



**COMMON COUNCIL
AGENDA
REGULAR STATED MEETING
MARCH 7, 2016
7:30 P.M.**

PLEDGE TO THE FLAG: Hon. Hunt-Robinson

ROLL CALL: City Clerk

APPOINTMENTS:

1. Communication from the Mayor in relation to the appointment of Emily Rowe Smith as a member of the Community Development Citizens Advisory Committee to a term which will expires on December 31, 2016. **F/S/A**
2. Communication from the Council President recommending the appointment of Damon Amadio as a member of the Board of Ethics to a term which will expire on December 31, 2017. **F/S/A**

LOCAL LAW:

- 3a. Resolution of the Common Council of the City of White Plains withdrawing a proposed Local Law offered at the February 1, 2016 Regular Stated Meeting of the Common Council, entitled, "Local Law Introductory No 1 of 2016 amending Local Law No. 1 of 2015, adopted May 4, 2015, codified in Title IX of the White Plains Municipal Code Section 9-6 entitled, 'Historic Preservation' by amending Sections 9-6-2 and 9-6-3 relating to recommendation of landmarks or historic districts and notice," and rescinding the authorization for the pubic hearing in connection in with same. **ADOPTED**
3. Pubic Hearing in relation to proposed Local Law Introductory No. 1 of 2016, a Local Law amending Local Law No. 1 of 2015 adopted May 4, 2015 and codified in Title IX of the White Plains Municipal Code, and scheduling a public hearing for March 7, 2016. **RESCINDED BY RESOLUTION**

4. Local Law Introductory No 1 of 2016 amending Local Law No.1 of 2015, adopted May 4, 2015, codified in Title IX of the White Plains Municipal Code Section 9-6 entitled, "Historic Preservation" by amending Sections 9-6-2 and 9-6-3, relating to recommendations of landmarks or historic districts and notice. **WITHDRAWN**

PUBLIC HEARINGS:

5. Public Hearing in relation to the application submitted on behalf of Norden Lofts, LLC, in connection with the adaptive re-use and redevelopment of the existing 48,000 square foot industrial building situated at 121 Westmoreland Avenue, which is classified in the LI-M Zoning District. **OPENED/CLOSED**

ITEMS 6 - 16 F/S

6. Communications received from Commissioner of Building
7. Design Review Board
8. Commissioner of Planning
9. Planning Board
10. Commissioner of Public Safety
11. Commissioner of Public Works
12. Deputy Commissioner, Traffic Division
13. Transportation Commission
14. Commissioner of Parking
15. Westchester County Planning Board
16. Environmental Officer

17. Environmental Findings Resolution **ADOPTED**

18. Resolution of the Common Council of the City of White Plains approving the application submitted on behalf of Norden Lofts, LLC ("Applicant"), for Special Permit/Site Plan Approval in connection with the proposed multi-family adaptive reuse and redevelopment of the existing six (6) story, 48,000 square foot industrial building located at 121 Westmoreland Avenue (Section 130.25, Block, 3 Lot 1) IN THE li-m Light Industrial Mixed Use Zoning District and payment by the applicant of fee-in-lieu in the amount of \$176,500 to be used exclusively for park, playground and other recreational purposes, including the acquisition of real property, to mitigate the recreational impact of the new multi-family project, in accordance with General City Law Section 27-A. **ADOPTED**

FIRST READING

ORDINANCES:

19. Communication from Corporation Counsel in relation to the settlement of certain tax review proceedings. **F/S**
20. Ordinance authorizing the settlement of certain tax review proceedings. **ADOPTED 7 - 0.**

21. Communication from Corporation Counsel in relation to the settlement of the claim of in the matter of Jeffrey Combs against the City of White Plains and others. **F/S**
22. Ordinance authorizing the settlement of litigation brought by Jeffrey Combs against the City of White Plains, and others. **ADOPTED 7 - 0**
23. Communication from Corporation Counsel in relation to the settlement of the claim in the matter of Jade Fletchman, a minor, brought by her mother Eulex Fletchman against the City of White Plains. **F/S**
24. Ordinance authorizing the settlement of the action of Jade Fletchman, a minor, brought by her mother Eulex Fletchman against the City of White Plains. **ADOPTED 7 - 0**
25. Communication in relation to an amendment to a previously adopted ordinance, regarding the employment of Special Counsel to provide services relating to the disposition of cases involving injuries or long term illness in the Department of Public Safety. **F/S**
26. Ordinance of the Common Council amending an “Ordinance of the Common Council authorizing the Corporation Counsel to employ Special Counsel to provide services relating to the disposition of cases involving injuries or long term illness in the Department of Public Safety.” **ADOPTED 7 - 0**
27. Communication from Corporation Counsel in relation to an amendment to a previously adopted ordinance in relation to recouping funds expended or to be expended from the Self-Insurance Fund and to employ Special Counsel. **F/S**
28. Ordinance of the Common Council amending an ordinance entitled, “An ordinance of the Common Council of the City of White Plains authorizing the Corporation Counsel to initiate an action to recoup funds expended or to be expended from the City’s Self-Insurance Fund and to employ Special Counsel for said purpose.” **ADOPTED 7 - 0**
29. Communication from Chairman, Capital Projects Board, in relation to Capital Project No. C5446, City Hall Rehabilitation Front and Rear Steps. **F/S**
30. Communication from Environmental Officer **F/S**
31. Environmental Findings Resolution **ADOPTED**
32. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by amending Capital Project No. C5446 entitled, City Hall Rehabilitation - Front Steps to City Hall Rehabilitation - Front and Rear Steps. **ADOPTED 7 - 0**

33. Bond Ordinance dated March 7, 2016, authorizing the issuance of an additional \$60,600 aggregate principal amount serial bonds of the City of White Plains, County of Westchester, State of New York, to finance the additional cost of the acquisition and reconstruction of Class A Buildings for municipal use. **ADOPTED 7 - 0**
34. Communication from Chairman, Capital Projects Board, in relation to Capital Project No. W5474, Replace/Reconstruct Various Water Lines FY 2016. **F/S**
35. Communication from Environmental Officer **F/S**
36. Environmental Findings Resolution **ADOPTED**
37. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No. W5474, Replace/Reconstruct various Water Lines FY 16. **ADOPTED 7 - 0**
38. Bond Ordinance dated March 7, 2016, authorizing the issuance of \$2,525,000 aggregate principal amount serial bonds of the City of White Plains, County of Westchester, State of New York, to finance the costs of the acquisition and installation of water system improvements. **ADOPTED 7 - 0**
39. Communication from Commissioner of Public Works in relation to a proposed amendment to the Municipal Code to add a new Section 7.7.7A, Manner of Discharge of Unpolluted Water. **F/S**
40. Ordinance amending Title VII of the Municipal Code of the City of White Plains pertaining to sewers and drains to add a new Section 7.7.7A. **ADOPTED 7 - 0**
41. Communication from Commissioner of Public Works in relation to a contract with the County of Westchester for snow removal from County Roads within the City limits. **F/S**
42. Ordinance authorizing a multi-year contract between the City of White Plains and the County of Westchester in relation to snow removal from County roads. **ADOPTED 7 - 0**
43. Communication from Commissioner of Public Works in relation to the closure of certain public streets and appropriate parking restrictions on Saturday, March 12, 2016, for the St. Patrick's Day Parade. **F/S**
44. Ordinance of the Common Council of the City of White Plains authorizing the closure of certain public streets and appropriate parking restrictions on March 12, 2016, 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). **ADOPTED 6 - 0. Recusal: Mr. Martin**

45. Communication from Commissioner of Public Works in relation to the closure of certain public streets and appropriate parking restrictions for special events to be held in the downtown during 2016. **F/S**
46. Ordinance of the Common Council of the City of White Plains authorizing the closure of certain portions of public streets for the White Plains Farmers Market, Wednesdays, April 27, 2016 through November 23, 2016, the Cinco de Mayo Celebration on May 7, 2016; the Memorial Day Parade on May 30, 2016; the Juneteenth Parade on June 11, 2016; the Annual White Plains Downtown Criterium Bike Race and Vendor Expo on June 5, 2016; Summer Solstice Celebration on June 30, 2016; Yoga for All on June 22, 2016 (rain date June 23, 2016); Dancing Under the Stars/Disco Inferno on July 20, 2016; national Night Out on Crime on August 2, 2016; Outdoor Movie, Star Wars, on September 10, 2016; Jazzfest on September 25, 2016; Youth Bureau Wellness Week on September 17, 2016; Oktoberfest on October 9, 2016 (rain date October 30, 2016); Winterfest on December 9, 2016 through December 18, 2016; the White Plains New Year's Eve Spectacular, on December 31, 2016 through January 1, 2017. **ADOPTED 7 - 0**
47. Communication from Deputy Commissioner of Public Safety in relation to continue an agreement between the City and the County of Westchester and the New York State Police to operate software entitled TracCS (Traffic and Criminal Software). **F/S**
48. Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee to execute a New York State Police and Westchester County Department of Public Safety enabling the City of White Plains through its Department of Public Safety's Police Bureau to have access to the Traffic and Criminal Software System (TraCS). **ADOPTED 7 - 0**
49. Communication from Deputy Commissioner of Public Safety in relation to an agreement between the City and Empress Ambulance Service, Inc. **F/S**
50. Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee to enter into an emergency 90 day agreement with Empress Ambulance Services, Inc. **ADOPTED 7 - 0**
51. Communication from Deputy Commissioner of Planning in relation to a donation from the Culinary Tech Center, LLC, for the design, development and installation of internal signage for the White Plains Education and Training Center. **F/S**
52. Ordinance of the Common Council of the City of White Plains authorizing the Mayor to accept, on behalf of the City of White Plains, a donation of the design, development and installation of internal signage to provide identification of the classrooms, administrative offices, computer training center, conference room and main entry door, for the White Plains Education and Training Center, from the Culinary Tech Center, LLC. **ADOPTED 7 - 0**

53. Communication from Commissioner of Recreation and Parks in relation to a donation from Joseph Giglio, of a limestone eagle's head, to replace the existing deteriorated eagle's head on the World War I Monument located at Maple Avenue and Post Road. **F/S**
54. Ordinance of the Common Council of the City of White Plains authorizing the Mayor to accept, on behalf of the City of White Plains, the donation and installation of a limestone eagle's head, by Joseph Giglio, to replace the existing deteriorated head on the World War I monument located at Maple Avenue and Post Road. **ADOPTED 7 - 0**
55. Communication from the City Clerk in relation to agreements between the City of White Plains and Municipal Code . **F/S**
56. Ordinance authorizing the Mayor to direct the City Clerk to enter into three year contracts for Professional Services for codification and preparation of the White Plains Municipal Code, Supplemental Uniform Building and Fire Code and Zoning Ordinance, including supplements and printing, and the preparation of the Official Proceedings of the Common Council. **ADOPTED 7 - 0**
57. Communication from Personnel Director in relation to a proposed amendment to the White Plains Municipal Code Compensation and Leave Plan and the Table of Organization by adding and abolishing certain positions. **F/S**
58. Ordinance amending Sections 2-5-77, 2-5-80 and 2-5-81 of the White Plains Municipal Code by reallocating and establishing certain position titles, and amending the 2015 - 2016 Table of Organization by adding and abolishing certain positions. **ADOPTED 7 - 0**
59. Communication from Personnel Director in relation to a transfer of funds from Reserve for Financing for unanticipated expenditures incurred in administering the agility portion of the police exam and other scheduled exams. **F/S**
60. Ordinance of the Common Council of the City of White Plains authorizing the transfer of \$56,770, from Reserve for Financing in relation to unanticipated expenditures incurred by the Department of Personnel in administering the agility portion of the police exam and other scheduled exams for the balance of the Fiscal Year. **ADOPTED 7 - 0**

RESOLUTIONS:

61. Communication from Commissioner of Building in relation to a request submitted on behalf of Kite Realty Group - White Plains City Center for an amendment to a previously approved site plan for improvements to the site of: upgrading the pedestrian plaza with a new fountain, additional planting, seating, lighting and a stage; a valet area

on Mamaroneck Avenue; installing escalators from the lobby area on Mamaroneck Avenue to the second floor; and revising and updating exterior signage. **F/S**

ITEMS 62 - 72 F/S

- 62. Communications received from Design Review Board
- 63. Commissioner of Planning
- 64. Planning Board
- 65. Commissioner of Public Safety
- 66. Commissioner of Public Works
- 67. Deputy Commissioner, Traffic Division
- 68. Transportation Commission
- 69. Commissioner of Parking
- 70. Westchester County Planning Board
- 71. White Plains Urban Renewal Agency
- 72. Environmental Officer

73. Environmental Findings Resolution **ADOPTED 6 - 0. Recusal: Mrs. Smayda**

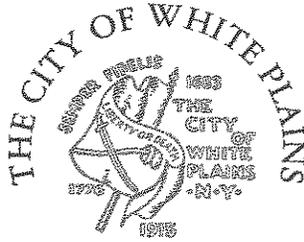
74. Resolution of the Common Council of the City of White Plains approving the application submitted on behalf of the Kite realty Group (“Applicant”), owner of property located at 1-29 Mamaroneck Avenue, known as the City Center Shopping center (Section 125.76, Block 1, Lot 2) for an amendment to its existing amended site plan to upgrade the Pedestrian Plaza on the east side of City Center Shopping Center with a new fountain, additional planting, seating, lighting and a stage; (2) implement a valet along Mamaroneck Avenue in conjunction with pavement, curbing and sidewalk modifications; (3) modify the Mamaroneck Avenue entrance to the City Center Shopping Center by installing escalators from a renovated and redesigned lobby area up to the second floor; and (4) revise and update certain exterior signage on the City Center Shopping Center. **ADOPTED 6 - 0. Recusal: Mrs. Smayda**

75. Communication from the City Clerk in relation to a change of date for the Regular Stated Meeting of the Common Council for May 2016 from Monday, May 2, 2016, to Monday, May 9, 2016. **F/S**

76. Resolution of the Common Council of the City of White Plains setting the date for the Regular Stated Meeting of the Common Council for May 2016, from Monday, May 2, 2016 to Monday, May 9, 2016. **ADOPTED**

ITEMS FOR INFORMATION:

77. Communication from the Commissioner of Building transmitting a communication from the Chairperson of the Historic Preservation Commission and a resolution of the Commission recommending that the structure at 283 Soundview Avenue be designated as a Local Landmark. **F/S Recusal: Mrs. Lecuona**



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

**THOMAS M. ROACH
MAYOR**

**t:914.422.1411
f:914.422.1395**

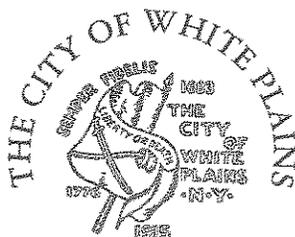
TO THE HONORABLE MEMBERS OF THE COMMON COUNCIL:

I am pleased to announce the appointment of Emily Rowe Smith as a Member of the Community Development Citizens Advisory Committee to a term which will expire on December 31, 2016.

Sincerely,

Thomas M. Roach, Mayor

DATED: March 1, 2016



COMMON COUNCIL
MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NY 10601
Office: (914) 997-2747 Fax: 914-422-3636

John Kirkpatrick
Council President

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL:

The Common Council is pleased to recommend the appointment of Damon Amadio as a member of the Board of Ethics to a term which will expire on December 31, 2017.

Sincerely,

John Kirkpatrick
Council President

March 2, 2016

LOCAL LAW INTRODUCTORY NO. 1 OF 2016 AMENDING LOCAL LAW NO. 1 OF 2015 ADOPTED MAY 4, 2015, CODIFIED IN TITLE IX OF THE WHITE PLAINS MUNICIPAL CODE SECTION 9-6 ENTITLED "HISTORIC PRESERVATION" BY AMENDING SECTIONS 9-6-2 AND 9-6-3 RELATING TO RECOMMENDATION OF LANDMARKS OR HISTORIC DISTRICTS AND NOTICE.

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

Section 1. Title IX, Chapter 9-6-2(H)(7), of the White Plains Municipal Code is hereby amended as follows:

H. Duties and Powers.

7. Recommending [Designating] designation of local landmarks or districts.

Section 2. Title IX, Chapter 9-6-3(B), of the White Plains Municipal Code is hereby amended as follows:

B. Criteria.

1. Individual Landmarks. The Commission may recommend [designate] designation of an individual property as a local landmark if it:

- a. Possesses special character, historic, aesthetic interest or value as part of the cultural, political, economic or social history of the City, region, state or nation; or
- b. Derives its primary significance from architectural or artistic distinction or historical importance; or
- c. Identifies with persons or events significant in local, state, or national history; or
- d. Is a cemetery that derives its primary importance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
- e. Is the birthplace or grave of a historical figure of outstanding importance; or
- f. Embodies the distinguishing characteristics of an architectural style; or
- g. Is the work of a noted designer, architect, or builder; or
- h. The property has yielded or may be likely to yield information important to the study of the prehistory or history of the region, state, or nation.

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2. Historic Districts.

- a. The Commission may recommend the [designate] designation of a group of properties as a historic district if the majority of properties contained therein meet one or more of the criteria for designation of an individual landmark.

Section 3. Title IX, Chapter 9-6-3(C), of the White Plains Municipal Code is hereby amended as follows:

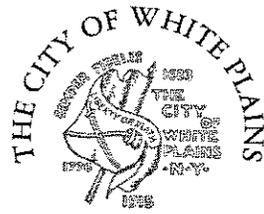
C. Decision Making Requirements.

1. Public Notice. Notice of a proposed designation shall be sent by [registered] certified mail, return receipt requested, to the owner of the property proposed for designation, describing the property and announcing a public hearing by the Commission to consider the designation. Notice shall be published in the official newspaper designated by the City, not less than 10 nor more than 30 days prior to the date of the public hearing and on the City website.

§ 4. EFFECTIVE DATE

This Local Law shall take effect upon the filing with the Secretary of State.

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

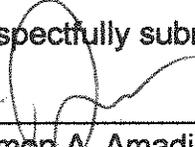
Kevin M. Hodapp, P.E.
Deputy Commissioner

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 on February 2, 2016, the Department of Building has reviewed a request by Norden Lofts, LLC for Special Permit/Site Plan approval of a project at 121 Westmoreland Avenue.

This department has no objection to approval being granted for this project.

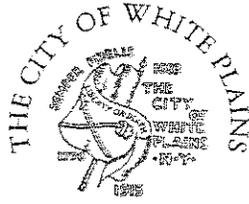
Respectfully submitted,



Damon A. Amadio, P.E.
Commissioner of Building

Dated: February 19, 2016
(For the March 7, 2016 Common Council Meeting)

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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

February 11, 2016

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 February 8, 2016, reviewed an application for Site Plan approval in connection with the adaptive re-use and redevelopment of the existing 48,000 square feet industrial building situated at 121 Westmoreland Ave., White Plains, NY.

OUTCOME: The Design Review Board recommends the approval of this application as submitted

Norman DiChiara

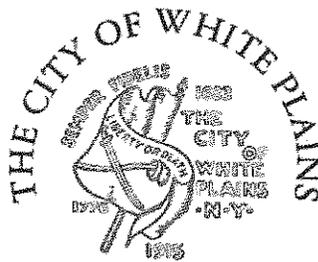
Norman DiChiara, Chairman

Design Review Board

"THE BIRTHPLACE OF THE STATE OF NEW YORK"

<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

CHRISTOPHER N. GOMEZ, AICP
COMMISSIONER

LINDA K. PUOPLO
DEPUTY COMMISSIONER

TO: THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: NORDEN LOFTS, LLC
121 WESTMORELAND AVENUE
(SECTION 130.25, BLOCK 3, LOT 1)
APPLICATION FOR SITE PLAN AND SPECIAL PERMIT APPROVALS

By letter dated January 15, 2016, William Null, on behalf of RM Mag Westmore, LLC, owner of the premises, submitted an application by Norden Lofts, LLC for special permit and site plan approval to the White Plains Common Council for the proposed multi-family adaptive reuse and transit oriented development of the existing 48,000 square foot industrial building at 121 Westmoreland Avenue (Project Site). The 34,041 square foot site is bounded on the northerly side by the Metro North Railroad tracks, on the easterly side by RJT Towing Company, the southerly side by Westmoreland Avenue, and on the westerly side by Westy Self Storage facility.

Westmoreland Avenue corridor, inclusive of the project site, was rezoned by the Common Council from LI Light Industrial to LI-M Light Industrial Mixed Use Zoning District on August 3, 2015. The new LI-M District was specifically created to permit transit-oriented, multi-family uses upon issuance of a special permit by the Common Council as a means to catalyze development of a new vibrant mixed-use new neighborhood as defined in the adopted zoning amendment:

"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; incentivize adaptive reuse of existing "buildings" for residential use to increase neighborhood vitality and retain existing character; "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."

Applicant proposes to convert the existing 48,000 square foot, six-story industrial building into a 56,424 square foot residential building through the addition of enclosed egress stair towers on the north and south facades as well as utilization of the existing basement as a community room, bike storage, fitness room, and bocce court for residents. The converted building will contain a total of 65 rental units, consisting of 42 studio apartments; 18 one bedroom apartments; and five two bedroom apartments. The structure was previously occupied by Norden Systems, which opened in 1947, and most recently by Arc of Westchester Association, an organization that provides services to persons with disabilities.

The proposed site plan includes the provision 80 total parking spaces on site, comprised of 29 spaces in a surface lot on the west side of the building, and 51 spaces on the east side of the building. The easterly lot will consist of both 25 surface spaces and 26 spaces as tenant-operated stacked parking (13 parking spaces stacked on top of 13 at grade spaces). Both parking lots are accessed via existing curb cuts to Westmoreland Avenue, which would be slightly enlarged to accommodate the loading and refuse disposal for the new use. Access the lots is proposed to be restricted by use of a sliding 4'-6" high gate.

The existing rooftop is not proposed for tenant access as cellular antenna installations will remain atop building with access restricted to service professionals.

The Planning Department has reviewed the application for consistency with the Comprehensive Plan, for compliance with site plan approval requirements pursuant to Section 7.5 Site Plan Standards, and for special permit approval pursuant to Section 6.5 Special Permit Standards and 6.7.31 "Multi-family dwelling", "Hotel" and "Extended Stay Hotel" uses in the LI-M District, and offers the following comments and recommendations for Common Council consideration:

I. CONSISTENCY WITH THE COMPREHENSIVE PLAN

The Project Site is located within the "Core Area" identified in the Comprehensive Plan, defined as "a place to live, work, shop and spend quality leisure time." In addition, the Plan states that downtown residential development is a major economic tool for the City to create a truly livable, "walkable" urban environment with a 24/7 character that supports office and retail. In particular, the Comprehensive Plan makes the following statements and recommendations regarding the project location:

- *The trend toward more residential development in the Core Area should be encouraged.*
(Vision Statement for the Core Area - Comprehensive Plan page II-I-4)
- *Encourage upgrading and modernizing of the light industrial zone districts along Westmoreland, Ferris, South Kensico, and Haarlem Avenues, and ensure that they properly*

coexist with the abutting residential areas.

(2006 Strategy for Light Industrial Areas - Comprehensive Plan page II-I-56)

Consistency with Westchester County Regional Planning Policies

The proposed development is consistent with the Westchester County Planning Board's long range planning policies set forth in *Westchester 2025- Context for County and Municipal Planning and Policies to Guide County Planning*, and its recommended strategies set forth in *Patterns for Westchester: The Land and the People* as it represents development in an existing center where infrastructure can support growth, where public transportation can be provided efficiently, and where redevelopment can enhance economic viability.

II. NEIGHBORHOOD CHARACTER

Westmoreland Avenue is a one way roadway in an industrial area that abuts the residential Fisher Hill Close-In Neighborhood; the Metro North railroad to the north; and Rochambeau Alternative High School to the southwest. It extends easterly 1,500 feet from Tibbits Avenue to dead end at an auto parts supply shop and an auto repair facility. There are established industrial uses in the area, including a welding shop, auto towing business, auto repair, warehousing, self-storage facility, building materials suppliers, and other industrial uses. In addition, the City-owned Kittrell Park is located within 150 feet of the Westmoreland Avenue corridor. The variety of uses exhibited display a light-industrial mixed-use character.

The industrial buildings are generally one and two story structures, with the subject property being the tallest in the area, at six stories. The Westy Self Storage facility is the next tallest structure, at 50 feet tall. The area is active during the day when businesses are operating and Kittrell Park is heavily used by the area residents. It is anticipated that the addition of 65 new loft-style apartments will both complement and enhance existing neighborhood character.

III. OPEN SPACE AND PARKLAND

The proposed site plan does not include any publicly accessible usable open space onsite, as the parcel will be fully occupied by the residential building and parking therefor. However, minor landscaping enhancements are proposed for the perimeter of the parking areas to soften the existing surface lot areas.

Pursuant to the recommendations from the Planning Department regarding the reservation of parkland on all multi-family site plans or payment of money-in-lieu thereof, it is recommended that the Common Council make the requisite finding simultaneous to granting site plan and special permit

approvals that the submitted site plan does not provide adequate land for park and recreation facilities based on the project's anticipated generation of at least 90 new city residents, projected future overall growth in City population, and evaluation of the City's present and anticipated future needs for park and recreation facilities presented to the Common Council in the Planning Commissioner's communication, dated January 4, 2015, regarding the reservation of parkland on all multi-family site plans or payment of money-in-lieu thereof.

Under this fee schedule the 65 unit mix proposed for 121 Westmoreland Avenue would result in a total fee-in-lieu payment to the City of \$176,500 to be used exclusively for park, playground and other recreational purposes, including the acquisition of real property. It is recommended that the total fee shall be paid by the applicant in two equal installments of \$88,250, the first shall be made at time of issuance of the first building permit, and second made prior to issuance of a Temporary Certificate of Occupancy (TCO) by the Commissioner of Building. In the event that no Temporary Certificate of Occupancy is required, the second payment shall be made prior to issuance of a Certificate of Occupancy (CO) by the Commissioner of Building.

IV. ZONING COMPLIANCE

Site Plan Standards

- 7.5.1 Conformity of all proposals with this Ordinance and with the goals of the "Comprehensive Plan."

As identified previously, the proposed project is consistent with many recommendations of the City's Comprehensive Plan including the 2006 Core Area Vision Statement: "Downtown residential development has become, and will continue to be, a major economic tool for the city to create a truly livable, walkable urban environment with 24/7 character..." In addition, the recommendation to encourage upgrading and modernizing of the light industrial zone districts,

- 7.5.2 Safe, adequate and convenient vehicular and pedestrian traffic circulation both within and without the site. At least the following aspects of the "site plan" shall be evaluated to determine conformity to this standard:

- 7.5.2.1 The effect of the proposed development on traffic conditions on existing "streets."

The applicant has submitted a Short Environmental Assessment Form – dated January 15, 2015, and additional analyses, prepared by Brian E. Dempsey, P.E., PTOE, of TRC Engineers, Inc., and dated January 12, 2016, evaluating the

potential impact on traffic associated with the project. Based on the traffic analysis submitted by the applicant, and upon confirmation by the City's Deputy Commissioner of Parking, the proposed site plan will not have an adverse impact on the existing street network.

- 7.5.2.2 The number, locations and dimensions of vehicular and pedestrian entrances, exits, drives and walkways.

The site plan contains two separate vehicular entrances to the parking lots on either side of the existing building. There is no vehicular connection between the lots. Pedestrian access to the residential building will be directly off of Westmoreland Avenue through anew lobby.

Pursuant to the recommendation of the Traffic Commission, the proposed "rolling gate" at each driveway entrance may need to be relocated so that vehicles do not obstruct the sidewalk when they are waiting for the gate to open.

Landscaping is proposed around the parking areas and building to enhance the pedestrian experience.

- 7.5.2.3 The visibility in both directions at all exit points of the site. The driver of an automobile exiting the site should have an unobstructed view of the "street" for that distance necessary to allow safe entrance into the traffic stream.

Visibility into and out of the site is adequate as confirmed by the City's Deputy Commissioner of Parking.

- 7.5.2.4 The location, arrangement and adequacy of off-"street" "parking lots," which shall, at a minimum, meet the requirements of Section 8 of this Ordinance.

The proposed apartment building, consisting of 42 studio units, 18 one bedroom units, and 5 two bedroom units, generates a parking requirement of 79 total spaces. The applicant proposes 67 at-grade parking spaces, with 13 of those spaces providing stacking for 13 additional vehicles. The stacked spaces will be self-operated by tenants and utilized only by occupants of the same apartment unit.

- 7.5.2.5 Interconnection of "parking lots" via access drives within and between adjacent "parking lots," in order to provide maximum efficiency, minimize curb cuts, and encourage safe and convenient traffic circulation.

There is no inter-connection of parking lots on the site. The driveway curb cuts will be widened, but are in the same location as the existing curb cuts. Each

driveway has one lane in and one lane out. Pedestrian access from the parking structure to the residential lobby is provided via a walkway along the perimeter of the building that connects to the sidewalk on Westmoreland Avenue.

- 7.5.2.6 The location, arrangement and adequacy of "loading spaces," which shall, at a minimum, meet the requirements of Section 8 of this Ordinance.

No dedicated loading space is provided on the site, and none is required for multi-family dwellings. A "drop off zone" provided at the entrance to the lobby, could accommodate a box truck. Larger trucks will have to use on-street parking (there are nine in front of the project site.)

- 7.5.2.7 Patterns of vehicular and pedestrian circulation both within the boundaries of the development and in relation to the adjoining "street" and sidewalk system.

Sidewalks are provided around the entire building and connect to the existing sidewalk system. There are sidewalks on both sides of Westmoreland Avenue, and they connect to the overall sidewalk system.

- 7.5.2.8 The location, arrangement and adequacy of facilities for the physically handicapped, such as ramps, depressed curbs and reserved "parking spaces."

Appropriate provisions for the physically disabled will be provided on the sidewalk. Four handicapped parking spaces are provided near the entrance to the building with provisions for adequate access to the entrance from the spaces.

- 7.5.2.9 The location, arrangement and adequacy of landscaping within and bordering "parking lots" and "loading spaces," which shall, at a minimum, meet the requirements of Section 8.7.5 of this Ordinance.

The landscape plan shows planting strips along the Westmoreland Avenue sidewalk, around the building, and along the rear property line abutting the Metro North property. The landscaping includes deciduous trees, evergreens, shrubs and groundcover plantings.

- 7.5.2.10 Adequacy of fire lanes and other emergency zones.

Appropriate fire zones have been provided as confirmed by the Commissioner of Public Safety.

- 7.5.3 The protection of environmental quality and the preservation and enhancement of property values in the neighboring area.

- 7.5.3.1 The location, height and materials of walls, fences, hedges and plantings so as to

insure harmony with adjacent development, screen "parking lots" and "loading spaces," and conceal storage areas, refuse areas, utility installations and other such features. Such walls, fences, hedges and plantings shall, at a minimum, meet the requirements of Sections 4.4.16, 4.4.19 and 8.7.5 of this Ordinance.

Landscaped areas are proposed around the perimeter of the site. The stacked parking spaces are proposed to be screened from Westmoreland Avenue by a 16-foot brick wall. The rolling fence at the driveway entrances is a 4'-6" black aluminum picket fence. The refuse storage area for the internal compaction system is within the rear of the building, and refuse will be moved only for pick-up by private carter. These features of the project will enhance the property values in the neighboring area.

- 7.5.3.2 The prevention of dust and erosion, both during and after construction, through the planting of ground cover or the installation of other appropriate ground surfaces.

The City's construction management protocols must be adhered to the satisfaction of the Commissioner of Public Works.

- 7.5.3.3 The preservation of natural features of the site such as wetlands, unique wildlife habitats, historic "structures," major trees and scenic views both from the site and onto or over the site.

The site is completely built-out. Therefore, there are no natural features, wetlands or unique wildlife habitat on the site.

- 7.5.3.4 The conformity of exterior lighting to the requirements of Section 4.4.20 of this Ordinance.

The applicant proposes to supplement the existing on-street lighting with seven City of White Plains standard "acorn" lights measuring 12 feet high. Onsite, there will be six, 18' tall light poles with eight lamps to illuminate the parking lots; ten-foot poles along the pedestrian walkways surrounding the building; and 40 inch bollards along the rear of the building. This degree of lighting will provide adequate visibility and safety.

