,

Frank Williams, Jr.
Director

For: March 02, 2015 Council Meeting

AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A CONTRACT WITH THE WESTCHESTER COUNTY INVEST IN KIDS PROGRAM TO ACCEPT AN AWARD ON BEHALF OF THE CITY OF WHITE PLAINS (THROUGH ITS YOUTH BUREAU) TO OPERATE THE "HEALTHY & FIT FOR LIFE PROGRAM" FOR THE PERIOD OF JANUARY 1, 2015 THROUGH DECEMBER 31, 2017 AND TO AMEND THE FY 2014 - 2015 YOUTH DEVELOPMENT FUND TO REFLECT SAID AWARD.

The Common Council of The City of White Plains hereby ordains and enacts as follows:

Section 1. The Mayor, or his designee, is hereby authorized to enter into a contract with The Westchester County Invest In Kids Program to accept an award in the amount of \$45,000, on behalf of the City of White Plains (through its Youth Bureau), to operate the "Healthy & Fit for Life Program." This program will encourage White Plains youth to incorporate good nutrition and fitness into their daily lives, provide life skills training to help them combat the risk factors that support negative behaviors and provide counseling support to address the barriers that prevent leading a safe, healthy, and drug free life. The contract is for the period beginning January 1, 2015 and ending December 31, 2017. Said contract shall be in a form approved by the Corporation Counsel.

Section 2. The Mayor is hereby authorized to direct the Budget Director to amend the FY 2014 - 2015 Youth Development Fund as follows:

INCREASE ESTIMATED REVENUE:

HFL15 - 02257	WC/Invest In Kids	<u>\$45,000</u>
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INCREASE APPROPRIATIONS:

HFL15 - 1.800	PartTime Salary	\$ 38,754
HFL15 - 2.001	FICA	2,965
HFL15 - 2.020	MTA PR Tax	132
HFL15 - 2.101	NYS Emp. Pension	966
HFL15 - 4.910	Program Supplies	1,183
HFL15- 4.970	Travel	<u>1,000</u>
		<u>\$45,000</u>

Section 3. The Commissioner of Finance is hereby authorized to receive and disburse these funds for their intended purpose.

Section 4. This ordinance shall take effect January 1, 2015.



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THOMAS M. ROACH
Mayor

FRANK WILLIAMS, JR.
Executive Director

February 10, 2015

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL:

On January 5th 2015, the Common Council enacted an ordinance accepting a grant from The New York State OASAS in the amount of \$181,299 to continue its Project Hope Program, providing alcohol and substance prevention services to the City of White Plains for the period January 01, 2015 to December 31, 2015. The New York State OASAS has funded an additional \$1,151 to increase the salary and fringe benefits for direct care staff for the period April 01, 2015 to December 31, 2015. The Youth Bureau is requesting to amend the New York State OASAS budget to reflect the additional funds of \$1,151 for a total grant amount of \$182,450. I am requesting that the Mayor and Common Council approve this amendment. It is also requested that the Mayor authorize the Budget Director to amend the Fiscal Year 2014/15 Youth Development Fund as follows:

		Current Budget	New Budget
<u>Increase Estimated Revenue:</u>			
	OAS15 - 02266 NYS OASAS	\$181,299	\$182,450
<u>Increase Appropriations:</u>			
	OAS15 - 1.200 CSEA Salaries & Wages	\$91,042	\$91,042
	OAS15 - 1.800 Part time Salaries	\$39,055	\$40,120
	OAS15 - 2.001 FICA	\$9,953	\$10,035
	OAS15 - 2.020 MTA PR Tax	\$443	\$447
	OAS15 - 2.101 NYS Emp. Pension	\$19,255	\$19,255
	OAS15 - 2.201 Employee Health Insurance	\$18,451	\$18,451
	OAS15 - 2.204 NYS Health Ins.		
	Admin Charge	\$25	\$25
	OAS15 - 2.301 Dental Insurance	\$1,240	\$1,240
	OAS15 - 2.407 Optical Insurance	\$346	\$346
	OAS15 - 4.910 Program Supplies	\$933	\$933
	OAS15 - 4.950 Direct Services	\$456	\$456
	OAS15 - 4.970 Travel Expense	\$100	\$100
	Total	\$181,299	\$182,450

Respectfully submitted,

Frank Williams, Jr.
Director

For: March 2, 2015 Common Council Meeting

AN ORDINANCE AMENDING AN ORDINANCE ADOPTED JANUARY 5, 2015, ENTITLED, "AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE COUNTY OF WESTCHESTER (DEPARTMENT OF COMMUNITY MENTAL HEALTH) IN ORDER TO RECEIVE \$181,299 IN FUNDING TO CONTINUE THE PROJECT HOPE PROGRAM THROUGH THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES (OASAS) PROVIDING ALCOHOL AND SUBSTANCE PREVENTION SERVICES TO THE CITY OF WHITE PLAINS."

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. On January 5, 2015, the Common Council of the City of White Plains adopted an ordinance accepting a grant from the New York State OASAS in the amount of \$181,299 to continue its Project Hope Program, providing alcohol and substance prevention services to the City of White Plains for the period January 1, 2015 to December 31, 2015. The New York state OASAS has funded an additional \$1,151 to increase the salary and fringe benefits for direct care staff for the period April 1, 2015 to December 31, 2015.

Section 2. To reflect the aforementioned additional \$1,151 funding from the New York State OASAS, Section 1 of an ordinance adopted January 5, 2015 entitled, "An Ordinance of the Common Council of the City of White Plains Authorizing the Mayor to Enter into a Contract with the County of Westchester (Department of Community Mental Health) in order to Receive \$181,299 in Funding to Continue the Project Hope Program through the New York State Office of

Alcoholism and Substance Abuse Services (OASAS) Providing Alcohol and Substance Prevention Services to the City of White Plains,” is hereby amended to read as follows:

Section 1. The Mayor is hereby authorized to enter into a contract with the County of Westchester (Department of Community Mental Health) in order to receive funding for Project Hope through the New York State Office of Alcohol and Substance Abuse Services (OASAS) in the amount of [~~\$181,299~~] \$182,450, for the period beginning January 1, 2015 and ending December 31, 2015, to provide alcohol and substance prevention services to the City of White Plains through its Youth Bureau. Said contract shall be in a form approved by the Corporation Counsel.

Section 3. Section 2 of an ordinance adopted January 5, 2015, entitled, “An Ordinance of the Common Council of the City of White Plains Authorizing the Mayor to Enter into a Contract with the County of Westchester (Department of Community Mental Health) in order to Receive \$181,299 in Funding to Continue the Project Hope Program through the New York State Office of Alcoholism and Substance Abuse Services (OASAS) Providing Alcohol and Substance Prevention Services to the City of White Plains,” is hereby amended to read as follows:

Section 2. The Mayor is further authorized to direct the Budget Director to amend the Fiscal Year 2014/15 Youth Development Fund as follows:

Increase Estimated Revenues:

OAS15-02266	NYS OASAS	<u>[\$181,299]</u> <u>\$182,450</u>
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Increase Appropriations:

OAS15-1.200	CSEA Salaries & Wages	\$91,042	
OAS15-1.800	Part-time Salaries	[39,055]	<u>40,120</u>
OAS15-2.001	FICA	[9,953]	<u>10,035</u>
OAS15-2.020	MTA PR Tax	[443]	<u>447</u>
OAS15-2.101	NYS Emp. Pension	19,255	
OAS15-2.201	Employee Health Insurance	18,451	
OAS15-2.204	NYS Health Ins. Admin Charge	25	
OAS15-2.301	Dental Insurance	1,240	
OAS15-2.407	Optical Insurance	346	
OAS15-4.910	Program Supplies	933	
OAS15-4.950	Direct Services	456	
OAS15-4.970	Travel Expenses	<u>100</u>	
		<u>[\$181,299]</u>	<u>\$182,450</u>

Section 4. All other provisions of the aforementioned ordinance adopted January 5, 2015, shall remain in full force and effect.

Section 5. This ordinance shall take effect April 1, 2015.



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THOMAS M. ROACH
Mayor

FRANK WILLIAMS, JR.
Executive Director

February 10, 2015

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

On October 06, 2014, the Common Council enacted an ordinance accepting a grant from the Substance Abuse and Mental Health Services Administration (SAMHSA) in the amount of \$125,000 to support the White Plains Care Coalition from 9/30/2014 to 9/29/2015. The Youth Bureau is requesting to amend the budget to reflect an additional \$7,333 carried forward from FY 2013/14 for a total grant amount of \$132,333 for the FY 2014/15. We are requesting that the Mayor and the Common Council approve this amendment. It is also requested that the Mayor authorize the Budget Director to amend the Fiscal Year 2014/15 Youth Development Fund as follows:

Increase Estimated Revenue:

		Current Budget	New Budget
DFC15 -- 02220	US Health & Human Services Grant	<u>\$125,000</u>	\$132,333
<u>Increased Appropriations:</u>			
DFC15 1.200	CSEA Salaries & Wages	\$8,427	\$8,427
DFC15 1.800	Part time Salaries	\$16,200	\$16,200
DFC15 2.001	FICA	\$1,884	\$1,884
DFC15 2.020	MTA PR Tax	\$84	\$84
DFC15 2.101	NYS Emp. Pension	\$4,443	\$4,443
DFC15 4.910	Supplies	\$5,861	\$5,861
DFC15 4.940	Contracted Services	\$60,867	\$60,867
DFC15 4.950	Direct Costs	\$21,984	\$29,317
DFC15 4.970	Travel Expense	<u>\$5,250</u>	<u>\$5,250</u>
	Total	<u>\$125,000</u>	<u>\$132,333</u>

Respectfully Submitted,

Frank Williams, Jr.
Director

For: March 2, 2015 Common Council Meeting

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AN ORDINANCE AMENDING AN ORDINANCE ADOPTED OCTOBER 6, 2014, ENTITLED "AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A CONTRACT WITH THE US DEPARTMENT OF HEALTH AND HUMAN SERVICES, SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION (SAMHSA), TO RECEIVE A DRUG FREE COMMUNITIES GRANT IN THE AMOUNT OF \$125,000 AND TO AUTHORIZE THE BUDGET DIRECTOR TO AMEND THE FY 2014-2015 YOUTH DEVELOPMENT FUND TO REFLECT THIS GRANT."

The Common Council of The City of White Plains hereby ordains and enacts as follows:

Section 1. The caption of an ordinance adopted by the Common Council of the City of White Plains on October 6, 2014, entitled, "An Ordinance Authorizing the Mayor or His Designee to Enter into a Contract with the US Department of Health and Human Services, Substance Abuse and mental Health Services Administration (SAMHSA), to to Receive a Drug Free Communities Grant in the Amount of \$125,000 and to Authorize the Budget Director to Amend the FY 2014-2015 Youth Development Fund to Reflect this Grant," is hereby amended to read as follows:

"An Ordinance Authorizing the Mayor or His Designee to Enter into a Contract with the US Department of Health and Human Services, Substance Abuse and mental Health Services Administration (SAMHSA), to to Receive a Drug Free Communities Grant in the Amount of [\$125,000] \$132,333 and to Authorize the Budget Director to Amend the FY 2014-2015 Youth Development Fund to Reflect this Grant."

Section 2. Section 1 of the aforementioned ordinance adopted by the Common Council on October 6, 2014, is hereby amended to read as follows:

Section 1. The Mayor or his designee, is hereby authorized to enter into a contract with the US Department of Health and Human Services, Substance Abuse and Mental Health

4/2

Services Administration (SAMHSA), in order to receive a Drug Free Communities Grant in the amount of [~~\$125,000~~] \$132,333 to provide substance abuse prevention services to White Plains youth in support of the *White Plains Care Coalition*. The contract period is September 30, 2014 to September 29, 2015. Said contract shall be in a form to be approved by the Corporation Counsel.

Section 3. Section 2 of the aforementioned ordinance adopted by the Common Council on October 6, 2014, is hereby amended to read as follows:

Section 2. The Mayor is hereby authorized to direct the Budget Director to amend FY 2014-2015 Youth Development Fund as follows:

INCREASE ESTIMATED REVENUE:

DFC15 - 02220	US Health & Human Services Grant	<u>[\$125,000]</u> <u>\$132,333</u>
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INCREASED APPROPRIATIONS:

DFC15 - 1.200	CSEA Salaries & Wages	\$ 8,427
DFC15 - 1.800	Part-Time Salaries	16,200
DFC15 - 2.001	FICA	1,884
DFC15 - 2.020	MTA PR Tax	84
DFC15 - 2.101	NYS Employee Pension	4,443
DFC15 - 4.910	Supplies	5,861
DFC15 - 4.940	Contracted Services	60,867
DFC15- 4.950	Direct Costs	<u>[21,984]</u> <u>29,317</u>
DFC15 - 4.970	Travel Expense	<u>5,250</u>
		<u>\$125,000</u> <u>\$132,333</u>

Section 4. All of the remaining provisions of the aforementioned ordinance adopted by the Common Council on October 6, 2014, shall remain in full force and effect.

Section 5. This ordinance shall take effect September 30, 2014.



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THOMAS M. ROACH
Mayor

FRANK WILLIAMS, JR.
Executive Director

February 10, 2015

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL:

On January 5, 2015 the Common Council enacted an ordinance to amend contract for The Westchester Clubmen Foundation by increasing the grant from \$25,000 to \$45,000 to operate the Clubmen Higher Aims Program at the White Plains Middle Schools and High School for the period October 01, 2014 through June 30, 2015. The New York Community Trust at the request of Charles L. Gleason, III from the Long Island Community Foundation, The Gleason Family fund, awarded a one-time grant in the amount of \$1,000 to support the Youth Bureau's Clubmen Higher Aims Program. I am requesting that the Mayor be authorized to enter into a contract with The New York Community Trust to receive these funds and it is also requested that the Mayor authorize the Budget Director to amend the Higher Aims Program Budget by increasing the funding from \$45,000 to \$46,000 and that the Mayor authorize the Budget Director to amend the Fiscal Year 2014/15 Youth Development Funds as follows:

Increase Estimated Revenue:

		Current Budget	Revised Budget	Difference	Change
HAIMS - 06275	Contributions - The Gleason Family Fund	<u>\$45,000</u>	\$46,000	+\$1,000	Increase
<u>Increased Appropriations:</u>					
HAIMS - 1.800	Part Time Salaries	\$35,000	\$35,000	+\$0	No Change
HAIMS - 2.001	FICA	\$2,678	\$2,678	+\$0	No Change
HAIMS - 2.020	MTA PR Tax	\$119	\$119	+\$0	No Change
HAIMS - 2.101	NYS Emp. Pension	\$1,203	\$1,203	+\$0	No Change
HAIMS - 3.011	Program Supplies	\$3,000	\$3,300	+\$300	Increase
HAIMS - 4.019	Bus Transportation	\$1,000	\$1,000	+\$0	No Change
HAIMS - 4.023	Program Services	<u>\$2,000</u>	<u>\$2,700</u>	<u>+\$700</u>	Increase
	TOTAL	<u>\$45,000</u>	<u>\$46,000</u>	<u>+\$1,000</u>	Increase

Respectfully submitted,

Frank Williams, Jr.
Director, Youth Bureau

For: March 2, 2015 Common Council Meeting

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AN ORDINANCE AMENDING AN ORDINANCE ADOPTED JANUARY 5, 2015, ENTITLED, "AN ORDINANCE AMENDING AN ORDINANCE ADOPTED OCTOBER 6, 2014, ENTITLED "AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A CONTRACT TO ACCEPT, ON BEHALF OF THE CITY OF WHITE PLAINS (YOUTH BUREAU), AN AWARD FROM THE WESTCHESTER CLUBMEN FOUNDATION TO BE USED TO OPERATE THE CLUBMEN HIGHER AIMS PROGRAM AND TO AUTHORIZE THE BUDGET DIRECTOR TO AMEND THE FY 2014-2015 YOUTH DEVELOPMENT FUND TO REFLECT THIS AWARD".

The Common Council of The City of White Plains hereby ordains and enacts as follows:

Section 1. On January 5, 2015, the Common Council of the City of White Plains adopted an ordinance to amend the contract for the Westchester Clubmen Foundation by increasing the grant from \$25,000 to \$45,000 to operate the Clubmen Higher Aims Program at the White Plains Middle Schools and High School for the period October 1, 2014 through June 30, 2015. Subsequently, the New York Community Trust at the request of Charles L. Gleason, III from the Long Island Community Foundation, the Gleason Family Fund, awarded a one-time grant in the amount of \$1,000 to support the Youth Bureau's Clubmen Higher Aims Program.

Section 2. To reflect the aforementioned \$1,000 one-time grant from the Gleason Family Fund for the Clubmen Higher Aims Program, Section 1 of an ordinance adopted January 5, 2015, entitled, "An Ordinance Amending an Ordinance Adopted October 6, 2014, Entitled "An Ordinance of the Common Council of the City of White Plains Authorizing the Mayor, or his Designee, to Execute a Contract to Accept, on behalf of the City of White Plains (Youth Bureau), an Award from the Westchester Clubmen Foundation to Be Used to Operate the Clubmen Higher Aims Program and to Authorize the Budget Director to Amend the FY 2014-2015 Youth

HH

Development Fund to Reflect this Award,” is hereby amended to read as follows:

Section 1. The Mayor, or his designee, is hereby authorized to accept, on behalf of the City of White Plains (Youth Bureau), an award in the amount of [~~\$45,000~~] \$46,000 from the Westchester Clubmen Foundation and execute a contract in regard to same. Said award will be used to operate the Clubmen Higher Aims Program at the White Plains Middle Schools and the High School to provide positive youth development after school services to strengthen their success and lead them on a path to college or work careers. The contract period is October 1, 2014 through June 30, 2015. The contract shall be in a form approved by the Corporation Counsel.

Section 3. Section 2 of an ordinance adopted January 5, 2015, entitled, “An Ordinance Amending an Ordinance of the Common Council of the City of White Plains Authorizing the Mayor, or his Designee, to Execute a Contract to Accept, on behalf of the City of White Plains (Youth Bureau), an Award from the Westchester Clubmen Foundation to Be Used to Operate the Clubmen Higher Aims Program and to Authorize the Budget Director to Amend the FY 2014-2015 Youth Development Fund to Reflect this Award,” is hereby further amended to read as follows.

Section 2. In order to record the receipt and expenditures of this award, the Mayor is hereby authorized to direct the Budget Director to amend the FY 2014 - 2015 Youth Development Fund, as follows:

INCREASE ESTIMATED REVENUE:

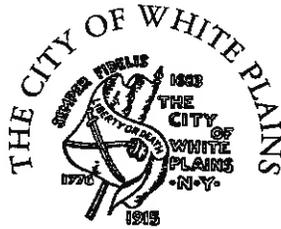
HAIMS - 06275	Contributions - Higher Aims The Gleason Family Fund	<u>[\$45,000]</u>	<u>\$46,000</u>
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INCREASE APPROPRIATIONS:

HAIMS - 1.800	Part Time Salaries	\$35,000	
HAIMS - 2.001	FICA	2,678	
HAIMS - 2.020	MTA PR Tax	119	
HAIMS - 2.101	NYS Emp. Pension	1,203	
HAIMS - 3.011	Program Supplies	[3,000]	<u>3,300</u>
HAIMS - 4.019	Bus Transportation	1,000	
<u>HAIMS - 4.023</u>	<u>Program Services</u>	<u>[2,000]</u>	<u>2,700</u>
	Total	[\$45,000]	<u>\$46,000</u>

Section 4. All other provisions of the aforementioned ordinance adopted January 5, 2015, shall remain in full force and effect.

Section 5. This ordinance shall take effect October 1, 2014.



TRANSPORTATION COMMISSION
255 MAIN STREET - ANNEX BUILDING • WHITE PLAINS, NEW YORK 10601
(914) 422-1232 • FAX: (914) 422-1274

THOMAS M. ROACH
MAYOR

THOMAS J. SOYK, P.E., PTOE
DEPUTY COMMISSIONER

TO THE HONORABLE MAYOR AND MEMBERS OF THE
COMMON COUNCIL OF THE CITY OF WHITE PLAINS

Submitted herewith is an ordinance amending the Traffic Ordinance of the City of White Plains as follows;

- 1.) Delete a "Fifteen Minute Parking" zone on the south side of Lyon Place as described in Section 209 Subdivision 6.
- 2.) Delete a "Fifteen Minute Parking" zone on the north side of Lyon Place as described in Section 209 Subdivision 16.
- 3.) Create a "Thirty Minute Parking" zone on both sides of Lyon Place as described in Section 209-e Subdivision 1.
- 4.) Create a "No Parking 10:00 A.M. to 11:00 A.M. Monday thru Friday" zone on both sides of Hawley Street as described in Section 224-c Subdivision 17.

This amendment is in accordance with the recommendations of the Transportation Commission and is to become effective upon adoption by the Common Council.

Thomas Soyk
Acting Chairman

Dated: February 19, 2015 (for the March 2, 2015 Common Council Meeting)

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AN ORDINANCE AMENDING THE TRAFFIC ORDINANCE OF THE CITY OF WHITE PLAINS IN RELATION TO DELETING A “FIFTEEN MINUTE PARKING” ZONE ON THE SOUTH SIDE OF LYON PLACE; DELETING A “FIFTEEN MINUTE PARKING” ZONE ON THE NORTH SIDE OF LYON PLACE; CREATING A “THIRTY MINUTE PARKING” ZONE ON BOTH SIDES OF LYON PLACE; AND CREATING A “NO PARKING 10:00 A.M. TO 11:00 A.M. MONDAY THRU FRIDAY” ZONE ON BOTH SIDES OF HAWLEY STREET.

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Fifteen Minute Parking

Section 1. Subdivisions 6 and 16 of Section 209 of Article II of an ordinance adopted by the Common Council of the City of White Plains on the third day of September 1946, entitled, “An ordinance regulating traffic in the City of White Plains and providing penalties for the violations of its provisions,” as last amended on the 2nd day of December 2013, is hereby deleted in its entirety as follows:

~~6. Lyon Place, on the south side, for approximately 160 feet beginning at a point approximately 130 feet east of Waller Avenue.~~

~~16. Lyon Place, on the north side for a distance of approximately 75 feet beginning at a point approximately 50 feet west of South Broadway.~~

Thirty Minute Parking

Section 2. Article II of said ordinance, as last amended on the 2nd day of February 2015, is hereby amended by adding new Section 209-e, subdivision 1, to read as follows:

Section 209-e. THIRTY MINUTE PARKING.

Except in an emergency or in compliance with the directions of a peace officer or traffic control signal or sign, no vehicle shall be parked for a period of more than thirty minutes on the following streets in the City of White Plains:

1. Lyon Place, on the south side for approximately 160 feet beginning at a point approximately 130 feet east of Waller Avenue, and on the north side for a distance of approximately 75 feet beginning at a point approximately 50 feet west of South Broadway.

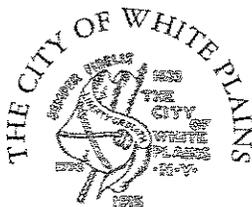
No Parking 10:00 A.M. to 11:00 A.M. Monday Thru Friday

Section 3. Section 224-c of Article II of said ordinance, as last amended on the seventh day of January 2013, is hereby amended by adding a new Subdivision 17 to read as follows:

17. Hawley Street, both sides between Battle Avenue and Trenton Avenue.

Section 4. This ordinance shall take effect immediately.

THOMAS M. ROACH
MAYOR



DEPARTMENT OF BUILDING

70 Church Street, White Plains, New York 10601

Phone: (914) 422 - 1269 * Fax: (914) 422 - 1471

Damon A. Amadio, P.E.
Commissioner

Kevin M. Hodapp, P.E.
Deputy Commissioner

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

Subsequent to the February 2, 2015 Common Council referral of the proposed Zoning Ordinance and Municipal Code amendments associated with cabarets, the Department of Building, in conjunction with other City departments reevaluated certain provisions of the amendments. This was a result of meetings with interested parties as well as interdepartmental discussion. Attached are the modified proposed amendments to the Zoning Ordinance and the Municipal Code for your consideration.

The Department of Building recommends approval of the amendments to the Zoning Ordinance with the following clarifying sentence added to the end of section 6.7.10:

It shall be unlawful for an owner, operator, proprietor, manager or person in charge of any cabaret to alter or deviate from the approved site plan or floor layout.

The Department of Building further recommends approval of the amendments to the Municipal Code with the following modifications:

1. Add the following definition to section 4-4-2 (Definitions):
"Net Floor Area"-. "Net Floor Area" shall mean the floor area of a premises open to the public excluding bathroom facilities;
2. Revise section 4-4-3 (Operating Hours) to allow the cabaret to be in operation until 3 AM;
3. Revise section 4-4-5 (Nudity) to include buttocks;
4. Revise section 4-4-6 (Sound Amplification) to eliminate the terminology "range from 80 db to....". The maximum permitted sound level at any time shall now be 85 db as measured at a reasonable distance not less than seven (7) nor more than fifteen (15) feet from the premises of the cabaret establishment; and
5. Introduce a new section 4-4-8 (Employee Roster) to read: "It shall be unlawful for an owner, operator, proprietor, manager or person in charge of any cabaret fail to maintain a roster, which contains the name, address and telephone number of all employees, excluding kitchen and wait-staff, working at any given time when such cabaret is open. Such roster shall be maintained on the premises of the cabaret for six (6) months and available for inspection by the Department of Public Safety promptly upon request."

In addition to the above we have also attached a resolution scheduling a public hearing on this legislation.