- 7.5.3.5 The design and arrangement of "buildings," "structures" and accessory facilities (such as air conditioning systems, public address systems, etc.) so as to achieve minimum and acceptable noise levels at the property boundaries.

The residential project should not generate unacceptable noise levels.

- 7.5.3.6 The provision of adequate storm and surface water drainage facilities so as to properly drain the site while minimizing downstream flooding.

The stormwater management plan has been reviewed by the Commissioner of Public works, and will be subject to any recommended conditions.

- 7.5.3.7 Access to sunlight for present and potential solar energy systems, both on and off site, as well as "building" siting, orientation and landscaping, meeting at a minimum the requirements of Section 4.4.21 of this Ordinance.

No solar energy systems are proposed.

- 7.5.4 A quality of "building" and overall site design which will enhance and protect the character and property values of the adjacent neighborhood.

The proposed redevelopment will greatly enhance the character and protect property values of the adjacent neighborhood. The reuse of the subject property, which has been vacant for at least ten years will benefit the surrounding area. The applicant proposes to remove the white paint on the building façade and to repoint the bricks to restore the historic industrial character of the building. New windows and aesthetic enhancements to the façade, along with new landscaping will enhance the character of the neighborhood. Further, the proposed landscaping and repointing of the existing structure adjacent to the northbound MetroNorth tracks will provide an enhanced view for the growing reverse commute population traveling to the White Plains Station.

General Special Permit Standards

6.5 Standards

All special permit "uses" shall comply with the following standards in addition to the "site plan" standards of Section 7.5. The approving agency shall attach such additional conditions and safeguards to any special permit as are, in its opinion, necessary to insure initial and continual conformance to all applicable standards and requirements.

- 6.5.1 The location and size of the special permit "use," the nature and intensity of the operations involved in it or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to "streets" giving access to it are such that it will be in harmony with the appropriate and orderly development of the area in which it is located.

The LI-M District was proactively enacted by the Common Council to encourage residential and commercial development in the Westmoreland Avenue light industrial district. The

district specifically encourages the adaptive reuse of existing buildings, as proposed by the applicant. With 65 units, the proposed apartment building will not generate an intensity of use that will adversely impact the neighborhood.

- 6.5.2 The location, nature and "height" of "buildings," walls and fences and the nature and extent of existing or proposed plantings on the site are such that the special permit "use" will not hinder or discourage the appropriate development and "use" of adjacent land and "buildings."

The proposed project involves the renovation of an existing building; therefore, there will be no change to the adjacent land or buildings. The proposed façade improvements, landscaping, and lighting will be an enhancement to the area.

- 6.5.3 Operations in connection with any special permit "use" will not be more objectionable to nearby properties by reason of noise, traffic, fumes, vibration or other characteristics than would be the operations of permitted "uses" not requiring a special permit.

The residential use will not generate noise, traffic, fumes or vibrations that would be more objectionable than the uses permitted in the LI-M.

- 6.5.4 "Parking lots" will be of adequate size for the particular special permit "use," properly located and suitably screened from adjoining residential "uses," and the entrance and exit drives shall be laid out so as to achieve maximum convenience and safety.

The parking lots, screening, and driveways have been laid out to achieve maximum safety and convenience for both pedestrians and drivers.

Individual Special Permit Standards for "Multi-Family Dwelling" in the LI-M

- 6.7.31 "Multi-family dwelling", "Hotel" and "Extended Stay Hotel" uses in the LI-M District:

- 6.7.31.1 Existing buildings may be converted to include "Multi-family dwelling," "hotel," or "extended stay hotel" uses subject to meeting the following conditions:

- 6.7.31.1.1 A minimum of one floor of the building shall be converted.

With the exception of the lobby and basement, all floors will be converted to residential use.

- 6.7.31.1.2 Off-street parking is provided in accordance with Section 8. No parking exemptions shall apply.

The proposed parking complies with the requirements of Section 8.

6.7.31.1.3 The conversion is consistent with the character of the area and retains its original exterior appearance to the maximum extent practicable.

The conversion is consistent the character of the neighborhood. The exterior appearance is proposed to be restored to its original appearance, before it was painted white.

6.7.31.1.4 The maximum "Floor Area Ratio" (FAR) shall be 3.5.

The proposed floor area ratio is 1.66.

V. CONCLUSION

Based on the foregoing analysis and review of the submitted application pursuant to Section 7.5 Site Plan Standards, and for special permit approval pursuant to Section 6.5 Special Permit Standards and 6.7.31 "Multi-family dwelling", "Hotel" and "Extended Stay Hotel" uses in the LI-M District, the Planning Department recommends that the Common Council grant the requested site plan and special permit approvals for the following reasons:

1. It is an appropriate adaptive reuse of an existing building that will preserve the industrial character of the area as envisioned and encouraged by the Common Council's visionary and proactive establishment of the new LI-M Light Industrial Mixed-Use District.
2. It will enhance the aesthetic and commercial appeal of Westmoreland Avenue, and revitalize the corridor by bringing new residents to the neighborhood.
3. It is a transit oriented development, located within the newly defined White Plains Transit District currently under study by the City. Residents will be afforded easy access to the Metro North Train Station, Bee Line Bus Transcenter, and the Bronx River Parkway Reservation in addition to downtown shopping, all factors that will reduce vehicle dependence, traffic generation, and increase pedestrian activity.
4. It will generate property tax revenue by restoring to the tax rolls a property that has been vacant for many years.
5. The loft-style apartments will provide a unique type of housing product that is not available elsewhere in the City.

Further, the Department of Planning recommends that the site plan and special permit approval be subject to the following conditions:

1. The Common Council make the requisite finding pursuant to New York State General

City Law § 27-a, that the site plan does not provide adequate land for park and recreation facilities based on the project's anticipated generation of more than 90 new city residents, projected future overall growth in City population, and evaluation of the City's present and anticipated future needs for park and recreation facilities as presented in the Planning Commissioner's communication to the Common Council, dated January 4, 2015, regarding the reservation of parkland on all multi-family site plans or payment of money-in-lieu thereof.

2. The Common Council assess a fee-in-lieu of providing adequate park and recreation facilities for the 65 dwelling units proposed on a per residential unit basis (\$2,500 per studio unit, \$3,000 per one bedroom unit, and \$3,500 per two bedroom and larger unit) amounting to a total fee of \$176,500.00 to be paid by the applicant to the City and to be used exclusively for park, playground and other recreational purposes, including the acquisition of real property.

The total fee shall be paid by the applicant in two equal installments of \$88,250 - the first shall be made at time of issuance of the first building permit, and second made prior to issuance of a Temporary Certificate of Occupancy (TCO) by the Commissioner of Building. In the event that no Temporary Certificate of Occupancy is required, the second payment shall be made prior to issuance of a Certificate of Occupancy (CO) by the Commissioner of Building.

3. As long as the existing rooftop cellular antenna installations remain on the building roof, access shall be restricted to service professionals.
4. All landscaping shall continue to be maintained in a healthy growing condition throughout the duration of the "structure" or "use" which it is intended to serve. Any planting not so maintained shall be replaced with new plants at the beginning of the next growing season.
5. A Construction Management Plan is required for the development of the Proposed Project and a coordination plan for coordinating construction with other construction in the area, if any, including City projects which will be going on contemporaneously with this Project. The Plan shall include strict controls on all aspects of the construction, including construction related impacts on adjacent properties and properties within the construction impact area, such as, but not limited to, hours of operation of construction vehicles and construction work on the site, hours of deliveries to the site, location of deliveries, requirements for loading/unloading and storage of materials on the Project site, length of time travel lanes can be encumbered, sidewalk closings or pedestrian diversions to ensure the safety of the pedestrians, controls on "fugitive dust" and the impact of run-off from the site on the City storm drain system, such as from the wash down of delivery vehicles departing the site (all

such vehicles must be cleaned on pads located on the site and all drainage must have proper filtration of the wash-down water), noise, pest control, street cleaning, site security, scheduling of periodic meetings with nearby residents and City staff to coordinate project construction and keep residents advised. The Construction Management Plan shall be subject to the approval of the Commissioners of Building, Public Safety, Public Works, Traffic, and Planning and the Environmental Officer.

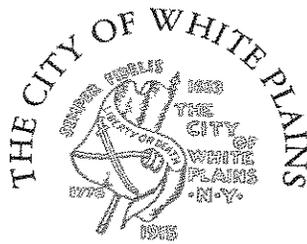
6. A pre-construction meeting must be held with the applicant, the contractor, the Building Inspector, the Environmental Officer, and other staff, as needed, to review the construction plan and time-line, and to detail City requirements and applicant responsibilities during construction.
7. Prior to issuing a building permit, the Department of Building should ensure that the Applicant has provided documentation demonstrating the extent to which the project would meet LEED Certification Silver and New York State Energy Star standards.

Respectfully submitted,



Christopher N. Gomez, AICP
Commissioner of Planning

Dated: December 24, 2016
For the March 7, 2016 Common Council Meeting



PLANNING BOARD

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E-Mail: Planning@whiteplainsny.gov

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DEPUTY COMMISSIONER

EILEEN McCLAIN
SECRETARY

February 25, 2015

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: NORDEN LOFTS, LLC, 121 WESTMORELAND AVENUE - SPECIAL PERMIT/SITE PLAN APPROVAL FOR THE ADAPTIVE REUSE AND REDEVELOPMENT OF AN EXISTING 48,000 SQUARE FOOT INDUSTRIAL BUILDING TO RESIDENTIAL APARTMENTS

At its February 23, 2016 meeting, the Planning Board reviewed the application by Norden Lofts, LLC for approval of a site plan and special permit for multi-family dwelling in an existing 6-story building at 121 Westmoreland Avenue.

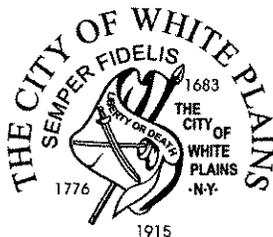
The Board finds that the proposed conversion of the industrial building to multi-family residential is a good adaptive reuse of a structure that has been vacant for many years, and that the proposed design is attractive, and incorporates sustainable features. Therefore, the Board recommends approval of the site plan and special permit application. The Board offers the following comments and recommendations for the Common Council's consideration:

1. The "green" features of the project are benefits of the adaptive reuse of the building. They include: installation of energy efficient windows; LED lighting; high-efficiency heating and ventilation equipment; bicycle storage areas inside and outside the building; and the use of sustainable building materials.
2. If applicable, the site's location near the Bronx River Reservation lands should be considered in stormwater management design and containment of any potential pollutant runoff.
3. Because there is no onsite loading space, moving trucks will likely park at on-street parking spaces.
4. No back-up generator is proposed for the car stackers, so in the event of a power outage, those cars will be inaccessible.

5. Because the site is fully developed, providing onsite publicly accessible open space is not possible. The payment of a fee-in-lieu of recreation lands will help to improve and/or acquire addition recreation resources.

Planning Board members voting in favor of the motion to recommend approval of the site plan and special permit applications, with the above comments in a letter to the Common Council: M. Quinn, A. Cabrera, J. Ioris, L. Oliva, and R. Stackpole (5); Opposed: None (0); Absent: J. Durante and J. Westlund (2).

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



DEPARTMENT OF PUBLIC SAFETY
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ANNE FITZSIMMONS
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THOMAS M. ROACH
Mayor
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JAMES M. BRADLEY
Deputy Commissioner
422-6230

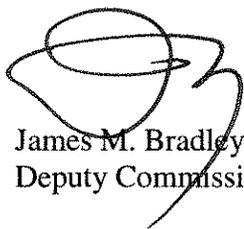
RICHARD L. LYMAN
Fire Chief
422-6360

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

DEAR MAYOR AND COMMON COUNCIL MEMBERS:

The Department of Public Safety has reviewed these plans. There are no objections.

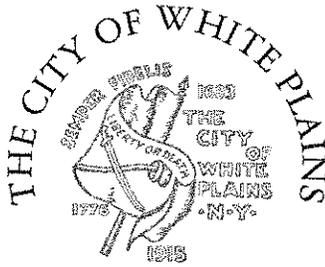
Norden Lofts
121 Westmoreland Avenue
Redesign of commercial building
into residential apartments



James M. Bradley
Deputy Commissioner of Public Safety

JMB:dmc

Date: March 1, 2016



DEPARTMENT OF PUBLIC WORKS
MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NEW YORK 10601
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THOMAS M. ROACH
MAYOR

ANTHONY R. CARR, P.E., CFM
DEPUTY COMMISSIONER

RICHARD G. HOPE
COMMISSIONER

STEFANIA MIGNONE
DEPUTY COMMISSIONER

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

In response to the Building Department referral received February 3, 2016, the Department of Public Works has reviewed materials submitted by William S. Null, of Cuddy & Feder, LLP., on behalf of Norden Lofts, LLC, applicant, an application requesting Site Plan for the proposed redevelopment of the of the site located at 121 Westmoreland Ave. Included with the submittals are drawing plan sheets SV-001, SV-101, SD-101 through SD-106, SD-401 through SD-403, SD-501 through SD-506 dated 1/14/16, prepared by Papp Architects, P.C. and Catizone Engineering, P.C. Also included is the Short Environmental Assessment Report – EAF Appendix B, dated 1/15/15, cover letter from Cuddy & Feder dated 1/15/16, describing portions of the project, Traffic Evaluation Memo, dated 1/12/16, prepared by TRC Engineers, Plumbing Utility Load Letter, dated 1/13/16, prepared by Khachaturian Engineering Associates, Inc., Solid Waste Routing letter, dated 1/14/16, prepared by City Carting and Solid Waste Management Plan, dated 1/14/16, prepared by Philip Fruchter, and a Stormwater Summary letter, dated 1/14/16, prepared by Catizone Engineering, P.C..

We offer the following comments for the Common Council's consideration:

1. Groundwater mitigation, both during construction and post development will need to be addressed. The proposed development plans indicate an approximate finished floor elevation for the lowest basement level will be approximately twelve (12) feet below grade (not including foundations and footing depths). The applicant must submit detailed soil borings, and provide details how groundwater will be mitigated. The applicant must include this information, and it must be approved by the Commissioner of Public Works, prior to obtaining a Building Department Permit.
2. The Applicant acknowledges certain upgrades are required to the City's infrastructure which is their responsibility. The applicant will be required to update approximately one hundred and ten (110) feet of the existing eight (8) inch sanitary sewer main to a twelve 12" diameter main. Sewer flow monitoring and TV pipe inspection must be performed starting at the receiving sanitary manhole, and downstream underneath the train tracks to the next sanitary manhole. The design plans must be provided by the Applicant for final approval by the Department of Public Works, and subsequently, the Westchester County Department of Health.
 - A. Drawings should include plan and profile views, along with all applicable details and the CWP standard construction details sheets for both water and sanitary sewer.
 - B. Submittals to WCDOH for permit will require, in addition to the drawings, completed forms

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DOH-348, BSP-5, Chapter 20 'Design of Sewers - General Design Information', and an engineer's report including all design calculations.

- C. All documents submitted for WCDOH permit approval shall be signed and sealed by the applicant's professional engineer of record.
3. The applicant's Engineer of Record (EOR) must revise the proposed water main-to-main, and service-to-main connections, to include the required CWP valve configuration at each service and/or main connection location prior to obtaining a Building Department Permit.
4. Backflow prevention devices must be installed on the fire and domestic services. These devices must be located in a utility room that must also accommodate a master water meter. The application for the backflow device installations must be prepared by a licensed New York State professional engineer and submitted to the Department of Public Works for review and subsequent final approval by the Westchester County Department of Health. The floor drain for said room must be adequate to comply with White Plains Department of Public Works and Westchester Department of Health requirements.
5. Existing sanitary and water services shall be abandoned at the main, including all associated restoration work associated, as directed by DPW. Provide the locations and limits of existing services to be abandoned.
6. Prior to the issuance of a Building Permit, all existing sanitary sewer and stormwater drain structures, both manholes and catch basins, where new connections into the municipal system are being proposed, shall be inspected for capacity and structural integrity, in order to determine that the structures can safely accept the proposed connections and the additional flows. An inspection report indicating the conditions of each structure, and the option to repair or replace if needed, shall be provided to DPW for review and acceptance.
7. The plans indicate the existing catch basin around the perimeter of the site will remain. This catch basin will require that their castings be replaced with new Eco-Friendly models with bicycle-safe grates in accordance with DPW's Standard Construction Details. Label plans accordingly and provide details as necessary. Any of these drainage structures found to be in need of repair, shall be updated, replaced or repaired by the applicant, at the applicants expense, and as directed by the Commissioner of Public Works.
8. All proposed stormwater catch basins/inlets being installed within the private property, must include a minimum sump depth of 36". Upgrade the plans and details and label accordingly.
9. The applicant must provide a Stormwater Management Report, including profiles and pipe sizing calculations, locations of roof drains, which must be approved to the satisfaction of the Commissioner of Public Works.
10. The applicant will be required to schedule soil testing to determine the groundwater level, and issue the proposed water quality practice will function as designed. If groundwater or soils are encountered that require a different practice, the applicant will be required to submit a re-design that must be approved by the Commissioner of Public Works prior to the issuance of a Building Department Permit.

11. The construction of all stormwater facilities must be under the supervision of the stormwater design Engineer of Record, and an as-built must be provided to the Department of Public Works, signed and sealed by this engineer, or by a New York State licensed land surveyor. A required maintenance agreement for all on-site stormwater management measures must be executed along with all necessary permits, prior to the construction of any permanent stormwater facility and remain in effect with the transfer of the property. This document must be completed in accordance with the City's local law requirements and coordinated with the Corporation Counsel. An appropriate escrow account must be established by the Commissioner of Public Works for the maintenance of said stormwater facilities. The Commissioner of Public Works has the right to utilize this escrow account to perform maintenance work should the owner fail to be responsive. Further, the City through the Department of Public Works shall receive 20% of all costs as an administrative fee.
12. The landscape plans indicate that portions of the proposed parking areas are to be screened with trees to be installed in the City Right Of Way. The trees must be relocated to within the applicant property, where possible. The plantings that must remain must be approved by the Commissioner of Public works and these planting areas will require that a maintenance agreement with the City be executed, along with all necessary permits, and will remain in effect with the transfer of the property. Prior to issuance of a Building Permit, This document must be completed in accordance with the City's local law requirements and coordinated with the Corporation Counsel. An appropriate escrow account must be established by the Commissioner of Public Works for the maintenance of said planting areas. The Commissioner of Public Works has the right to utilize this escrow account to perform maintenance work should the owner fail to be responsive. Further, the City through the Department of Public Works shall receive 20% of all costs of any work as an administrative fee.
13. The proposed sidewalks surrounding the site, as shown on the plans, indicate that concrete sidewalks are to be installed. DPW requires that all the sidewalks proposed to be installed within the public ROW match the City's standard promenade sidewalk with the stamped concrete brick pattern band along the curb, *or* if an alternate design deviating from the City standard is requested, approval of the Commissioner of Public Works, Building, and Planning will be required.
14. The existing street lamps will be required to be updated to the current city LED specifications at the applicants expense, and prior to obtaining a Temporary Certificate of Occupancy (TCO).
15. All tree species being proposed to be installed within the City's ROW will require approval from the Commissioner of Public Works and the City's arborist prior to planting.
16. The latest landscape plans illustrate that three new streetscape trees, grates and tree pits are proposed for the west side of Westmoreland Avenue. Note that all proposed tree grates located in the City Right-of-Way must be ADA compliant CWP DPW Standard units. Contact DPW for information. The applicant may want to consider the use of Flexi-Pave porous surface in lieu of the proposed cast iron tree grates.
17. The applicant intends to contract an outside solid waste removal and hauling company to handle the site's solid waste, recycled cardboard and co-mingled materials, and a DPW Solid Waste Management Form has been received. A plan clearly showing the sanitation truck turning radius, and pickup location must be provided for the Commissioner of Public works approval prior to obtaining a Building Department Permit. Pickup of trash and recyclables must be done onsite and not curbside.

18. The applicant shall provide larger designated snow storage areas and how removal of snow will be handled at the site. Note that plowing or storage of snow into the City Right Of Way is not permitted.
19. Prior to issuance of a Building Permit, verify all the existing underground utilities on the plans, including gas, telephone, fiber optics, sanitary sewer, drain and all water lines (include number of conduits and/or number of ducts per bank). It is highly recommended that test pits be performed at all the locations where proposed lines cross existing utility conduits, in order to prevent interference during construction. This is critical for the proposed sanitary main upgrade servicing the project.
20. All construction under the jurisdiction of the Department of Public Works must be in conformance with the Department's standards regardless of what may be shown or omitted on the plan.
21. The applicant must include a limit of disturbance (LOD), including the acreage, and all work required in the City Right Of Way prior to the issuance of a Building Department Permit.
22. All construction work shall be subject to the City's Construction Management Protocol. This Protocol includes, among other things, a Construction Management Plan, erosion and sedimentation control measures, hours of operation, parking, site access, etc.

The requirements for the White Plains Construction Management Protocol for the proposed redevelopment "Norden Lofts" of the site are set forth below

- A. A Construction Management Plan is required for the development of the Proposed Project and a coordination plan for coordinating construction other construction in the area, if any, including City projects which will be going on contemporaneously with this Project. The Plan shall include strict controls on all aspects of the construction, including construction related impacts on adjacent properties and properties within the construction impact area, such as, but not limited to, hours of operation of construction vehicles and construction work on the site, hours of deliveries to the site, location of deliveries, requirements for loading/unloading and storage of materials on the Project site, length of time travel lanes can be encumbered, sidewalk closings or pedestrian diversions to ensure the safety of the pedestrians, controls on "fugitive dust" and the impact of run-off from the site on the City storm drain system, such as from the wash down of delivery vehicles departing the site (all such vehicles must be cleaned on pads located on the site and all drainage must have proper filtration of the wash-down water), noise, pest control, street cleaning, site security, scheduling of periodic meetings with nearby residents and City staff to coordinate project construction and keep residents advised. The Construction Management Plan shall be subject to the approval of the Commissioners of Building, Public Safety, Public Works, Traffic, and Planning and the Environmental Officer.
- B. Since vibration from excavation and construction equipment and work could have negative impacts on adjacent properties, the Applicant must take all appropriate steps to avoid impacts to such properties, including pre-disturbance surveys of the adjoining properties not owned by the Applicant, use of procedures approved by the Departments of Public Safety and Building for rock chipping (if any is to be conducted), pile driving, sheeting and shoring around the excavation area, and any such other necessary protections as are deemed appropriate and protective of the adjoining properties by the Commissioner of Building. If blasting is required, separate approval must be obtained from the City departments of Building, Public Safety and

Public Works. The City has a separate protocol for blasting.) In developing the excavation and construction procedures, the Applicant shall consult with residents within the construction impact area on their needs and concerns and to provide adequate understanding of the construction process, and ensure proper notice to these owners. This includes creating a photographic record of structural conditions of buildings in the designated construction impact area if rock chipping or blasting will occur.

- C. The Construction Management Plan for the Proposed Project shall require that the Applicant ensure through appropriate measures, to be agreed upon between the City and the Applicant, that the parking location requirements for construction workers will be strictly enforced. As part of the Construction Management Plan, the Applicant shall submit a parking plan for construction workers, which designates the construction manager as the responsible party to ensure that the proposed parking plan is enforced. Once a parking plan is approved by the City for construction workers, the Applicant shall be required to provide all construction contractors with information on where their workers and the subcontractors are permitted to park and provide clear consequences for the failure to follow these regulations. The parking plan shall also designate the routes to the construction site for construction workers and construction vehicles, which routes must be approved by the Deputy Commissioner of Parking for Transportation Engineering, Commissioner of Public Safety and Commissioner of Public Works. Such routes shall be along arterial and collector streets, with minimum use of minor streets if deemed necessary to access the construction site. For Core Area development, it is anticipated that parking for construction workers will be arranged through the City's Department of Parking. The Applicant should commence discussions with the Parking Department as soon as possible to address this issue if parking in a municipal lot parking garage is proposed for construction worker parking.
- D. The Construction Management Plan shall prohibit staging or "waiting" by construction vehicles on City streets, unless previously approved in writing by the Commissioners of Public Works and Public Safety.
- E. As to "fugitive dust", the Applicant must develop a plan for the protection of adjacent properties, satisfactory to the Commissioner of Building and the Environmental Officer.
- F. Due to the proximity of sensitive receptors, such as nearby residents, noise from the construction site could potentially have negative impacts, the Construction Management Plan must address both noise impacts and air quality impacts of construction equipment as follows:
 - (1). The internal combustion engine-powered construction equipment used in the construction of the project shall be limited to late model (1998 and newer) so as to take advantage of the cleaner burning engines. Also, these off-road pieces of equipment will have better sound attenuation properties. Exceptions to this shall be subject to the approval of the Commissioner of Building upon a demonstration that it is not feasible or practicable to obtain the required equipment. Unless an exception is granted by the Commissioner of Building, no engines shall be used unless "critical" level exhaust silencers are fitted. This is the quietest of the three main categories and is consistent with what the City uses for its own fleet.
 - (2). All non-road vehicles over 50HP used with regard to this Project shall utilize the best technology available for reducing the emission of pollutants, including, but not limited

- to, retrofitting such non-road vehicles with oxidation catalysts, particulate filters, and/or technology with comparable or better effectiveness. All construction equipment shall include PM2.5 emission controls. The City recognizes that there is a cost associated with PM2.5 emission controls, but the size, scope, and length of time necessary to construct each project warrants the additional cost on the part of each project developer to insure reduced emissions during the construction phase.
- (3). All diesel powered non-road vehicles in use at this construction site shall be fueled only with ultra-low sulfur diesel having a sulfur content of no more than fifteen (15) parts per million. All fuel delivered for use at this construction site shall consist of said fuel.
 - (4). "Non-road vehicle" means a vehicle that is powered by non-road engine, fifty (50) horsepower and greater, which shall include, but not be limited to, excavators, backhoes, cranes, compressors, generators, bulldozers, and similar equipment.
 - (5). "Non-road engines" mean an internal combustion engine (including the fuel system) that is not used in a motor vehicle used solely for competition or that is not subject to standards promulgated under Section 7411 or Section 7521 of Title 42 of the United States Code (USC), except that this term shall apply to internal combustion engines used to power generators, compressors, or similar equipment used in any construction program or project.
- G. Prior to the issuance of any building or excavation permits, the Applicant and its construction management team, including principal contractors, must meet together with representatives of the City departments of Building, Public Works, Public Safety, and Planning and the Environmental Officer, to review the Project Construction Management Plan and to ensure that all responsible parties understand their responsibilities under that Plan.
- H. The Applicant shall equip all construction equipment with "back up" sound attenuation devices.
- I. The Applicant shall be responsible to ensure that all streets and/or roadway infrastructure which is damaged as a result of construction activities will be repaired to City standards, funding for such repairs to be drawn from the bond posted with the City, Builder's Risk Insurance, and by the Applicant for such damage as is not covered by the bond or insurance.
- J. The Construction Management Plan shall address the maintenance of the respective properties during the construction phase. Prior to the commencement of construction, the Project Applicant shall also be required to maintain its property and ensure that it is clean and free from hazardous conditions.
- K. The City of White Plains Standard Construction Details and Specifications shall supersede anything submitted by the Applicant which is inconsistent with those standards.
- L. The Applicant shall include a note on both the approved special permit/site plan and the Construction Management Plan about soil and erosion control regulations and the need to comply with the applicable City of White Plains and New York State Department of Environmental Conservation regulations, including, in all cases providing appropriate controls on site to prevent runoff from the site into City streets and storm drainage system, and, where

applicable, the requirements of the approved SWPPP.

- M. The Applicant shall submit to the Commissioner of Public Works for review and approval a certified property survey by a licensed surveyor with metes and bounds shown for all property lines. The Applicant shall provide coordinates in NAD 83 on the property survey.
- N. The Applicant shall provide to the Commissioner of Public Works for his review and approval profiles of the proposed service utilities, depicting existing utility crossings.
- O. The construction sequence of this Proposed Project must be coordinated with the City's Department of Public Works before it can issue permits to close streets or sidewalks, and disconnect or otherwise interrupt utility services, which will likely have a significant impact to the surrounding neighborhood.
- P. The Applicant or any of its successor(s) or assign(s) shall be required to notify the Corporation Counsel of the City of White Plains in writing within thirty (30) days of any change in ownership, transfer of title, or any change in the corporate structure of same.

In conclusion, we have no objection to conditioned approval provided the comments are addressed to the sole satisfaction of the Commissioner of Public Works prior to the issuance of a Building Department permit.

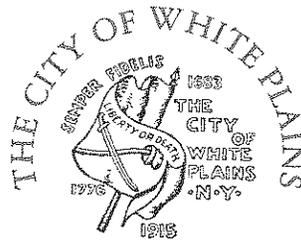
Respectfully submitted,



Richard G. Hope
Commissioner of Public Works

Dated: March 7, 2016

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

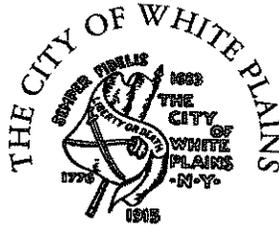
The Department of Parking/ Traffic Division has reviewed the site plan application for 121 Westmoreland Avenue (Nordon Lofts LLC) which was referred by the Common Council on February 2, 2016 and has the following comments:

1. The one-way traffic flow for the northern lot should be reversed.
2. The gate design, if gates are to be used, must not cause vehicles to block the sidewalk or a portion of the travel lane while waiting to enter.
3. A truck turning diagram for garbage, delivery or moving trucks in the south lot must be provided.

Thomas J. Soyk, PE, PTOE
Deputy Commissioner
City Transportation Engineer

Dated: February 25, 2016
(for the March 7, 2016 Common Council Meeting)

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

THOMAS M. ROACH
MAYOR

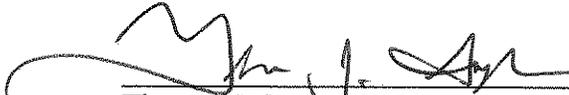
THOMAS J. SOYK, P.E., PTOE
DEPUTY COMMISSIONER

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

The Transportation Commission, at its meeting held on February 18, 2016, reviewed a request from Norden Lofts LLC. (121 Westmoreland Avenue), for a site plan and special permit approvals as referred by the Common Council on February 4, 2016.

The Transportation Commission had the following comment:

A review of the submitted plans did not show an area designated for garbage/recycling pick up, the plans should show an area for this as well as turning movements for the garbage truck in the site. The plan also showed a "rolling gate" at both site driveways. The location of the gate is at the edge of the property line, vehicles would be obstructing the sidewalk or roadway when they are waiting for the gate to open. The gate should be relocated to allow storage for a vehicle.

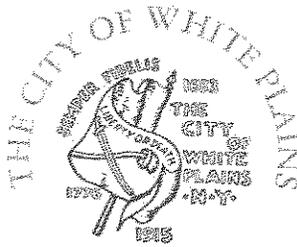


Thomas J. Soyk, PE, PTOE
Acting Chairman

Dated: February 25, 2015 (for the March 7, 2016 Common Council Meeting)

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THOMAS M. ROACH
MAYOR



JOHN P. LARSON
COMMISSIONER

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

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

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

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

**Re: #1396 – Norden Lofts, LLC – Adaptive Reuse
121 Westmoreland Avenue**

The Department of Parking has received and reviewed the above-noted application for site plan approval.

The Parking Department has no objection to this application for site plan approval in connection with the adaptive reuse and redevelopment of the existing 48,000 square foot industrial building situated at 121 Westmoreland Avenue, which is classified in the LI-M District, as recently rezoned by the Common Council, to encourage the transformation of the area from industrial to residential.