"THE BIRTHPLACE OF THE STATE OF NEW YORK"

<http://www.cityofwhiteplains.com>

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THOMAS M. ROACH
MAYOR



DEPARTMENT OF BUILDING

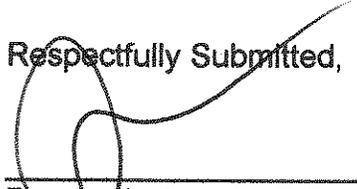
70 Church Street, White Plains, New York 10601

Phone: (914) 422 - 1269 * Fax: (914) 422 - 1471

Damon A. Amadio, P.E.
Commissioner

Kevin M. Hodapp, P.E.
Deputy Commissioner

Respectfully Submitted,



Damon A. Amadio P.E.
Commissioner of Building

DATED: February 26, 2015

(for the March 2, 2015 Common Council Meeting)

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED
"THE ZONING ORDINANCE OF THE CITY OF WHITE PLAINS"
WITH RESPECT TO SPECIAL PERMIT USES IN NON-
RESIDENTIAL DISTRICTS, REVISING THE DEFINITION OF
"CABARET" AND ADDING THE DEFINITION OF "PRIMARY
CABARET" AND "ACCESSORY CABARET".

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The Zoning Ordinance of the City of White Plains, as adopted June 1, 1981 and as amended to date, be and it hereby is amended to revise the provisions regulating "cabarets" as follows:

- A. Section 2.4 Definitions.
is hereby amended in its entirety to read as follows:

"Cabaret"

Any room, space or area used in connection with a business enterprise, in which musical entertainment, singing, dancing or other form of amusement by performers and/or by patrons ("Entertainment") is allowed. A "cabaret" is only permitted in connection with a "restaurant." However, the following shall not constitute a "cabaret":

A "restaurant" or "bar" located in a "hotel" having more than 50 sleeping rooms; or
A "restaurant" or "café" that provides incidental Entertainment, without dancing,
either by:

- electrical devices such as, but not limited to stereos, radios or media players, but not including music provided by a disc jockey;
- not more than four (4) persons playing non-amplified music; or
- a person with or without a portable low-wattage amplifier associated with a single instrument or microphone.

"Cabaret, Accessory"

A "cabaret" in which the Entertainment and/or dancing do not, in the aggregate, occupy more than 40% of the Net Floor Area of the principal business of a "restaurant."

"Cabaret, Primary"

A "cabaret" in which the Entertainment and/or dancing, in the aggregate, occupy more than 40% of the Net Floor Area of the principal business of a "restaurant."

"Net Floor Area"

The floor area of a premises open to the public excluding bathroom facilities.

"Restaurant"

A business enterprise primarily engaged in preparing, cooking, and serving food and beverages on premises; selected from a full menu by patrons seated at a table or counter;

served by a waiter or waitress; and consumed on the premises. See also "Cafeteria," "Cabaret," and "Fast Food Eating Establishment."

B. Section 5.1, Schedule of "Use" Regulations: Non-Residential, is hereby amended by adding the word "Accessory" before "Cabaret" and adding a column under "Accessory Cabaret" labeled "Primary Cabaret" as shown on the attached Schedule.

C. Section 6.2.1.16 "Cabarets" is hereby amended to read "Primary and Accessory Cabarets."

D. Section 6.7.8 Outdoor Dining, is hereby amended to read as follows:

6.7.8.1 Outdoor "cabarets," ~~outdoor dining in conjunction with a "cabaret"~~ and outdoor dining in conjunction with "fast food eating establishments" are specifically prohibited.

E. Section 6.7.10 "Cabarets" is hereby amended to read as follows:

6.7.10.1 Each applicant shall submit floor plan(s) prepared and signed/sealed by a New York State Design Professional in accordance with the following:

6.7.10.1.1 The plans shall be drawn to scale, be legible and be no smaller than 11x17;

6.7.10.1.2 Indicate the area for any proposed dance floor including the square footage;

6.7.10.1.3 Indicate the area for any proposed DJ, band or entertainer including the square footage;

6.7.10.1.4 Indicate all tables and seating (permanent or fixed);

6.7.10.1.5 Indicate the code required egress paths through the space to each legal exit. The egress paths shall not traverse areas identified for Entertainment purposes. The paths shall be clearly identified by shading or cross hatching on the plan(s);

6.7.10.1.6 Provide occupancy calculations for the restaurant configuration and cabaret configuration. Egress path square footage shall be excluded when calculating occupancy. Any proposed occupancy of 300 persons will require a smoke purge system in accordance with the White Plains Building Code; and

6.7.10.1.7 The temporary storage of tables and/or seating shall be identified on the plan(s) if the creation of a "cabaret" requires the relocation of these items.

It shall be unlawful for an owner, operator, proprietor, manager or person in charge of any "cabaret" to alter or deviate from the approved site plan or floor layout.

6.7.10.2 "Cabarets" shall not be located within 150 feet of any residential district, nor within 200 feet of any "lot line" of a place of worship, hospital, "domiciliary care facility" or "community residence," nor shall any "primary cabaret" be located within 300 feet of any "dwelling unit."

6.7.10.3 "Cabarets" shall only be located at grade level.

6.7.10.4 The special permit may be renewed by the Commissioner of Building in accordance with Section 6.6.5, provided that the Commissioner shall have the authority to decline the renewal based on any violation of this section 6.7.10, the Municipal Code Title IV, Chapter 4-4, or of any conditions set forth in the special permit resolution adopted by the Common Council.

6.7.10.5 A special permit to operate a "cabaret" may be suspended or revoked after a hearing, with at least five days notice to the special permit holder, held by the Commissioner of Building, the Chief of Fire and the Chief of Police, or their duly appointed representative, whereby it is determined that there was a violation of: this section 6.7.10; the Municipal Code Title IV, Chapter 4-4; any conditions set forth in the special permit resolution; or that the operation of the "cabaret" poses a detriment to the health, safety and welfare of the neighborhood or community.

§ 2. This Ordinance shall take effect immediately.

Section 5.1 Schedule of "Use" Regulations: Non-Residential

"Uses"	C-O	O-R	B-1	B-2	B-3	BR-1	BR-2	CB-1	CB-2	CB-3	CB-4	UR-4	B-6	LI
"Primary Cabaret"								SP	SP	SP	SP	SP		SP

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS
AMENDING TITLE IV OF THE WHITE PLAINS MUNICIPAL CODE ENTITLED "CABARETS"
BY AMENDING ARTICLE I OF CHAPTER 4-4 IN ITS ENTIRETY AND AMENDING SECTION
4-4-30 OF ARTICLE II OF CHAPTER 4-4.

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. Article I of Title IV, Chapter 4-4, of the White Plains Municipal Code, last amended by ordinance adopted February 6, 2006, is hereby amended, in its entirety, as follows:

A. Sec. 4-4-1. Purpose and Construction.

This chapter shall be deemed an exercise of the police power of the state and of the city for the protection of the economic and social welfare, health, peace and morals of the people of the city and all its provisions shall be liberally construed for the accomplishment of that purpose.

B. Sec. 4-4-2 Definitions.

Cabaret: Any room, space or area used in connection with a business enterprise, in which musical entertainment, singing, dancing or other form of amusement by performers and/or by patrons ("Entertainment") is allowed. A "cabaret" is only permitted in connection with a "restaurant." However, the following shall not constitute a cabaret:

A restaurant or bar located in a hotel having more than 50 sleeping rooms; or

A restaurant or café that provides incidental Entertainment, without dancing, either by:

- electrical devices such as, but not limited to stereos, radios or media players, but not including music provided by a disc jockey; or
- not more than four (4) persons playing non-amplified music; or
- a person with or without a portable low-wattage amplifier associated with a single instrument or microphone.

Accessory Cabaret: A "cabaret" in which the Entertainment and/or dancing do not, in the aggregate, occupy more than 40% of the Net Floor Area of the principal business of a "restaurant."

Primary Cabaret: A "cabaret" in which the Entertainment and/or dancing, in the aggregate, occupy more than 40% of the Net Floor Area of the principal business of a "restaurant."

"Net Floor Area"

The floor area of a premises open to the public excluding bathroom facilities.

Restaurant: a "restaurant" is a business enterprise primarily engaged in preparing, cooking, and serving food and beverages on premises; selected from a full menu by patrons seated at a table or counter; served by a waiter or waitress; and consumed on the premises.

C. Sec. 4-4-3. Operating Hours.

It shall be unlawful for an owner, operator, proprietor, manager or person in charge of any cabaret to operate a cabaret on any day between the hours of 3:01 a.m. and 11:59 a.m., however the facility may continue to operate as a restaurant after those hours.

D. Sec. 4-4-4. Intoxicating Liquors.

It shall be unlawful for any person to bring into or have in his or her possession or partake of any intoxicating liquors in any cabaret. This section shall not apply to cabarets where intoxicating liquors may be lawfully sold under the provisions of the Alcoholic Beverage Control Law.

E. Sec. 4-4-5. Nudity.

No person shall be permitted to appear in any cabaret with the chest, breasts or buttocks fully exposed or any portion of the genitals exposed.

F. Sec. 4-4-6. Sound Amplification.

It shall be unlawful for an owner, operator, proprietor, manager or person in charge of any cabaret to operate a cabaret in violation of the following:

(a) Sound Level. The sound level of either live or recorded music or other attendant noise as measured from the exterior of the cabaret premises shall not exceed 85 decibels (dB) at any time as measured at a reasonable distance not less than seven (7) nor more than fifteen (15) feet from the premises of the cabaret establishment. A noise level evaluation of the operation of the cabaret use, paid for by the Applicant or owner, shall be conducted by the Department of Building every three (3) months of operation of the cabaret use, with the results to be submitted to the Common Council within two (2) weeks of said evaluation and made available to the public.

(b) Sound Amplification Equipment. No Sound Amplification Equipment (speakers, amplifiers, audio systems, radios, televisions, or any other device that can produce or reproduce sound) shall be installed or operated indoors with the intent to amplify the sound outdoors and/or within any temporary structures(s).

(c) Sound Amplification Shut-Off. Whenever the building or space fire alarm system is activated all Sound Amplification Equipment within the cabaret shall be shut off. Sound Amplification Equipment shall mean speakers, amplifiers, audio systems, radios, televisions, or any device that can produce or reproduce sound.

(d) Reduction of Sound Transmission. In an effort to reduce sound transmission, all doors related to the cabaret use, including those from the street, shall be equipped with automatic self-closers, remain closed during operation of the cabaret use and shall not be permitted to be propped open at any time. Doors may be used for ingress and egress only and must be sealed tightly when closed. In addition, unless technically infeasible, all new cabarets shall incorporate an interior vestibule at the entrance to the room, space or area where the cabaret is proposed.

G. Sec. 4-4-7 Food Service.

It shall be unlawful for an owner, operator, proprietor, manager or person in charge of any cabaret to operate a cabaret without food service available from a printed menu.

H. Sec 4-4-8 Employee Roster.

It shall be unlawful for an owner, operator, proprietor, manager or person in charge of any cabaret to fail to maintain a roster, which contains the name, address and telephone number of all employees, excluding kitchen and wait-staff, working at any given time when such cabaret is open. Such roster shall be maintained on the premises of the cabaret for six (6) months and available for inspection by the Department of Public Safety promptly upon request.

I. Sec. 4-4-9. Entry Fee.

It shall be unlawful for an owner, operator, proprietor, manager or person in charge of an accessory cabaret to charge an entry fee payable at or prior to admission. However this shall not prohibit a fixed charge or fee for entertainment or service added to a bill for patrons with reserved table seating.

J. Sec. 4-4-10. Entry Powers of Police Officers and Housing/Building Inspectors.

It shall be unlawful for the owner, proprietor, manager or person in charge of any cabaret or restaurant to refuse admission or entry to the public areas of the cabaret or restaurant during operating hours to any officer charged with enforcing the penal laws of New York State, the New York State Building Code, the White Plains Supplemental Building Code or the City of White Plains Municipal Code.

K. Sec. 4-4-11. Temporary Closure.

If in the opinion of the Commissioner of Public Safety, or the Commissioner's designee, an owner, proprietor, manager or person in charge of any cabaret, creates, maintains or permits a condition that endangers or threatens to endanger the safety or health of the public, the Commissioner, or designee, may order the immediate temporary closure of the cabaret. It shall be unlawful for an owner, proprietor, manager or person in charge of any cabaret, to fail to comply with such order.

L. Sec. 4-4-12. Penalty.

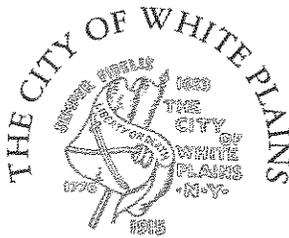
A violation of any of the provisions of this chapter shall, upon conviction thereof, be punishable by a fine not to exceed two thousand five dollars (\$2,500.00) for each offense or by imprisonment for each offense for a period of not exceeding fifteen (15) days, or by both such fine and imprisonment.

Section 2. Article II of Title IV, Chapter 4-4, of the White Plains Municipal Code, last amended by ordinance adopted February 6, 2006, is hereby amended, as follows:

Sec. 4-4-30. Fee, expiration and transfer.

The annual fee for a cabaret license shall be ~~one~~five hundred dollars (\$~~1~~500.00); provided that in the event a license be granted after July first of any year the license fee shall be one-half the amount of the annual license fee. The commissioner of public safety shall not issue a cabaret license until the applicant has paid such fee to the city. All such licenses shall expire on December 31 next following their issue. Such license shall not be transferable and shall not authorize the person to whom it is granted to conduct a cabaret at any location other than that specified therein.

Section 3. This ordinance shall take effect immediately.



PLANNING BOARD

MUNICIPAL BUILDING · 70 CHURCH STREET · WHITE PLAINS, NEW YORK 10601
(914) 422-1300 · FAX: (914) 422-1301

THOMAS M. ROACH
MAYOR

LINDA K. PUOPLO
ACTING COMMISSIONER OF PLANNING

MICHAEL QUINN
CHAIRMAN

EILEEN McCLAIN
SECRETARY

February 13, 2015

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: PROPOSED AMENDMENTS TO THE ZONING ORDINANCE WITH RESPECT TO SPECIAL PERMIT USES IN NON-RESIDENTIAL DISTRICTS, REVISING THE DEFINITION OF "CABARET" AND ADDING THE DEFINITION OF "PRIMARY CABARET" AND "ACCESSORY CABARET", AND PROPOSED AMENDMENT TO THE WHITE PLAINS MUNICIPAL CODE "CABARETS" BY AMENDING ARTICLE I OF CHAPTER 4-4 IN ITS ENTIRETY AND AMENDING SECTION 4-4-30 OF ARTICLE II OF CHAPTER 4-4

At its February 10, 2015 meeting, the Planning Board discussed the proposed Zoning Ordinance amendment regarding cabaret uses. The Commissioner of Building explained that the purpose of the proposed amendments is to clear up discrepancies between the regulations in the Municipal Code and the Zoning Ordinance; to state application requirements in the Special Permit regulations; and to distinguish businesses that are primarily entertainment venues from those that have entertainment as accessory to a restaurant.

The Planning Board finds the proposed amendment appropriate to form and has no objection to the Common Council scheduling a public hearing on this matter.

The Board is supportive of the proposed amendment and believes that it will support downtown businesses while protecting downtown residents from impacts associated with cabarets. The Board believes that allowing the Building Commissioner to grant renewals, contingent upon compliance with cabaret special permit requirements, will be efficient and less burdensome on business owners than requiring Common Council review.

The Board was satisfied that the explanation for different separation distances for "primary cabaret" and "accessory cabaret" is based on the potential for greater impacts associated with "primary cabarets," such as larger numbers of patrons, younger patrons, possible queuing outside on the sidewalk, etc.

4/8

The Board recommends that the Departments of Building and Public Safety evaluate whether allowing cabaret uses above grade poses any health and safety risks, because elevated cabarets could be an attraction in the City given that there are several existing high-rise buildings and others expected to be proposed in the coming years.

In addition, the Board recommends that the Departments of Building and Public Safety evaluate whether 1:00am is an appropriate time for cabarets to cease, and make a recommendation to the Common Council.

Planning Board members voting in favor of the motion to find the proposed amendment appropriate as to form, recommend scheduling a public hearing, and support approval of the proposed amendments regarding cabaret uses by the Common Council: M. Quinn, A. Cabrera, L. Oliva, R. Stackpole, and J. Westlund (5); Opposed: None (0); Absent: J. Durante and J. Ioris (2).

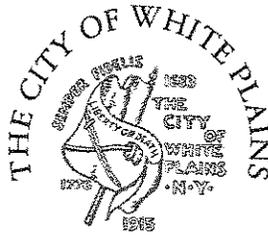
Respectfully submitted,
MICHAEL QUINN
Michael Quinn, Chairman
White Plains Planning Board

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS SCHEDULING A PUBLIC HEARING FOR APRIL 6, 2015, IN RELATION TO THE PROPOSED AMENDMENT TO VARIOUS SECTIONS OF THE ZONING ORDINANCE OF THE CITY OF WHITE PLAINS WITH RESPECT TO SPECIAL PERMIT USES IN NON-RESIDENTIAL DISTRICTS, REVISING THE DEFINITION OF "CABARET" AND ADDING THE DEFINITION OF "PRIMARY CABARET" AND "ACCESSORY CABARET."

RESOLVED, that a public hearing in relation to the proposed amendment to various sections of the Zoning Ordinance of the City of White Plains ("Zoning Ordinance") with respect to special permit uses in non-residential districts, revising the definition of "cabaret" and adding the definition of "primary cabaret" and "accessory cabaret," will be held before the Common Council of the City of White Plains on April 6, 2015 at 7:30 p.m. in the Common Council Chamber, Municipal Building, 255 Main Street, White Plains, New York; and be it further

RESOLVED, that the City Clerk hereby is directed to give notice of said public hearing pursuant to and in accordance with Section 12 of the Zoning Ordinance.

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DEPARTMENT OF LAW
MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NEW YORK 10601

(914) 422-1241 • FAX (914) 422-1231

JOHN G. CALLAHAN
Corporation Counsel

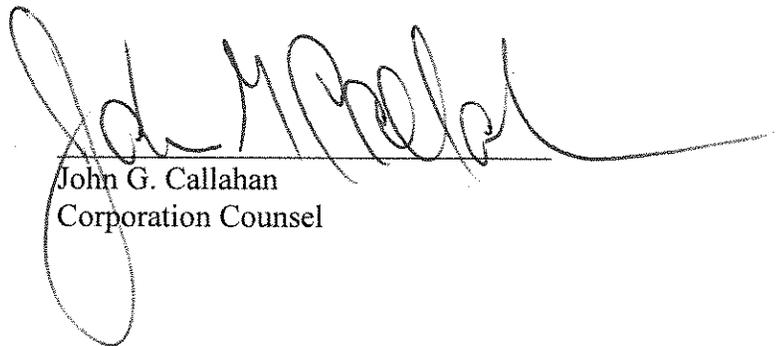
CAROL L. VAN SCOYOC
Chief Deputy Corporation Counsel

DANIEL K. SPENCER
Deputy Corporation Counsel

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL OF THE
CITY OF WHITE PLAINS

The Law Department has received the application, submitted on behalf of St. Gregory the Enlightener Armenian Church for an amendment to its approved site plan for the proposed construction of a one story, approximately 7,000 square foot addition to its existing church building located 1131 North Street. The Common Council previously approved the amendment to the site plan by resolution adopted October 7, 2013, but said approval has expired under Section 7.6 of the Zoning Ordinance of the City of White Plains.

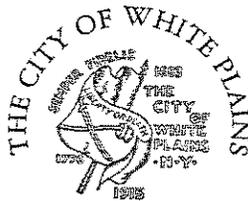
The site of the proposed site plan amendment has been determined to be “environmentally sensitive” under the Zoning Ordinance of the City of White Plains. Amendments to site plans on property determined to be “environmentally sensitive” require a public hearing to be held prior to taking action. Accordingly, a resolution scheduling a public hearing for April 6, 2015 is submitted herewith for your consideration.



John G. Callahan
Corporation Counsel

Dated: February 17, 2015
(For the Common Council meeting
of March 2, 2015)

THOMAS M. ROACH
MAYOR



DEPARTMENT OF BUILDING

70 Church Street, White Plains, New York 10601
Phone: (914) 422 - 1269 * Fax: (914) 422 - 1471

Damon A. Amadio, P.E.
Commissioner

Kevin M. Hodapp, P.E.
Deputy Commissioner

TO THE HONORABLE THOMAS M. ROACH, MAYOR
AND MEMBERS OF THE COMMON COUNCIL OF THE
CITY OF WHITE PLAINS

Dear Mayor and Council Members:

Submitted, herewith, for your review and appropriate action, pursuant to Section 7, 8.5.2 & 8.7.3 of the White Plains Zoning Ordinance, is an application for an amendment to an original Site Plan approval of the project commonly known as "St Gregory The Enlightener Armenian Church" located at 1311 North Street.

It should be noted that the Common Council approved this request in October 2013 but the site plan approval inadvertently lapsed. This new application is for the same project with no modifications proposed to the scope of work, as such, the original documentation is still valid and shall be used for review purposes.

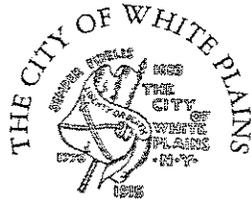
As you may recall the project entails the construction of a one (1)-story, approximately 7,000 square foot, addition to the existing Church building. The new hall is proposed to house the Church Sunday School and will consist of a large open space with adjacent storage rooms and bathrooms. The new hall will be connected to the existing building via an enclosed walkway.

These premises are situated within an R1-12.5 (Residential One Family) Zoning District where churches and other places of worship are permitted principal uses. The existing site area is approximately 10.6 acres.

The Common Council is the approving agency for the following:

- 1.) Site Plan Approval - Entire Project (Section 7) approval.

THOMAS M. ROACH
MAYOR



DEPARTMENT OF BUILDING

70 Church Street, White Plains, New York 10601
Phone: (914) 422 - 1269 * Fax: (914) 422 - 1471

Damon A. Amadio, P.E.
Commissioner

Kevin M. Hodapp, P.E.
Deputy Commissioner

2.) SEQRA Approval-Environmentally Sensitive Site

Referrals may be made at this time to appropriate City departments and boards for review and comments. Please note that a SWPPP is not required as the project disturbance area is 0.68 acres which is less than the 1.0 acre threshold..

Damon A. Amadio P.E.
Commissioner of Building

DATED: February 20, 2015
(For the March 2, 2015 Common Council Meeting)

DOCUMENTS
SUBMITTED: Cover letter prepared by Mr James Glatthaar, dated February 17, 2015 and a Full Environmental Assessment form dated February 17, 2015

JAMES W. GLATTHAAR
914.287.6159
JWGLATTHAAR@BPSLAW.COM

February 17, 2015

VIA HAND DELIVERY

Hon. Mayor Thomas M. Roach and
Members of the Common Council
The City of White Plains
255 Main Street
White Plains, NY 10601

**Re: Application of St. Gregory the Enlightener Armenian Church for an
Amendment to the Approved Site Plan, 1131 North Street, White
Plains, New York
Sec. 138.08, Blk. 1, Lot 4**

Honorable Mayor and Members of the Common Council:

Our firm represents St. Gregory the Enlightener Armenian Church (the "Church"), the owner of the real property located at 1131 North Street, White Plains, New York (the "Property"). The Church submits this application for an amendment of the approved site plan to construct a Sunday School Hall. The amendment was previously approved by the Common Council on October 7, 2013, but the site plan approval inadvertently lapsed before a building permit could be issued.

THE PRIOR APPROVAL

The Common Council had approved the amended site plan on October 7, 2013. The resolution specifically approved the following drawings:

Drawing	Title	Last Revised	Prepared By
A0	Cover Sheet	12/12/2012	Cardarelli Design & Architecture
A1	Floor Plan	12/12/2012	Cardarelli Design & Architecture
A2	Roof Plan	12/12/2012	Cardarelli Design & Architecture
A3	Elevations	12/12/2012	Cardarelli Design & Architecture

Drawing	Title	Last Revised	Prepared By
A4	Elevations	12/12/2012	Cardarelli Design & Architecture

A5	Proposed Int. Elevations/Sections	12/12/2012 12/12/2012	Cardarelli Design & Architecture Cardarelli Design & Architecture
1	Overall Site Plan	11/29/2012	Dolph Rotfeld Engineering
2	Sanitary Sewer Improvements	11/29/2012	Dolph Rotfeld Engineering
3	Sediment & Ero- sion Control Plan	11/29/2012	Dolph Rotfeld Engineering
4	Site Details	11/29/2012	Dolph Rotfeld Engineering

The Church requests that the Common Council consider the aforementioned plans as part of this application.

The site plan amendment remains unchanged from the application approved by the Common Council on October 7, 2013. The Church is not requesting any change to any of the conditions of approval. The Church respectfully requests that the Common Council approve an amendment to the approved site plan for the Property.

THE CURRENT APPLICATION

By this application, the Church respectfully requests that the Common Council take the following actions:

1. Refer the request for an amendment to the site plan to all appropriate municipal boards, agencies and departments; and
2. Schedule a public hearing on the Church's application.

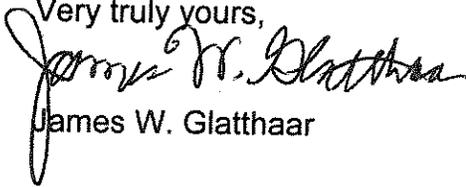
THE SEQRA PROCESS

License, lease and permit renewals where there are no material changes in permit conditions are generally Type II actions under SEQRA. Because the Property is an environmentally sensitive site, this request may be a Type I action under SEQRA. As a result, a Long Form Environmental Assessment Form ("EAF") is submitted herewith.