Respectfully submitted,



John P. Larson, Commissioner
CWP – Department of Parking

Date: March 7, 2016

Robert P. Astorino
County Executive

County Planning Board

February 12, 2016

Anne M. McPherson, City Clerk
City of White Plains
Municipal Building
255 Main Street
White Plains, NY 10601-2479

Subject: Referral File No. WHP 16-004 — Norden Lofts, Site Plan and Special Permit

Dear Ms. McPherson:

The Westchester County Planning Board has received a site plan (dated January 14, 2016) and related materials for the above referenced application to adaptively reuse and redevelop an existing 48,000 square foot industrial building into an apartment building containing 65 dwelling units. The subject site is located at 121 Westmoreland Avenue within the LI-M Zoning District, which permits such conversions.

We have reviewed this matter under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code and we offer the following comments:

1. **Consistency with County Planning Board policies.** We find the proposed development to be consistent with the County Planning Board's long-range planning policies set forth in *Westchester 2025—Context for County and Municipal Planning and Policies to Guide County Planning*, adopted by the Board on May 6, 2008, amended January 5, 2010, because it will bring more infill development to central White Plains.
2. **Sewage flows.** The proposed development will increase sewage flows from this site into the existing infrastructure and will add to the volume requiring treatment at a wastewater treatment plant operated by Westchester County. As a matter of County Department of Environmental Facilities' policy, the City should require the applicant to identify mitigation measures that will offset the projected increase in flow. The best means to do so is through the reduction of inflow and infiltration (I&I) at a ratio of three for one.
3. **Green building technology.** We encourage the applicant to include as much green building technology as possible into the proposed development.

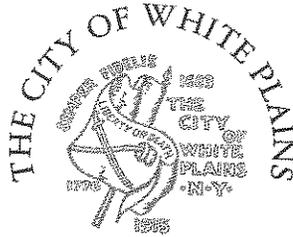
Thank you for calling this matter to our attention.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

For:
By: 

Edward Buroughs, AICP
Commissioner

EEB/LH



ENVIRONMENTAL OFFICER

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

(914) 422-1252 • FAX: (914) 422-1301

THOMAS M. ROACH
MAYOR

ROD JOHNSON
ENVIRONMENTAL OFFICER

February 29, 2016

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: NORDEN LOFTS, LLC
121 WESTMORELAND AVENUE
SITE PLAN AND SPECIAL PERMIT APPROVALS

The application on behalf of Norden Lofts, LLC (“Applicant”) regarding a site plan and special permit approvals adaptive reuse and redevelopment of the existing facility at 121 Westmoreland Avenue (“Proposed Action”), has been reviewed for compliance with the State Environmental Quality Review regulations (“SEQR”).

The Proposed Action involves the adaptive reuse of the existing 6-story, 48,000 sq. ft., former industrial building to create for 65 residential dwelling units and changes to the existing parking lots to provide 80 parking spaces (26 of which are provided by 13 two-level “Stacker” mechanical parking structure).

The Proposed Action involves the following approvals of the Common Council:

1. Approval of a Site Plan pursuant to Section 7.5 of the Zoning Ordinance.
2. Approval of a Special permit for a "Multi-family dwelling" use in the LI-M District pursuant Section 6.7.31 of the Zoning Ordinance.
3. Approval of a payment of a fee-in-lieu of providing adequate park and recreation facilities for the 65 dwelling units proposed on a per residential unit basis (\$2,500 per studio unit, \$3,000 per one bedroom unit, and \$3,500 per two bedroom and larger unit) amounting to a total fee of \$176,500.00 to be paid by the applicant to the City and to be used exclusively for park, playground and other recreational purposes, including the acquisition of real property.

The total fee shall be paid by the applicant in two equal installments of \$88,250 - the first shall be made at time of issuance of the first building permit, and second made prior to issuance of a Temporary Certificate of Occupancy (TCO) by the Commissioner of Building. In the event that no Temporary Certificate of Occupancy is required, the second payment shall be made prior to issuance of a Certificate of Occupancy (CO) by the Commissioner of Building.

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The Applicant has submitted the following materials in support of the application:

1. A letter from William Null, Cuddy & Feder, LLP, dated January 15, 2016.
2. Building Permit Application.
3. A Short Environmental Assessment Form, dated ____
4. A Traffic Analysis, dated November 13, 2015, prepared by Brian Dempsey of TRC Engineers, Inc.
5. A Solid Waste routing plan prepared by City Carting and Recycling, dated January 14, 2015.
6. A Solid Waste Management Plan, prepared by Philip Fruchter, dated 1-14-16.
7. A report providing Sanitary Drain and Domestic Water Calculations, prepared by Khachaturian Engineering Associates, Inc. (KEA Engineers).
8. Car Stacker system technical information provided by Harding Steel, Inc.
9. Drawings prepared by Papp Architects, P.C. generally titled "Proposed Multi-Family Residential Loft Conversion, 121 Westmoreland Avenue, White Plains, NY," dated January 14, 2016, numbered, entitled as follows:

<u>Dwg. No</u>	<u>Title.</u>
SD-001	Development Data
SD-101	Site Plan Layout
SD-102	Site Lighting Plan
SD-103	Photometric Lighting Plan
SD-104	Site Landscaping Plan
SD-403	Floor Plans and Elevations
SD-501	Details

10. Drawings prepared by Papp Architects, P.C. generally titled "Proposed Multi-Family Residential Loft Conversion, 121 Westmoreland Avenue, White Plains, NY," dated January 14, 2016, numbered, entitled as follows:

<u>Dwg. No</u>	<u>Title</u>
SD-105	Grading and Utility Plans
SD-106	Erosion and Sediment Control Plan
SD-401	Driveways Profiles
SD-502	Site Details
SD-503	Site Details
SD-504	City of White Plains Standard Site Details
SD-505	City of White Plains Standard Site Details
SD 506	City of White Plains Standard Site Details

11. Site Survey (SV-101), last revised December 17, 2015, prepared by Link Land Surveyors, P.C.

Based on the recommendations of the various City Departments, Boards and agencies, the

Environmental Officer recommends that following conditions be included as part of the Proposed Action and are hereby considered to be a part of the Proposed Action for purposes of the environmental review and site plan approval (hereinafter referred to as "Conditions"):

1. The Common Council make the requisite finding pursuant to New York State General City Law § 27-a, that the site plan does not provide adequate land for park and recreation facilities based on the project's anticipated generation of more than 90 new city residents, projected future overall growth in City population, and evaluation of the City's present and anticipated future needs for park and recreation facilities as presented in the Planning Department communication to the Common Council, dated January 4, 2015, regarding the reservation of parkland on all multi-family site plans or payment of money-in-lieu thereof.
2. The Common Council assess a fee-in-lieu of providing adequate park and recreation facilities for the 65 dwelling units proposed on a per residential unit basis (\$2,500 per studio unit, \$3,000 per one bedroom unit, and \$3,500 per two bedroom and larger unit) amounting to a total fee of \$176,500.00 to be paid by the applicant to the City and to be used exclusively for park, playground and other recreational purposes, including the acquisition of real property. The total fee shall be paid by the applicant in three equal installments of \$776,666.66 to be made at month 25, month 37, and month 49 from the date of issuance of the foundation permit.
3. The existing rooftop cellular antenna installations will remain on the building, and access to the roof shall be restricted to service professionals.
4. All landscaping shall continue to be maintained in a healthy growing condition throughout the duration of the "structure" or "use" which it is intended to serve. Any planting not so maintained shall be replaced with new plants at the beginning of the next growing season.
5. A Construction Management Plan is required for the development of the Proposed Project and a coordination plan for coordinating construction with other construction in the area, if any, including City projects which will be going on contemporaneously with this Project. The Plan shall include strict controls on all aspects of the construction, including construction related impacts on adjacent properties and properties within the construction impact area, such as, but not limited to, hours of operation of construction vehicles and construction work on the site, hours of deliveries to the site, location of deliveries, requirements for loading/unloading and storage of materials on the Project site, length of time travel lanes can be encumbered, sidewalk closings or pedestrian diversions to ensure the safety of the pedestrians, controls on "fugitive dust" and the impact of run-off from the site on the City storm drain system, such as from the wash down of delivery vehicles departing the site (all such vehicles must be cleaned on pads located on the site and all drainage must have proper filtration of the wash-down water), noise, pest control, street cleaning, site security, scheduling of periodic meetings with nearby residents and City staff to coordinate project construction and keep residents advised. The Construction Management Plan shall be subject to the approval of the Commissioners of Building, Public Safety, Public Works, Traffic, and Planning and the Environmental Officer.
6. A pre-construction meeting must be held with the applicant, the contractor, the Building Inspector, the Environmental Officer, and other staff, as needed, to review the construction plan and time-line, and to detail City requirements and applicant responsibilities during construction.
7. Prior to issuing a building permit, the Department of Building should ensure that the Applicant has provided documentation demonstrating the extent to which the project would meet LEED

Certification Silver and New York State Energy Star standards.

8. To promote pedestrian-sidewalk safety, prior to the issuance of any building permit, the Applicant should submit to the Commissioners of Planning and Building, for their approval, revised site plan drawings to remove depressed driveways with curbs that bisect pedestrian sidewalks and to specify that pedestrian sidewalks at ingress and egress areas, are designed as raised, level walkways with no driveway curbs
9. Pursuant the communication of the Commissioner of Public Works, the applicant shall submit a stormwater management plan to the Commissioner of Public Works for approval prior to the issuance of a Building Permit for this project. A Department of Public Works (DPW) MS4 stormwater permit is required prior to the issuance of any permits.
10. To prevent pollutants being deposited directly into our local waterways from storm drains, all on site stormwater area drains, pavement drains and driveway or road drains and catch basins and trench drains should include the environmental inscription "DUMP NO WASTE - DRAINS TO WATERCOURSE" permanently cast into any metal frame, grate and curb plate.

It is recommended that the Common Council (a) designate itself to serve as the Lead Agency for the environmental review of the Proposed Action; (b) designate the Proposed Action to be an Unlisted Action; and (c) find that the Proposed Action will not have a significant effect on the environment for the following reasons:

- (a) The proposal is consistent with the White Plains Comprehensive Plan as amended in 2006 and the Zoning Ordinance, as amended.

The Project Site is located within the "Core Area" identified in the Comprehensive Plan, defined as "a place to live, work, shop and spend quality leisure time." In addition, the Plan states that downtown residential development is a major economic tool for the City to create a truly livable, "walkable" urban environment with a 24/7 character that supports office and retail. In particular, the Comprehensive Plan makes the following statements and recommendations regarding the project location:

- *The trend toward more residential development in the Core Area should be encouraged.* (Vision Statement for the Core Area - Comprehensive Plan page II-I-4)
- *Encourage upgrading and modernizing of the light industrial zone districts along Westmoreland, Ferris, South Kensico, and Haarlem Avenues, and ensure that they properly coexist with the abutting residential areas.* (2006 Strategy for Light Industrial Areas - Comprehensive Plan page II-I-56)

Zoning Compliance

Westmoreland Avenue corridor, inclusive of the project site, was rezoned by the Common Council from LI Light Industrial to LI-M Light Industrial Mixed Use Zoning District on August 3, 2015. The new LI-M District was specifically created to permit transit-oriented, multi-family uses upon issuance of a special permit by the Common Council as a means to catalyze development of a new vibrant mixed-use new neighborhood as defined in the adopted zoning amendment:

“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; incentivize adaptive reuse of existing "buildings" for residential use to increase neighborhood vitality and retain existing character: "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.”

The Proposed Action conforms to the dimensional regulations of the LI-M District as follows:

	<u>Permitted</u>	<u>Proposed</u>
Min. Lot Area	30,000 sq. ft.	34,041 sq. ft.
Max. Building Coverage	80 % or 27,232 sq. ft.	30 % or 10,212 sq. ft.
Floor Area Ratio:	3.5 or 119,143 sq. ft.	1.7 or 56,424 sq. ft.
(Sec. 6.7.31.1.4)		
Lot frontage:	50 ft.	296.7 ft.
Lot depth:	0 ft.	114.7 ft.
Lot front yard:	0 ft. .	91.5 ft.
One side yard:	0 ft.	152 ft. .
Two side yards:	0 ft.	175 ft.
Rear Yard:	0 ft.	36 ft.
Max, Height stories:	6 stories	6 stories.
(Sec. 6.7.31.1.4)		
Max. Height feet:	85 ft.	82 ft.
(Sec. 6.7.31.1.4)		

The rooftop is not proposed for tenant access. There are existing cellular antenna installations which will remain atop building with access restricted to service professionals.

The project provides the required off-street parking for the multi-family residential development as follows:

<u>Unit type</u>	<u>Number</u>	<u>Parking /unit</u>	<u>Total</u>
Studio	42	1.0	42.0
1-Bedroom	18	1.5	27.0
2-Bedroom	2	2.0	10.0
Total:			79.0 spaces required

The proposed site plan provides a total of 80 total parking spaces on site, comprised of 29 spaces in a surface lot on the west side of the building, and 51 spaces on the east side of the building. The easterly lot will consist of both 25 surface spaces and 26 spaces as tenant-operated stacked parking (13 parking spaces stacked on top of 13 at grade spaces). The stacked spaces will be self-operated by tenants and utilized only by occupants of the same apartment unit.

Four handicapped parking spaces are provided near the entrance to the building with provisions for adequate access to the entrance from the spaces.

No dedicated loading space is provided on the site, and none is required for multi-family dwellings. A "drop off zone" provided at the entrance to the lobby, could accommodate a box truck. Larger trucks will have to use on-street parking (there are nine in front of the project site.)

Both parking lots are accessed via existing curb cuts to Westmoreland Avenue, which would be slightly enlarged to accommodate the loading and refuse disposal for the new use.

Pursuant the site plan review and letter from the Commissioner of Planning dated December 24, 2016, the Proposed Actin conforms to site plan standards in Section 7.5 of the Zoning Ordinance.

The Proposed Action is subject to the general standards for special permit uses in Section 6.5 and the Individual Special Permit Standards for "Multi-Family Dwelling" in the LI-M in Section 6.7.31 of the Zoning Ordinance as follows:

3.5 General Special Permit Standards

All special permit "uses" shall comply with the following standards in addition to the "site plan" standards of Section 7.5. The approving agency shall attach such additional conditions and safeguards to any special permit as are, in its opinion, necessary to insure initial and continual conformance to all applicable standards and requirements.

6.5.1 The location and size of the special permit "use," the nature and intensity of the operations involved in it or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to "streets" giving access to it are such that it will be in harmony with the appropriate and orderly development of the area in which it is located.

The LI-M District was proactively enacted by the Common Council to encourage residential and commercial development in the Westmoreland Avenue light industrial district. The district specifically encourages the adaptive reuse of existing buildings, as proposed by the applicant. With 65 units, the proposed apartment building will not generate an intensity of use that will adversely impact the neighborhood.

6.5.2 The location, nature and "height" of "buildings," walls and fences and the nature and extent of existing or proposed plantings on the site are such that the special permit "use" will not hinder or discourage the appropriate development and "use" of adjacent land and "buildings."

The proposed project involves the renovation of an existing building; therefore, there will be no change to the adjacent land or buildings. The proposed façade improvements, landscaping, and lighting will be an enhancement to the area.

- 6.5.3 Operations in connection with any special permit "use" will not be more objectionable to nearby properties by reason of noise, traffic, fumes, vibration or other characteristics than would be the operations of permitted "uses" not requiring a special permit.

The residential use will not generate noise, traffic, fumes or vibrations that would be more objectionable than the uses permitted in the LI-M.

- 6.5.4 "Parking lots" will be of adequate size for the particular special permit "use," properly located and suitably screened from adjoining residential "uses," and the entrance and exit drives shall be laid out so as to achieve maximum convenience and safety.

The parking lots, screening, and driveways have been laid out to achieve maximum safety and convenience for both pedestrians and drivers.

Individual Special Permit Standards for "Multi-Family Dwelling" in the LI-M

- 6.7.31 "Multi-family dwelling", "Hotel" and "Extended Stay Hotel" uses in the LI-M District:

- 6.7.31.1 Existing buildings may be converted to include "Multi-family dwelling," "hotel," or "extended stay hotel" uses subject to meeting the following conditions:

- 6.7.31.1.1 A minimum of one floor of the building shall be converted.

With the exception of the lobby and basement, all floors will be converted to residential use.

- 6.7.31.1.2 Off-street parking is provided in accordance with Section 8. No parking exemptions shall apply.

The proposed parking complies with the requirements of Section 8.

- 6.7.31.1.3 The conversion is consistent with the character of the area and retains its original exterior appearance to the maximum extent practicable.

The conversion of the existing six-story building to a multi-family residential use is consistent the character of the neighborhood. The exterior appearance is proposed to be restored to its original appearance.

- 6.7.31.1.4 The maximum "Floor Area Ratio" (FAR) shall be 3.5.

The proposed floor area ratio is 1.66.

Based on the above the Proposed Action conforms to the recommendations of the Comprehensive Plan and the Zoning Ordinance Regulations for the LI-M District and special permit uses.

- (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 involves the adaptive reuse of the existing facility which includes a 6-story building and two parking lots on the north or south side of the parcel. With the exception of two narrow planters within the northern parking lot, nearly all of the site is covered with impervious surface area.

The site plan drawings provide the installation of Cultec Recharger Chambers designed for underground stormwater management within each of the two parking lots. These chambers may be used for retention, recharging detention or controlling the flow of on-site stormwater run-off.

Pursuant the communication of the Commissioner of Public Works, the applicant shall submit a stormwater management plan to the Commissioner of Public Works for approval prior to the issuance of a Building Permit for this project. A Department of Public Works (DPW) MS4 stormwater permit is required prior to the issuance of any permits. The on-site stormwater management improvements proposed for the project will be developed using the New York State Stormwater Management Design Manual.

Subject to DPW approval, the stormwater management plan will provide a significant improvement from existing conditions with the addition of water quality treatment applied to runoff from the reconfigured parking lots.

The project site does not contain any environmentally sensitive, wetlands, stream, steep slopes, or rock outcrop features.

The Applicant has submitted a Solid Waste Management Plan and Solid Waste Routing Plan. The Applicant has stated that the project will use a private carter for solid waste disposal.

The Traffic Analysis Study has been reviewed by the Parking Department. The conversion of the existing building to a 65 unit, multi-family residential use represents a reduction in the amount of potential traffic and parking required for an alternate industrial / research use which would require as much a 120 parking spaces (48,000 sq. ft. x 2.5 spaces per 1,000 sq. ft.).

The site plans drawing include an erosion and sedimentation control plan. This plan is subject to the approval of the Department of Public Works.

The project involves substantial interior and exterior renovation of the existing structure. All construction activity is subject to State and local building code regulations in regard to the removal of lead paint.

All construction work should be subject to the City's Construction Management Protocol. This Protocol includes, among other things, a Construction Management Plan. The Plan will regulate potential construction related impacts including, but not limited to, hours of operation of construction vehicles and construction work on the site, hours of deliveries to the site, location of deliveries, requirements for loading/unloading and storage of materials on the Project site, length of time travel lanes can be encumbered, sidewalk closings or pedestrian diversions to ensure the safety of the pedestrians, controls on "fugitive dust" and the impact of run off from the site on the City storm drain system, such as from the wash down of delivery vehicles departing the site (all

such vehicles must be cleaned on pads located on the site and all drainage must have proper filtration of the wash down water), noise, pest control, street cleaning, site security, scheduling of periodic meetings with nearby residents and City staff to coordinate project construction and keep residents advised.

The project incorporates design and operational features to increase the environmental sustainability of the site improvements and proposed use. The will incorporate significant green building technology improvements including the installation of energy efficient windows, insulation, water quality treatment, bicycle storage, etc. Also, the Applicant shall provide documentation demonstrating the extent to which the project would meet LEED Certification Silver and New York State Energy Star standards.

- (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 site historically has been occupied by the developed as light industrial facility and is almost entirely occupied by the six story building and two adjacent parking lots. There are no undeveloped or naturally vegetated conditions on the site.

The landscape plan shows planting strips along the Westmoreland Avenue sidewalk, around the building, and along the rear property line abutting the Metro North property. The landscaping includes approximately 44 deciduous and evergreens trees, and shrubs and groundcover plantings.

- (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 reuse of the subject property, which has been vacant for at least ten years will benefit the surrounding area. The applicant proposes to remove the white paint on the building façade and to repoint the bricks to restore the historic industrial character of the building. New windows and aesthetic enhancements to the façade, along with new landscaping will enhance the character of the neighborhood.

The proposed project benefits the City by putting back into productive use an underutilized and underperforming site, as well as generating increased pedestrian activity and tax revenues. The 65 proposed dwelling units are estimated to bring approximately 90 new residents to the City who will support nearby businesses and help to spur further reinvestment in and revitalization of the surrounding area.

The applicant proposes to improve the visual appearance of the Westmoreland streetscape with the installation of the City's standard Promenade sidewalk paving system style with brick banding along the curb line, seven decorative "acorn" lights and five new street trees.

The Proposed Action will not have any significant effect or visual impacts to the Bronx River Reservation, a County Park which is also listed on the National Register of Historic Places. The project site is separated from the Bronx River Parkway Reservation by the Metro North Railroad right-of-way which is 120 feet in width and occupied by leased parking lots and the gravel rail-bed. The site is approximately 420 feet from the Bronx River and 380 feet from the walking and bicycle trail within the parkland. Storm water on the site drains in the opposite

direction, away from the parkland and is accommodated by the municipal storm drainage system along Westmorland Avenue.

The project site is located adjacent to the Metro North Railroad which serves as a major access corridor and visual entrance to White Plains. The proposed project, including the renovation of the building façade and site landscaping represents an improvement to the site and serves to enhance the appearance of this City gateway.

- (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 approval 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.
- (h) The Proposed Action will not result in the creation of a material demand for other actions that 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 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 that makes these findings is offered for the Common Council's consideration.

Respectfully submitted,



Rod Johnson
Environmental Officer

ENVIRONMENTAL FINDINGS RESOLUTION REGARDING REGARDING SITE PLAN AND SPECIAL PERMIT APPROVALS FOR THE REDEVELOPMENT OF 121 WESTMORELAND AVENUE ON BEHALF OF NORDEN LOFTS, LLC.

WHEREAS, the application on behalf of Norden Lofts, LLC (“Applicant”) regarding a site plan and special permit approvals for the adaptive reuse and redevelopment of the existing facility at 121 Westmoreland Avenue (“Proposed Action”), has been reviewed for compliance with the State Environmental Quality Review regulations (“SEQR”); and

WHEREAS, the Proposed Action involves the adaptive reuse of the existing 6-story, 48,000 sq. ft., former industrial building to create for 65 residential dwelling units and changes to the existing parking lots to provide 80 parking spaces (26 of which are provided by 13 two-level “Stacker” mechanical parking structure; and

WHEREAS, the Proposed Action involves the following approvals by the Common Council:

1. Approval of a Site Plan pursuant to Section 7.5 of the Zoning Ordinance.
2. Approval of a Special permit for a "Multi-family dwelling" use in the LI-M District pursuant Section 6.7.31 of the Zoning Ordinance.____
3. Approval of a payment of a fee-in-lieu of providing adequate park and recreation facilities for the 65 dwelling units proposed on a per residential unit basis (\$2,500 per studio unit, \$3,000 per one bedroom unit, and \$3,500 per two bedroom and larger unit) amounting to a total fee of \$176,500.00 to be paid by the applicant to the City and to be used exclusively for park, playground and other recreational purposes, including the acquisition of real property.

The total fee shall be paid by the applicant in two equal installments of \$88,250 - the first shall be made at time of issuance of the first building permit, and second made prior to issuance of a Temporary Certificate of Occupancy (TCO) by the Commissioner of Building. In the event that no Temporary Certificate of Occupancy is required, the second payment shall be made prior to issuance of a Certificate of Occupancy (CO) by the Commissioner of Building; and

WHEREAS, the premises is shown on the City of White Plains Tax Maps as Section 130.25, Block 3, Lot1; and

WHEREAS, the The Applicant has submitted the following materials in support of the application:

1. A letter from William Null, Cuddy & Feder, LLP, dated January 15, 2016.
2. Building Permit Application.
3. A Short Environmental Assessment Form, dated ____
4. A Traffic Analysis, dated November 13, 2015, prepared by Brian Dempsey of TRC Engineers, Inc.
5. A Solid Waste routing plan prepared by City Carting and Recycling, dated January 14, 2015.

6. A Solid Waste Management Plan, prepared by Philip Fruchter, dated 1-14-16.
7. A report providing Sanitary Drain and Domestic Water Calculations, prepared by Khachaturian Engineering Associates, Inc. (KEA Engineers).
8. Car Stacker system technical information provided by Harding Steel, Inc.
9. Drawings prepared by Papp Architects, P.C. generally titled "Proposed Multi-Family Residential Loft Conversion, 121 Westmoreland Avenue, White Plains, NY," dated January 14,2016, numbered, entitled as follows:

<u>Dwg. No</u>	<u>Title.</u>
SD-001	Development Data
SD-101	Site Plan Layout
SD-102	Site Lighting Plan
SD-103	Photometric Lighting Plan
SD-104	Site Landscaping Plan
SD-403	Floor Plans and Elevations
SD-501	Details

10. Drawings prepared by Papp Architects, P.C. generally titled "Proposed Multi-Family Residential Loft Conversion, 121 Westmoreland Avenue, White Plains, NY," dated January 14,2016, numbered, entitled as follows:

<u>Dwg. No</u>	<u>Title</u>
SD-105	Grading and Utility Plans
SD-106	Erosion and Sediment Control Plan
SD-401	Driveways Profiles
SD-502	Site Details
SD-503	Site Details
SD-504	City of White Plains Standard Site Details
SD-505	City of White Plains Standard Site Details
SD 506	City of White Plains Standard Site Details

11. Site Survey (SV-101), last revised December 17, 2015, prepared by Link Land Surveyors, P.C.

WHEREAS, based on the recommendations of the various City Departments, Boards and agencies, the Environmental Officer recommends that following conditions be included as part of the Proposed Action and are hereby considered to be a part of the Proposed Action for purposes of the environmental review and site plan approval (hereinafter referred to as "Conditions"):

1. The Common Council make the requisite finding pursuant to New York State General City Law § 27-a, that the site plan does not provide adequate land for park and recreation facilities based on the project's anticipated generation of more than 90 new city residents, projected future overall growth in City population, and evaluation of the City's present and anticipated future needs for park and recreation facilities as presented in the Planning Department communication to the Common Council, dated January 4, 2015, regarding the reservation of parkland on all multi-family site plans or payment of money-in-lieu thereof.

2. The Common Council assess a fee-in-lieu of providing adequate park and recreation facilities for the 65 dwelling units proposed on a per residential unit basis (\$2,500 per studio unit, \$3,000 per one bedroom unit, and \$3,500 per two bedroom and larger unit) amounting to a total fee of \$176,500.00 to be paid by the applicant to the City and to be used exclusively for park, playground and other recreational purposes, including the acquisition of real property. The total fee shall be paid by the applicant in three equal installments of \$776,666.66 to be made at month 25, month 37, and month 49 from the date of issuance of the foundation permit.
3. The existing rooftop cellular antenna installations will remain on the building, and access to the roof shall be restricted to service professionals.
4. All landscaping shall continue to be maintained in a healthy growing condition throughout the duration of the "structure" or "use" which it is intended to serve. Any planting not so maintained shall be replaced with new plants at the beginning of the next growing season.
5. A Construction Management Plan is required for the development of the Proposed Project and a coordination plan for coordinating construction with other construction in the area, if any, including City projects which will be going on contemporaneously with this Project. The Plan shall include strict controls on all aspects of the construction, including construction related impacts on adjacent properties and properties within the construction impact area, such as, but not limited to, hours of operation of construction vehicles and construction work on the site, hours of deliveries to the site, location of deliveries, requirements for loading/unloading and storage of materials on the Project site, length of time travel lanes can be encumbered, sidewalk closings or pedestrian diversions to ensure the safety of the pedestrians, controls on "fugitive dust" and the impact of run-off from the site on the City storm drain system, such as from the wash down of delivery vehicles departing the site (all such vehicles must be cleaned on pads located on the site and all drainage must have proper filtration of the wash-down water), noise, pest control, street cleaning, site security, scheduling of periodic meetings with nearby residents and City staff to coordinate project construction and keep residents advised. The Construction Management Plan shall be subject to the approval of the Commissioners of Building, Public Safety, Public Works, Traffic, and Planning and the Environmental Officer.
6. A pre-construction meeting must be held with the applicant, the contractor, the Building Inspector, the Environmental Officer, and other staff, as needed, to review the construction plan and time-line, and to detail City requirements and applicant responsibilities during construction.
7. Prior to issuing a building permit, the Department of Building should ensure that the Applicant has provided documentation demonstrating the extent to which the project would meet LEED Certification Silver and New York State Energy Star standards.
8. To promote pedestrian-sidewalk safety, prior to the issuance of any building permit, the Applicant should submit to the Commissioners of Planning and Building, for their approval, revised site plan drawings to remove depressed driveways with curbs that bisect pedestrian sidewalks and to specify that pedestrian sidewalks at ingress and egress areas, are designed as raised, level walkways with no driveway curbs.
9. Pursuant the communication of the Commissioner of Public Works, the applicant shall submit a stormwater management plan to the Commissioner of Public Works for approval prior to the issuance of a Building Permit for this project. A Department of Public Works (DPW) MS4 stormwater permit is required prior to the issuance of any permits.

10. To prevent pollutants being deposited directly into our local waterways from storm drains, all on site stormwater area drains, pavement drains and driveway or road drains and catch basins and trench drains should include the environmental inscription “DUMP NO WASTE - DRAINS TO WATERCOURSE” permanently cast into any metal frame, grate and curb plate; and

WHEREAS, under the New York State Environmental Quality Review (SEQR) regulations (6 NYCRR 617) the Planning Board 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

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

WHEREAS, the Common Council has considered the Proposed Action, Application Materials, Conditions 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 regulations; 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 proposal is consistent with the White Plains Comprehensive Plan as amended in 2006 and the Zoning Ordinance, as amended.

The Project Site is located within the “Core Area” identified in the Comprehensive Plan, defined as “a place to live, work, shop and spend quality leisure time.” In addition, the Plan states that downtown residential development is a major economic tool for the City to create a truly livable, "walkable" urban environment with a 24/7 character that supports office and retail. In particular, the Comprehensive Plan makes the following statements and recommendations regarding the project location:

- *The trend toward more residential development in the Core Area should be encouraged.* (Vision Statement for the Core Area - Comprehensive Plan page II-I-4)
- *Encourage upgrading and modernizing of the light industrial zone districts along Westmoreland, Ferris, South Kensico, and Haarlem Avenues, and ensure that they properly coexist with the abutting residential areas.* (2006 Strategy for Light Industrial Areas - Comprehensive Plan page II-I-56)

Zoning Compliance

Westmoreland Avenue corridor, inclusive of the project site, was rezoned by the Common Council from LI Light Industrial to LI-M Light Industrial Mixed Use Zoning District on August 3, 2015. The new LI-M District was specifically created to permit transit-oriented, multi-family uses upon issuance of a special permit by the Common Council as a means to catalyze development of a new vibrant mixed-use new neighborhood as defined in the adopted zoning amendment:

“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; incentivize adaptive reuse of existing "buildings" for residential use to increase neighborhood vitality and retain existing character: "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.”

The Proposed Action conforms to the dimensional regulations of the LI-M District as follows:

	<u>Permitted</u>	<u>Proposed</u>
Min. Lot Area	30,000 sq. ft.	34,041 sq. ft.
Max. Building Coverage	80 % or 27,232 sq. ft.	30 % or 10,212 sq. ft.
Floor Area Ratio: (Sec. 6.7.31.1.4)	3.5 or 119,143 sq. ft.	1.7 or 56,424 sq. ft.
Lot frontage:	50 ft.	296.7 ft.
Lot depth:	0 ft.	114.7 ft.
Lot front yard:	0 ft.	91.5 ft.
One side yard:	0 ft.	152 ft.
Two side yards:	0 ft.	175 ft.
Rear Yard:	0 ft.	36 ft.
Max, Height stories: (Sec. 6.7.31.1.4)	6 stories	6 stories.
Max. Height feet: (Sec. 6.7.31.1.4)	85 ft.	82 ft.

The rooftop is not proposed for tenant access. There are existing cellular antenna installations which will remain atop building with access restricted to service professionals.

The project provides the required off-street parking for the multi-family residential development as follows:

<u>Unit type</u>	<u>Number</u>	<u>Parking /unit</u>	<u>Total</u>
Studio	42	1.0	42.0
1-Bedroom	18	1.5	27.0
2-Bedroom	2	2.0	10.0
Total:			79.0 spaces required

The proposed site plan provides a total of 80 total parking spaces on site, comprised of 29 spaces in a surface lot on the west side of the building, and 51 spaces on the east side of the building. The easterly lot will consist of both 25 surface spaces and 26 spaces as tenant-operated stacked parking (13 parking spaces stacked on top of 13 at grade spaces). The stacked spaces will be self-operated

by tenants and utilized only by occupants of the same apartment unit.

Four handicapped parking spaces are provided near the entrance to the building with provisions for adequate access to the entrance from the spaces.

No dedicated loading space is provided on the site, and none is required for multi-family dwellings. A "drop off zone" provided at the entrance to the lobby, could accommodate a box truck. Larger trucks will have to use on-street parking (there are nine in front of the project site.)

Both parking lots are accessed via existing curb cuts to Westmoreland Avenue, which would be slightly enlarged to accommodate the loading and refuse disposal for the new use.

Pursuant the site plan review and letter from the Commissioner of Planning dated December 24, 2016, the Proposed Actin conforms to site plan standards in Section 7.5 of the Zoning Ordinance.

The Proposed Action is subject to the general standards for special permit uses in Section 6.5 and the Individual Special Permit Standards for "Multi-Family Dwelling" in the LI-M in Section 6.7.31 of the Zoning Ordinance as follows:

3.6 General Special Permit Standards

All special permit "uses" shall comply with the following standards in addition to the "site plan" standards of Section 7.5. The approving agency shall attach such additional conditions and safeguards to any special permit as are, in its opinion, necessary to insure initial and continual conformance to all applicable standards and requirements.

6.5.1 The location and size of the special permit "use," the nature and intensity of the operations involved in it or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to "streets" giving access to it are such that it will be in harmony with the appropriate and orderly development of the area in which it is located.

The LI-M District was proactively enacted by the Common Council to encourage residential and commercial development in the Westmoreland Avenue light industrial district. The district specifically encourages the adaptive reuse of existing buildings, as proposed by the applicant. With 65 units, the proposed apartment building will not generate an intensity of use that will adversely impact the neighborhood.

6.5.2 The location, nature and "height" of "buildings," walls and fences and the nature and extent of existing or proposed plantings on the site are such that the special permit "use" will not hinder or discourage the appropriate development and "use" of adjacent land and "buildings."

The proposed project involves the renovation of an existing building; therefore, there will be no change to the adjacent land or buildings. The proposed façade improvements, landscaping, and lighting will be an enhancement to the area.

6.5.3 Operations in connection with any special permit "use" will not be more objectionable to nearby properties by reason of noise, traffic, fumes, vibration or other characteristics than would be the operations of permitted "uses" not requiring a special permit.

The residential use will not generate noise, traffic, fumes or vibrations that would be more objectionable than the uses permitted in the LI-M.

6.5.4 "Parking lots" will be of adequate size for the particular special permit "use," properly located and suitably screened from adjoining residential "uses," and the entrance and exit drives shall be laid out so as to achieve maximum convenience and safety.

The parking lots, screening, and driveways have been laid out to achieve maximum safety and convenience for both pedestrians and drivers.

Individual Special Permit Standards for "Multi-Family Dwelling" in the LI-M

6.7.31 "Multi-family dwelling", "Hotel" and "Extended Stay Hotel" uses in the LI-M District:

6.7.31.1 Existing buildings may be converted to include "Multi-family dwelling," "hotel," or "extended stay hotel" uses subject to meeting the following conditions:

6.7.31.1.1 A minimum of one floor of the building shall be converted.

With the exception of the lobby and basement, all floors will be converted to residential use.

6.7.31.1.2 Off-street parking is provided in accordance with Section 8. No parking exemptions shall apply.

The proposed parking complies with the requirements of Section 8.

6.7.31.1.3 The conversion is consistent with the character of the area and retains its original exterior appearance to the maximum extent practicable.

The conversion of the existing six-story building to a multi-family residential use is consistent the character of the neighborhood. The exterior appearance is proposed to be restored to its original appearance.

6.7.31.1.4 The maximum "Floor Area Ratio" (FAR) shall be 3.5.

The proposed floor area ratio is 1.66.

Based on the above the Proposed Action conforms to the recommendations of the Comprehensive Plan and the Zoning Ordinance Regulations for the LI-M District and special permit uses.

- (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 involves the adaptive reuse of the existing facility which includes a 6-story building and two parking lots on the north or south side of the parcel. With the exception of two narrow planters within the northern parking lot, nearly all of the site is covered with impervious

surface area.

The site plan drawings provide the installation of Cultec Recharger Chambers deigned for underground stormwater management within each of the two parking lots. These chambers may be used for retention, recharging detention or controlling the flow of on-site stormwater run-off.

Pursuant the communication of the Commissioner of Public Works, the applicant shall submit a stormwater management plan to the Commissioner of Public Works for approval prior to the issuance of a Building Permit for this project. A Department of Public Works (DPW) MS4 stormwater permit is required prior to the issuance of any permits. The on-site stormwater management improvements proposed for the project will be developed using the New York State Stormwater Management Design Manual.

Subject to DPW approval, the stormwater management plan will provide a significant improvement from existing conditions with the addition of water quality treatment applied to runoff from the reconfigured parking lots.

The project site does not contain any environmentally sensitive, wetlands, stream, steep slopes, or rock outcrop features.

The Applicant has submitted a Solid Waste Management Plan and Solid Waste Routing Plan. The Applicant has stated that the project will use a private carter for solid waste disposal.

The Traffic Analysis Study has been reviewed by the Parking Department. The conversion of the existing building to a 65 unit, multi-family residential use represents a reduction in the amount of potential traffic and parking required for an alternate industrial / research use which would require as much a 120 parking spaces (48,000 sq. ft. x 2.5 spaces per 1,000 sq. ft.).

The site plans drawing include an erosion and sedimentation control plan. This plan is subject to the approval of the Department of Public Works.

The project involves substantial interior and exterior renovation of the existing structure. All construction activity is subject to State and local building code regulations in regard to the removal of lead paint.

All construction work should be subject to the City's Construction Management Protocol. This Protocol includes, among other things, a Construction Management Plan. The Plan will regulate potential construction related impacts including, but not limited to, hours of operation of construction vehicles and construction work on the site, hours of deliveries to the site, location of deliveries, requirements for loading/unloading and storage of materials on the Project site, length of time travel lanes can be encumbered, sidewalk closings or pedestrian diversions to ensure the safety of the pedestrians, controls on "fugitive dust" and the impact of run off from the site on the City storm drain system, such as from the wash down of delivery vehicles departing the site (all such vehicles must be cleaned on pads located on the site and all drainage must have proper filtration of the wash down water), noise, pest control, street cleaning, site security, scheduling of periodic meetings with nearby residents and City staff to coordinate project construction and keep residents advised.

The project incorporates design and operational features to increase the environmental sustainability of the site improvements and proposed use. The will incorporate significant green building technology improvements including the installation of energy efficient windows, insulation, water

quality treatment, bicycle storage, etc. Also, the Applicant shall provide documentation demonstrating the extent to which the project would meet LEED Certification Silver and New York State Energy Star standards.

- (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 site historically has been occupied by the developed as light industrial facility and is almost entirely occupied by the six story building and two adjacent parking lots. There are no undeveloped or naturally vegetated conditions on the site.

The landscape plan shows planting strips along the Westmoreland Avenue sidewalk, around the building, and along the rear property line abutting the Metro North property. The landscaping includes approximately 44 deciduous and evergreens trees, and shrubs and groundcover plantings.

- (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 reuse of the subject property, which has been vacant for at least ten years will benefit the surrounding area. The applicant proposes to remove the white paint on the building façade and to repoint the bricks to restore the historic industrial character of the building. New windows and aesthetic enhancements to the façade, along with new landscaping will enhance the character of the neighborhood.

The proposed project benefits the City by putting back into productive use an underutilized and underperforming site, as well as generating increased pedestrian activity and tax revenues. The 65 proposed dwelling units are estimated to bring approximately 90 new residents to the City who will support nearby businesses and help to spur further reinvestment in and revitalization of the surrounding area.

The applicant proposes to improve the visual appearance of the Westmoreland streetscape with the installation of the City's standard Promenade sidewalk paving system style with brick banding along the curb line, seven decorative "acorn" lights and five new street trees.

The Proposed Action will not have any significant effect or visual impacts to the Bronx River Reservation, a County Park which is also listed on the National Register of Historic Places. The project site is separated from the Bronx River Parkway Reservation by the Metro North Railroad right-of-way which is 120 feet in width and occupied by leased parking lots and the gravel rail-bed. The site is approximately 420 feet from the Bronx River and 380 feet from the walking and bicycle trail within the parkland. Storm water on the site drains in the opposite direction, away from the parkland and is accommodated by the municipal storm drainage system along Westmorland Avenue.

The project site is located adjacent to the Metro North Railroad which serves as a major access corridor and visual entrance to White Plains. The proposed project, including the renovation of the building façade and site landscaping represents an improvement to the site and serves to enhance the appearance of this City gateway.

- (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 approval 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.
- (h) The Proposed Action will not result in the creation of a material demand for other actions that 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 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 Planning Board determines that the Proposed Action will not have a significant effect on the environment, and be it further

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

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS APPROVING THE APPLICATION SUBMITTED ON BEHALF OF NORDEN LOFTS, LLC (“APPLICANT”), FOR SPECIAL PERMIT/SITE PLAN APPROVAL IN CONNECTION WITH THE PROPOSED MULTI-FAMILY ADAPTIVE REUSE AND REDEVELOPMENT OF THE EXISTING SIX (6) STORY, 48,000 SQUARE FOOT INDUSTRIAL BUILDING LOCATED AT 121 WESTMORELAND AVENUE (SECTION 130.25, BLOCK 3, LOT 1) IN THE LI-M LIGHT INDUSTRIAL MIXED USE ZONING DISTRICT AND PAYMENT BY THE APPLICANT OF FEE-IN-LIEU IN THE AMOUNT OF \$176,500 TO BE USED EXCLUSIVELY FOR PARK, PLAYGROUND AND OTHER RECREATIONAL PURPOSES, INCLUDING THE ACQUISITION OF REAL PROPERTY, TO MITIGATE THE RECREATIONAL IMPACT OF THE NEW MULTI-FAMILY PROJECT, IN ACCORDANCE WITH GENERAL CITY LAW SECTION 27-A.

WHEREAS, the Common Council of the City of White Plains (“Common Council”), at a meeting held on August 3, 2015, after conducting a public hearing and issuing an environmental findings resolution, adopted an ordinance amending the Zoning Ordinance with respect to creating a new Light Industrial-Mixed Use (LI-M) Zoning District and rezoning certain properties in the Light Industrial (LI) Zoning District to Light Industrial-Mixed Use (LI-M) Zoning District; and

WHEREAS, the aforementioned Zoning Ordinance amendment established a new Light Industrial-Mixed Use (LI-M) Zoning District; established a new use and definition for “Manufacturing, Light;” established principal permitted and special permit uses for the new Light Industrial-Mixed Use (LI-M) Zoning District; established dimensional and special permit regulations; and amended the Zoning Map of the City of White Plains with respect to a change of Zoning District classification for the properties located within the existing Light Industrial (LI) Zoning District generally located along Westmoreland Avenue from the current LI Zoning District to the proposed Light Industrial-Mixed Use (LI-M) Zoning District; and

WHEREAS, the new LI-M Zoning District was specifically created to permit transit-

oriented, multi-family uses upon issuance of a special permit by the Common Council as a means to catalyze development of a new vibrant mixed-use new neighborhood as defined in the adopted Zoning Ordinance amendment:

“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; add incentive to the adaptive reuse of existing “buildings” for residential use to increase neighborhood vitality and retain existing character: “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; and

WHEREAS, at a Special Meeting of the Common Council held on January 25, 2016, representatives of Norden Lofts, LLC, made a presentation concerning a proposed project for 121 Westmoreland Avenue; and

WHEREAS, the Common Council, at a meeting held on February 1, 2016, received a communication from the Deputy Commissioner of Building dated January 20, 2016, transmitting on behalf of Norden Lofts, LLC (“Applicant”), owner of the property known as 121 Westmoreland Avenue, an application for Special Permit/Site Plan approval for the adaptive reuse and redevelopment of the existing 48,000 square foot industrial building for residential apartments in the recently rezoned Zoning District which is intended to encourage the transformation of the area from

industrial to residential; and

WHEREAS, the property known as 121 Westmoreland Avenue is designated on the tax assessment map of the City of White Plains as Section 130.25, Block 3, Lot 1; and

WHEREAS, the site fronts on Westmoreland Avenue, comprises 34,041 square feet of property classified in the LI-M Zoning District, and is bounded on the northerly side by the Metro-North Railroad tracks, on the easterly side by the RJT Towing Company, the southerly side by Westmoreland Avenue and on the westerly side by the Westy Self Storage facility; and

WHEREAS, the Applicant proposes to adaptively redevelop the existing 48,000 square foot building (designed to accommodate 480 occupants) into a 56,424 square foot residential building through the addition of enclosed egress stair towers on the north and south facades as well as utilization of the existing basement as a community room, bike storage, fitness room, and bocce court for residents; the converted building will contain a total of sixty-five (65) residential apartments, consisting of 42 studio units, eighteen (18) one bedroom units; and five (5) two bedroom units; and

WHEREAS, the structure was previously occupied by Norden Systems, which opened in 1947, and most recently by Arc of Westchester Association, an organization that provides services to persons with disabilities; and

WHEREAS, the existing site currently has sixty-four (64) parking spaces, eight (8) of which are handicapped parking spaces; and

WHEREAS, the proposed redevelopment includes the provision of eighty (80) total parking spaces on site (of which four (4) will be handicapped spaces), comprised of twenty-nine (29) spaces in a surface lot on the west side of the building, and fifty-one (51) spaces on the east side of the building; the easterly lot will consist of both twenty-five (25) surface spaces and twenty-six (26) spaces as tenant-operated stacked parking (13 parking spaces stacked on top of 13 at grade spaces); and

WHEREAS, the stackers are similar to the type of units in place at private residences and other locations; the stackers would be utilized on the site in a manner similar to tandem parking spaces so that the tenant of the same unit would rent and control both vehicle spaces in the stacker; and

WHEREAS, both parking lots are accessed via existing curb cuts on Westmoreland Avenue, which would be slightly enlarged to accommodate the loading and refuse disposal of the new use; access to the lots is proposed to be restricted by use of a sliding 4'-6" high gate; and

WHEREAS, the Application included the following documents:

A. A cover letter dated January 15, 2016, from William Null, Esq., of the law firm of Cuddy & Feder LLP, counsel for the Applicant, forwarding and describing the background and

details of the Application;

B. A Building Short Form Permit Application, dated January 15, 2016;

C. A Short Environmental Assessment Form, dated January 15, 2016, as prepared on behalf of the Applicant by Sam Kaller;

D. Plans prepared by Papp Architects, P.C., entitled "Proposed Multi-Family Residential Loft Conversion, 121 Westmoreland Ave, White Plains, Westchester County, New York," consisting of the following:

<u>Drawing No.</u>	<u>Entitled</u>	<u>Last Revised</u>
SD-001	Development Data	1/14/16
SD-101	Site Layout Plan	1/14/16
SD-102	Site Lighting Plan	1/14/16
SD-103	Photometric Lighting Plan	1/14/16
SD-104	Site Landscaping Plan	1/14/16
SD-403	Floor Plans and Elevations	1/14/16
SD-501	Details	1/14/16; and

E. Civil Engineering drawings prepared by Catizone Engineering Inc., entitled, "Proposed Multi-Family Residential Loft Conversion, 121 Westmoreland Ave White Plains, Westchester County, New York, consisting of the following numbered and titled sheets:

<u>Drawing No.</u>	<u>Entitled</u>	<u>Last Revised</u>
SD-105	Grading and Utilities Plan	1/14/16
SD-106	Erosion and Sediment Control Plan	1/14/16
SD-401	Driveway Profiles	1/14/16
SD-403	Floor Plans and Elevations	1/14/16
SD-502	Site Details	1/14/16
SD-503	Site Details	1/14/16
SD-504	White Plains Standard Site Details	1/14/16
SD-505	White Plains Standard Site Details	1/14/16
SD-506	White Plains Standard Site Details	1/14/16; and

F. Site Survey (SV-101), dated December 10, 2013, prepared by Link Land Surveyors, P.C., entitled, "ALTA/ACSM Land Title Survey of Property Situate in the City of White Plains, Westchester County, New York;" and

G. A Traffic Analysis, dated November 13, 2015, prepared by Brian E. Dempsey, P.E. of TRC Engineers, Inc., which concludes that the parking provided is more than adequate to address the needs of the residents, given the Site's proximity to the train station and the downtown, particularly given that two-thirds of the units will be studio apartments; and

H. A Stormwater Summary letter prepared by Catizone Engineering, dated January 14, 2016; and

I. A Solid Waste Management Plan, prepared by Philip Fruchter, dated January 14, 2016; and

J. Solid Waste Routing Plan, prepared by Tom Carlucci, of City Carting&Recycling, dated January 14, 2016; and

K. A report providing Sanitary Drain and Domestic Water Calculations, prepared by Khachaturian Engineering Associates, Inc. (KEA Engineers), dated January 13, 2016; and

L. Car stacker system technical information, consisting of three (3) pages, provided by Harding Steel, Inc.; and

WHEREAS, the Common Council, at its February 1, 2016 meeting, referred the Application to all necessary City departments, officers, agencies, boards and commissions, and the Westchester County Planning Board for review, comments and recommendations in accordance with the Zoning Ordinance; and

WHEREAS, the Common Council, at its meeting held on March 7, 2016, opened the public hearing, received testimony from the Applicant's representatives and afforded the public the opportunity to present testimony, and then closed the public hearing on Special Permit component of the Application; and

WHEREAS, the Common Council, at its meeting held on March 7, 2016, received communications on the Application from the Commissioner of Building, dated February 19, 2016; the Commissioner of Planning, dated February 24, 2016; the Commissioner of the Public Works, dated March 7, 2016; the Commissioner of Public Safety, dated March 1, 2016; the Commissioner of Parking, dated March 7, 2016; the Deputy Commissioner of Parking for Transportation Engineering, dated February 25, 2016; the Chair of the Planning Board, dated February 25, 2016; the Acting Chair of the Transportation Commission; dated February 25, 2016; the Chair of the Design Review Board, dated February 11, 2016; the Environmental Officer, dated February 29, 2016; and the Westchester County Planning Board, dated February 12, 2016; and

WHEREAS, the Common Council, at its March 7, 2016 meeting, adopted a resolution designating itself to serve as Lead Agency for the environmental review of the Site Plan/Special Permit Application pursuant to the State Environmental Quality Review Act and its accompanying regulations (SEQRA), designating the Proposed Action to be an Unlisted Action; and finding that the Proposed Action will not have a significant effect on the environment; and

WHEREAS, the Common Council has reviewed and considered comments from the public, as well as from the various City departments, officers, agencies, boards and commissions, and the Westchester County Planning Board, and has reviewed the application in light of the 1997 Comprehensive Plan and the update to the Comprehensive Plan adopted July 11, 2006, and standards set forth in the Zoning Ordinance, including but not limited to Sections 4, 6, 7 and 8; and

NOW, THEREFORE, be it

RESOLVED, that the following findings are hereby adopted in accordance with the
Zoning Ordinance:

Dimensional Regulations:

The proposed development conforms to the dimensional regulations of the LI-M
Zoning District as follows:

	<u>Permitted</u>	<u>Proposed</u>
Minimum Lot Area	30,000 sq. ft.	34,041 sq. ft.
Maximum Building Coverage	80% or 27,232 sq. ft.	30% or 10,212 sq. ft.
Floor Area Ratio	3.5 or 119,143 sq. ft.	1.7 or 56,424 sq. ft.
Lot Frontage	50 ft.	296.7 ft.
Lot Depth	0 ft.	114.7 ft.
Lot Front Yard	0 ft.	91.5 ft.
One Side Yard	0 ft.	152 ft.
Two Side Yards	0 ft.	175 ft.
Rear Yard	0 ft.	36 ft.
Maximum Height Stories	6 stories	6 stories
Maximum Height Feet	85 ft.	82 ft.

The rooftop is not proposed for tenant access. There are existing cellular antenna installations which will remain atop of the building restricted to service professionals.

Site Plan

Section 7.5 **Standards**

In considering and approving "site plans," the approving agency shall take into consideration the purposes of this Ordinance, including the purposes of the applicable zoning district or districts, and, as a condition of approval, may require such modifications of the proposed "site plans" as it deems necessary to comply with the spirit as well as the letter of this Ordinance. The approving agency shall specifically take into account the following:

Section 7.5.1 *Conformity of all proposals with this Ordinance and with the goals of the "Comprehensive Plan." Variances granted by the Board of Appeals need not be regarded by the approving agency as satisfying the requirement of conformity with this Ordinance for purposes of this review and approval. The approving agency shall review any such variances and may deny approval or require modifications pursuant to Section 7.5, above, in the event it finds any such variances produce or permit an unsatisfactory condition or arrangement in the "site plan" before it.*

1. The project site is located within the "Core Area" identified in the 1997 Comprehensive Plan and the 2006 Plan Updated adopted on July 11, 2006, defined as "a place to live, work, shop and spend quality leisure time." In addition, the Comprehensive Plan states that downtown residential development is a major economic tool for the City to create a truly livable, "walkable" urban environment with a 24/7 character that supports office and retail. In particular, the Comprehensive Plan makes the following statements and recommendations regarding the project location:

(a) *The trend toward more residential development in the Core Area should be encouraged* (Vision Statement for the Core Area-Comprehensive Plan at page II-I-4);

(b) *Encourage upgrading and modernizing of the light industrial zone districts along Westmoreland, Ferris, South Kensico, and Haarlem Avenue, and ensure that they properly coexist with the abutting residential areas* (2006 Strategy for Light Industrial Areas-Comprehensive Plan at

page II-I-56).

2. The proposed development is also consistent with the Westchester County Planning Board's long range planning policies set forth in *Westchester 2025-Context for County and Municipal Planning and Policies to Guide County Planning*, and its recommended strategies set forth in *Patterns for Westchester: The Land and the People* as it represents development in an existing center where infrastructure can support growth, where public transportation can be provided efficiently, and where redevelopment can enhance economic viability.

3. The proposed development is consistent with many recommendations of the City's Comprehensive Plan, including the 2006 Core Area Vision Statement: "Downtown residential development has become and will continue to be, a major economic tool for the city to create a truly livable, walkable urban environment with a 24/7 character..." In addition, the proposed development conforms with the recommendation to encourage upgrading and modernizing of the light industrial zone districts.

4. Subject to the Applicant's compliance with the conditions contained in this approval resolution herein, in accordance with Section 7.5.1 of the Zoning Ordinance, the proposed development of the site conforms with the 1997 Comprehensive Plan and the 2006 Update to the Comprehensive Plan adopted by the Common Council on July 11, 2006, and the LI-M Zoning District's height, bulk, density and parking requirements.

Section 7.5.2 *Safe, adequate and convenient vehicular and pedestrian traffic circulation both within and without the site. At least the following*

aspects of the "site plan" shall be evaluated to determine conformity to this standard:

7.5.2.1 The effect of the proposed development on traffic conditions on existing "streets."

1. The Applicant has submitted a Short Environmental Assessment Form, dated January 15, 2016, and additional analyses, prepared by Brian E. Dempsey, P.E., PTOE, of TRC Engineers, Inc., and dated January 12, 2016, evaluating the potential impact on traffic associated with the project. Based on the traffic analysis submitted by the Applicant, and upon confirmation by the Deputy Commissioner of Parking for Transportation Engineering, the proposed site plan will not have an adverse impact on the existing street network.

2. Subject to the Applicant's compliance with the conditions set forth in this approval resolution herein, particularly those of the Deputy Commissioner of Parking for Transportation Engineering which incorporates those of the Transportation Commission, the proposed project will not have a negative impact on existing traffic conditions on existing streets at and surrounding the proposed project, and satisfies the requirements of Section 7.5 of the Zoning Ordinance.

7.5.2.2 The number, locations and dimensions of vehicular and pedestrian entrances, exits, drives and walkways. Vehicular access to State and County roads must also be approved by the State Department of Transportation or the County Department of Public Works, as appropriate.

7.5.2.3 The visibility in both directions at all exit points of the site. The driver of an automobile exiting the site should have an unobstructed view of the "street" for that distance necessary to allow safe entrance into the traffic stream.

1. The site plan contains two separate vehicular entrances to the parking lots on either side of the existing building. There is no vehicular connection between the lots. Pedestrian access to the residential building will be directly off of Westmoreland Avenue through a new lobby.

2. Pursuant to the recommendation of the Transportation Commission, the proposed “rolling gate” at each driveway entrance may need to be relocated so that vehicles do not obstruct the sidewalk when they are waiting for the gate to open.

3. Landscaping is proposed around the parking areas and building to enhance the pedestrian entrance.

4. Visibility into and out of the site is adequate, as confirmed by the Deputy Commissioner of Parking for Transportation Engineering.

5. After examining the proposed plans and Traffic Study, the Common Council finds that, subject to the Applicant’s compliance with the conditions contained in this approval resolution herein, based upon the communications from the Deputy Commissioner of Parking for Transportation Engineering, incorporating comments of the Transportation Commission, Public Works Department, and Planning Department, the number, locations and dimensions of vehicular and pedestrian entrances, exits, drives and walkways on and giving access to the proposed site, and the visibility in both directions at all exit points of the site are appropriate and satisfy the requirements of Sections 7.5.2.2 and 7.5.2.3 of the Zoning Ordinance.

7.5.2.4 The location, arrangement and adequacy of off-“street” “parking lots,” which shall, at a minimum, meet the requirements of Section 8 of this Ordinance.

1. The proposed apartment building, consisting of 42 studio units, 18 one bedroom units, and 5 two bedroom units, generates a parking requirement of 79 total parking spaces. The Applicant proposes a total of 80 parking spaces on site, comprised of 29 spaces in a surface lot on the west side of the building, and 51 spaces on the east side of the building. The easterly lot will consist of both 25 surface spaces and 26 spaces as tenant operated stacked parking (13 parking spaces stacked on top of 13 at grade spaces). The stacked spaces will be self-operated by tenants and utilized only by occupants of the same apartment unit. Four handicapped parking spaces are provided near the entrance to the building with provisions for adequate access to the entrance from the spaces.

2. Subject to the Applicant’s compliance with the conditions set forth in this approval resolution herein relating to the site plan, the location, arrangement and adequacy of the off-“street” parking, the parking meets the requirements of Section 8 of the Zoning Ordinance.

7.5.2.5 Interconnection of “parking lots” via access drives within and between adjacent “parking lots,” in order to provide maximum efficiency, minimize curb cuts, and encourage safe and convenient traffic circulation.

There is no interconnection of parking lots on the site. The driveway curb cuts will be widened, but are in the same location as the existing curb cuts. Each driveway has one lane in and one lane out. Pedestrian access from the parking structure to the residential lobby is provided via a walkway along the perimeter of the building that connects the sidewalk on Westmoreland Avenue.

7.5.2.6 The location, arrangement and adequacy of "loading spaces," which shall, at a minimum, meet the requirements of Section 8 of this Ordinance.

No dedicated loading space is provided on the site, and none is required for multi-family dwellings. A "drop-off zone" provided at the entrance to the lobby could accommodate a box truck. Larger trucks will have to use on-street parking (there are nine in front of the project site).

7.5.2.7 Patterns of vehicular and pedestrian circulation both within the boundaries of the development and in relation to the adjoining "street" and sidewalk system. Sidewalk crossings for whatever purpose must be reviewed by the Commissioners of Public Safety and Public Works.

1. Sidewalks are provided around the entire building and connect to the existing sidewalk system. There are sidewalks on both sides of Westmoreland Avenue, and they connect to the overall sidewalk system.

2. Subject to the Applicant's compliance with the conditions contained in this approval resolution herein, the vehicular and pedestrian circulation both within the boundaries of the proposed development site and in relation to adjoining streets and sidewalk system will enhance pedestrian activity and linkages to other areas of the downtown.

7.5.2.8 The location, arrangement and adequacy of facilities for the physically handicapped, such as ramps, depressed curbs and reserved "parking spaces."

1. Appropriate provisions for the physically challenged will be provided on the sidewalk. Four handicapped parking spaces are provided near the entrance to the building with

provisions for adequate access to the entrance from the parking spaces.

2. Subject to the Applicant's compliance with the approval resolution herein relating to the site plan, the location, arrangement and design of facilities for the physically challenged, are adequate and appropriate.

7.5.2.9 The location, arrangement and adequacy of landscaping within and bordering "parking lots" and "loading spaces," which shall, at a minimum, meet the requirements of Section 8.7.5 of this Ordinance.

1. The landscape plan shows planting strips along the Westmoreland Avenue sidewalk, around the building, and along the rear property line abutting the Metro-North property. The landscaping includes deciduous trees, evergreens, shrubs and groundcover plantings.

2. Subject to the Applicant's compliance with the conditions contained in this approval resolution herein, no obstructions of driver vision are created at any traffic intersection areas.

7.5.2.10 Adequacy of fire lanes and other emergency zones. The approving agency may require the provision of fire zones and may also require suitable legal agreements for enforcement of any accompanying parking restrictions.

Appropriate fire zones have been provided as confirmed by the Commissioner of Public Safety.

Subject to all of the conditions set forth in this approval resolution herein, the vehicular and traffic circulation both within and without the site has been reviewed and is acceptable

in accordance with the provisions of Section 7.5.2 of the Zoning Ordinance. This finding specifically includes, but is not limited to, consideration of the effect of the development on traffic conditions on existing "streets;" vehicular and pedestrian access drives and walkways; visibility at all exit points of the site; parking facilities; the driveways connecting such facilities to the roadways; patterns of vehicular and pedestrian circulation; facilities for the physically challenged; and the adequacy of access for emergency purposes.

7.5.3 The protection of environmental quality and the preservation and enhancement of property values in the neighboring area. At least the following aspects of the "site plan" shall be evaluated to determine conformity to this standard:

7.5.3.1 The location, height and materials of walls, fences, hedges and plantings so as to insure harmony with adjacent development, screen "parking lots" and "loading spaces," and conceal storage areas, refuse areas, utility installations and other such features. Such walls, fences, hedges and plantings shall, at a minimum, meet the requirements of Sections 4.4.16 (Fences), 4.4.19 (Landscaping) and 8.7.5 (parking and loading areas) of this Ordinance.

1. Landscaped areas are proposed around the perimeter of the site. The stacked parking spaces are proposed to be screened from Westmoreland Avenue by a 16 foot brick wall. The rolling fence at the driveway entrances is a 4'-6" black aluminum picket fence. The refuse storage area for the internal compaction system is within the rear of the building, and refuse will be moved only for pick-up by a private carter. These features of the project will enhance the property values in the neighboring area.

2. Subject to the Applicant's compliance with the conditions set forth in this approval

resolution herein, the location, height and materials of walls, fences, hedges and plantings located on the proposed development adequately screen the entrance and exits from the storage areas, refuse areas, other such features, and meet the requirements of Section 4.4.16 (Fences), 4.4.19 (Landscaping) and applicable subsections of Section 8.7.5 (Parking and Loading areas) of the Zoning Ordinance.

7.5.3.2 The prevention of dust and erosion, both during and after construction, through the planting of ground cover or the installation of other appropriate ground surfaces.

1. The City's construction management protocols must be adhered to by the Applicant to the satisfaction of the Commissioner of Public Works.

7.5.3.3 The preservation of natural features of the site such as wetlands, unique wildlife habitats, historic "structures," major trees and scenic views both from the site and onto or over the site.

The site is completely built-out. Therefore, there are no natural features, wetlands or unique wildlife habitat on the site.