In the event the Common Council determines the site plan amendment is not a Type II action, the Church respectfully requests that the Common Council reaffirm its finding that the proposed action will have no adverse impact on the environment and issue a Negative Declaration.

Hon. Mayor Thomas M. Roach and
Members of the Common Council
February 17, 2015
Page 3

For all the foregoing reasons, the Church respectfully requests that the within application be approved.

Very truly yours,

James W. Glatthaar

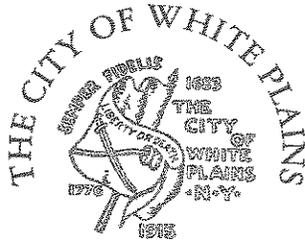
RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS SCHEDULING A PUBLIC HEARING FOR APRIL 6, 2015 IN RELATION TO THE APPLICATION SUBMITTED ON BEHALF OF ST. GREGORY THE ENLIGHTENER ARMENIAN CHURCH, FOR AN AMENDMENT TO ITS APPROVED SITE FOR A PROPOSED ONE STORY, APPROXIMATELY 7,000 SQUARE FOOT ADDITION TO THE EXISTING CHURCH BUILDING LOCATED AT 1131 NORTH STREET.

RESOLVED, that a public hearing in relation to the application, submitted on behalf of St. Gregory the Enlightener Armenian Church, for an amendment to its approved site plan for a proposed one story, approximately 7,000 square foot addition to the existing church building at 1131 North Street will be held before the Common Council on April 6, 2015 at 7:30 p.m. in the Common Council Chamber, Municipal Building, 255 Main Street, White Plains, New York; and be it further

RESOLVED, that the applicant is directed to give notice of said public hearing pursuant to and in accordance with Sections 4.4.25.2, 12.2.2 and 12.7 of the Zoning Ordinance of the City of White Plains; and be it further

RESOLVED, that the City Clerk is hereby directed to forward a certified copy of this resolution to counsel for the applicant; and be it further

RESOLVED, that the City Clerk is further directed to refer the instant application to the appropriate City departments, boards, commissions, agencies and officers and the Westchester County Planning Board for review, comments and recommendations in accordance with the Zoning Ordinance.



**"The Birthplace of the State of New York"
OFFICE OF THE MAYOR**

**THOMAS M. ROACH
MAYOR**

**t:914.422.1411
f:914.422.1395**

TO THE HONORABLE MEMBERS OF THE COMMON COUNCIL

Attached for your consideration is a resolution authorizing the certification of a Home Rule request for the City of White Plains seeking the enactment of New York State legislation to amend the Tax Law to allow the City of White Plains to extend the City's hotel/motel occupancy tax in an amount not to exceed three percent (3%) of the per diem rental rate, for the period expiring December 31, 2018. It is estimated that if the State authorization is granted, the City of White Plains anticipates that this will realize revenues of approximately \$1,000,000 as a result of the extension of this tax.

Thomas M. Roach
Mayor

Dated: February 13, 2015

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RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS
AUTHORIZING THE CERTIFICATION OF A HOME RULE REQUEST SEEKING
ENACTMENT OF STATE LEGISLATION AMENDING SECTION 1202-AA OF THE
TAX LAW TO EXTEND THE SUNSET PROVISION IN RELATION TO
AUTHORIZING THE CITY OF WHITE PLAINS TO IMPOSE AN OCCUPANCY TAX
(ASSEMBLY BILL NO. A05138) (SENATE BILL NO. S03303).

WHEREAS, since 1975, several counties and cities outside of New York City have obtained state laws authorizing these entities to enact hotel or motel taxes in the respective communities; and

WHEREAS, local governmental entities are tasked constantly to seek alternate sources of revenue without further burdening local residential property owners; and

WHEREAS, the subject legislation is a necessary non-property tax revenue that can be utilized to support City of White Plains expenses, including offsetting impacts of rising health care costs and other expenses not fully discretionary; and

WHEREAS, the Common Council of the City of White Plains did pass a resolution in 2009, requesting the introduction of amendment to the Tax Law to authorize the City of White Plains to impose a daily occupancy tax of an amount not to exceed three percent (3%) on hotels, motels, or similar places in the City, subject to certain exceptions; and

WHEREAS, the requested legislation for the occupancy tax for the City of White

Plains was enacted as Chapter 95 of the Laws of 2009, and codified as Section 1202-aa of the Tax Law; and

WHEREAS, Chapter 95 of the Laws of 2009, contained a sunset provision whereby the ability of the City of White Plains to impose the occupancy tax on any hotel, motel, or similar place in the City in an amount not to exceed three percent (3%) would expire on December 31, 2012; and

WHEREAS, the Common Council of the City of White Plains did pass a resolution in 2012, requesting the introduction of amendment to the Tax Law to authorize the City of White Plains to continue to impose a daily occupancy tax of an amount not to exceed three percent (3%) on hotels, motels, or similar places in the City, subject to certain exceptions, until December 31, 2015; and

WHEREAS, Chapter 355 of the Laws of 2012, extended the authorization of the City of White Plains to impose the occupancy tax on any hotel, motel, or similar place in the City in an amount not to exceed three percent (3%) until December 31, 2015; and

WHEREAS, the City of White Plains received \$969,632 in revenue from this tax in the fiscal year ending June 30, 2014, and anticipates similar revenues for the fiscal years ending June 30, 2015 and 2016, respectively; and

WHEREAS, legislation to extend the sunset provision from December 31, 2015 to December 31, 2018, was introduced on February 12, 2015 in the New York State Assembly (Assembly Bill No. A05138) and in the New York State Senate on February 4, 2015 (Senate Bill No. S03303); and

WHEREAS, it is necessary that the City of White Plains pass a Home Rule Request authorizing and instructing the New York State Assembly and the New York State Senate to proceed forward with enactment and adoption of such legislation.

NOW, THEREFORE, the Common Council of the City of White Plains does hereby enact the following Resolution:

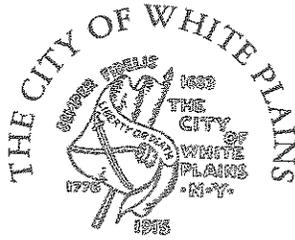
RESOLVED, that the City of White Plains requests the enactment of legislation set forth in Assembly Bill No. A05138 and entitled, "AN ACT to amend the tax law, in relation to authorizing the city of White Plains to impose an occupancy tax;" and be it further

RESOLVED, that the City of White Plains requests the enactment of legislation by the Senate as set forth in Senate Bill No. S03303 and entitled, "AN ACT to amend the tax law, in relation to authorizing the city of White Plains to impose an occupancy tax;" and be it further

RESOLVED, that there be inserted in such request a statement reading substantially as follows:

The local government does not have the power to enact such legislation by local law,
and be it further

RESOLVED, that the City Clerk be and hereby is authorized to certify that the
Common Council on the 2nd of March 2015, approved the foregoing request by at least a two-thirds
vote of the total membership of the Common Council.



OFFICE OF THE CITY CLERK
MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NY 10601
(914) 422-1227 • (914) 422-1330 Fax

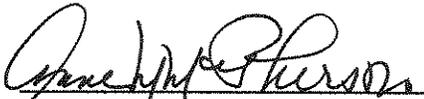
Anne M. McPherson CMC
City Clerk/Registrar

Elizabeth Scardino
Deputy Registrar

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

Attached please find a communication submitted on behalf of Renaissance Hotel Partners, LLC and The Ritz-Carlton Hotel Company, LLC, d/b/a Ritz-Carlton Westchester, 221 Main Street, requesting a waiver of the thirty (30) day notification requirement set forth in Section 64(2)(a) of the New York Alcoholic Beverage Control Law.

The following resolution is submitted for your approval.


Anne M. McPherson, CMC
City Clerk

DATED: February 17, 2015

February 13, 2015

Alissa Yohey
518.449.8893 (direct)
Alissa.Yohey@wilsonelser.com

BY FEDERAL EXPRESS

Anne M. McPherson
City Clerk
255 Main Street
White Plains, NY 10601

Re: 30 Day Notice of New Hotel On-Premises Liquor License for:
Renaissance Hotel Partners, LLC and The Ritz-Carlton Hotel Company, L.L.C.
d/b/a Ritz-Carlton Westchester
221 Main Street
White Plains, NY 10601

Dear Ms. McPherson:

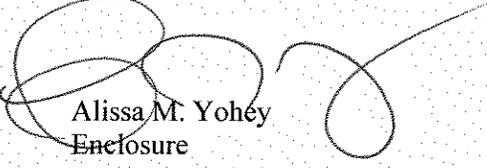
Please find enclosed herein an amended 30 day notice which has been amended to include The Ritz-Carlton Hotel Company, L.L.C. as a co-licensee with Renaissance Hotel Partners, LLC.

The applicant would like to submit its application to the NYSLA as soon as possible. As such, we would respectfully request a waiver of the thirty (30) day notice period. If the City is amenable to issuing a waiver, I would ask that you either fax at (518) 449-8927 or e-mail it to me at alissa.yohey@wilsonelser.com.

Should you have any questions or need anything further, please do not hesitate to contact me. I appreciate your assistance with this matter.

Sincerely yours,

Wilson Elser Moskowitz Edelman & Dicker LLP


Alissa M. Yohey
Enclosure

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS
WAIVING THE THIRTY (30) DAY NOTIFICATION REQUIREMENT SET FORTH IN THE
NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW IN REGARD TO AN
APPLICATION SUBMITTED ON BEHALF OF RENAISSANCE HOTEL PARTNERS, LLC
AND THE RITZ-CARLTON HOTEL COMPANY, LLC D/B/A RITZ-CARLTON
WESTCHESTER, LOCATED AT 221 MAIN STREET, FOR A NEW HOTEL ON-PREMISES
LICENSE TO SELL ALCOHOLIC BEVERAGES.

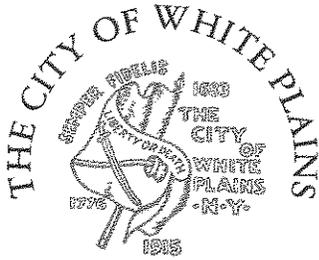
WHEREAS, by correspondence dated February 13, 2015, Alissa Yohey, Esq., of counsel to the law firm of Wilson Elser Moskowitz Edelman & Dicker LLP, stated to the City Clerk that pursuant to the New York Alcoholic Beverage Control Law, her firm's client, Renaissance Hotel Partners, LLC and the Ritz-Carlton Hotel Company, LLC d/b/a Ritz-Carlton Westchester ("Applicant") is requesting a waiver from the Common Council of the City of White Plains of the thirty (30) day notification requirement to the City Clerk for a new hotel On-Premises Liquor License for its establishment located at 221 Main Street; and

WHEREAS, Ms. Yohey further states in her February 13, 2015 correspondence that the Applicant would like to submit its application to the New York State Liquor Authority as soon as possible; and

WHEREAS, Ms. Yohey attached to her correspondence dated February 13, 2015, a copy of the Applicant's proposed liquor license form to be filed with the State Liquor Authority; and

WHEREAS, the City of White Plains has been advised by the Deputy Commissioner of the State of New York, Executive Department, Division of Alcoholic Beverage Control, New York State Liquor Authority, that the aforementioned procedure is appropriate; now, therefore be it

RESOLVED, that the Applicant's request for a waiver of said thirty (30) day notification is hereby granted.



PLANNING DEPARTMENT
Thomas M. Roach, Mayor
Linda Puopolo, Acting Commissioner

February 19, 2015

TO: TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

RE: AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "THE ZONING ORDINANCE OF THE CITY OF WHITE PLAINS" WITH RESPECT TO CREATING A NEW LIGHT INDUSTRIAL MIXED USE (LI-M) ZONING DISTRICT AND RE-ZONING CERTAIN PROPERTIES IN THE LIGHT INDUSTRIAL (LI) ZONING DISTRICT.

Introduction

In November 2014, the Common Council received a proposed Zoning Ordinance amendment entitled "An Ordinance Amending an Ordinance Entitled 'The Zoning Ordinance of the City of White Plains' with Respect to Creating a New Light Industrial Mixed Use (LI-M) Zoning District and Re-Zoning Certain Properties in the Light Industrial (LI) Zoning District," submitted by the then Commissioner of Planning by a communication dated October 30, 2014. The proposed legislation was referred by the Common Council to the Law Department, Environmental Officer and the Planning Board pursuant to Section 12 of the Zoning Ordinance.

At its meeting held on December 1, 2014, the Common Council received communications dated November 20, 2014 and November 24, 2014 respectively, from the Planning Board and Corporation Counsel determining, *inter alia*, that the proposed aforementioned ordinance was in appropriate form, and recommending that a public hearing be scheduled. The Common Council then adopted a resolution scheduling a public hearing for January 5, 2015 on said ordinance.

At the January 5, 2015 meeting of the Common Council, the public hearing was opened, and a communication from the then Commissioner of Planning dated December 18, 2014 was received, recommending additional changes to the proposed ordinance. The Common Council referred the revised proposed ordinance to the appropriate City agencies, departments, boards and commissions and the Westchester County Planning Board for review and recommendations pursuant to Section 12 of the Zoning Ordinance. The public hearing was then adjourned to the February 2, 2014 meeting of the Common Council.