7.5.3.4 The conformity of exterior lighting to the requirements of Section 4.4.20 of this Ordinance.

1. The Applicant proposes to supplement the existing on-street lighting with seven City of White Plains standard "acorn" lights measuring 12 feet high. On site, there will be six, 18' tall light poles with eight lamps to illuminate the parking lots; a number of ten-foot poles along the pedestrian walkways surrounding the building; and a number of 40 inch bollards along the rear of the building. The degree of lighting will provide adequate visibility and safety.

2. Subject to the Applicant's compliance with the conditions set forth herein, the exterior lighting satisfies the requirements of Sections 7.5.3.4 and 4.4.20 of the Zoning Ordinance.

7.5.3.5 The design and arrangement of "buildings," "structures" and accessory facilities (such as air conditioning systems, public address systems, etc.) so as to achieve minimum and acceptable noise levels at the property boundaries.

The residential project should not generate unacceptable noise levels.

7.5.3.6 The provision of adequate storm and surface water drainage facilities so as to properly drain the site while minimizing downstream flooding. Upon completion of development, the control and retention of storm water runoff shall be provided as directed by the Commissioner of Public Works, who may require the submission of an Engineer's Report.

The stormwater management plan has been reviewed by the Commissioner of Public Works, and the Applicant shall comply with any applicable conditions set forth in this approval resolution related to same.

7.5.3.7 Access to sunlight for present and potential solar energy systems, both on and off site, as well as "building" siting, orientation and landscaping, meeting at a minimum the requirements of Section 4.4.21 of this Ordinance.

4.4.21.3 *Access to sunlight for present and potential solar energy systems, both on and off site, as well as "building" siting, orientation and landscaping, shall be considered by all approving agencies as a part of their review of any application.*

4.4.21.4 *New construction on any "lot" which would block access to sunlight between the hours of 9:00 a.m. and 3:00 p.m. Eastern Standard Time for existing approved solar energy systems or for solar energy systems*

for which a permit has been issued is prohibited except by permission from the Board of Appeals on a showing that other arrangements are infeasible or impractical, or that the degree of blocking is negligible.

1. No solar energy systems are proposed.

Subject to the Applicant's compliance with the conditions contained in this approval resolution herein, the design of the development is in harmony with the "uses" in the neighboring area and will preserve property values, and protect the quality of the environment in accordance with Section 7.5.3 of the Zoning Ordinance, given the architectural design of the building, use of lighting, landscaping and plantings.

Section 7.5.4 A quality of "building" and overall site design which will enhance and protect the character and property values of the adjacent neighborhood. On report and recommendation of the Design Review Board, the approving agency shall evaluate the architectural features of the proposed design to determine if they are in harmony with the neighborhood, including consideration of architectural style, bulk dimensions, materials and location on the site and, in relation to development on adjoining properties, the natural terrain and vegetation.

1. The proposed redevelopment will greatly enhance the character and protect property values of the adjacent neighborhood. The reuse of the subject property, which has been vacant for at least ten years, will benefit the surrounding area. The Applicant proposes to remove the white paint on the building facade and to repaint the bricks to restore the historic industrial character of the building. New windows and aesthetic enhancements to the facade, along with new landscaping will enhance the character of the neighborhood. Further, the proposed landscaping and repainting of the

existing structure adjacent to the northbound Metro-North tracks will provide an enhanced view for the growing reverse commute population traveling to and from the White Plains Train Station.

2. Subject to all of the findings and conditions contained in this approval resolution herein, and subject to the proposed project meeting at minimum the requirements for LEED Certification, the architectural design of this proposed project will enhance and protect the character and property values of the neighborhood in accordance with Section 7.5.4 of the Zoning Ordinance.

Reservation of Parkland on Site Plan-
Payment of Money-in-Lieu-Findings
in Accordance with Section 27-a of
the New York General City Law

1. In connection with this site plan Application herein, the City of White Plains finds in accordance with Section 27-a of the New York General City Law (“General City Law”), that the provision of parkland and recreation facilities in conjunction with the development of multi-family uses is necessary to meet the needs of its residents.

2. In accordance with Section 27-a of the General City Law, where it is not practical for a particular development to provide parkland and recreational facilities, it is in the best interest of the City of White Plains and its residents to require funds to be paid to the City to be used exclusively for parks, playgrounds or recreational facilities, including the acquisition of property.

3. In accordance with Section 27-a of the General City Law, land for park, playground or other recreational facilities may not be required until the Common Council has made a finding that a proper case exists for requiring that a park or parks be suitably located for playgrounds or other

recreational facilities within the City of White Plains. Such findings shall include an evaluation of the present and anticipated future needs for park and recreation facilities in the City based on projected population growth to which the particular site plan will contribute.

4. In accordance with Section 27-a of the General City Law, by adoption of this approval resolution herein, the Common Council makes a finding that the proposed site plan presents a proper case for requiring a park or parks suitably located for playgrounds or other recreation purposes, but that a suitable park or parks of adequate size cannot be properly located on the 121 Westmoreland Avenue site, therefore the Common Council shall require a sum of money in lieu thereof, to be established by a resolution of the Common Council. In making such determination of suitability, the Common Council assessed the size and suitability of land shown on the site plan which could be possible locations for park or recreational facilities, as well as practical factors, including whether there is a need for additional facilities in the immediate neighborhood or a need for improvements to or the acquisition of parks, playgrounds or recreation facilities or purposes that may be used by the population of the particular site plan. Such fee required by the Common Council in lieu of land for park, playground or other recreation purposes or facilities shall be deposited in a trust fund to be used by the City of White Plains exclusively for park, playground and other recreational purposes, including the acquisition of property. This finding is based on the following information and analysis.

5. As noted in the communication of the Commissioner of Planning, dated January 8, 2016, appearing on the February 1, 2016 meeting agenda of the Common Council, and in the

communication of February 24, 2016 in relation to this Application herein, as White Plains continues to experience strong multi-family development pressure in the downtown core and abutting areas, including the addition of 65 new dwelling units proposed at 121 Westmoreland Avenue, it is imperative that the City be proactive in planning for increased population growth and the associated impact on existing park and recreational facilities.

6. As stated in the communication of the Commissioner of Planning dated February 24, 2016, the proposed site plan for this Application does not include any publicly accessible usable open space on site, as the parcel will be fully occupied by the residential building and parking thereon. However, minor landscaping enhancements are proposed for the perimeter of the parking areas to soften the existing surface lot areas.

7. The Common Council has assessed both the suitability of possible park and recreation lands on the proposed 121 Westmoreland Avenue site, as shown on the submitted site plans, and has determined that there is a need for additional facilities Citywide, or acquisition of parks, playgrounds or recreation facilities that could be utilized by the estimated 90 new residents of the proposed development. The Commissioner of Planning in a communication dated January 4, 2016, has provided a comprehensive analysis of the City's projected population trends, current park/recreation inventory, and New York State recreation guidelines for the Common Council's review in making such a determination.

8. According to the Commissioner of Planning's communication dated January 4,

2016, over a twenty (20) year period from 1990-2010, the City's population increased by 16% and a total of 19% through 2014, according to the most recent Census Bureau population estimate. The City's increase in population since the 2000 Census in particular can be attributed to the rise in the number of 20-24 years olds (27% increase) and the number of persons between the ages of 55-84. The 2013 American Community Survey confirms the assertion that the City of White Plains has been successful in attracting young working professionals or "Millennials" and gaining and retaining "empty-nesters." There is also a large cohort of 25-44 year olds as a percent of total City population, which tend to be comprised of larger family sizes and thus require a greater need for adequate recreation facilities.

9. According to the Commissioner of Planning's communication dated January 4, 2016, future population projections provided by the New York Metropolitan Council, the regional metropolitan planning organization that distributes federal transportation monies to local governments, indicate that the City's total population will increase by 27% by the year 2050.

10. According to the Commissioner of Planning's communication dated January 4, 2016, further, it is conservatively estimated that approximately 2,000 new residential units in the downtown core will come on-line and an additional 1,000 estimated in the pipeline over the next three to five years. The Common Council finds that this increase in projected downtown population with little opportunity to provide meaningful parkland either on proposed new site plans or elsewhere within the downtown Central Parking Area is the impetus for the establishment of a fee-in-lieu of parkland policy for all new residential development City-wide.

11. According to the communication of the Commissioner of Planning dated January 4, 2016, the New York State Office of Parks, Recreation, and Historic Preservation has developed recreation facility guidelines that include recommended standards for the type and size of recreational facilities that a community should provide given its population size. Large regional parks are not applicable to local government park planning as their purpose is to serve a larger County-wide population.

12. The City of White Plains has a total of 133.1 acres of public parkland or only 44% of the total 305.2 acres recommended by New York State based on current population, amounting to a deficiency of 172 acres of local parkland. Even with the inclusion of 140 acres of County-owned park facilities located within the City, White Plains is still far below the recommended parkland acres per capita with only 273 acres compared to the 595 acres recommended per New York State guidelines.

13. As stated in the communication of the Commissioner of Planning dated January 4, 2016, when accounting for the total projected 2050 City of White Plains population of 73,984 and assuming no acquisition of additional parkland in that time, the City would contain only 35% of the total 383 acres recommended by New York State, amounting to a deficiency of 250 acres of local parkland. Even with the inclusion of 140 acres of County-owned park facilities located within the City, White Plains would still fall far below the recommended parkland acres per capita with only 273 acres compared to the 748 acres recommended by New York State guidelines.

14. As stated by the Commissioner of Planning in a communication dated February 24, 2016, the submitted site plan does not provide adequate land for park and recreation facilities based on the project's anticipated generation of at least 90 new City residents, projected overall growth in City population, and evaluation of the City's present and anticipated future needs for park and recreation facilities presented to the Common Council in the Commissioner of Planning's communication dated January 4, 2016, regarding the reservation of parkland on all multi-family site plans or payment of money-in-lieu thereof.

15. The provision for an applicant to contribute a fee-in-lieu of providing adequate land for park and recreation within its site plan is consistent with the 1997 Comprehensive Plan and 2006 Update adopted on July 11, 2006 and the City's Recreation Vision Statement which states;

“... the Plan contains a vision for open space and recreational resources that includes better integrating public open space into the fabric of the City's neighborhoods through an interconnected open space system ... creating additional recreational opportunities through the construction of ballfields and passive open spaces, **and achieving new parkland through the development review process.**” (emphasis added)

16. Based upon the above, the Common Council finds that the submitted site plan for 121 Westmoreland Avenue, does not provide adequate land for park and recreation facilities based on the project's generation of 90 new City residents, projected future overall growth to City population, and evaluation of the City's present and anticipated future needs for park and recreation facilities presented to the Common Council in the Commissioner of Planning's communications dated January 4, 2016 and February 24, 2016, regarding the reservation of parkland on all multi-family site plans or payment of money-in-lieu thereof.

17. Further, in accordance with Section 27-a of the General City Law, the Common Council hereby establishes by this approval resolution herein a fee-in-lieu of providing adequate park and recreation facilities on site plans with residential units on a per residential unit basis:

\$2,500 per studio unit;

\$3,000 per one bedroom unit; and

\$3,500 per two bedroom or larger unit.

18. The aforementioned fee structure is intended to mitigate the recreational impact of new multi-family projects without discouraging the development of sustainable mixed-use residential projects downtown, and is posited after careful analysis of some twenty-six (26) other Westchester County municipalities that currently administer fee-in-lieu parkland programs.

19. Under this fee schedule for 121 Westmoreland Avenue set forth in this approval resolution herein, the current 65 unit mix proposed for 121 Westmoreland Avenue will result in a total fee-in-lieu payment to the City of White Plains of \$176,500, as agreed by the Applicant, to be used exclusively for park, playground and other recreational purposes, including the acquisition of real property.

20. The total fee shall be paid by the Applicant in two (2) equal installments of \$88,250, the first payment to be made at the time of the issuance of the first building permit, and the second payment made prior to the issuance of a Temporary Certificate of Occupancy (TCO) by the

Commissioner of Building. In the event that no TCO is required, the second payment shall be made prior to issuance of a Certificate of Occupancy (CO) by the Commissioner of Building.

Special Permit

6.5 Standards

All special permit "uses" shall comply with the following standards in addition to the "site plan" standards of Section 7.5. The approving agency shall attach such additional conditions and safeguards to any special permit as are, in its opinion, necessary to insure initial and continual conformance to all applicable standards and requirements.

6.5.1 *The location and size of the special permit "use," the nature and intensity of the operations involved in it or conducted in connection with it, the size of the site in relation to it and the location of the site with respect to "streets" giving access to it are such that it will be in harmony with the appropriate and orderly development of the area in which it is located.*

1. The LI-M Zoning District was enacted by the Common Council to encourage residential and commercial development in the Westmoreland Avenue light industrial district. The new Zoning District specifically encourages the adaptive reuse of existing buildings, as proposed by the Applicant. With 65 units, the proposed apartment building will not generate an intensity of use that will adversely impact the neighborhood.

2. In accordance with Section 6.5.1 of the Zoning Ordinance, the proposed project's use will be in harmony with the appropriate orderly development of the area in which it is located.

6.5.2 *The location, nature and "height" of "buildings," walls and fences and the nature and extent of existing or proposed plantings on the site are such that the special permit "use" will not hinder or discourage the appropriate development and "use" of adjacent land and "buildings."*

The proposed project involves the renovation of an existing building, and therefore, there will be no change to the adjacent land or buildings. The proposed facade improvements, landscaping, and lighting will be an enhancement to the area.

6.5.3 *Operations in connection with any special permit "use" will not be more objectionable to nearby properties by reason of noise, traffic, fumes, vibration or other characteristics than would be the operations of permitted "uses" not requiring a special permit.*

Subject to the Applicant's compliance with the applicable conditions contained in this resolution herein, in accordance with Section 6.5.3 of the Zoning Ordinance, the operations in connection with the proposed residential use will not generate noise, traffic, fumes, vibrations or other characteristics that would be more objectionable than the uses permitted in the LI-M Zoning District.

6.5.4 *"Parking lots" will be of adequate size for the particular special permit "use," properly located and suitably screened from adjoining residential "uses," and the entrance and exit drives shall be laid out so as to achieve maximum convenience and safety.*

Subject to the Applicant's compliance with the applicable conditions contained in this approval resolution herein, in accordance with Section 6.5.4 of the Zoning Ordinance, the parking lots, screening, and driveways have been laid out to achieve maximum safety and convenience for

both pedestrians and drivers.

With respect to the individual standards for a Multi-Family Dwelling in the LI-M

Zoning District:

6.7.31.1 *Existing buildings may be converted to include "Multi-family dwelling," "hotel" or "extended stay hotel" uses subject to the following conditions:*

6.7.31.1.1 A minimum of one floor of the building shall be converted.

With the exception of the lobby and basement, all floors will be converted to residential use.

6.7.31.1.2 *Off-street parking is provided in accordance with Section 8. No parking exemptions shall apply. .*

The proposed parking complies with the requirements of Section 8 of the Zoning Ordinance.

6.7.31.1.3 *The conversion is consistent with the character of the area and retains its original exterior appearance to the maximum extent practicable.*

The conversion is consistent with the character of the neighborhood. The exterior appearance is proposed to be restored to its original appearance, before it was painted white.

6.7.31.1.4 *The maximum "Floor Area Ratio" (FAR) shall be 3.5.*

The proposed floor area ratio is 1.66; and be it further

RESOLVED, that based upon the above findings, the Common Council determines that the standards of Sections 4, 6, 7, and 8 of the Zoning Ordinance have been satisfied and that the Special Permit/Site Plan Application be and hereby is granted, subject to the Applicant's compliance with the following conditions:

1. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, groundwater mitigation, both during construction and post development will need to be addressed. The proposed development plans indicate an approximate finished floor elevation for the lowest basement level of be approximately twelve (12) feet below grade (not including foundations and footing depths). The Applicant must submit detailed soil borings, and provide details how groundwater will be mitigated. The Applicant must include this information, and it must be approved by the Commissioner of Public Works prior to obtaining a Building Department Permit.

2. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, the Applicant acknowledges certain upgrades are required to the City's infrastructure which are its responsibility. The Applicant will be required to update approximately one hundred and ten (110) feet of the existing eight (8) inch sanitary sewer main to a twelve 12" diameter main. Sewer flow monitoring and TV pipe inspection must be performed starting at the receiving sanitary manhole, and downstream underneath the train tracks to the next sanitary manhole. The design plans must be provided by the Applicant for final approval by the Department

of Public Works, and subsequently, the Westchester County Department of Health.

A. Drawings shall include plan and profile views, along with all applicable details and the City of White Plains standard construction details sheets for both water and sanitary sewer.

B. Submittals to the Westchester County Department of Health for permit will require, in addition to the drawings, completed forms DOH-348, BSP-5, Chapter 20 'Design of Sewers - General Design Information', and an engineer's report including all design calculations.

C. All documents submitted for Westchester County Department of Health permit approval shall be signed and sealed by the Applicant's professional engineer of record.

3. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, the Applicant's Engineer of Record (EOR) must revise the proposed water main-to-main, and service-to-main connections, to include the required City of White Plains valve configuration at each service and/or main connection location prior to obtaining a Building Department Permit.

4. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, backflow prevention devices must be installed on the fire and domestic services. These devices must be located in a utility room that must also accommodate a master water meter. The application for the backflow device installations must be prepared by a licensed New York State professional engineer and submitted to the Department of Public Works for review and subsequent final approval by the Westchester County Department of Health. The floor drain for said room must be adequate to comply with White Plains Department of Public Works and

Westchester Department of Health requirements.

5. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, existing sanitary and water services shall be abandoned at the main, including all associated restoration work, as directed by Department of Public Works. The Applicant shall provide the locations and limits of existing services to be abandoned.

6. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, prior to the issuance of a Building Permit, all existing sanitary sewer and stormwater drain structures, both manholes and catch basins, where new connections into the municipal system are being proposed, shall be inspected for capacity and structural integrity, in order to determine that the structures can safely accept the proposed connections and the additional flows. An inspection report indicating the conditions of each structure, and the option to repair or replace if needed, shall be provided to the Department of Public Works for review and acceptance.

7. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, the plans indicate the existing catch basin around the perimeter of the site will remain. This catch basin will require that their castings be replaced with new Eco-Friendly models with bicycle-safe grates in accordance with Department of Public Work's Standard Construction Details. The Applicant shall label plans accordingly and provide details as necessary. Any of these drainage structures found to be in need of repair, shall be updated, replaced or repaired by the applicant, at the Applicant's expense, and as directed by the Commissioner of Public Works.

8. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, all proposed stormwater catch basins/inlets being installed within the private property, must include a minimum sump depth of 36". The Applicant shall upgrade the plans and details and label accordingly.

9. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, the Applicant must provide a Stormwater Management Report, including profiles and pipe sizing calculations, locations of roof drains, which must be approved to the satisfaction of the Commissioner of Public Works.

10. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, the Applicant will be required to schedule soil testing to determine the groundwater level, and insure the proposed water quality practice will function as designed. If groundwater or soils are encountered that require a different practice, the Applicant will be required to submit a re-design that must be approved by the Commissioner of Public Works prior to the issuance of a Building Department Permit.

11. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, the construction of all stormwater facilities must be under the supervision of the stormwater design Engineer of Record, and an as-built must be provided to the Department of Public Works, signed and sealed by this engineer, or by a New York State licensed land surveyor. A required maintenance agreement for all on-site stormwater management measures

must be executed along with all necessary permits, prior to the construction of any permanent stormwater facility and remain in effect with the transfer of the property. This document must be completed in accordance with the City's local law requirements and coordinated with the Corporation Counsel. An appropriate escrow account must be established by the Commissioner of Public Works for the maintenance of said stormwater facilities. The Commissioner of Public Works has the right to utilize this escrow account to perform maintenance work should the owner fail to be responsive. Further, the City through the Department of Public Works shall receive 20% of all costs as an administrative fee.

12. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, the landscape plans indicate that portions of the proposed parking areas are to be screened with trees to be installed in the City Right Of Way. The trees must be relocated to within the applicant property, where possible. The plantings that must remain must be approved by the Commissioner of Public Works and these planting areas will require that a maintenance agreement with the City be executed, along with all necessary permits, and will remain in effect with the transfer of the property. Prior to issuance of a Building Permit, this document must be completed in accordance with the City's local law requirements and coordinated with the Corporation Counsel. An appropriate escrow account must be established by the Commissioner of Public Works for the maintenance of said planting areas. The Commissioner of Public Works has the right to utilize this escrow account to perform maintenance work should the owner fail to be responsive. Further, the City through the Department of Public Works shall receive 20% of all costs of any work as an administrative fee.

13. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, the proposed sidewalks surrounding the site, as shown on the plans, indicate that concrete sidewalks are to be installed. The Department of Public Works requires that all the sidewalks proposed to be installed within the public right-of-way match the City's standard promenade sidewalk with the stamped concrete brick pattern band along the curb, *or* if an alternate design deviating from the City standard is requested, approval of the Commissioner of Public Works, Building, and Planning will be required.

14. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, the existing street lamps will be required to be updated to the current city LED specifications at the Applicant's expense, and prior to obtaining a Temporary Certificate of Occupancy (TCO).

15. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, all tree species being proposed to be installed within the City's right-of-way will require approval from the Commissioner of Public Works and the City's arborist prior to planting.

16. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, the latest landscape plans illustrate the three new streetscape trees, grates and tree pits are proposed for the west side of Westmoreland Avenue. All of the proposed tree grates in the City's right-of-way must be ADA compliant in accordance with City of

White Plains Department of Public Works standard units. The Applicant shall consider the use of Flexi-Pave porous surface in lieu of the proposed cast iron tree grates.

17. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, the Applicant intends to contract an outside solid waste removal and hauling company to handle the site's solid waste, recycled cardboard and co-mingled materials, and a Department of Public Works Solid Waste Management Form has been received. A plan clearly showing the sanitation truck turning radius, and pickup location must be provided by the Applicant for the Commissioner of Public Works approval prior to obtaining a Building Department Permit. Pickup of trash and recyclables must be done onsite and not curbside.

18. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, , the Applicant shall provide larger designated snow storage areas and how removal of snow will be handled at the site. Plowing or storage of snow into the City right of way is not permitted.

19. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, prior to issuance of a Building Permit, the Applicant shall verify all the existing underground utilities on the plans, including gas, telephone, fiber optics, sanitary sewer, drain and all water lines (include number of conduits and/or number of ducts per bank). It is highly recommended that test pits be performed at all the locations where proposed lines cross

existing utility conduits, in order to prevent interference during construction. This is critical for the proposed sanitary main upgrade servicing the project.

20. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, all construction under the jurisdiction of the Department of Public Works must be in conformance with the Department's standards regardless of what may be shown or omitted on the plan.

21. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, the Applicant must include a limit of disturbance (LOD), including the acreage, and all work required in the City right of way prior to the issuance of a Building Department Permit.

22. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, all construction work shall be subject to the City's Construction Management Protocol. This Protocol includes, among other things, a Construction Management Plan, erosion and sedimentation control measures, hours of operation, parking, site access, etc.

The requirements for the White Plains Construction Management Protocol for the proposed redevelopment "Norden Lofts" of the site are set forth below:

- a. A Construction Management Plan is required for the development of the Proposed Project and a coordination plan for coordinating construction with other

construction in the area, if any, including City projects which will be going on contemporaneously with this Project. The Plan shall include strict controls on all aspects of the construction, including construction related impacts on adjacent properties and properties within the construction impact area, such as, but not limited to, hours of operation of construction vehicles and construction work on the site, hours of deliveries to the site, location of deliveries, requirements for loading/unloading and storage of materials on the Project site, length of time travel lanes can be encumbered, sidewalk closings or pedestrian diversions to ensure the safety of the pedestrians, controls on "fugitive dust" and the impact of run-off from the site on the City storm drain system, such as from the wash down of delivery vehicles departing the site (all such vehicles must be cleaned on pads located on the site and all drainage must have proper filtration of the wash-down water), noise, pest control, street cleaning, site security, scheduling of periodic meetings with nearby residents and City staff to coordinate project construction and keep residents advised. The Construction Management Plan shall be subject to the approval of the Commissioners of Building, Public Safety, Public Works, Traffic, and Planning and the Environmental Officer.

- b. Since vibration from excavation and construction equipment and work could have negative impacts on adjacent properties, the Applicant must take all appropriate steps to avoid impacts to such properties, including pre-disturbance surveys of the adjoining properties not owned by the Applicant, use of procedures approved by the Departments of Public Safety and Building for rock chipping, pile

driving, sheeting and shoring around the excavation area (if any is to be conducted), and any such other necessary protections as are deemed appropriate and protective of the adjoining properties by the Commissioner of Building. If blasting is required, separate approval must be obtained from the City departments of Building, Public Safety and Public Works. The City has a separate protocol for blasting.) In developing the excavation and construction procedures, the Applicant shall consult with residents within the construction impact area on their needs and concerns and to provide adequate understanding of the construction process, and ensure proper notice to these owners. This includes creating a photographic record of structural conditions of buildings in the designated construction impact area if rock chipping or blasting will occur.

- c. The Construction Management Plan for the Proposed Project shall require that the Applicant ensure through appropriate measures, to be agreed upon between the City and the Applicant, that the parking location requirements for construction workers will be strictly enforced. As part of the Construction Management Plan, the Applicant shall submit a parking plan for construction workers, which designates the construction manager as the responsible party to ensure that the proposed parking plan is enforced. Once a parking plan is approved by the City for construction workers, the Applicant shall be required to provide all construction contractors with information on where their workers and the subcontractors are permitted to park and provide clear consequences for the failure to follow these

regulations. The parking plan shall also designate the routes to the construction site for construction workers and construction vehicles, which routes must be approved by the Deputy Commissioner of Parking for Transportation Engineering, Commissioner of Public Safety and Commissioner of Public Works. Such routes shall be along arterial and collector streets, with minimum use of minor streets if deemed necessary to access the construction site. For Core Area development, it is anticipated that parking for construction workers will be arranged through the City's Department of Parking. The Applicant should commence discussions with the Parking Department as soon as possible to address this issue if parking in a municipal lot parking garage is proposed for construction worker parking.

- d. The Construction Management Plan shall prohibit staging or "waiting" by construction vehicles on City streets, unless previously approved in writing by the Commissioners of Public Works and Public Safety.

- e. As to "fugitive dust", the Applicant must develop a plan for the protection of adjacent properties, satisfactory to the Commissioner of Building and the Environmental Officer.

- f. Due to the proximity of sensitive receptors, such as nearby residents, noise from the construction site could potentially have negative impacts, the

Construction Management Plan must address both noise impacts and air quality impacts of construction equipment as follows:

- i. The internal combustion engine-powered construction equipment used in the construction of the project shall be limited to late model (1998 and newer) so as to take advantage of the cleaner burning engines. Also, these off-road pieces of equipment will have better sound attenuation properties. Exceptions to this shall be subject to the approval of the Commissioner of Building upon a demonstration that it is not feasible or practicable to obtain the required equipment. Unless an exception is granted by the Commissioner of Building, no engines shall be used unless "critical" level exhaust silencers are fitted. This is the quietest of the three main categories and is consistent with what the City uses for its own fleet.
- ii. All non-road vehicles over 50HP used with regard to this Project shall utilize the best technology available for reducing the emission of pollutants, including, but not limited to, retrofitting such non-road vehicles with oxidation catalysts, particulate filters, and/or technology with comparable or better effectiveness. All construction equipment shall include PM2.5 emission controls. The City recognizes that there is a cost associated with PM2.5 emission controls, but the size, scope,

and length of time necessary to construct each project warrants the additional cost on the part of each project developer to insure reduced emissions during the construction phase.

- iii. All diesel powered non-road vehicles in use at this construction site shall be fueled only with ultra-low sulfur diesel having a sulfur content of no more than fifteen (15) parts per million. All fuel delivered for use at this construction site shall consist of said fuel.

- iv. "Non-road vehicle" means a vehicle that is powered by non-road engine, fifty (50) horsepower and greater, which shall include, but not be limited to, excavators, backhoes, cranes, compressors, generators, bulldozers, and similar equipment.

- v. "Non-road engines" mean an internal combustion engine (including the fuel system) that is not used in a motor vehicle used solely for competition or that is not subject to standards promulgated under Section 7411 or Section 7521 of Title 42 of the United States Code (USC), except that this term shall apply to internal combustion engines used to power generators, compressors, or similar equipment used in any construction program or project.

- g. Prior to the issuance of any building or excavation permits, the Applicant and its construction management team, including principal contractors, must meet together with representatives of the City departments of Building, Public Works, Public Safety, and Planning and the Environmental Officer, to review the Project Construction Management Plan and to ensure that all responsible parties understand their responsibilities under that Plan.
- h. The Applicant shall equip all construction equipment with “back up” sound attenuation devices.
- i. The Applicant shall be responsible to ensure that all streets and/or roadway infrastructure which is damaged as a result of construction activities will be repaired to City standards, funding for such repairs to be drawn from the bond posted with the City, Builder's Risk Insurance, and by the Applicant for such damage as is not covered by the bond or insurance.
- j. The Construction Management Plan shall address the maintenance of the respective properties during the construction phase. Prior to the commencement of construction, the Project Applicant shall also be required to maintain its property and ensure that it is clean and free from hazardous conditions.

- k. The City of White Plains Standard Construction Details and Specifications shall supersede anything submitted by the Applicant which is inconsistent with those standards.

- l. The Applicant shall include a note on both the approved special permit/site plan and the Construction Management Plan about soil and erosion control regulations and the need to comply with the applicable City of White Plains and New York State Department of Environmental Conservation regulations, including, in all cases providing appropriate controls on site to prevent runoff from the site into City streets and storm drainage system, and, where applicable, the requirements of the approved SWPPP.

- m. The Applicant shall submit to the Commissioner of Public Works for review and approval a certified property survey by a licensed surveyor with metes and bounds shown for all property lines. The Applicant shall provide coordinates in NAD 83 on the property survey.

- n. The Applicant shall provide to the Commissioner of Public Works for his review and approval profiles of the proposed service utilities, depicting existing utility crossings.

- o. The construction sequence of this Proposed Project must be coordinated with the City's Department of Public Works before it can issue permits to close streets or sidewalks, and disconnect or otherwise interrupt utility services, which will likely have a significant impact to the surrounding neighborhood.

23. As per the recommendation set forth in the communication of the Deputy Commissioner of Parking for Transportation Engineering dated February 25, 2016, the one way traffic flow for the northern lot shall be reversed.

24. As per the recommendation set forth in the communication of the Deputy Commissioner of Parking for Transportation Engineering dated February 25, 2016, the gate design, if gates are to be used, must not cause vehicles to block the sidewalk or a portion of the travel lane while waiting to enter.

25. As per the recommendation set forth in the communication of the Deputy Commissioner of Parking for Transportation Engineering dated February 25, 2016, the Applicant shall submit to the Deputy Commissioner of Parking for Transportation Engineering within sixty days of adoption of this approval resolution herein, a truck turning diagram for garbage, delivery or moving trucks in the south lot of the site.

26. As per the recommendation set forth in the communication of the Acting Chair of the Transportation Commission dated February 25, 2016, a review of the Applicant's submitted plans did not show an area designated for garbage/recycling pick up; the plans shall show an area for this as well as turning movements for the garbage truck for the site. The plan also showed a "rolling gate" at both site driveways. Since the location of the gate is at the edge of the property line, vehicles would be obstructing the sidewalk or roadway when they are waiting for the gate to open. The gate shall be relocated to allow storage for a vehicle.

27. As per the recommendation set forth in the communication of the Commissioner of Planning dated February 24, 2016, as long as the existing rooftop cellular antenna installations remain on the building roof, access shall be restricted to service professionals.

28. As per the recommendation set forth in the communication of the Commissioner of Planning dated February 24, 2016, all landscaping shall continue to be maintained in a healthy growing condition throughout the duration of the "structure" or "use" which it is intended to serve. Any planting not so maintained shall be replaced with new plants at the beginning of the next growing season.

29. As per the recommendation set forth in the communication of the Commissioner of Planning dated February 24, 2016, the Common Council has made the requisite findings pursuant to New York State General City Law Section 27-a, that the site plan does not provide adequate land for park and recreation facilities based on the project's anticipated generation of more than 90 new

City residents, projected future overall growth in City population, and evaluation of the City's present and anticipated future needs for park and recreation facilities as presented in the communication of the Commissioner of Planning to the Common Council dated January 4, 2016, regarding the reservation of parkland on all multi-family site plans or payment of money -in-lieu thereof.

30. As per the recommendation set forth in the communication of the Commissioner of Planning dated February 24, 2016, the Common Council has assessed a fee-in-lieu of providing adequate park and recreation facilities for the 65 dwelling units proposed on a per residential unit basis (\$2,500 per studio unit, \$3,000 per one bedroom unit, and \$3,500 per two bedroom and larger unit) amounting to a total fee of \$176,500.00 to be paid by the Applicant to the City to be used exclusively for park, playground and other recreational purposes, including the acquisition of real property. The total fee shall be paid by the Applicant in two equal installments of \$88,250, the first payment to be made at the time of the issuance of the first building permit, and the second to be made prior to the issuance of a Temporary Certificate of Occupancy (TCO) by the Commissioner of Building. In the event that no TCO is required, the second payment shall be made prior to the issuance of a Certificate of Occupancy (CO) by the Commissioner of Building.

31. As per the recommendation set forth in the communication of the Commissioner of Planning dated February 24, 2016, a pre-construction meeting shall be held with the Applicant, the contractor, the Building Inspector, the Environmental Officer, and other City staff, as needed, to review the construction plan and time-line, and to detail City requirements and Applicant responsibilities during construction.

32. As per the recommendation set forth in the communication of the Commissioner of Planning dated February 24, 2016, prior to the issuance of a building permit, the Departments of Building and Planning, and the Environmental Officer shall ensure that the Applicant has provided documentation demonstrating the extent to which the project would meet LEED Certification and Silver as proposed by the Applicant, and the New York State Energy Star Standards.

33. As per the recommendation set forth in the communication of the Chair of the Planning Board dated February 25, 2016, if applicable, the site's location near the Bronx River Reservation lands shall be considered in stormwater management design and containment of any potential pollutant runoff.

34. As per the recommendation set forth in the communication of the Chair of the Planning Board dated February 25, 2016, the Applicant shall provide if possible a back-up generator for the car stackers, in the event of a power outage, so that cars will be accessible.

35. As per the recommendation set forth in the communication of the Westchester County Planning Board dated February 12, 2016, the proposed redevelopment will increase sewage flows from this site into the existing infrastructure and will add to the volume requiring treatment at a wastewater treatment plant operated by the County. As a matter of County Department of Environmental Facilities' policy, the County is requesting that the City require the

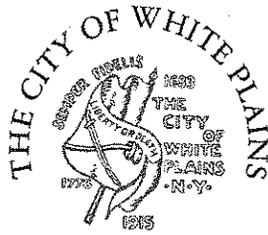
Applicant to identify mitigation measures that will offset the projected increase in flow, through the reduction of inflow and infiltration at a ratio of three to one.

36. As per the recommendation set forth in the communication of the Environmental Officer dated February 29, 2016, to promote pedestrian sidewalk safety, prior to the issuance of any building permit, the Applicant shall submit to the Commissioners of Building and Planning for their approval, revised site plan drawings to replace depressed driveways with curbs that bisect pedestrian sidewalks and to specify that pedestrian sidewalks at ingress and egress areas, are designed as raised, level walkways with no driveway curbs.

37. As per the recommendation set forth in the communication of the Environmental Officer dated February 29, 2016, the Applicant shall submit a stormwater management plan prior to the issuance of a Building Permit for this project. A Department of Public Works (DPW) MS4 stormwater permit is required prior to the issuance of any permits.

38. As per the recommendation set forth in the communication of the Environmental Officer dated February 29, 2016, to prevent pollutants being deposited directly into the City's local waterways from storm drains, all on site stormwater area drains, pavement drains and driveway or road drains and catch basins and trench drains shall include the environmental inscription "DUMP NO WASTE-DRAINS TO WATERCOURSE" permanently cast into any metal frame, grate and curb plate.

39. The Applicant or any of its successor(s) shall be required to notify the Corporation Counsel of the City of White Plains in writing within thirty (30) days of any change in ownership, transfer of title, or any change in the corporate structure of same.



DEPARTMENT OF LAW
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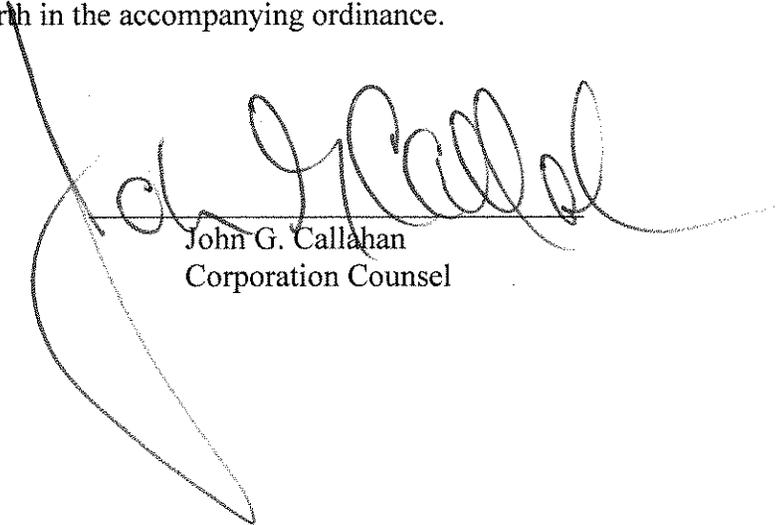
CAROL L. VAN SCOYOC
Chief Deputy Corporation Counsel

DANIEL K. SPENCER
Deputy Corporation Counsel

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

Submitted herewith is an ordinance authorizing the settlement of tax review proceedings. These proceedings were brought on behalf of the owner(s) or lessee(s) of the properties located at 249 Ferris Avenue, 44 North Broadway, 372 Central Avenue and 253 South Lexington Avenue, White Plains, NY.

The Law Department has reviewed the proposed settlements with our Assessor, who recommends them. Based upon our review, it is my opinion that the settlements are appropriate and should be accepted. The locations of the properties involved, the reductions in assessed value, as well as the amounts to be refunded, are set forth in the accompanying ordinance.



John G. Callahan
Corporation Counsel

Dated: March 2, 2016
(For the Common Council Meeting
of March 7, 2016)

AN ORDINANCE AUTHORIZING THE SETTLEMENT OF CERTAIN TAX REVIEW PROCEEDINGS.

WHEREAS, various petitioners have brought proceedings to review the assessed valuation of their premises; and

WHEREAS, the respective attorneys for the petitioners have offered and agreed to settle and discontinue said proceedings on condition that the assessed valuations of said properties be reduced and credits paid according to the following list in accord with the applicable tax rate for said years with no interest thereon:

**Rossing Realty Corp.
249-259 Ferris Avenue
SBL: 125.34-3-1.1**

<u>Tax Year</u>	<u>Current Assessment</u>	<u>Proposed New Assessment</u>	<u>New Assessment Reduction</u>	<u>Proposed Amount of City Tax to be Refunded</u>
2010/11	\$ 50,000	\$ 42,000	\$ 8,000	\$ 1,342.56
2011/12	\$ 50,000	\$ 45,000	\$ 5,000	\$ 880.55
2012/13	\$ 50,000	\$ 46,000	\$ 4,000	\$ 737.88
2013/14	\$ 50,000	\$ 47,000	\$ 3,000	\$ 575.22
2014/15	\$ 50,000	\$ 44,000	\$ 6,000	\$ 1,176.84
2015/16	\$ 50,000	\$ 42,000	\$ 8,000	\$ 1,605.92
			Total:	<u>\$ 6,318.97</u>

**Broadlake Company L.P.
44 North Broadway
SBL: 125.60-2-5**

<u>Tax Year</u>	<u>Current Assessment</u>	<u>Proposed New Assessment</u>	<u>New Assessment Reduction</u>	<u>Proposed Amount of City Tax to be Refunded</u>
2010/11	\$ 437,500	\$ 400,000	\$ 37,500	\$ 6,293.25
2011/12	\$ 437,500	\$ 437,500	\$ 0	\$ 0.00
2012/13	\$ 437,500	\$ 437,500	\$ 0	\$ 0.00
2013/14	\$ 437,500	\$ 437,500	\$ 0	\$ 0.00
			Total:	<u>\$ 6,293.25</u>

**Valvoline Instant Oil Change
372 Central Avenue
SBL: 125.64-1-11**

<u>Tax Year</u>	<u>Current Assessment</u>	<u>Proposed New Assessment</u>	<u>New Assessment Reduction</u>	<u>Proposed Amount of City Tax to be Refunded</u>
2011/12	\$ 47,850	\$ 33,000	\$ 14,850	\$ 2,615.23
2012/13	\$ 47,850	\$ 34,000	\$ 13,850	\$ 2,554.91
2013/14	\$ 47,850	\$ 34,000	\$ 13,850	\$ 2,655.60
2014/15	\$ 47,850	\$ 33,000	\$ 14,850	\$ 2,912.68
2015/16	\$ 47,850	\$ 32,000	\$ 15,850	\$ 3,181.73
			Total:	<u>\$ 13,920.15</u>

**253 South Lexington Avenue Corporation
253 South Lexington Avenue
SBL: 130.35-4-1**

<u>Tax Year</u>	<u>Current Assessment</u>	<u>Proposed New Assessment</u>	<u>New Assessment Reduction</u>	<u>Proposed Amount of City Tax to be Refunded</u>
2015/16	\$ 55,000	\$ 50,500	\$ 4,500	\$ 903.33
			Total:	<u>\$ 903.33</u>

WHEREAS, the county and sewer taxes and the school taxes should be payable by the county and school separately if collected and if the settlement is approved by the Supreme Court.

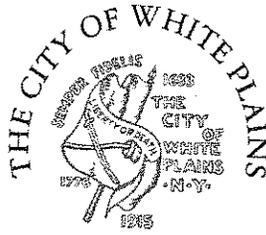
NOW, THEREFORE, the Common Council of The City of White Plains hereby ordains and enacts as follows:

Section 1. The settlement of the aforesaid proceedings in the manner set forth above be and the same hereby is approved.

§2. The Commissioner of Finance, under the direction of the Corporation Counsel, be and is hereby authorized and directed to pay the amount of the refunds stated above, without interest to the petitioners or persons paying such tax or other levy in the manner provided by Section 726 of the Real Property Tax Law. All payments for current year taxes shall be payable from budget code A021- 01110 and all payments for prior year's taxes shall be payable from budget code A021 - 4.201. Payment of the refunds authorized herein with respect to any one of the aforementioned properties is subject to the payment of any outstanding taxes due on that property, including any interest or penalties due thereon, or the Commissioner of Finance may apply such amount of the refunds authorized with respect to any one of the aforementioned properties to satisfy any outstanding taxes due on that property, including any interest or penalties due thereon.

§3. The Mayor is hereby further authorized to direct the Commissioner of Finance to receive and disburse funds accordingly.

§4. This ordinance shall take effect immediately.



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

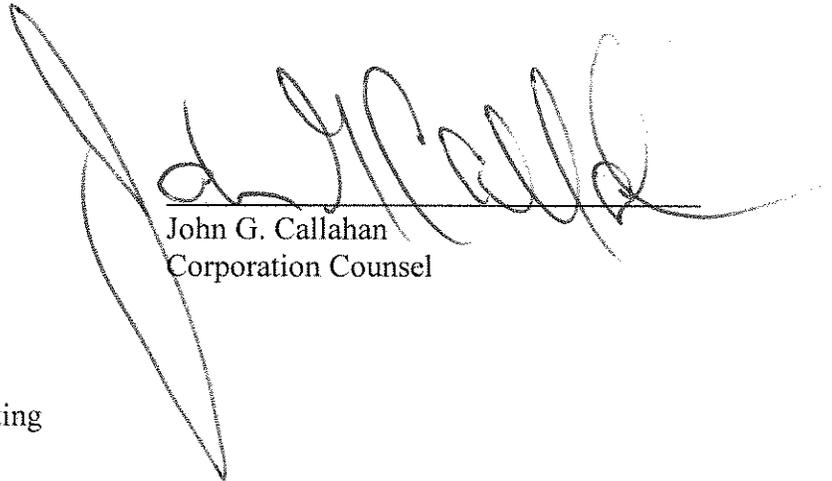
CAROL L. VAN SCOYOC
Chief Deputy Corporation Counsel

DANIEL K. SPENCER
Deputy Corporation Counsel

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

Authorization is requested to settle the claim of Jeffrey Combs against the City of White Plains for the amount of \$30,000.00. In my opinion, the proposed settlement is in the best interests of the City.

Submitted for your consideration is an ordinance authorizing the aforementioned settlement.



John G. Callahan
Corporation Counsel

Dated: White Plains, New York
March 3, 2016
(For the Common Council Meeting
on March 7, 2016)

**AN ORDINANCE AUTHORIZING THE SETTLEMENT OF LITIGATION
BROUGHT BY JEFFREY COMBS AGAINST
THE CITY OF WHITE PLAINS, AND OTHERS.**

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

Section 1. The settlement of the litigation of Jeffrey Combs against the City of White Plains, and others, in the amount of \$30,000.00 is hereby authorized.

Section 2. The Mayor is authorized to direct the Commissioner of Finance to pay the sum of \$30,000.00 from the City's Self-Insurance Fund.

Section 3. This ordinance shall take effect immediately.

A handwritten signature in black ink, appearing to be the initials 'JC' or similar, located in the bottom right corner of the page.



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

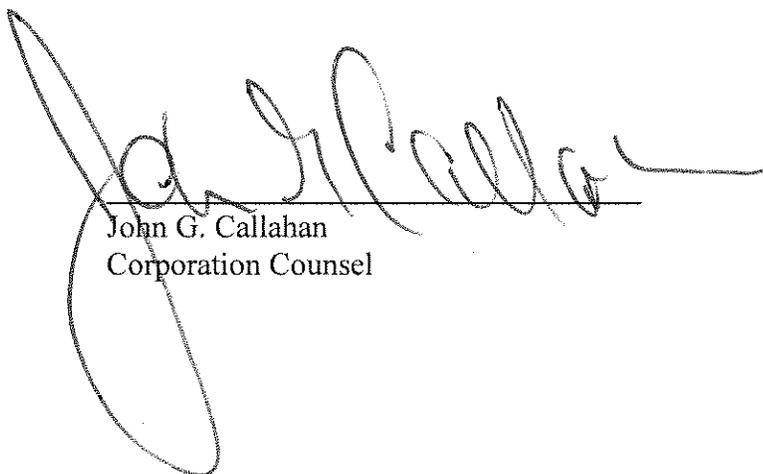
CAROL L. VAN SCOYOC
Chief Deputy Corporation Counsel

DANIEL K. SPENCER
Deputy Corporation Counsel

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

Authorization is requested to settle the claim of Jade Fletchman, a minor, brought by her mother Eulex Fletchman against the City of White Plains for the amount of \$95,000.00. In my opinion, the proposed settlement is in the best interests of the City.

Submitted for your consideration is an ordinance authorizing the aforementioned settlement.



John G. Callahan
Corporation Counsel

Dated: White Plains, New York
March 3, 2016
(For the Common Council Meeting
on March 7, 2016)

AN ORDINANCE AUTHORIZING THE SETTLEMENT OF THE ACTION OF JADE FLETCHMAN, A MINOR, BROUGHT BY HER MOTHER EULEX FLETCHMAN AGAINST THE CITY OF WHITE PLAINS.

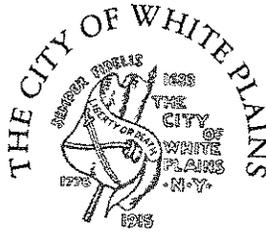
The Common Council of the City of White Plains ordains and enacts as follows:

Section 1. The settlement of the action of Jade Fletchman, a minor, brought by her mother Eulex Fletchman against the City of White Plains in the amount of ninety-five thousand dollars (\$95,000.00) is hereby authorized.

Section 2. The Mayor is authorized to direct the Commissioner of Finance to pay the sum of ninety-five thousand dollars (\$95,000.00) from the City's Self-Insurance Fund.

Section 3. This ordinance shall take effect immediately.

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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

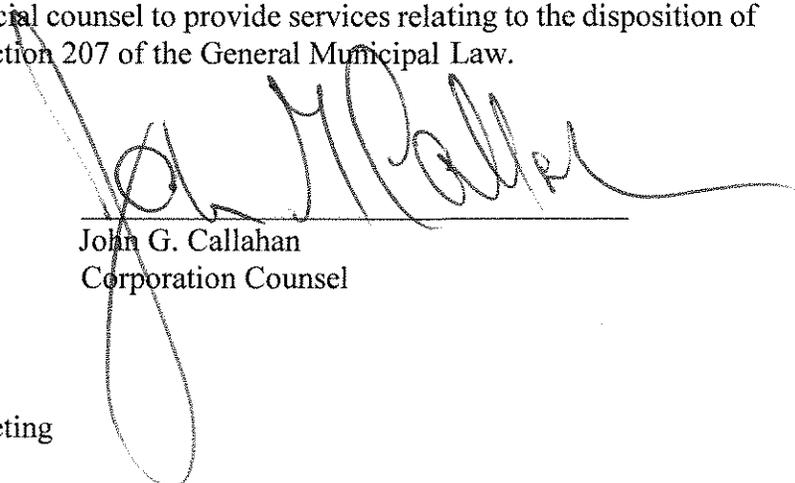
CAROL L. VAN SCOYOC
Chief Deputy Corporation Counsel

DANIEL K. SPENCER
Deputy Corporation Counsel

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

On July 3, 2015, an ordinance was adopted authorizing the employment of special counsel to provide professional services relating to the disposition of cases involving injuries or long-term illness in the Department of Public Safety in an amount not to exceed \$50,000. At this time, additional funds are required.

I recommend that the authorization to hire special counsel be increased from \$50,000 up to a maximum of \$70,000. Submitted for your consideration is an ordinance amending the ordinance that authorized the employment of special counsel to provide services relating to the disposition of cases involving, but not limited to, Section 207 of the General Municipal Law.



John G. Callahan
Corporation Counsel

Dated: February 22, 2016
(For the Common Council Meeting
of March 7, 2016)

AN ORDINANCE OF THE COMMON COUNCIL AMENDING “AN ORDINANCE OF THE COMMON COUNCIL AUTHORIZING THE CORPORATION COUNSEL TO EMPLOY SPECIAL COUNSEL TO PROVIDE SERVICES RELATING TO THE DISPOSITION OF CASES INVOLVING INJURIES OR LONG-TERM ILLNESS IN THE DEPARTMENT OF PUBLIC SAFETY.”

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

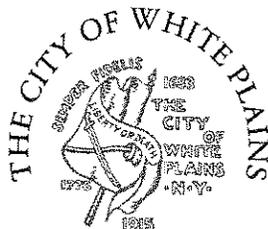
§ 1. Section 1 of the ordinance adopted by the Common Council of the City of White Plains, on July 6, 2015 entitled “An Ordinance of the Common Council of the City of White Plains authorizing the Corporation Counsel to employ special counsel to provide services relating to the disposition of cases involving injuries or long-term illness in the Department of Public Safety” is hereby amended as follows:

Section 1. The Corporation Counsel is hereby authorized to employ special counsel to provide professional services relating to the disposition of cases involving injuries or long-term illness in the Department of Public Safety including, but not limited to, Section 207 of the General Municipal Law, in an amount not to exceed [~~\$50,000~~] \$70,000, including reasonable disbursements.

§ 2. Funds are available in the Law Department’s FY 2015-2016 budget.

§ 3. This ordinance shall take effect immediately.





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

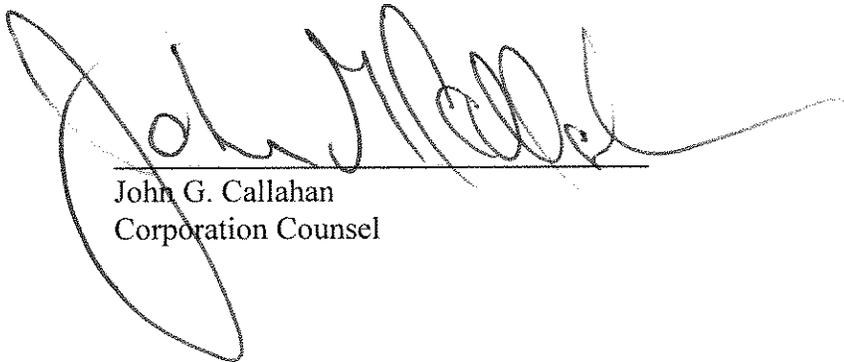
CAROL L. VAN SCOYOC
Chief Deputy Corporation Counsel

DANIEL K. SPENCER
Deputy Corporation Counsel

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

On January 28, 2013, the Common Council adopted an ordinance authorizing the Corporation Counsel to initiate an action to recoup funds expended from the City's Self-Insurance Fund and to employ special counsel for said purpose for a total cost not to exceed fifty-thousand (\$50,000.00) dollars.

The funds allocated in that ordinance have been expended, and additional funds are necessary to continuing prosecuting the above-referenced action to conclusion. Accordingly, an ordinance increasing the authorized limit and approving the expenditure of funds of \$50,000 from the Self-Insurance FY 2016-2017 budget is submitted for your consideration.



John G. Callahan
Corporation Counsel

Dated: White Plains, New York
March 3, 2016
(For the Common Council Meeting
on March 7, 2016)

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AN ORDINANCE OF THE COMMON COUNCIL AMENDING AN ORDINANCE ENTITLED “AN ORDINANCE OF THE COMMON COUNSEL OF THE CITY OF WHITE PLAINS AUTHORIZING THE CORPORATION COUNSEL TO INITIATE AN ACTION TO RECOUP FUNDS EXPENDED OR TO BE EXPENDED FROM THE CITY’S SELF-INSURANCE FUND AND TO EMPLOY SPECIAL COUNSEL FOR SAID PURPOSE.”

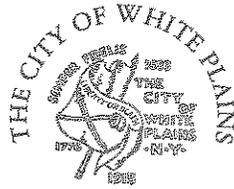
The Common Council of the City of White Plains hereby ordains and acts as follows:

Section 1. Section 2 of the ordinance adopted by the Common Council of the City of White Plains on January 28, 2013 entitled, “An Ordinance of the Common Council of the City of White Plains Authorizing the Corporation Counsel to Initiate an Action to Recoup Funds Expended or to be Expended from the City’s Self-Insurance Fund and to Employ Special Counsel for said Purpose,” is hereby amended to read as follows:

Section 2 The Corporation Counsel is hereby authorized to initiate an action to recoup funds expended or to be expended from the City’s Self Insurance fund and to employ special counsel for said purpose. The total amount payable for these services shall not exceed (\$50,000) \$100,000, including reasonable disbursements.

Section 3. The Commissioner of Finance is hereby authorized to expend sufficient funds to pay for the above professional services from the Self-Insurance Fund FY (2012-13) 2016-2017 Budget.

Section 4. The ordinance shall take effect immediately.



**CAPITAL PROJECTS BOARD
MUNICIPAL BUILDING
255 MAIN STREET, WHITE PLAINS, NY 10601
Ph. (914) 422-1206 Fax: (914) 422-1269**

TO THE HONORABLE MEMBERS OF THE COMMON COUNCIL

As part of the continuing program of Capital Improvements, the Capital Projects Board has recommended rehabilitation work to the City's Municipal Building (City Hall) steps. At its meeting on April 6, 2015, the Council approved the first phase of the project (front steps). Authorization to amend that capital project to include the rear steps and sidewalks is now being requested.

Submitted herewith for your deliberation is an ordinance authorizing the Mayor to direct the Commissioner of Public Works to enter into various contracts as necessary and further to direct the Budget Director to amend the Capital Projects fund by amending a City Hall Rehabilitation -- Front Steps, to **"City Hall Rehabilitation - Front and Rear Steps"** and by amending the budget as follows:

INCREASE REVENUES:

C5446-08810	Serial Bonds	<u>\$60,600</u>
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INCREASE EXPENSES

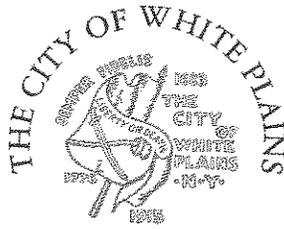
C5446-4.005	Finance and Audit	\$ 600
C5446-8.106	Major Additions/Improvements	<u>60,000</u>
		<u>\$ 60,600</u>

Finally, it is requested that the sale of \$60,600 in Serial Bonds be authorized and that the Mayor be authorized to direct the Commissioner of Finance to advance funds, as necessary, from the General Fund pending the receipt of the bond proceeds, and to receive and disburse funds accordingly

Respectfully submitted,

Thomas M. Roach, Mayor
Chairman, Capital Projects Board

March 7, 2016



ENVIRONMENTAL OFFICER

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

THOMAS M. ROACH
MAYOR

ROD JOHNSON
ENVIRONMENTAL OFFICER

March 1, 2016

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: CAPITAL PROJECT ENTITLED "CITY HALL REHABILITATION - FRONT AND REAR STEPS."

The Capital Project entitled "City Hall Rehabilitation - Front and Rear Steps," has been reviewed for compliance with the New York State Environmental Quality Review (SEQR) regulations.

This project involves the rehabilitation and repair of the front and rear steps of the City's Municipal Building (City Hall).

The Proposed Action represents a Type II Action under SEQR regulations in that it involves the replacement, rehabilitation or standard upgrading of existing municipal facilities which do not represent significant changes to those facilities. Type II actions are determined under SEQR regulations not to have a significant effect on the environment.

It is recommended that the Common Council, (a) designate itself as the Lead Agency for the environmental review of the Proposed Action; and (b) find the Proposed Action to be a Type II Action under SEQR regulations, requiring no additional SEQR review or findings.

Respectfully submitted,

Rod Johnson
Environmental Officer

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ENVIRONMENTAL FINDINGS RESOLUTION REGARDING CAPITAL PROJECT
ENTITLED "CITY HALL REHABILITATION - FRONT AND REAR STEPS."

WHEREAS, Capital Project entitled "City Hall Rehabilitation - Front and Rear Steps" ("Proposed Action"), has been reviewed for compliance with the New York State Environmental Quality Review (SEQR) regulations; and

WHEREAS, the Proposed Action involves the rehabilitation and repair of the front and rear steps of the City's Municipal Building (City Hall); and

WHEREAS, the Environmental Officer has recommended that the Common Council, as approving agency of municipal contracts, declare itself to be the Lead Agency for the environmental review of the Proposed Action; and

WHEREAS, the Environmental Officer has further recommended that the Common Council find that the Proposed Action represents a Type II Action under SEQR regulations at 6 NYCRR §617 in that it involves the replacement, rehabilitation or standard upgrading of existing municipal facilities which do not represent significant changes to those facilities; now, therefore, be it

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

RESOLVED, that the Common Council hereby determines that the Proposed Action is Type II Action and that no additional SEQR review or finding is necessary.

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS TO AMEND THE CAPITAL PROJECTS FUND BY AMENDING CAPITAL PROJECT NO. C5446 ENTITLED, "CITY HALL REHABILITATION-FRONT STEPS" TO "CITY HALL REHABILITATION-FRONT AND REAR STEPS."

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

Section 1. As part of a continuing program for Capital Improvements, the City's Capital Projects Board has recommended rehabilitation work to the City's Municipal Building (City Hall) steps. At its meeting of April 6, 2015, the Common Council approved the first phase of the project (front steps). Authorization to amend that capital project to include the rear steps and sidewalks is now being requested.

Section 2. The Mayor is hereby authorized to direct the Commissioner of Public Works to enter into various contracts, as necessary, to undertake the project. Said contract(s) shall be in a form approved by the Corporation Counsel.

Section 3. In order to provide the necessary funding for such project, the Mayor is hereby authorized to direct the Budget Director to amend the Capital Projects Fund by amending Capital Project No. C5446, entitled, "**City Hall Rehabilitation-Front Steps**" to "**City Hall Rehabilitation-Front and Rear Steps**," and by amending the budget as follows:

INCREASE REVENUES:

C5446-08810	Serial Bonds	<u>\$60,600</u>
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EXPENDITURES:

C5468-4.005	Finance and Auditing	\$ 600
C5468-8.106	Major Additions/Improvements	<u>60,000</u>
		<u>\$60,600</u>

Section 4. The Mayor is hereby authorized to direct the Commissioner of Finance to authorize the sale of serial bonds totaling \$60,600, and to advance funds, as necessary, from the General Fund, pending the receipt of the bond proceeds, and to receive and disburse funds accordingly.

Section 5. This ordinance shall take effect immediately.

**BOND ORDINANCE, DATED MARCH 7, 2016, AUTHORIZING THE
ISSUANCE OF AN ADDITIONAL \$60,600 AGGREGATE PRINCIPAL
AMOUNT SERIAL BONDS OF THE CITY OF WHITE PLAINS,
COUNTY OF WESTCHESTER, STATE OF NEW YORK, TO FINANCE
THE ADDITIONAL COST OF THE ACQUISITION AND
RECONSTRUCTION OF CLASS A BUILDINGS FOR MUNICIPAL USE**

WHEREAS, the Common Council of the City of White Plains (the “City”), a municipal corporation of the State of New York, located in the County of Westchester, determined that it is in the public interest of the City to authorize the financing of the costs of the acquisition and reconstruction of Class A buildings for municipal use (the “Project”), including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$252,500, all in accordance with the Local Finance Law; and

WHEREAS, on April 6, 2015, the Common Council of the City adopted a serial bond ordinance for estimated costs associated with the financing of the Project in the aggregate principal amount of \$252,500 (the “Prior Ordinance”); and

WHEREAS, the Common Council of the City now hereby determines that the maximum cost of the Project has increased by \$60,600 to \$313,100, and further determines to fund such additional cost through borrowing under the provisions of the Local Finance Law and authorizing \$60,600 serial bonds of the City hereunder which, together with borrowing authorized by the Prior Ordinance, now authorizes financing of the estimated maximum cost of the Project in the aggregate principal amount of \$313,100.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of White Plains, in the County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the City, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$60,600, pursuant to the Local Finance Law, in order to finance the acquisition and reconstruction of Class A buildings for municipal use.

Section 2. The Common Council of the City has ascertained and hereby states that (a) the estimated maximum cost of the Project is not to exceed \$313,100, (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project, except borrowing authorized in the Prior Ordinance, (c) the Common Council of the City plans to finance such cost of the Project from (i) the proceeds of serial bonds authorized herein or bond anticipation notes issued in anticipation of the issuance of such serial bonds and (ii) proceeds of serial bonds or bond anticipation notes issued in anticipation of the issuance of such serial bonds authorized in and pursuant to the Prior Ordinance, (d) the maturity of the obligations authorized herein will be in excess of five (5) years, and (e) on or before the expenditure of moneys to pay any costs for the Project, for which proceeds of any obligations authorized herein are to be applied to reimburse the City, the Common Council of the City took "official action" for federal income tax purposes to authorize capital financing of such expenditure.

Section 3. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, described in subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law (such buildings being of "Class A" construction as that term is defined in the Local Finance Law) and that the period of probable usefulness of the Project is twenty-five (25) years. The serial bonds authorized herein shall have a maximum maturity of twenty-five (25) years computed from the earlier of (a) the date of the first issue of such serial bonds, or (b) the date of the first issue of bond anticipation notes issued in anticipation

of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond ordinance and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the issuance of the serial bonds authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, including whether to issue such serial bonds having substantially level or declining annual debt service, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Commissioner of Finance, as the chief fiscal officer of the City. The Commissioner of Finance is hereby authorized to execute by manual or facsimile signature on behalf of the City, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the City Clerk is hereby authorized to impress the seal of the City (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Commissioner of Finance. In the absence of the Commissioner of Finance, the Deputy Commissioner of Finance is hereby authorized to exercise the powers delegated to the Commissioner of Finance by this bond ordinance.