At the February 2, 2015 meeting of the Common Council, a communication from the Deputy Commissioner of Planning was submitted withdrawing the proposed Zoning Ordinance amendments to allow for additional revisions to be made to the proposed ordinance. This communication presents the revised proposal. The substantial change from the previous proposal is restricted designation of the new Light Industrial-Mixed Use ("LI-M") District solely to the Westmoreland Avenue area.

This communication describes proposed amendments to the Zoning Ordinance that will create a new Light Industrial-Mixed Use (“LI-M”) classification that would replace the existing Light Industrial (“LI”) zoning designation in the Westmoreland Avenue area. The Planning Department’s analysis begins with an overview of the existing conditions relevant to the proposed action, explains the purpose and need for the proposed zoning amendments, provides a detailed description of the proposed new zoning district, assesses the conformity of the proposed action with the City’s Comprehensive Plan and concludes with a recommendation to adopt the zoning amendments.

Existing Conditions

Zoning Ordinance

Zoning Map

There are five (5) Light Industrial Zoning Districts currently mapped on the official Zoning Map of the City of White Plains:

- (1) Westmoreland Avenue;
- (2) Haarlem Avenue;
- (3) Ferris Avenue;
- (4) I-287 Interchange; and
- (5) Fulton/Central Avenue.

Four of these narrow, linear districts (Westmoreland, Haarlem Avenue, Ferris Avenue, and Fulton/Central Avenue) run along rail lines. In the past, these were critical locations for the enterprises involved in the movement of products including coal, wood and other building materials via rail. Similarly, the I-287 LI district runs along another important transportation corridor—the Cross Westchester Expressway (Interstate 287).

The Westmoreland district is bounded by the Metro-North Railroad, Tibbets Avenue, and Bank Street, and is situated just to the southwest of downtown White Plains. The Westmoreland and Ferris Avenue LI districts are readily walkable from the White Plains TransCenter/Metro North rail station, the Haarlem industrial district is within an easy walk of the North White Plains Metro North station. The Fulton/Central LI district is relatively close to the White Plains TransCenter, but is located on the far side of the 8-lane Tarrytown Road/Central Avenue (Route 119/100) intersection, a major obstacle for pedestrians.

Zoning Regulations

Purposes

Section 5.5.1 of the Zoning Ordinance establishes the purposes of the LI District as follows:

“The LI District is a light industrial district, located in areas of good highway or rail access which have already developed an industrial character. New residential development is excluded from this district, both to protect “dwellings” from an undesirable living environment and to ensure the reservation of adequate areas for light industrial “uses.””

Permitted Uses

Permitted principal uses in the Light Industrial Zoning District fall into the following categories (Table 1, below, provides a complete list of the uses allowed in the LI district):

Recreation

Limited uses such as commercial indoor recreational facilities

Semi-Public and Community Facilities

Limited uses such as places of worship and government uses

Office and Business

Limited office and retail uses; food service establishments including fast food; banks, and others

Automotive and Parking

The wide range of automotive-related uses including motor vehicle sales and service, towing services, parking, and wrecking; etc

Industrial

A wide variety of uses such as:

- Research and medical laboratories
- Manufacturing, fabrication, finishing or assembling of products;
- Warehousing and indoor storage uses;
- Outdoor storage uses;
- Printing plants; and
- Commercial laundries.

Table 1 Uses Permitted in the Light Industrial Zoning District (LI)		
Permitted Principal Use	Permitted Accessory Use	Special Permit Use
Commercial indoor "recreation facilities"	Sunday Schools / Religious Schools	Health clubs
Theaters	Parish House or Rectory	Accessory Dish Antennas
Churches or other places of worship	Nursery Schools or day care centers	Independent, unaffiliated nursery schools or day care centers with permitted church
Convents	Newsstands	Fast Food eating establishments
Uses of the City of White Plains	Restaurant or cafeteria for employees	Motor vehicle sales or rental, including accessory repair shops, service stations or outdoor storage of motor vehicles
Uses of Other Governments	Accessory electronic games	Motor vehicle service stations
Business or professional office	Private garage, carport or open	Motor vehicle repair shops

	parking for passenger vehicles	
Office for group education, training or counseling in buildings containing no residential uses	Parking lots or parking garages	Auto Laundries
Business, admin. or headquarters for philanthropic institutions		Research, experimental or testing laboratories
Stores for sales at retail or performance of customary personal services		Outdoor storage of building or other materials
Retail laundries or dry cleaners		Automobile wrecking, storage or treatment of junk, iron, bottles, scrap paper provided operations are within a building and use is a legally pre-existing use
Banks		Commercial parking lots for private vehicles
Business or trade school		
Radio stations		
Customary home occupations		
Cafes		
Veterinary hospitals, including boarding		
Manufacturing, fabrication, finishing or assembling of products		
Medical laboratories		
Printing Plants		
Wholesale business, storage or warehousing		
Mini-storage facility		
Outdoor storage of commercial or industrial vehicles or construction equipment		
Laundry or dry cleaning plants		
Public utility buildings or structures		
City of White Plains parking lots or parking garages		

Although the district is called the "Light Industrial" zone, the Zoning Ordinance does not include a definition of "industrial" or "light industrial". Furthermore, the LI district allows "manufacturing, fabrication, finishing, or assembling of products" as Permitted Principal Uses with no requirement to meet special conditions as through a Special Use permit. The Zoning Ordinance also does not differentiate between "light" and heavy" manufacturing nor does it define the term "manufacturing".

Uses Not Permitted

- No residential uses of any kind--including single or multifamily housing are allowed. Also hotels and

shelters are not permitted in the LI zone

- Most education-type uses are not allowed
- Entertainment and cultural facility uses such as cabarets, bars, outdoor dining facilities, museums, galleries and similar uses are not allowed

Land Use

Today, the City's LI districts are occupied by a mixture of uses. The Westmoreland district contains several auto-related uses including auto repair shops, vehicle towing services, and an auto parts supplier; a self-storage facility; a moving company; manufacturers including a rubber stamp manufacturer, a manufacturer of machinery for industrial processes, a glass manufacturer, etc. Notable longer-term building vacancies in the Westmoreland Avenue district include the former C.G. Swackhammer lumber yard and 121 Westmoreland Avenue, formerly occupied by the offices of ARC of Westchester.

Land uses in the Haarlem light industrial district also include construction-related and auto-related uses including home builders and contractors, a highway building material supplier, and car rental establishments. This district is more characterized by commercial office uses than the Westmoreland district. There is also one non-conforming single-family and one two-family dwelling in the existing Haarlem Avenue LI zone.

The Ferris Avenue and I-287 districts are predominantly occupied by construction-related and auto-related businesses, respectively. The Fulton Street district, located at the northern end of the Central Avenue retail shopping district, contains the most varied list of uses ranging from restaurants and delis to auto-related businesses, non-conforming residential uses, and light industrial enterprises.

Proposed Zoning Amendments

Public Purpose for the Proposed Rezoning

The City of White Plains seeks to encourage the redevelopment of the Westmoreland Avenue Light Industrial Districts in a manner that will:

- Create a vibrant mixed-use district with a strong identity and an interesting and balanced mix of compatible uses ranging from residential and cultural uses to business and light industrial;
- Protect the unique character of the area through the adaptive reuse of prominent and potentially historic buildings, including architecturally and culturally notable buildings as the C.G. Swackhammer building and the former headquarters of the Norden Laboratories;
- Provide opportunities for residential use within walking distance of public transportation to further the City of White Plains' goals of reducing motor vehicle travel and emissions and promoting a walkable community;
- Encourage sustainable development through the adaptive reuse of existing buildings as opposed to demolition and new development;
- Revitalize vacant and/or underutilized properties which detract from community character;
- Continue to provide areas in the City for light industrial businesses to operate and serve the community;
- Eliminate uses that underutilize valuable and limited land near major public transit facilities; and
- Eliminate the potential for inappropriate, heavier manufacturing uses to be developed in the LI-M districts by clarifying that light manufacturing uses only are allowed, not heavier manufacturing operations and including a definition of "light manufacturing".

Zoning Map Amendments

The proposed action would change the zoning map designation for the parcels in the current Westmoreland Avenue Light Industrial district to the newly created Light Industrial-Mixed ("LI-M") Use District. This district was selected for rezoning because it was judged to have higher potential for adaptive reuse and redevelopment based on:

- the accessibility of this district to/from public transportation stations;
- the stock of buildings in this district, which is more suitable for conversion to residential use than the building stock in the other four districts;
- its proximity to the White Plains TransCenter and the downtown and its unique architectural character.

Zoning Text Amendments**Changes in Allowable Uses**

The proposed action will permit the introduction of residential uses in the Westmoreland district—uses not currently allowed in the existing LI district—on a limited basis. By allowing residential and hotel uses only in developments involving the rehabilitation of structures built prior to 1940, the proposed zoning amendments give property owners an incentive to restore and reuse the existing older structures that afford the districts their character.

The specific uses to be allowed in the LI-M district in buildings that are preserved and reused include:

- Multi-family dwellings; and
- Hotels and extended stay hotels.

The zoning amendments will allow cultural and community facility uses that will contribute to a rich mixed-use area. These uses-- including Libraries, museums or art galleries—are not allowed in the LI zone currently. Theatres, currently allowed as a Principal Permitted Use will be amended to Special Permit Use.

Outdoor storage uses are currently allowed as follows:

- Outdoor storage of commercial or industrial vehicles or construction equipment - Permitted Principal Use
- Outdoor storage of building or other materials - Special Permit Use

Outdoor storage uses will be amended to Permitted Accessory Use.

Unlike the current LI zoning of the proposed rezoning area, the proposed LI-M zoning will not include the following uses:

- Auto laundries;
- Fast food eating establishments;
- Printing plants;
- Mini-storage facility;
- Laundry or dry cleaning plants; and
- Automobile wrecking, storage or treatment of junk, iron, bottles, scrap paper provided operations are within a building and use is a legally pre-existing use.

Fast food establishments are not included in the LI-M zone because their typical design and operating characteristics would not promote the unique character that the City would like to promote in the proposed

rezoning areas.

Mini-storage facilities are not included in the proposed LI-M zone because they are incompatible with the City's goal of revitalizing the Westmoreland Avenue district by promoting its redevelopment as a lively mixed-use district that will attract people and generate economic vitality. By their very nature, storage facilities are devoid of people and also employ very few workers compared to light manufacturing and even auto-related uses. Mini-storage facilities derive limited if any benefit from the close proximity to public transit. The City has limited land near the Metro-North stations and through this rezoning, intends to encourage the more efficient and beneficial use of this valuable resource.

Auto laundries, auto wrecking, and related uses are not included because they are incompatible with residential and other sensitive uses within the LI-M and adjoining residential districts. In addition such uses are not an efficient and beneficial use of valuable land near transit hubs.

In addition, the use group entitled "Manufacturing, fabrication, finishing or assembling of products" in the LI is changed to "Light Manufacturing" as defined in the proposed zoning amendment as:

"The manufacturing, compounding, processing, assembling, packaging or testing of goods or equipment, including research activities, conducted entirely within an enclosed structure, with no outside storage, serviced by a modest volume of trucks or vans and imposing a negligible impact on the surrounding environment by noise, vibration, smoke, dust or pollutants."

Heavier industries specifically allowed in the LI zone, including printing plants and laundry plants would not be allowed in the LI-M district. All new manufacturing uses will have to meet the definition of "light manufacturing," above.

Dimensional and Special Permit Regulations

The dimensional requirements of the LI-M district would be identical to those of the LI district except for the following Special Permit provisions in proposed Section 6.7.31 of the Zoning Ordinance, which would:

- The "multi-family dwellings" use must be located in a "building" constructed prior to January 1, 1940. Such buildings shall be considered eligible buildings.
- At least 1,000 square feet of floor area is proposed for conversion from industrial to residential use.
- The original exterior appearance of the "building" is retained to the maximum extent practicable, and any proposed new construction is consistent with the character of the original building.
- Adequate off-street parking exists to accommodate the parking demand of the proposed development. Such parking requirement may be met on-site or through shared or other alternative parking arrangement subject to approval by the Common Council.

These additional Special Permit regulations are intended to promote the development uses and form to best meet the public purposes stated above. Standard LI-M dimensional requirements are provided in "Proposed Schedule 5.3: Schedule of Dimensional Regulations, Non residential," below.

Planning Department Review and Analysis

Conformance with the Comprehensive Plan

The Comprehensive Plan addresses the City's industrial districts as follows:

- *"Although a relatively small part of the local economy, light industrial uses play an important role in providing services to businesses and residents and in creating job opportunities for a range of workers. The City's light industrial areas - Westmoreland Avenue, Ferris Avenue, South Kensico Avenue, Harlem Avenue, and Russell Street - need to be maintained and upgraded where appropriate."*
- *"Encourage upgrading of the light industrial zone districts along Ferris Avenue and Harlem Avenue so that they do not negatively impact on the abutting residential areas."*
- *"Protect Close-In neighborhoods from intrusions of non-residential commercial, industrial or institutional uses, related accessory uses, and their impacts."*
- *"Encourage upgrading and modernizing of the light industrial zone districts along Westmoreland, Ferris, South Kensico, and Harlem Avenues, and ensure that they properly coexist with the abutting residential areas. "*

The proposed rezoning furthers the goals of the Comprehensive Plan in the following ways:

- It will maintain and upgrade the existing industrial area;
- It will promote redevelopment in the Westmoreland Avenue area so that uses in the rezoning area "do not negatively impact on abutting residential areas"; and
- It will protect the Fisher Hill close-in neighborhood by refining the list of allowable uses to remove the potential for incompatible development in the adjoining LI-M zone.

The proposed zoning amendments have been carefully drafted so as not to encourage the replacement of the light industrial district with a residential district. The intent is to create a lively mix of compatible uses and to retain valuable light industrial uses that serve the community and create jobs. This is accomplished by limiting "multi-family dwellings" development to projects that involve the adaptive reuse of older buildings and require a Special Use Permit. Residential development is deliberately not allowed as a principal permitted use on any property in the district because this would neither encourage the adaptive reuse of the existing building stock nor the retention of the light industrial uses that the City is committed to retaining.

Based on the reasons stated above, the Planning Department finds that the proposed zoning amendment is consistent with the Comprehensive Plan.

Changes in Status of Existing Land Uses

A field survey of all existing land uses in the Westmoreland Avenue district was conducted by the Planning Department in October 2014. Currently, all existing uses in the Westmoreland Avenue district conform to the current LI zoning.

All existing land uses were checked against the use regulations in the proposed LI-M district. In the

Westmoreland Avenue district, the existing mini-storage facility would become a "non-conforming use." No other land uses in the district would experience a change in their zoning status, that is, no other non-conformities would be created or eliminated. As a non-conforming use, the existing mini-storage facility would continue to be a legally permitted use, as per Section 4.3 of the Zoning Ordinance, as summarized below:

Whenever a zoning classification is changed so as to render "non-conforming" "use," "building" or "structure" then presently or theretofore legally existing, such "use," "building" or "structure" may nevertheless continue subject to the conditions below:

4.3.2.1

The "non-conforming use" of land may be continued, provided, however, that no such "non-conforming use" shall be physically enlarged or intensified, nor shall it be extended to occupy a greater area of land than that occupied by such "use" at the time of the adoption of this Ordinance, unless specifically allowed by other provisions in this Ordinance, nor shall any such "non-conforming use" be moved in whole or in part to any other portion of the "lot" or parcel of land occupied by such "non-conforming use" at the time of the adoption of this Ordinance.

4.3.2.2

A "building" or "structure" the "use" of which does not conform to the "use" regulations for the district in which it is situated shall not be enlarged, extended or "altered" structurally unless the "use" therein is changed to a conforming "use," or except to conform to an order of the Commissioner of Building to either correct an unsafe condition or to conform to the requirements of applicable laws or ordinances.

4.3.2.3

No "non-conforming use" of a "building" or "structure" shall be enlarged or extended, except that any such "non-conforming use" may be extended throughout any parts of the "building" or "structure" which were obviously or manifestly arranged or designed only for such "use" at the time of the adoption or amendment of this Ordinance.

4.3.2.4 No "non-conforming use" shall be changed to another "non-conforming use," except as provided in Section 4.3.5.

4.3.2.5

If a "non-conforming use" ceases for any reason for a total of 6 months during any 12 month period, or is changed to a conforming "use," any future "use" of the land, "building" or "structure" shall be in conformity with the provisions of this Ordinance. Substantial cessation of activities consistent with or required for the operation of such "non-conforming use" or substantial vacancy of the "building" or "structure" in which the "non-conforming use" was conducted, together with substantial cessation of activities consistent with or required for the operation of such "non-conforming use" shall be deemed to constitute a discontinuance thereof within the meaning of this Ordinance, irrespective of whether an intention to abandon the "non-conforming use" may exist. On application, however, the Board of Appeals may extend the period upon a finding that it is not reasonable in its application to the particular premises, taking into consideration the characteristics of the "use," the investment which has been made in it, the circumstances of the discontinuance and the suitability of the

"structure" for a permitted or special permit "use."

4.3.2.6

If any "building" or "structure" in which any "non-conforming use" is conducted or maintained is hereafter removed, the subsequent "use" of the land on which such "building" or "structure" was located and the subsequent "use" of any "building" or "structure" thereon shall be in conformity with the standards specified by this Ordinance for the district in which such land is located.

Conclusion and Recommendation

Based on the analysis above, the Planning Department finds that the proposed zoning amendment is consistent with the Comprehensive Plan and that it furthers the public purposes described above. The Department fully supports the proposed legislation and recommends that the Common Council refer it to the Planning Board and other departments and agencies for appropriate action.

Respectfully submitted,



Linda Puopolo, Acting Commissioner

Dated: February 19, 2015
(For the March 2, 2015 Common Council Meeting)

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED “THE ZONING ORDINANCE OF THE CITY OF WHITE PLAINS” WITH RESPECT TO CREATING A NEW LIGHT INDUSTRIAL-MIXED USE (LI-M) ZONING DISTRICT AND RE-ZONING CERTAIN PROPERTIES IN THE LIGHT INDUSTRIAL (LI) ZONING DISTRICT TO LIGHT INDUSTRIAL-MIXED USE (LI-M) ZONING DISTRICT.

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The Zoning Ordinance of the City of White Plains, adopted June 1, 1981, as amended to date be, and hereby is amended to establish a Light Industrial-Mixed Use (LI-M) zoning district as follows:

A. Section 2.4 Definitions
is hereby amended by adding a new definition: “Manufacturing, Light”

“Manufacturing, Light” The manufacturing, predominantly from previously prepared materials, of finished products or parts including the compounding, processing, assembly or disassembly, packaging or testing of goods or equipment, including research activities, conducted largely within an enclosed structure.

B. Section 3.1 District Classifications
is hereby amended under the category “Industrial Districts” to add a new line designated “LI-M Light-Industrial-Mixed Use” before the line designated “LI- Light Industrial.”

C. Section 3.2 Zoning Map Establishment
is hereby amended by amending the Zoning Map to change the zoning district designation of the following properties from the LI zoning district designation to a new zoning district designation “Light Industrial-Mixed Use” (“LI-M”):

Westmoreland Avenue Light Industrial-Mixed Use District

- 26 WESTMORELAND AVE 125.82-1-11
- 31 WESTMORELAND AVE 125.82-1-5
- 39 WESTMORELAND AVE 125.82-1-4
- 70 WESTMORELAND AVE 125.82-5-2
- 74 WESTMORELAND AVE 125.82-5-1
- 85 WESTMORELAND AVE 125.82-1-3
- 87 WESTMORELAND AVE 125.82-1-2
- 90 WESTMORELAND AVE 130.26-1-2
- 101 WESTMORELAND AVE 125.82-1-1
- 114 WESTMORELAND AVE 130.26-1-1
- 121 WESTMORELAND AVE 130.25-3-1
- 122 WESTMORELAND AVE 130.25-4-5
- 136 WESTMORELAND AVE 130.25-4-4

- 139 WESTMORELAND AVE 130.25-3-2
- 146 WESTMORELAND AVE 130.25-4-3
- 158 WESTMORELAND AVE 130.25-4-2
- 179 WESTMORELAND AVE 130.25-3-3.1
- 197 WESTMORELAND AVE 130.25-3-6
- 203 WESTMORELAND AVE 130.25-3-7
- 209 WESTMORELAND AVE 130.25-3-8
- 2 INTERVALE ST 130.26-6-2
- 7 INTERVALE ST 130.26-1-11
- 11 INTERVALE ST 130.26-1-13
- 12 INTERVALE ST 130.26-1-10
- 13-19 INTERVALE ST 130.26-6-1
- 20-22 INTERVALE ST 130.26-1-12
- 15 HOME ST 130.26-1-4
- 19-21 HOME ST 130.26-1-3
- 7 IRVING PL 125.82-5-4
- 25 IRVING PL 125.82-5-3

D. Section 5.1 Schedule of Use Regulations
is hereby amended by adding a new column entitled District: "LI-M" before the column entitled "LI" and entering the corresponding uses as provided in Section 5.2.

E. Section 5.2 List of Use Regulations
is hereby amended by adding a new District: LI-M

USE	TYPE
"Multi-Family Dwellings"	SP
Commercial indoor "recreation facilities"	PP
"Health clubs"	SP
Theaters	SP
Accessory "dish antennas" as regulated by Sections 4.4.23 and 6.7.21	SP
Churches or other places of worship	PP
Sunday schools or other similar religious schools	PA
Parish houses or rectories	PA
Convents	PP
"Uses" of the City of White Plains	PP
"Uses" of other governments, subject to the requirements of Section 5.6	PP
"Nursery schools" or "day care centers"	SP
"Nursery schools" or "day care centers" in conjunction with a permitted church or other place of worship, "membership club," or "public school" or "private secondary or elementary school"	SP
Independent, unaffiliated "nursery schools" or "day care centers" located within a permitted church or other place of worship, "membership club," or "public school" or "private secondary or elementary school"	SP

Business or professional offices	PP
Offices for group education, training or counseling in “buildings” containing no residential “uses”	PP
Business, administrative or headquarters offices for “philanthropic institutions”	PP
Stores for sales at retail or performance of customary personal services or services clearly incidental to retail sales, including “real estate offices,” but not including sales of automobile parts or accessories involving installation at point of sale	PP
"Auction houses" as regulated by Sec. 6.7.15	PP
“Retail laundries” or “retail dry cleaners”	PP
Banks	PP
Business or trade schools	PP
“Libraries, museums or art galleries not operated for profit”	PP
“Libraries, museums or art galleries”	PP
“Hotels” and “Extended Stay Hotels”	SP
Newsstands	PA
Radio stations	PP
“Restaurants” or “cafeterias”	PP
“Restaurants” or “cafeterias” for employees	PA
“Cafes”	PP
“Accessory electronic games”	PA
Veterinary hospitals, including boarding or care of small animals	PP
Motor vehicle sales or rental, including accessory “repair shops,” “service stations” with or without accessory outdoor storage of motor vehicles	SP
Motor vehicle “service stations”	SP
Motor vehicle “repair shops”	SP
Research, experimental or testing laboratories	SP
Medical laboratories	PP
Wholesale businesses, commercial storage and warehousing	PP
Outdoor storage of building or other materials	PA
Outdoor storage of commercial or industrial vehicles or construction equipment	PA
“Manufacturing, light”	PP
“Public utility buildings or structures”	PP
“Private garages,” carports or open parking for private passenger vehicles	PA
“Parking lots” or “parking garages”	PA
Commercial “parking lots” for private passenger vehicles, but not for storage of used or new motor vehicles for sale or for hire	SP
“Parking lots” or “parking garages” of the City of White Plains or its Parking Department	PP

F. Section 5.3 Schedule of Dimensional Regulations: Non-Residential is hereby amended as follows: See Attachment Section 5.3 herein.

G. Section 4.4.15 Exceptions to "Height" Limitations is hereby amended by adding subsection 4.4.15.9, to read as follows:

In the LI-M district, the maximum permitted “height” of “buildings” in which residential uses occupy 50 percent or more of the “floor area,” shall be five (5) stories and 60 feet.

- H. Section 5.5 Additional Regulations for Non-Residential Districts is hereby amended by adding subsection 5.5.1.12, to read as follows:

The LI-M District is a mixed use district located near a public transportation center, which is intended to: encourage vibrant neighborhoods with a mix of uses ranging from residential to light industrial; protect the distinct character of the areas through the adaptive reuse of existing “buildings;” revitalize vacant and/or underutilized properties; continue to provide areas for light industrial businesses to operate and serve the community; and protect adjoining residential uses from the negative impacts of incompatible manufacturing uses.

- I. Section 6.2 Approving Agencies is hereby amended by adding subsection 6.2.1.35 “Multi-family dwelling” uses in the LI-M District.

- J. Section 6.7, Individual Standards and Requirements for Certain Special Permit “Uses” is hereby amended by adding subsection 6.7.31, Residential Uses in the LI-M District to read as follows:

- 6.7.31.1 In the LI-M district, “multi-family dwellings” or “hotels” or “extended stay hotels” are permitted subject to meeting the following conditions:

6.7.31.1.1 The “multi-family dwellings” or “hotels” or “extended stay hotels” use must be located in a “building” constructed prior to January 1, 1940. Such buildings shall be considered eligible buildings.

6.7.31.1.2 At least 1,000 square feet of floor area is proposed for conversion from industrial to residential or hotel or extended stay hotel use.

6.7.31.1.3 The original exterior appearance of the “building” is retained to the maximum extent practicable, and any proposed new construction is consistent with the character of the original building.