Section 5. When this bond ordinance takes effect, the City Clerk shall cause the same, or a summary thereof, to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in *The Journal News*, a newspaper having a general circulation in the City and, as a result thereafter, the validity of such serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or a class of object or

purpose, for which the City is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of the publication of this bond ordinance, or such summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 6. The faith and credit of the City are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized herein as the same shall become due.

Section 7. The City hereby declares its intention to issue serial bonds as authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the "obligations"), to finance the costs of the Project. The City covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the City, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the City to any penalties under Section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the City to any penalties under Section 148 of the Code. The foregoing covenants shall remain in full

force and effect notwithstanding the defeasance of the serial bonds authorized herein or any other provisions hereof until the date which is sixty (60) days after the final maturity date of such serial bonds or an earlier prior redemption date thereof. The proceeds of the serial bonds authorized herein, and any bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be applied to reimburse expenditures or commitments made with regard to the Project on or after a date which is not more than sixty (60) days prior to the adoption date of this bond ordinance by the City. The City may expend general funds or other available moneys for the Project which shall be reimbursed from the proceeds of such obligations.

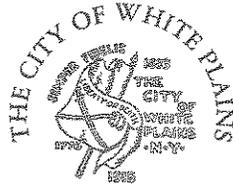
Section 8. Prior to the issuance of the serial bonds authorized herein, or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Common Council of the City shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond ordinance, the Common Council of the City covenants that it will re-adopt, amend or modify this bond ordinance prior to the issuance of any obligations authorized issued herein upon the advice of bond counsel. Upon review of the environmental compliance record conducted in connection with the adoption by the Common Council of the Prior Ordinance, it is hereby determined by the Common Council of the City that the Project will not have a significant impact or effect on the environment.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, or of bond anticipation notes issued in anticipation of the issuance of

such serial bonds, the City agrees, in accordance with and as an obligated person with respect to the obligations under, Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the City's continuing disclosure agreement for that purpose, and thereby implement that agreement, including provisions for enforcement, amendment and termination, the Commissioner of Finance is authorized and directed to sign and deliver, in the name and on behalf of the City, the commitment authorized by subsection 6(c) of the Rule (the "Commitment"), to be placed on file with the City Clerk and which shall constitute the continuing disclosure agreement made by the City for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond ordinance and not substantially adverse to the City and that are approved by the Commissioner of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the City's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the City would be required to incur to perform thereunder. The Commissioner of Finance is further authorized and directed to establish procedures in order to ensure compliance by the City with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Commissioner of Finance shall consult with, as appropriate, its Corporation Counsel and bond counsel or other qualified independent special counsel to the City and shall be entitled to rely upon any legal advice provided by

its Corporation Counsel or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond ordinance shall take effect immediately upon its due adoption by the Common Council of the City.



**CAPITAL PROJECTS BOARD
MUNICIPAL BUILDING
255 MAIN STREET, WHITE PLAINS, NY 10601
Ph. (914) 422-1206 Fax: (914) 422-1269**

TO THE HONORABLE MEMBERS OF THE COMMON COUNCIL

Water system improvements related to the replacement/reconstruction of water lines at various locations have been identified by the Department of Public Works, recommended by the Capital Projects Board and are included in FY 2015-16 Capital Improvement Program. This communication is requesting funds for the replacement of existing six inch lines and unlined cast iron pipes with larger diameter pipe.

Submitted herewith is legislation which would authorize the Mayor to direct the Commissioner of Public Works to enter into various contracts as required to complete this capital project. The attached legislation authorizes the Mayor to direct the Budget Director to amend the Capital Projects Fund by establishing Capital Project No. W5474, entitled **“Replace/Reconstruct Various Water Lines FY 16”** as follows:

REVENUES

W5474-08810	Serial Bonds	<u>\$2,525,000</u>
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EXPENDITURES

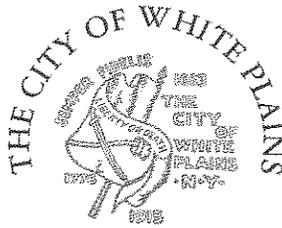
W5474-4.005	Finance and Auditing	\$ 25,000
W5474-8.681	Water System	<u>2,500,000</u>
		<u>\$2,525,000</u>

It is further requested that issuance of \$2,525,000 in serial bonds be authorized and that the Mayor be authorized to direct the Commissioner of Finance to advance funds to this project pending the receipt of the bond proceeds. Finally, it is requested that the Mayor be authorized to direct the Commissioner of Finance to receive and disburse funds accordingly.

Respectfully submitted,

Thomas M. Roach, Mayor
Chairman, Capital Projects Board

March 7, 2016



ENVIRONMENTAL OFFICER

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

THOMAS M. ROACH
MAYOR

ROD JOHNSON
ENVIRONMENTAL OFFICER

March 1, 2016

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: CAPITAL PROJECT NO. W5474
REPLACE/RECONSTRUCT VARIOUS WATER LINES FY 16

Capital Project No. W5474, Replace/Reconstruct Various Water Lines FY 16, has been reviewed for compliance with the New York State Environmental Quality Review (SEQR) regulations.

This project involves the replacement/reconstruction of existing municipal water lines at various locations.

The Proposed Action represents a Type II Action under SEQR regulations in that it involves the replacement, rehabilitation or standard upgrading of existing municipal facilities which do not represent significant changes to those facilities. Type II actions are determined under SEQR regulations not to have a significant effect on the environment.

It is recommended that the Common Council, (a) designate itself as the Lead Agency for the environmental review of the Proposed Action; and (b) find the Proposed Action to be a Type II Action under SEQR regulations, requiring no additional SEQR review or findings.

Respectfully submitted,

Rod Johnson
Environmental Officer

3.5

ENVIRONMENTAL FINDINGS RESOLUTION REGARDING
CAPITAL PROJECT NO. W5474
REPLACE/RECONSTRUCT VARIOUS WATER LINES FY 16

WHEREAS, Capital Project No. W5474, Replace/Reconstruct Various Water Lines FY 16, (hereinafter referred to as the Proposed Action), has been reviewed for compliance with the New York State Environmental Quality Review (SEQR) regulations; and

WHEREAS, the Proposed Action involves the replacement/reconstruction of existing municipal water lines at various locations; and

WHEREAS, the Environmental Officer has recommended that the Common Council, as approving agency of municipal contracts, declare itself to be the Lead Agency for the environmental review of the Proposed Action; and

WHEREAS, the Environmental Officer has further recommended that the Common Council find that the Proposed Action represents a Type II Action under SEQR regulations at 6 NYCRR §617 in that it involves the replacement, rehabilitation or standard upgrading of existing municipal facilities which do not represent significant changes to those facilities; now, therefore, be it

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

RESOLVED, that the Common Council hereby determines that the Proposed Action is Type II Action and that no additional SEQR review or finding is necessary.

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS TO AMEND THE CAPITAL PROJECTS FUND BY ESTABLISHING CAPITAL PROJECT NO. W5474 ENTITLED, "REPLACE/RECONSTRUCT VARIOUS WATER LINES FY 16."

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

Section 1. Water system improvements related to the replacement/reconstruction of water lines at various locations have been identified by the Department of Public Works, recommended by the Capital Projects Board and are included in FY 2015-16 Capital Improvement Program. This project is needed for the replacement of existing six inch lines and unlined cast iron pipes with larger diameter pipe.

Section 2. The Mayor is hereby authorized to direct the Commissioner of Public Works to enter into various contracts, as necessary, to complete the replacement/reconstruction work. Said contracts shall be in a form approved by the Corporation Counsel.

Section 3. In order to provide the necessary funding for such project, the Mayor is hereby authorized to direct the Budget Director to amend the Capital Projects Fund by establishing Capital Project No. W5474, entitled, "**Replace/Reconstruct Various Water Lines FY 16,**" with a budget as follows:

REVENUES:

W5474-08810	Serial Bonds	<u>\$2,525,000</u>
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EXPENDITURES:

W5474-4.005	Finance and Auditing	\$ 25,000
W5474-8.681	Street/Rights-of-Way	<u>2,500,000</u>
		<u>\$2,525,000</u>

Section 4. The Mayor is hereby authorized to direct the Commissioner of Finance to authorize the sale of serial bonds totaling \$2,525,000, and to advance funds, as necessary, to this project, pending the receipt of the bond proceeds.

Section 5. The Mayor is hereby authorized to direct the Commissioner of Finance to receive and disburse funds accordingly.

Section 6. This ordinance shall take effect immediately.

BOND ORDINANCE, DATED MARCH 7, 2016, AUTHORIZING THE ISSUANCE OF \$2,525,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE CITY OF WHITE PLAINS, COUNTY OF WESTCHESTER, STATE OF NEW YORK, TO FINANCE THE COSTS OF THE ACQUISITION AND INSTALLATION OF WATER SYSTEM IMPROVEMENTS.

WHEREAS, the Common Council of the City of White Plains (the "City"), a municipal corporation of the State of New York, located in the County of Westchester, determined that it is in the public interest of the City to authorize the financing of the costs of the acquisition and installation of water system improvements (replacing lines), including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$2,525,000, for which no funds have heretofore been appropriated or borrowed, all in accordance with the Local Finance Law (the "Project");

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of White Plains, in the County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the City, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$2,525,000, pursuant to the Local Finance Law, in order to finance the costs of the acquisition and installation of water system improvements (replacing lines) (the "Project").

Section 2. The Common Council of the City has ascertained and hereby states that (a) the estimated maximum cost of the Project is not to exceed \$2,525,000, (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project, (c) the Common Council of the City plans to finance such costs of the Project from the proceeds of serial bonds authorized herein or bond anticipation notes issued in anticipation of the issuance of such serial bonds, (d) the maturity

of the obligations authorized herein will be in excess of five (5) years, and (e) on or before the expenditure of moneys to pay any costs for the Project, for which proceeds of any obligations authorized herein are to be applied to reimburse the City, the Common Council of the City took “official action” for federal income tax purposes to authorize capital financing of such expenditure.

Section 3. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, described in subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is forty (40) years. The serial bonds authorized herein shall have a maximum maturity of forty (40) years computed from the earlier of (a) the date of the first issue of such serial bonds, or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond ordinance and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the issuance of the serial bonds authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, including whether to issue such serial bonds having substantially level or declining annual debt service, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Commissioner of Finance, as the chief fiscal officer of the City. The Commissioner of Finance is hereby authorized to execute by manual or facsimile signature on behalf of the City, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the City Clerk is hereby authorized to impress the seal of the City (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial

bonds shall be authenticated by the manual or facsimile signature of the Commissioner of Finance. In the absence of the Commissioner of Finance, the Deputy Commissioner of Finance is hereby authorized to exercise the powers delegated to the Commissioner of Finance by this bond ordinance.

Section 5. When this bond ordinance takes effect, the City Clerk shall cause the same, or a summary thereof, to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in *The Journal News*, a newspaper having a general circulation in the City and, as a result thereafter, the validity of such serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or a class of object or purpose, for which the City is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of the publication of this bond ordinance, or such summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 6. The faith and credit of the City are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized herein as the same shall become due.

Section 7. The City hereby declares its intention to issue serial bonds as authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the "obligations"), to finance the costs of the Project. The City covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any

other funds of the City, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the City to any penalties under Section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the City to any penalties under Section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of the serial bonds authorized herein or any other provisions hereof until the date which is sixty (60) days after the final maturity date of such serial bonds or an earlier prior redemption date thereof. The proceeds of the serial bonds authorized herein, and any bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be applied to reimburse expenditures or commitments made with regard to the Project on or after a date which is not more than sixty (60) days prior to the adoption date of this bond ordinance by the City. The City may expend general funds or other available moneys for the Project which shall be reimbursed from the proceeds of such obligations.

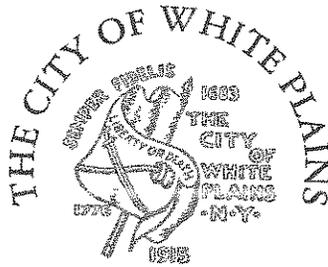
Section 8. Prior to the issuance of the serial bonds authorized herein, or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Common Council of the City shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the "environmental compliance

proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond ordinance, the Common Council of the City covenants that it will re-adopt, amend or modify this bond ordinance prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Common Council of the City that the Project will not have a significant impact or effect on the environment.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the City agrees, in accordance with and as an obligated person with respect to the obligations under, Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the “Rule”), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the City’s continuing disclosure agreement for that purpose, and thereby implement that agreement, including provisions for enforcement, amendment and termination, the Commissioner of Finance is authorized and directed to sign and deliver, in the name and on behalf of the City, the commitment authorized by the Rule (the “Commitment”), to be placed on file with the City Clerk and which shall constitute the continuing disclosure agreement made by the City for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond ordinance and not substantially adverse to the City and that are approved by the Commissioner of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the City’s continuing disclosure

agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the City would be required to incur to perform thereunder. The Commissioner of Finance is further authorized and directed to establish procedures in order to ensure compliance by the City with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Commissioner of Finance shall consult with, as appropriate, its Corporation Counsel and bond counsel or other qualified independent special counsel to the City and shall be entitled to rely upon any legal advice provided by its Corporation Counsel or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond ordinance shall take effect immediately upon its due adoption by the Common Council of the City.



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
COMMISSIONER

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

As discussed at the September 28, 2015 Work Session, the Westchester County Sewer Act requires municipalities that own and operate tributary sewer systems and that also use the county trunk sewer system, to limit the use of the County's system, to sewage, industrial wastewater and other wastewater and specifically prohibits the introduction of groundwater, stormwater and inflow from these sources into the county trunk sewer system.

Chapter 7-7 of the White Plains Municipal Code entitled "Prohibition of Elicit Discharges, Activities and Connections to the City of White Plains Municipal Separate Storm Sewer System," (MS4) regulates water discharges into the City sanitary and storm sewers.

I submit to you for your consideration, an ordinance to enact an addition to Title VII of the Municipal Code to prohibit the introduction of unpolluted waters in to the city sanitary sewers.

Respectfully submitted,

Richard G. Hope
Commissioner of Public Works

Dated: March 7, 2016

39

AN ORDINANCE AMENDING TITLE VII OF THE MUNICIPAL CODE OF THE CITY OF WHITE PLAINS PERTAINING TO SEWERS AND DRAINS TO ADD A NEW SECTION 7.7.7A .

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

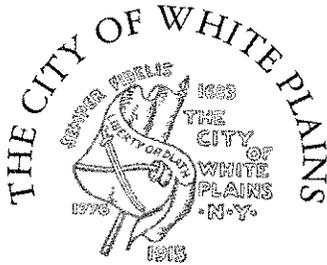
Section 1 A new Section 7-7-7A is hereby added to the Municipal Code of the City of White Plains as follows:

Sec. 7.7.7A Manner of discharge of unpolluted water

(a) No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, including sump pumps, to any sanitary sewer.

(b) Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet or as approved by the commissioner. Exceptions to this requirements are any discharges for which the discharger must apply for a SPDES permit and those discharges subject to direct state and federal regulation.

§2. This ordinance shall take effect immediately.



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THOMAS M. ROACH
MAYOR

ANTHONY R. CARR, P.E., CFM
DEPUTY COMMISSIONER

RICHARD G. HOPE
COMMISSIONER

STEFANIA A. MIGNONE
DEPUTY COMMISSIONER

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

Submitted herewith for your consideration is an ordinance authorizing the Commissioner of Public Works to enter into a five year contract on behalf of The City of White Plains with the County of Westchester, whereby the City will provide snow and ice control services on 17.11 miles of County Roads within the City limits during the period from October 1, 2015 through September 30, 2020, the costs of which will be partially reimbursed by the County of Westchester.

The reimbursement for the previous 2014-2015 winter season was \$77,333. We consistently receive the highest level of reimbursement funding that the County offers, as our salt storage and application rates are in compliance with the recommendations of the "208 Water Quality Program," as referenced in the agreement.

The new contract reflects a yearly cost-of-living increase based on the CPI from the previous year.

Respectfully submitted,

Richard G. Hope
Commissioner of Public Works

Dated: March 7, 2016

41

AN ORDINANCE AUTHORIZING A MULTI-YEAR CONTRACT BETWEEN THE CITY OF WHITE PLAINS AND THE COUNTY OF WESTCHESTER IN RELATION TO SNOW REMOVAL FROM COUNTY ROADS.

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 Public Works to enter into a multi-year contract with the County of Westchester for the removal of snow from the County roads in the City of White Plains as shown on Schedule "D" annexed hereto.

Section 2. Said contract shall provide for payment by the County of Westchester to the City of White Plains for said services from October 1, 2015 through September 30, 2020, and shall be in a form to be approved by the Corporation Counsel.

Section 3. Said contract shall provide for snow removal services on County roads within the City limits during the winter season, the costs of which will be reimbursed in part by the County of Westchester. Effective October 15, 2015, at such time as the City of White Plains' salt storage and application rates shall be in compliance with the recommendations of the 208 Water Quality Program, as described in the "Best Management Practices Manual" published as part of that Program as amended or supplemented or, then payment shall be provided in accordance with the following rates for those seasons the City of White Plains is in compliance:

42

\$3,441.00 per mile for two (2) lane roads

\$4,474.00 per mile for three (3) lane roads

\$5,011.00 per mile for four (4) lane roads.

Section 4. In the event that the City of White Plains is not in compliance with the 208 Water Quality Program "Best Management Practices Manual," as amended or supplements or, if in compliance, shall fail to so comply during the term of the Agreement, the City of White Plains shall be entitled to payment only for the actual amounts expended to provide snow and ice removal services up to the maximum rates as follows:

\$2,228.00 per mile for two (2) lane roads

\$2,938.00 per mile for three (3) lane roads

\$3,248.00 per mile for four(4) lane roads

Section 5. During the period October 1, 2016 through September 30, 2017, the amount payable to the City of White Plains for said period shall be increased by the percentage, if any, that the Consumer Price Index ("C.P.I.") in the month of June 2016 has increased over the C.P.I. in the month of June of June 2015. For the period October 1, 2017 through September 30, 2018, the 2017-2018 rate schedule shall be increased based on the increase in the C.P.I. in the month of June 2017 over the month of June 2016. For the next period, October 1, 2018 through September 30, 2019, the 2018-2019 rate schedule shall be increased based on the increase in the C.P.I. in the month of June 2018 over the month of June 2017. For the next period, October 1, 2019 through September

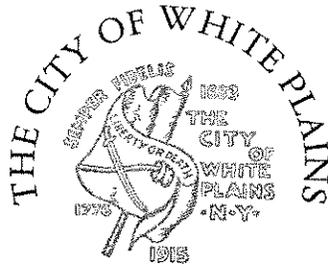
30, 2020, the 2019-2020 rate schedule shall be increased based on the increase in the C.P.I. in the month of June 2019 over the month of June 2018. In no event, however, shall the increase in the amount payable by the County of Westchester to the City of White Plains for the services rendered hereunder exceed three and one-half percent (3 ½%) in any year of the Agreement over the preceding year's amount. Further, in the event the C.P.I. decreases during any one (1) term of the Agreement, the amount payable by the County of Westchester shall decrease accordingly, but in no event shall the amount payable decrease below the amount payable during the first one (1) year term of the Agreement.

Section 6. This ordinance shall take effect October 1, 2015.

SCHEDULE "D"
COUNTY ROADS – SNOW AND ICE AGREEMENT

CITY OF WHITE PLAINS

C.R. NO.	COUNTY ROAD NAME	CTR- LINE MILES	2 LANE MILES	3 LANE MILES	4 LANE MILES
8C	MAMARONECK AVENUE	2.62	0.00	0.00	2.62
18	ANDERSON HILL ROAD	0.04	0.04	0.00	0.00
26	OLD MAMARONECK ROAD	1.79	0.00	0.00	1.79
30	NORTH ST. & WHITE PLAINS AVE.	2.70	1.44	1.26	0.00
30A	NORTH STREET	0.08	0.00	0.08	0.00
32A	UNDERHILL AVENUE	0.01	0.00	0.00	0.01
32B	LAKE STREET	0.20	0.00	0.00	0.20
52	HAMILTON AVENUE	0.35	0.00	0.00	0.35
52A	HAMILTON AVENUE	0.21	0.00	0.00	0.21
53	NY POST ROAD	1.25	0.00	0.34	0.91
62	WESTCHESTER AVENUE	2.83	2.18	0.65	0.00
71	WESTCHESTER AVENUE	0.43	0.00	0.00	0.43
87	NORTH BROADWAY	1.51	0.00	0.00	1.51
90	CENTRAL PARK AVENUE	0.11	0.00	0.00	0.11
99	CENTRAL PARK AVENUE	0.65	0.00	0.00	0.65
108	NY POST RD., ARMORY PL., SO. BWY	0.48	0.00	0.00	0.48
124	AQUEDUCT ROAD	0.06	0.00	0.00	0.06
149	ORCHARD STREET	0.43	0.00	0.43	0.00
150	CENTRAL WESTCHESTER PKWY	0.66	0.00	0.00	0.66
153	BRYANT AVENUE	<u>0.62</u>	<u>0.00</u>	<u>0.00</u>	<u>0.62</u>
TOTAL MILEAGE – WHITE PLAINS		17.03	3.66	2.76	10.61



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THOMAS M. ROACH
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DEPUTY COMMISSIONER

RICHARD G. HOPE
COMMISSIONER

STEFANIA A. MIGNONE
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 12, 2016 at Noon. The street closure is expected to begin at 9 a.m. The parade route will Mamaroneck Avenue and Bloomingdale Road 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 12, 2016, to operate their previously approved sidewalk cafes during the hours between Noon and 6:00 p.m. These restaurants have current DPW sidewalk café permits. All applicable rules, regulations and insurance requirements would apply.

Lilly's	- 169 Mamaroneck Avenue
Hudson Grille	- 165 Mamaroneck Avenue
Black Bear Saloon	- 166 Mamaroneck Avenue
Copper Face Jacks	- 166 B Mamaroneck Avenue
Brazen Fox	- 175 Mamaroneck Avenue
Lazy Boy Saloon	- 154B Mamaroneck Avenue
Whiskey Creek	- 154 Mamaroneck Avenue
Elements Food & Spirits	- 161 Mamaroneck Avenue
Ron Blacks Beer Hall	- 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.

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 and to authorize café approvals.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard G. Hope", with a long horizontal flourish extending to the right.

Richard G. Hope
Commissioner of Public Works

March 7, 2016

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 12, 2016 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 12, 2016, 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 12, 2016, to operate their previously approved sidewalk cafes during the hours between noon and 6:00 p.m.:

Lilly's - 169 Mamaroneck Avenue
Hudson Grille - 165 Mamaroneck Avenue
Black Bear Saloon- 166 Mamaroneck Avenue
Copper Face Jacks - 166B Mamaroneck Avenue
Lazy Boy Saloon - 154B Mamaroneck Avenue
Brazen Fox - 175 Mamaroneck Avenue
Whiskey Creek - 154 Mamaroneck Avenue
Elements Food & Spirits - 161 Mamaroneck Avenue
Ron Blacks Beer Hall- 181 Mamaroneck Avenue
Brother Jimmy's BBQ - 147 Mamaroneck Avenue; 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 12, 2016 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 12, 2016 until the parade's conclusion on March 12, 2016.

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.

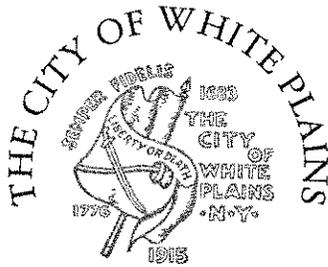
Section 5. The following restaurant establishments along the parade route are hereby granted a one-day permit on March 12, 2016, to operate the previously approved sidewalk cafes during the hours between noon and 6:00 p.m., and all applicable rules, regulations and insurance requirements shall apply:

- Lilly's - 169 Mamaroneck Avenue
- Hudson Grille - 165 Mamaroneck Avenue
- Black Bear Saloon - 166 Mamaroneck Avenue
- Brazen Fox - 175 Mamaroneck Avenue
- Copper Face Jacks - 166B Mamaroneck Avenue
- Lazy Boy Saloon - 154B Mamaroneck Avenue
- Whiskey Creek - 154 Mamaroneck Avenue
- Elements Food & Spirits - 161 Mamaroneck Avenue
- Ron Blacks Beer Hall - 181 Mamaroneck Avenue
- Brother Jimmy's BBQ - 147 Mamaroneck Avenue.

Section 6. 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 7. The operation of the parade is subject to the conditions set forth in the permit application from the Department of Public Works.

Section 8. This ordinance shall take effect immediately.



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

ANTHONY R. CARR, P.E., CFM
DEPUTY COMMISSIONER

RICHARD G. HOPE
COMMISSIONER

STEFANIA A. MIGNONE
DEPUTY COMMISSIONER

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

Following is a list of special events, noted along with their sponsoring agency, which will require street closures in White Plains during 2016:

White Plains Farmers Market –Wednesdays, April 27, 2016 – November 23, 2016 - City

Time: 6 a.m. – 5 p.m.

Description: Farmers and various related vendors visit White Plains each Wednesday to sell their produce and products to the public.

Street to be closed: Court St between Main Street and Martine Ave.

Cinco de Mayo - Saturday, May 7, 2016 – WP BID

Time: 7 a.m. - 10 p.m. (Including set up and breakdown) Event: 1 p.m. - 6 p.m.

Description: A celebration of Cinco de Mayo including Mexican food, Latin music, band, DJ,

Additional: Outdoor cooking and the selling of alcohol.

Street to be closed: Mamaroneck Ave. from East Post Road to Maple Ave.

Memorial Day Parade – Monday, May 30, 2016 - City

Time: 10 a.m. – 1 p.m.

Description: March from Church Street and Main Street to White Plains Rural Cemetery.

Location: Library Plaza to White Plains Rural Cemetery

Juneteenth Parade – Saturday, June 11, 2016 – Juneteenth Committee

Description: Parade to be followed by Festival: Entertainment on Showmobile, food cultural vendors and children's activities.

Time: Parade begins at 11 a.m. Parade Route closure: 9 a.m. – 3 p.m., Festival begins at Noon.

Court St. Closure: 7 a.m. – 8 p.m.

Streets to be closed: Mamaroneck Ave from Dekalb Ave to Main, Main St from MLK Blvd to N.

Broadway. Festival: Court Street between Main and Quarropas Street.

4th Annual White Plains Downtown Criterium Bike Race and Vendor Expo – June 5, 2016

Time: 4:30 a.m. – 4 p.m.

Description: A series of Bike Races for (5) different race categories attracting over 200 racers from nine states. All proceeds will benefit the Westchester County Affiliate of the National Council on Alcoholism and Drug Dependence, Inc.

Streets to be closed: Court Street from Main Street to Martine Ave.; Mamaroneck Ave. from Martine Ave. to Quarropas St.; Martine Ave. from Quarropas St. to Martine Ave.; Dr. Martin Luther King Blvd. from Quarropas St. to Martine Ave.; and Martine Ave. from Dr. Martin Luther King Blvd. to Mamaroneck Ave. Mitchell Place will be open in both directions during the event.

Summer Solstice Celebration – Tuesday, June 21, 2016 – WP BID

Time: 1 p.m. – 10:30 p.m. (Including set up and breakdown) Event: 5 p.m. – 8:30 p.m.

Description: Live music, fresh food and drink targeting the employees in White Plains on the longest day of the year.

Additional: Outdoor cooking and the selling of alcohol.

Street to be closed: Court Street between Main Street and Martine Avenue

“Yoga For All” - Wednesday, June 22, 2016 - City

Rain Date: Thursday, June 23, 2016

Time: Following the International Market, 5 p.m. – 10 p.m.

Description: Modeled after the Yoga Event that takes place in Times Square on Summer Solstice.

Free yoga mats will be given to the first 75 participants to pre-register.

Co-sponsor: White Plains Hospital. Expected attendance: 250 -300 people.

Streets to be closed: Court Street between Main Street and Martine Avenue.

Dancing Under the Stars / Disco Inferno - Wednesday, July 20, 2016 -City

Time: 4 p.m. – 11 p.m., including set up and breakdown.

Description: A DJ dance party featuring Disco music. Participants come dressed in their 70's best.

Streets to be closed: Court Street

National Night Out on Crime - Tuesday, August 2, 2016 -City

Time: 12:30 p.m. – 11 p.m.

Description: An annual event hosted by the City.

Streets to be closed: Three lanes of South Lexington Avenue between Martine Avenue and Quarropas Street will be closed to vehicular traffic from Noon until 11 p.m.

Outdoor Movie – Star Wars – Saturday, Sept. 10, 2016 – City

Time: 4 p.m. – 11 p.m.

Description: A family movie in the heart of the downtown. Costumes are encouraged.

Popcorn will be served.

Streets to be closed: Court St. between Main Street and Martine Ave.

JazzFest - Sunday, September 25, 2016 - City

Time: 6 a.m. – 7:30 p.m. (including setup and breakdown)

Description: Jazz music, food and fun.

Additional: Outdoor cooking of food.

Street to be closed: Mamaroneck Avenue between Main Street & Martine.

Youth Bureau Wellness Week – Saturday, September 17, 2016 - City

Time: 9 a.m. – 6 p.m.

Description: Entertainment on Showmobile, various wellness vendors, Zumba, fitness centers

Streets to be closed: Court Street between Main and Martine Avenue

Oktoberfest – Sunday, October 9, 2016 –WP BID

Time: 6 a.m. – 10:30 p.m. (including setup and breakdown)

Description: A German festival featuring German food, culture and music

Additional: Outdoor cooking of food and selling of alcohol.

Streets to be closed: Mamaroneck Avenue between Maple Avenue and East Post Road.

Halloween Frightfully Fun Festival - Sunday, October 23, 2016 (Rain date: Oct. 30) - City

Time: 7 a.m. – 9 p.m., including set up and break down.

Description: A Fall Halloween celebration with showmobile, stage performances, vendors, inflatables and a parade.

Streets to be closed: Court Street between Main and Martine.

Winterfest - Friday, December 9 through Sunday, December 18, 2016 - City

Time: Streets will be closed beginning the morning of Friday 12/9/16 for set up through Sunday evening, 12/18/2016 for break down.

Hours of event:

- Wed – Thursday 11 a.m. – 7 p.m.
- Friday – Saturday 11 a.m. – 7 p.m.
- Sunday – 11 a.m. – 7 p.m.

Description: Winterfest offers a holiday experience featuring a mix of Artisan vendors who will present traditional foods, as well as arts and crafts. On weekends there will be programmed entertainment.

Streets to be closed: Court Street between Martine and Main Streets.

White Plains New Year's Eve Spectacular - Saturday, December 31, 2016 - City

Time: 2 p.m. – 2 a.m., including set up and break down.

The event itself will run from 10 p.m. – 12:30 a.m.

Description: New Year's Eve celebration, featuring music, entertainment and fireworks.

Streets to be closed: Mamaroneck Avenue from Main Street to Martine Avenue; Main Street from Dr. Martin Luther King Blvd. to North Broadway; Dr. Martin Luther King Blvd. from Quarropas Street to Main Street; Court Street from Martine Avenue to Main Street, and Martine Avenue from Mamaroneck Avenue to South Lexington Avenue.

The sponsoring agency will secure insurance for each event.

The BID will secure insurance for their respective events and will notify the local businesses affected by the street closures. We ask that the Common Council waive all the deposits and permit fees for the Department of Public Works, Building Department and Public Safety Department.

The Department of Public Works has no objection to the concept of these affairs if offered in good taste and with proper consideration given to the convenience and safety of pedestrians, shoppers and the general public. This Department has conferred with the Departments of Parking and Public Safety and offers the following comments:

I. The extended use of sidewalk areas, as proposed for retail sales purposes, will significantly increase the level of cleanup efforts required of the City. Although these additional cleanup services are most practically performed by the DPW, this should not relieve the individual merchants and property owners of their responsibilities to remove, as often as necessary, litter which accumulates around individual vending and display sites on the sidewalks. Permit fees and charges are requested to be waived for these events. The event sponsor will supply DPW with the appropriate policies.

II. It is advised that no more than 40% of the width of any sidewalk be permitted to be occupied by merchandise or equipment and in any event, unobstructed passage of not less than six (6) feet in width be maintained at all times. In addition, no motor vehicles of any kind should be operated or parked on any sidewalk.