6.7.31.1.4 Adequate off-street parking exists to accommodate the parking demand of the proposed development. Such parking requirement may be met on-site or through shared or other alternative parking arrangement subject to approval by the Common Council.

- 6.7.31.2 The Common Council may permit the replacement of portions of an eligible building, or expansion of such “building,” for “multi-family dwellings,” or “hotel” and “extended stay hotels,” up to the site's maximum permitted floor area ratio (FAR) if the following conditions are met:

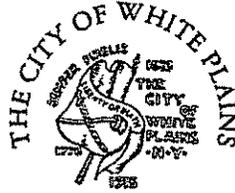
6.7.31.2.1 The applicant demonstrates that conversion of existing floor area

to “multi-family dwellings,” or “hotels” or “extended stay hotels,” use is not feasible for the space proposed for demolition due to documented structural considerations or other conditions unique to the site;

6.7.31.2.4 The amount of newly constructed “multi-family dwellings” or “hotels” or “extended stay hotels” floor area shall not exceed the amount of existing floor area that is converted to “multi-family dwelling” or “hotels” or “extended stay hotels” use.

Section 4. This ordinance shall take effect immediately.

THOMAS M. ROACH
MAYOR



DEPARTMENT OF BUILDING

70 Church Street, White Plains, New York 10601
Phone: (914) 422 - 1269 * Fax: (914) 422 - 1471

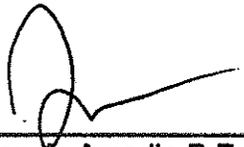
Damon A. Amadio, P.E.
Commissioner

Kevin M. Hodapp, P.E.
Deputy Commissioner

**TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL OF
THE CITY OF WHITE PLAINS**

In the City's continuing effort to streamline provisions of the Zoning Ordinance, I am recommending that the requirement for publication of a notice of a public hearing in the official newspaper set forth in Section 12.7 of the Zoning Ordinance, be reduced from three (3) days to one (1) day, for zoning amendments, special permits applications, variances, site plans involving an "environmentally sensitive site, appeals from the determinations from the Commissioner of Building, and other zoning-related applications. The present requirement for publication of notice of a public hearing for three (3) days was adopted by the Common Council nearly thirty-five (35) years ago, and pre-dated the existence of technological advances and additional media sources now available, such as the posting of agendas notifying of public hearings on the City's website, which is readily and easily accessible to the public, as well as notification provided on cable access television. The proposed amendment is also a cost-saving measure for both private applicants as well as the City, as it will cut publication expenses by two-thirds. The one day publication requirement is consistent with State law and with other local governments throughout New York State.

Attached for your consideration and appropriate action pursuant to Section 12 of the Zoning Ordinance is legislation amending Section 12.7 to accomplish same. Referral may be made at this time to appropriate City departments, boards and officers for review and recommendations in accordance with the Zoning Ordinance.



Damon A. Amadio P.E.
Commissioner of Building

Dated: February 25, 2015
(For the Common Council Meeting of
March 2, 2015)

"THE BIRTHPLACE OF THE STATE OF NEW YORK"

<http://www.cityofwhiteplains.com>

58

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED “THE ZONING ORDINANCE OF THE CITY OF WHITE PLAINS” IN RELATION TO AMENDING SECTION 12.7 PERTAINING TO THE REQUIREMENT FOR PUBLICATION OF NOTICE OF A PUBLIC HEARING FOR AT LEAST THREE (3) DAYS IN THE OFFICIAL NEWSPAPER.

The Common Council of the City of White Plains hereby ordains and enacts as follows:

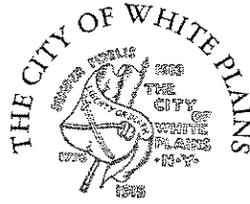
Section 1. The Zoning Ordinance of the City of White Plains as adopted June 1, 1981 and as last amended on March 2, 2015, is hereby further amended at Section 12.7, to read as follows:

12.7 Notice of Hearing

Notice of the public hearing shall be published [at least 3 days] in the official newspaper, [the first insertion to be] not less than 10 or more than 30 days prior to the date of the public hearing. For proposed amendments to the Zoning Map, at least 1 week prior to the date of the hearing a notice of such hearing and a brief description of the proposed change shall be mailed to all owners of property (as shown by the tax assessment roll) within the “area affected.” A copy of the notice, with proof of such mailing, together with proof of notice in the official newspaper, shall be filed in the City Clerk’s office on or before the date of the public hearing.

Section 2. This ordinance shall take effect immediately.

THOMAS M. ROACH
MAYOR



DEPARTMENT OF BUILDING

70 Church Street, White Plains, New York 10601

Phone: (914) 422 - 1269 * Fax: (914) 422 - 1471

Damon A. Amadio, P.E.
Commissioner

Kevin M. Hodapp, P.E.
Deputy Commissioner

**TO THE HONORABLE MAYOR THOMAS M. ROACH THE AND COMMON COUNCIL
OF THE CITY OF WHITE PLAINS**

Submitted, herewith, for your review and appropriate action, pursuant to Section 7 of the White Plains Zoning Ordinance, is a request for an extension of a site plan approval for a proposed project at 390 North Street.

The applicant, Hindu Temple of Tri-State Inc, proposes to develop the same project that was approved by the Common Council on April 7 2014. The project entails the construction of a two (2) story, approximately 15,000 square foot Temple.

Referrals may be made at this time to appropriate City departments and boards for review.

Damon A. Amadio P.E.
Commissioner of Building

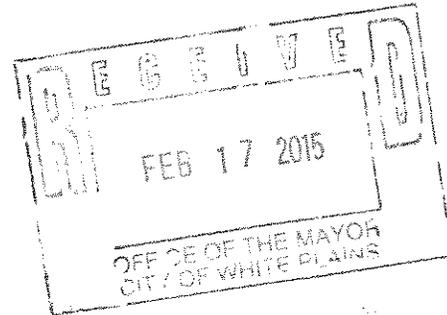
Dated: February 19, 2015
(For the March 2, 2015 Common Council Meeting)

Related Documents Submitted: A cover letter from Ms Dipti Shah RA, Benowitz Shah Architects dated February 14, 2015

1 Main St., Dobbs Ferry, NY 10522

February 14, 2015

Hon. Thomas M. Roach, Mayor and
Members of the Common Council
City of White Plains
Municipal Building
255 Main Street
White Plains, NY 10601



Re: Request for Extension of Site Plan Approval of
Hindu Temple of Tri-State
390 North St., White Plains, NY 10601
Section 131.06, Block 4, lot 16

Dear Mayor Roach and Members of the Common Council,

As per resolution adopted by the Common Council of White Plains, the Hindu Temple of Tri-State Inc. was granted site plan approval on April 7th, 2014. An application requesting Building Permit for site work has been filed on December 23rd 2014, and is being reviewed by DPW and Building Department. Construction for the site work is scheduled to begin in spring after the Temple receives the Building Permit.

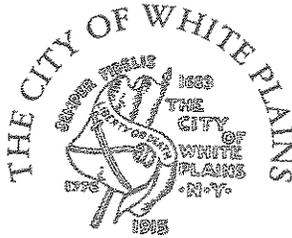
On behalf of Hindu Temple of Tri-State, we respectfully submit a Request for Extension of Site Plan Approval.

Thank you.

Handwritten signature of Dipti Shah.

Dipti Shah, RA.

Cc: Damon Amadio
Cc: Om Dhiman
Cc: Jyotin Thaker



OFFICE OF THE CITY CLERK
MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NY 10601
(914) 422-1227 • (914) 422-1330 Fax

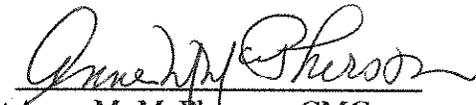
Anne M. McPherson CMC
City Clerk/Registrar

Elizabeth Scardino
Deputy Registrar

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

Attached please find a petition to amend the Zoning Ordinance of the City of White Plains submitted on behalf of White Plains LLC (Saber) and Chauncey White Plains LLC (Chauncey) for amendments to the Zoning Ordinance and Zoning Map potentially affecting real property known and designated as Section 126.61, Block 3 Lots, 11-15, 16.2, 23-29, (Westchester Avenue Urban Renewal Project).

This is being forwarded for your information and referral at this time to appropriate City Departments, Boards and Commissions.


Anne M. McPherson, CMC
City Clerk

DATED: February 25, 2015

**DELBELLO DONNELLAN WEINGARTEN
WISE & WIEDERKEHR, LLP**

COUNSELLORS AT LAW

THE GATEWAY BUILDING
ONE NORTH LEXINGTON AVENUE
WHITE PLAINS, NEW YORK 10601

(914) 681-0200

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JANET J. GIRISY
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DAWN KIRBY*
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PATRICK M. REILLY
STEVEN R. SCHOENFELD†
ELIOT M. SCHUMAN
BRADLEY D. WANK*
MARK P. WEINGARTEN*
LEE S. WIEDERKEHR
PETER J. WISE, AICP †

JACOB E. AMIR
NELIDA LARA
ERIC J. MANDELL
SUSAN CURRIE MOREHOUSE
MICHAEL J. SCHWARZ*
HEIDI WINSLOW

ANDREW J. BALINT
RICHARD BEMPORAD
GERALD K. GEIST
BRANDON R. SALL*
DAVID R. SELZNICK & CO., LLP
COUNSEL

*MEMBER OF NY & CT BARS
†MEMBER OF NY & NJ BARS
*MEMBER OF NY & DC BARS
*MEMBER OF NY, NJ & MA BARS
*MEMBER OF NY, NJ, CT & FL BARS

February 19, 2015

By Hand Delivery

Honorable Thomas M. Roach, Mayor
Members of the Common Council
City of White Plains
255 Main Street
White Plains, New York 10601

Re: Petition of Saber White Plains, LLC ("Saber") and Chauncey White Plains, LLC ("Chauncey") for amendments to the Zoning Ordinance and Zoning Map of the City of White Plains potentially affecting real property known and designated on the City of White Plains Tax Assessment Map as: Section 126.61, Block 3, Lots 11, 12, 13, 14, 15, 16.1, 16.2, 23, 24, 25, 26, 27, 28 and 29

Dear Mayor Roach and Members of the Common Council:

We represent Saber and Chauncey (collectively, the "Petitioner"). On behalf of Petitioner, we are pleased to enclose a Petition for certain amendments to the Zoning Ordinance and Zoning Map of the City of White Plains intended to facilitate the redevelopment of the referenced property in accordance with the new Phase I Urban Renewal Plan for the Westchester Avenue Urban Renewal Project (Project No. WPUR-14), as a mixed-use commercial/residential project with the following principal components: approximately 261 residential units (including required affordable housing units); approximately 89,500 square feet of retail/restaurant space; an approximately 154 room hotel; approximately 16,000 of spa space; and a new showroom for Chrysler Jeep of White Plains, and service areas for that automobile dealer and Hyundai of White Plains. In addition to being a signature "gateway" development, the project would provide a substantial benefit to the City by replacing the current 153 space municipal parking lot on Franklin Avenue with 300 public parking spaces in a new parking garage, which would also contain additional spaces exclusively for project residents. The proposed project is described in more detail, and shown on the conceptual plan, in the Petition.

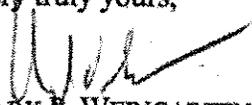
We respectfully request that the Petition be referred by the Common Council to City agencies and departments in accordance with Section 12.5 of the Zoning Ordinance. The

Honorable Thomas M. Roach, Mayor
Members of the Common Council

February 19, 2015
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Petitioner looks forward to working with the Common Council and City agencies and staff on this important and exciting project. Thank you for your consideration.

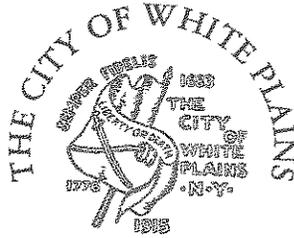
Very truly yours,



MARK F. WEINGARTEN

Enclosures

cc: John Callahan, Esq., Chief of Staff
Commissioner Damon Amadio
Martin G. Berger
Corey B. Rabin
Peter J. Wise, Esq.



OFFICE OF THE CITY CLERK
MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NY 10601
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Anne M. McPherson CMC
City Clerk/Registrar

Elizabeth Scardino
Deputy Registrar

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

Transmitted herewith are copies of Parts 1 and 2 of the NYS Environmental Quality Review - Full Environmental Assessment Forms to supplement the submission of the petition to amend the Zoning Ordinance of the City of White Plains submitted on behalf of White Plains LLC (Saber) and Chauncey White Plains LLC (Chauncey) for amendments to the Zoning Ordinance and Zoning Map potentially affecting real property known and designated as Section 126.61, Block 3 Lots, 11-15, 16.2, 23-29, (Westchester Avenue Urban Renewal Project).

This is being forwarded for your information.


Anne M. McPherson, CMC
City Clerk

DATED: February 26, 2015