III. No food shall be cooked on the public sidewalk, and the sale of any food shall be limited to food store owners within the area covered by this permit. Except where noted.

IV. Although the Common Council routinely waives the permit fees and deposits for sidewalk fairs, the applicant must comply with the remaining Municipal Code provisions (such as insurance) which govern the use of public rights-of-way. Upon satisfactory compliance, a single applicant, such as the White Plains Business Improvement District, can be issued a blanket permit with which they can then orchestrate the sidewalk sale with the individual store owners. The Department of Public Works is expecting to then be supplied with a list of participating businesses.

Respectfully submitted,



Richard G. Hope
Commissioner of Public Works

Dated: March 7, 2016

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING THE CLOSURE OF CERTAIN PORTIONS OF PUBLIC STREETS FOR THE WHITE PLAINS FARMERS MARKET, WEDNESDAYS, APRIL 27, 2016 THROUGH NOVEMBER 23, 2016; THE "CINCO DE MAYO" CELEBRATION ON MAY 7, 2016; THE MEMORIAL DAY PARADE ON MAY 30, 2016; THE JUNETEENTH PARADE ON JUNE 11, 2016; THE ANNUAL WHITE PLAINS DOWNTOWN CRITERIUM BIKE RACE AND VENDOR EXPO ON JUNE 5, 2016; SUMMER SOLSTICE CELEBRATION ON JUNE 20, 2016; "YOGA FOR ALL," ON JUNE 22, 2016 (RAIN DATE JUNE 23, 2016); DANCING UNDER THE STARS/DISCO INFERNO ON JULY 20, 2016; NATIONAL NIGHT OUT ON CRIME ON AUGUST 2, 2016; OUTDOOR MOVIE-"STAR WARS" ON SEPTEMBER 10, 2016, JAZZFEST ON SEPTEMBER 25, 2016, YOUTH BUREAU WELLNESS WEEK ON SEPTEMBER 17, 2016; "OKTOBERFEST" ON OCTOBER 9, 2016, "HALLOWEEN FRIGHTFULLY FUN FESTIVAL ON OCTOBER 23, 2016 (RAINDATE OCTOBER 30, 2016); "WINTERFEST" ON DECEMBER 9, 2016 THROUGH DECEMBER 18, 2016; THE "WHITE PLAINS NEW YEAR'S EVE SPECTACULAR" ON DECEMBER 31, 2016 THROUGH JANUARY 1, 2017.

WHEREAS, the City of White Plains has received a number of requests for permission to hold the following events:

(1) White Plains Farmers Market, sponsored by the City of White Plains, to be held on Wednesdays, April 27, 2016 through November 23, 2016, from 6 a.m. to 5 p.m.; streets to be closed: Court Street between Main Street and Martine Avenue; and

(2) "Cinco de Mayo," sponsored by the White Plains Business Improvement District (WP BID), on Saturday, May 7, 2016, from 7:00 a.m. to 10:00 p.m. (including up and breakdown), a celebration of Cinco de Mayo, including Mexican food, Latin music, DJ, with outdoor cooking and the selling of alcohol, on Mamaroneck Avenue from East Post Road to Maple Avenue; streets

to be closed: Mamaroneck Avenue from East Post Road to Maple Avenue; and

(3) “Memorial Day Parade,” sponsored by the City of White Plains, on Monday, May 30, 2016, from 10:00 a.m. to 1:00 p.m., a march from Church Street and Main Street to the White Plains Rural Cemetery; and

(4) Juneteenth Parade and Festival, sponsored by the Juneteenth Committee, on Saturday, June 11, 2016, from 9 a.m. to 3 p.m.(parade), festival begins at noon; Court Street to be closed from 7 a.m. to 8 p.m.; parade to be followed by Festival Entertainment on Showmobile, food cultural vendors and children’s activities; streets to be closed: Mamaroneck Avenue from Dekalb Avenue to Main Street, Main Street from Dr. Martin Luther King, Jr. Boulevard to North Broadway (parade); Court Street between Main Street and Quarropas Street (festival); and

(5) “The 4th Annual White Plains Downtown Criterium Bike Race and Vendor Expo,” featuring a series of bike races for five different race categories attracting over 200 racers from nine states, with all proceeds to benefit the Westchester County Affiliate of the National Council on Alcoholism and Drug Dependence, Inc., and a vender expo, highlighting lifestyle and leisure goods and activities, and activity and health demos, and outdoor cooking of food and music, coinciding with the bike race, on Saturday, June 5, 2016, starting at 4:30 a.m. through 4:00 p.m., with streets closures on Court Street from Main Street to Martine Avenue; Mamaroneck Avenue from Martine Avenue to Quarropas Street; Martine Avenue from Quarropas Street to Martine Avenue; Dr. Martin Luther King, Jr. Blvd from Quarropas Street to Martine Avenue; and Martine Avenue from Dr.

Martin Luther King, Jr. Blvd to Mamaroneck Avenue; and Mitchell Place will be a two-way street during the event; and

(6) Summer Solstice Celebration, sponsored by the WP BID, on Monday, June 20, 2016, from 1 p.m. to 10:30 p.m. (including set up and breakdown), event from 5 p.m. to 8:30 p.m., with live music, fresh food and drink, outdoor cooking and the selling of alcohol, on Court Street between Main Street and Martine Avenue; and

(7) “Yoga for All”, sponsored by the City of White Plains and White Plains Hospital Center, on Wednesday June 22, 2016 (rain date, June 23, 2016), from 5:00 p.m. to 10 p.m., modeled after the Yoga Event that takes place in Times Square on Summer Solstice, this is an event to raise awareness of mental needs in the community and to encourage activities which improve mental health and awareness, on Court Street between Main Street and Martine Avenue; and

(8) “Dancing under the Stars/Disco Inferno,” sponsored by the City of White Plains, on Wednesday, July 20, 2016, from 4:00 p.m. to 11 p.m., including set up and breakdown, featuring a DJ dance party, with disco music, on Court Street; and

(9) “National Night Out on Crime, sponsored by the City of White Plains, on Tuesday, August 2, 2016, on three lanes of South Lexington Avenue between Martine Avenue and Quarropas Street, to be closed to vehicular traffic from approximately noon until 11p.m.; and

(10) Outdoor Movie-“Star Wars,” sponsored by the City of White Plains, on Saturday, September 10, 2016, from 4 p.m. to 11 p.m., with streets to be closed on Court Street between Main Street and Martine Avenue; and

(11) “JazzFest,” sponsored by the City of White Plains, on Sunday, September 25, 2016, from 6 a.m. to 7:30 p.m., including setup and breakdown, with jazz music, food and fun with outdoor cooking, on Mamaroneck Avenue between Main Street and Martine Avenue; and

(12) Youth Bureau Wellness Week, sponsored by the City of White Plains, on Saturday, September 17, 2016, from 9 a.m. to 6 p.m., including set up and breakdown, featuring entertainment on a Showmobile, various wellness vendors, Zumba, fitness centers, on Court Street between Main Street and Martine Avenue; and

(13) “Oktoberfest,” sponsored by the WP BID, on Sunday, October 9, 2016, from 6 a.m. to 0.m., including set up and breakdown, which is a German festival featuring German food, culture and music with outdoor cooking and selling of alcohol, on Mamaroneck Avenue between Maple Avenue and East Post Road; and

(14) “Halloween Frightfully Fun Festival,” sponsored by the City of White Plains, on Sunday, October 23, 2016 (raindate October 30, 2016), from 7:00 a.m. to 9:00 p.m., including setup and breakdown, which is a Fall Halloween celebration with showmobile, stage performance vendors, inflatables and parade, on Court Street between Main Street and Martine Avenue; and

(15) “Winterfest,” sponsored by the City of White Plains, on Friday, December 9, 2016 through Sunday, December 18, 2016, including setup and breakdown, as follows: streets will be closed beginning the evening of Friday, December 9, 2016 for setup through Sunday, December 18, 2016 for breakdown, on Court Street between Martine Avenue and Main Street; with the hours of the event Wednesday, December 14, 2016 to Thursday, December 15, 2016, from 11:00 a.m. to 7:00 p.m., Friday, December 16, 2016 to Saturday, December 17, 2016, from 11:00 a.m. to 7:00 p.m., and Sunday, 11:00 a.m. to 7:00 p.m., with breakdown Sunday evening; Winterfest offers a holiday experience featuring a mix of Artisan vendors who will present traditional foods, as well as arts and crafts, and on weekends, programmed entertainment;

(16) “White Plains New Year’s Eve Spectacular,” sponsored by the City of White Plains, starting on Saturday, December 31, 2016 at 2 p.m. through 2 a.m. Sunday, on January 1, 2017, a New Year’s Eve celebration, featuring music, entertainment and fireworks, on Mamaroneck Avenue from Main Street to Martine Avenue; Main Street from Dr. Martin Luther King, Jr. Blvd to North Broadway; Dr. Martin Luther King, Jr. Blvd, from Quarropas Street to Main Street; Court Street from Martine Avenue to Main Street; and Martine Avenue from Mamaroneck Avenue to South Lexington Avenue; and

WHEREAS, the WP BID has indicated that it will apply to the Commissioner of Public Works for a sidewalk obstruction permit for its respective events; and

WHEREAS, the City is desirous of granting permission for the requests for the

aforementioned events; now, therefore,

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

Section 1. The following portion(s) of public streets shall be closed for the purposes as set forth herein:

(1) White Plains Farmers Market, sponsored by the City of White Plains, to be held on Wednesdays, April 27, 2016 through November 23, 2016, from 6 a.m. to 5 p.m.; streets to be closed: Court Street between Main Street and Martine Avenue; and

(2) "Cinco de Mayo," sponsored by the White Plains Business Improvement District (WP BID), on Saturday, May 7, 2016, from 7:00 a.m. to 10:00 p.m. (including up and breakdown), a celebration of Cinco de Mayo, including Mexican food, Latin music, DJ, with outdoor cooking and the selling of alcohol, on Mamaroneck Avenue from East Post Road to Maple Avenue; streets to be closed: Mamaroneck Avenue from East Post Road to Maple Avenue; and

(3) "Memorial Day Parade," sponsored by the City of White Plains, on Monday, May 30, 2016, from 10:00 a.m. to 1:00 p.m., a march from Church Street and Main Street to White Plains Rural Cemetery; and

(4) Juneteenth Parade and Festival, sponsored by the Juneteenth Committee, on Saturday, June 11, 2016, from 9 a.m. to 3 p.m.(parade), festival begins at noon; Court Street to be closed from 7 a.m. to 8 p.m.; parade to be followed by Festival Entertainment on Showmobile, food cultural vendors and children's activities; streets to be closed: Mamaroneck Avenue from Dekalb Avenue to Main Street, Main Street from Dr. Martin Luther King, Jr. Boulevard to North Broadway (parade); Court Street between Main Street and Quarropas Street (festival); and

(5) "The 4th Annual White Plains Downtown Criterium Bike Race and Vendor Expo," featuring a series of bike races for five different race categories attracting over 200 racers from nine states, with all proceeds to benefit the Westchester County Affiliate of the National Council on Alcoholism and Drug Dependence, Inc., and a vender expo, highlighting lifestyle and leisure goods and activities, and activity and health demos, and outdoor cooking of food and music, coinciding with the bike race, on Saturday, June 5, 2016, starting at 4:30 a.m. through 4:00 p.m., with streets closures on Court Street from Main Street to Martine Avenue; Mamaroneck Avenue from Martine Avenue to Quarropas Street; Martine Avenue from Quarropas Street to Martine Avenue; Dr. Martin Luther King, Jr. Blvd from Quarropas Street to Martine Avenue; and Martine Avenue from Dr. Martin Luther King, Jr. Blvd to Mamaroneck Avenue; and Mitchell Place will be a two-way street during the event; and

(6) Summer Solstice Celebration, sponsored by the WP BID, on Monday, June 20, 2016, from 1 p.m. to 10:30 p.m. (including set up and breakdown), event from 5 p.m. to 8:30 p.m. with live music, fresh food and drink, outdoor cooking and the selling of alcohol, with street closures

on Court Street between Main Street and Martine Avenue; and

(7) “Yoga for All”, sponsored by the City of White Plains and White Plains Hospital Center, on Wednesday June 22, 2016 (rain date, June 23, 2016), from 5:00 p.m. to 10 p.m., modeled after the Yoga Event that takes place in Times Square on Summer Solstice, this is an event to raise awareness of mental needs in the community and to encourage activities which improve mental health and awareness, on Court Street between Main Street and Martine Avenue; and

(8) “Dancing under the Stars/Disco Inferno,” sponsored by the City of White Plains, on Wednesday, July 20, 2016, from 4:00 p.m. to 11 p.m., including set up and breakdown, featuring a DJ dance party, with disco music, on Court Street; and

(9) “National Night Out on Crime, sponsored by the City of White Plains, on Tuesday, August 2, 2016, on three lanes of South Lexington Avenue between Martine Avenue and Quarropas Street, to be closed to vehicular traffic from approximately noon until 11p.m.; and

(10) Outdoor Movie-“Star Wars,” sponsored by the City of White Plains, on Saturday, September 10, 2016, from 4 p.m. to 11 p.m., with streets to be closed on Court Street between Main Street and Martine Avenue; and

(11) “JazzFest,” sponsored by the City of White Plains, on Sunday, September 25, 2016, from 6 a.m. to 7:30 p.m., including setup and breakdown, with jazz music, food and fun with

outdoor cooking, on Mamaroneck Avenue between Main Street and Martine Avenue; and

(12) Youth Bureau Wellness Week, sponsored by the City of White Plains, on Saturday, September 17, 2016, from 9 a.m. to 6 p.m., including set up and breakdown, featuring entertainment on a Showmobile, various wellness vendors, Zumba, fitness centers, on Court Street between Main Street and Martine Avenue; and

(13) "Oktoberfest," sponsored by the WP BID, on Sunday, October 9, 2016, from 6 a.m. to 0.m., including set up and breakdown, which is a German festival featuring German food, culture and music with outdoor cooking and selling of alcohol, on Mamaroneck Avenue between Maple Avenue and East Post Road; and

(14) "Halloween Frightfully Fun Festival," sponsored by the City of White Plains, on Sunday, October 23, 2016 (raindate October 30, 2016), from 7:00 a.m. to 9:00 p.m., including setup and breakdown, which is a Fall Halloween celebration with showmobile, stage performance vendors, inflatables and parade, on Court Street between Main Street and Martine Avenue; and

(15) "Winterfest," sponsored by the City of White Plains, on Friday, December 9, 2016 through Sunday, December 18, 2016, including setup and breakdown, as follows: streets will be closed beginning the evening of Friday, December 9, 2016 for setup through Sunday, December 18, 2016 for breakdown, on Court Street between Martine Avenue and Main Street; with the hours of the event Wednesday, December 14, 2016 to Thursday, December 15, 2016, from 11:00 a.m. to

7:00 p.m., Friday, December 16, 2016 to Saturday, December 17, 2016, from 11:00 a.m. to 7:00 p.m., and Sunday, 11:00 a.m. to 7:00 p.m., with breakdown Sunday evening; Winterfest offers a holiday experience featuring a mix of Artisan vendors who will present traditional foods, as well as arts and crafts, and on weekends, programmed entertainment;

(16) “White Plains New Year’s Eve Spectacular,” sponsored by the City of White Plains, starting on Saturday, December 31, 2016 at 2 p.m. through 2 a.m. Sunday, on January 1, 2017, a New Year’s Eve celebration, featuring music, entertainment and fireworks, on Mamaroneck Avenue from Main Street to Martine Avenue; Main Street from Dr. Martin Luther King, Jr. Blvd to North Broadway; Dr. Martin Luther King, Jr. Blvd, from Quarropas Street to Main Street; Court Street from Martine Avenue to Main Street; and Martine Avenue from Mamaroneck Avenue to South Lexington Avenue.

Section 2. The aforementioned street closing times shall also be as consistent with the schedule as practicable by the City’s Department of Public Safety and subject to any necessary adjustments by the Department of Public Safety.

Section 3. The sponsoring agency will secure insurance for each event. The BID will secure insurance for their respective events and will notify the local businesses affected by the street closures.

Section 4. Any fee or deposit(s) for the issuance of sidewalk obstruction permits to

the sponsors, as may be required by an ordinance establishing Rules and Regulations for Sidewalks, Curbs and Driveways and Controlling Street Openings and Street Obstructions, shall be hereby waived for the aforementioned events as well as those fees and deposits required by the Departments of Building and Public Safety. The sponsors shall supply the Commissioner of Public Works with the appropriate policies for their respective events.

Section 5. No more than 40% of the width of any sidewalk shall be permitted to be occupied by merchandise and/or equipment or otherwise obstructed, and in any event, unobstructed passage not less than six (6) feet in width be maintained at all times. In addition, no motor vehicles of any kind should be operated or parked on any sidewalk.

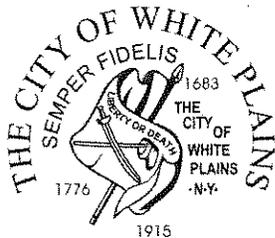
Section 6. Except where otherwise provided in this ordinance herein, no food shall be cooked on the public sidewalk, and the sale of any food for this affair shall be limited to food store owners within the area covered by this permit.

Section 7. The sponsors shall comply with the remaining White Plains Municipal Code provisions (such as proof of insurance) which govern the use of public rights-of-way. Upon satisfactory compliance, a single applicant, such as the WP BID, can be issued a blanket permit which the Applicant can then orchestrate the sidewalk sale with the individual store owners. The Department of Public Works is expecting to then be supplied with a list of participating businesses.

Section 8. The extended use of sidewalk areas, as proposed for retail sales purposes,

will significantly increase the level of cleanup efforts required of the City, and that although these additional cleanups are most practically performed by the City's Department of Public Works, this shall not relieve the individual merchants and property owners of their responsibilities to remove as often as necessary, litter which accumulates around individual vending and display sites on the sidewalks.

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

THOMAS M. ROACH
Mayor
422-1200

JAMES M. BRADLEY
Deputy Commissioner
422-6230

ANNE FITZSIMMONS
Chief of Police
422-6258

RICHARD L. LYMAN
Fire Chief
422-6360

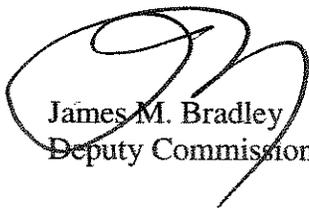
TO THE HONORABLE ACTING MAYOR AND MEMBERS OF THE COMMON COUNCIL OF
THE CITY OF WHITE PLAINS

Dear Mayor and Common Council Members:

The Department of Public Safety's Agreement with the County of Westchester and the New York State Police for the program referred to as TraCS (Traffic and Criminal Software) expires on May 31, 2016.

This program originated in 2006 and has proven to be an effective method for reporting traffic tickets and motor vehicle accidents.

Submitted for your consideration is an Ordinance which allows the Commissioner of Public Safety to enter into this Agreement and complete the appropriate paperwork. This program will be at no cost to the City.



James M. Bradley
Deputy Commissioner of Public Safety

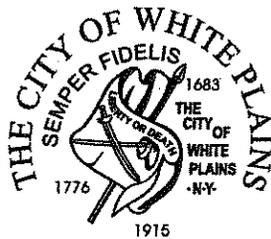
Dated: March 7, 2016

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A NEW FIVE (5) YEAR USE AND DISSEMINATION AGREEMENT WITH THE NEW YORK STATE POLICE AND WESTCHESTER COUNTY DEPARTMENT OF PUBLIC SAFETY ENABLING THE CITY OF WHITE PLAINS THROUGH ITS DEPARTMENT OF PUBLIC SAFETY'S POLICE BUREAU TO HAVE ACCESS TO THE TRAFFIC AND CRIMINAL SOFTWARE SYSTEM (TraCS).

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

Section 1. The Mayor of the City of White Plains is hereby authorized to direct the Commissioner of Public Safety to execute a new five year Use and Dissemination Agreement, commencing June 1, 2016 and expiring May 31, 2021, in a form acceptable to the Corporation Counsel, with the New York State Police and County of Westchester to enable the City of White Plains, through its Department of Public Safety's Police Bureau, to utilize the TraCS (Traffic and Criminal Software) system in the electronic capture of ticket and accident report data in a police vehicle environment, as well as to utilize the electronic transfer of that data from the Department of Public Safety's Police Bureau to the Department of Motor Vehicles and courts.

Section 2. 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

THOMAS M. ROACH
Mayor
422-1200

JAMES M. BRADLEY
Deputy Commissioner
422-6230

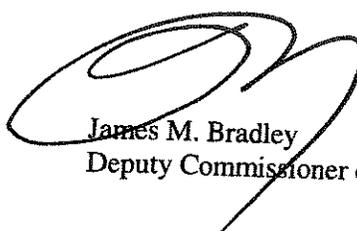
ANNE FITZSIMMONS
Chief of Police
422-6258

RICHARD L. LYMAN
Fire Chief
422-6360

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

The City entered into a contract with TransCare Westchester, Inc. d/b/a TransCare (hereinafter "TransCare") for ambulance services from July 1, 2015 to June 30, 2018. On February 28, 2016, TransCare filed for bankruptcy and ceased providing ambulance service to The City. Empress Ambulance Service, Inc ("Empress") agreed to provide comparable service to the level of service being provided by Transcare starting on February 24, 2016 in order to maintain continuity of service pursuant to an emergency agreement for 90 days unless replaced by a new contract between the City and Empress. They agreed to provide for two Advanced Life Support and ambulances dedicated to the use of the City of White Plains, seven (7) days per week, twenty-four (24) hours per day and one dedicated Basic Life Support ambulance seven(7) days per week, twelve (12) hours per day. The contract shall also provide access to an on-road Advanced Life Support Flycar Paramedic Supervisor seven (7) days per week, twenty-four (24) hours per day. They will bill patients directly for services rendered and will receive Thirty Thousand Four Hundred Seventeen (\$30, 417.00) Dollars monthly from the City for the services to be provided.

Submitted for your consideration is an ordinance authorizing the Mayor or his designee to enter into a 90 day emergency agreement with Empress to provide ambulance service on the aforementioned terms.


James M. Bradley
Deputy Commissioner of Public Safety

Dated: March 7, 2016

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN EMERGENCY 90 DAY AGREEMENT WITH EMPRESS AMBULANCE SERVICE, INC.

WHEREAS, the City entered into a contract with TransCare Westchester, Inc. d/b/a TransCare (hereinafter "TransCare") for ambulance services from July 1, 2015 to June 30, 2018; and

WHEREAS, TransCare filed for bankruptcy on February 24, 2016 and ceased providing ambulance service to The City on that date; and

WHEREAS, Empress Ambulance Service, Inc ("Empress") agreed to provide comparable service to the level of service being provided by Transcare starting on February 24, 2016 in order to maintain continuity of service; and

WHEREAS, the proposed contract is for a ninety day period unless it is replaced by a new contractual agreement between the City and Empress; and

WHEREAS, providing continuity of ambulance service for the residents of the City of White Plains is in the best interests of the City; now, therefore

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

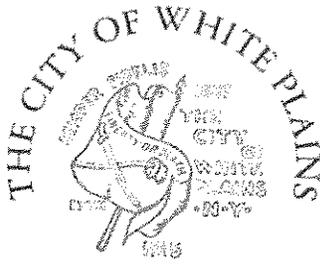
Section 1. The Mayor or his designee is authorized to enter into an emergency 90 day agreement for ambulance services with Empress Ambulance Service, Inc. for a period of 90 days or until it is replaced with a new contract with Empress for ambulance services.

Section 2. The contract, *inter alia*, shall provide for two Advanced Life Support ambulances dedicated to the use of the City of White Plains, seven (7) days per week, twenty-four (24) hours per day and one dedicated Basic Life Support ambulance seven(7) days per week, twelve (12) hours per day. The contract shall also provide access to an on-road Advanced Life Support Flycar Paramedic Supervisor seven (7) days per week, twenty-four (24) hours per day,.

Section 3. Empress shall be allowed to bill all patients directly for services and the City shall agree to pay to Empress Thirty Thousand Four Hundred Seventeen (\$30, 417.00) Dollars monthly

Section 4. Funds for this contract are available in the budget.

Section 5 . This ordinance shall take effect as of February 24, 2016.



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

CHRISTOPHER N. GOMEZ, AICP
COMMISSIONER

LINDA K. PUOPLO
DEPUTY COMMISSIONER

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

In support of the White Plains Education and Training Center, the Culinary Tech Center, LLC, is interested in providing the design, development and installation of internal signage. The signage will provide identification of the classrooms, administrative offices, computer training center, conference room and main entry door.

Submitted for your approval is an ordinance authorizing the Mayor to accept this donation of signage for the White Plains Education and Training Center.

Respectfully submitted,

Linda Puoplo
Deputy Commissioner

Dated: February 10, 2016

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AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING THE MAYOR TO ACCEPT, ON BEHALF OF THE CITY OF WHITE PLAINS, A DONATION OF THE DESIGN, DEVELOPMENT AND INSTALLATION OF INTERNAL SIGNAGE TO PROVIDE IDENTIFICATION OF THE CLASSROOMS, ADMINISTRATIVE OFFICES, COMPUTER TRAINING CENTER, CONFERENCE ROOM AND MAIN ENTRY DOOR FOR THE WHITE PLAINS EDUCATION AND TRAINING CENTER, FROM THE CULINARY TECH CENTER, LLC.

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

Section 1. The Mayor is hereby authorized to accept, on behalf of the City of White Plains, a donation by the Culinary Tech Center, LLC of the design, development and installation of internal signage for the White Plains Education and Training Center. This signage will provide identification of the classrooms, administrative offices, computer training center, conference room and main entry door.

Section 2. The Mayor is further authorized to execute any agreement(s) in conjunction with the signage donation. Said agreement(s) shall be in a form approved by the Corporation Counsel.

Section 3. This ordinance shall take effect immediately.

THOMAS M. ROACH
MAYOR



WAYNE D. BASS
COMMISSIONER
FRAN CROUGHAN
DEPUTY COMMISSIONER

DEPARTMENT OF RECREATION AND PARKS

85 GEDNEY WAY
WHITE PLAINS, NEW YORK 10605

(914) 422-1336 Phone

(914) 422-1250 Fax

February 22, 2016

The Department of Recreation and Parks has received a request for a donation of a lime stone sculpted eagle's head. The donation is a replacement for the existing deteriorated head on the World War I monument located on Maple Avenue and Post Road.

The donation and installation will be given by a former White Plains resident, Mr. Joseph Giglio, whose family continues to reside in White Plains. Mr. Giglio has always taken a special interest in the neighborhood, the statue in particular.

He is an accomplished artist. His donation will complement and enhance the existing World War I monument, forever preserving history and honoring our veterans . There are no matching funds associated with this donation.

Submitted for your approval is an ordinance authoring the Mayor to accept this donation on behalf of the City of White Plains.

Respectfully submitted,

Wayne D. Bass
Commissioner of Recreation and Parks

Dated: March 7, 2016

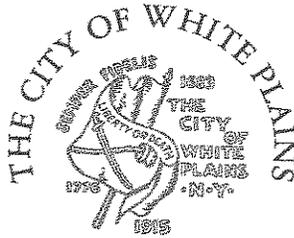
AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING THE MAYOR TO ACCEPT, ON BEHALF OF THE CITY OF WHITE PLAINS, THE DONATION AND INSTALLATION OF A LIMESTONE EAGLE'S HEAD BY MR. JOSEPH GIGLIO TO REPLACE THE EXISTING DETERIORATED HEAD ON THE WORLD WAR I MONUMENT LOCATED ON MAPLE AVENUE AND POST ROAD.

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

Section 1. The Mayor is hereby authorized to accept, on behalf of the City of White Plains, a donation by Mr. Joseph Giglio, an artist and a former White Plains resident, of donation and installation of a limestone eagle's head to replace the existing deteriorated head on the World War I monument located on Maple Avenue and Post Road. There are no matching funds associated with the donation.

Section 2. The Mayor is further authorized to execute any agreement(s) in conjunction with the donation. Said agreement(s) shall be in a form approved by the Corporation Counsel.

Section 3. This ordinance shall take effect immediately.



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

The Office of the City Clerk has responsibility for the codification of the White Plains Municipal Code and the creation of the electronic updates to that Code as a result of legislative changes.

In order to provide more timely updates of both the Zoning Ordinance and the Supplemental Uniform Building and Fire Codes, funds were designated in the 2015-2016 Budget to have both Codes codified in the same manner as the Municipal Code. In addition, the agreements will provide the ability to have more timely access to any legislation that has been adopted, but is pending incorporation into the Codes.

Submitted herewith for your approval is an ordinance authorizing the Mayor, or his designee, to enter into agreements with Municipal Code Corporation in a format acceptable to the Corporation Counsel.

The following resolution is submitted for your approval.

Sincerely,


Anne McPherson, CMC
City Clerk

DATED: September 29, 2016

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO THREE YEAR AGREEMENTS WITH THE MUNICIPAL CODE CORPORATION FOR PROFESSIONAL SERVICES RELATING TO THE CODIFICATION AND PREPARATION OF THE WHITE PLAINS MUNICIPAL CODE, SUPPLEMENTAL UNIFORM BUILDING AND FIRE CODE, THE CITY OF WHITE PLAINS ZONING ORDINANCE, INCLUDING SUPPLEMENTS AND PRINTING, AND THE PREPARATION OF THE OFFICIAL PROCEEDINGS OF THE COMMON COUNCIL.

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 new three (3) year agreements with the Municipal Code Corporation for professional services relating to the codification and preparation of White Plains Municipal Code, Supplemental Uniform and Fire Code, the City of White Plains Zoning Ordinance, including supplements and printing, and the preparation of the Official Proceedings of the Common Council.

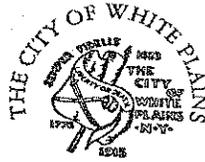
Section 2. The publication base cost for the Zoning Ordinance is \$4,410, exclusive of incidental charges for binders, and the Supplemental Building Codes publication base cost is \$2,100; there is a database charge of \$150 initially and then \$75 per update for each. There are additional per page and table revision charges for supplements. The annual charge for the on-line version and additional search features of all of the aforementioned Codes and Zoning Ordinance is \$1,295 annually each.

Section 3. Said agreements shall be in a form acceptable to the Corporation Counsel

of the City of White Plains.

Section 4. Funds for these agreements are available in the 2015-2016 budget of the
City Clerk.

Section 5. This ordinance shall take effect immediately.



DEPARTMENT OF PERSONNEL
MUNICIPAL BUILDING * 255 MAIN STREET * WHITE PLAINS, NEW YORK, 10601
(914) 422-1257 * FAX (914) 422-6496

Thomas M. Roach
Mayor

Elisabeth Wallace
Personnel Officer

Debra Clay
Deputy Personnel Officer

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

Dear Mayor and Council Members:

The following recommendations are made requiring amendments to the Compensation and Leave Plan and to the 2015-2016 Table of Organization:

Reallocate the title of Sanitation Superintendent from M&C Grade 16 to M&C Grade 15.

Add titles to the Hourly Pay Plan.

Reallocate the title of Driver/Custodian from Grade 6 to Grade 5.

Add a position of Driver/Custodian (Grade 5) in the Department of Recreation & Parks.

Abolish a position of Driver (Grade 4) in the Department of Recreation & Parks.

An ordinance amending the Compensation and Leave Plan and the 2015-2016 Table of Organization is transmitted herewith for Council deliberation.

Respectfully submitted,

Elisabeth Wallace
Personnel Officer

Dated for: March 7, 2016

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AN ORDINANCE AMENDING SECTIONS 2-5-77, 2-5-80 AND 2-5-81 OF THE WHITE PLAINS MUNICIPAL CODE BY REALLOCATING AND ESTABLISHING CERTAIN POSITION TITLES, AND AMENDING THE 2015-2016 TABLE OF ORGANIZATION BY ADDING AND ABOLISHING CERTAIN POSITIONS.

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

Section 1. Section 2-5-77. Appendix 2b, Managerial/Confidential, of the White Plains Municipal Code is hereby amended as follows:

REALLOCATE

<u>Department</u>	<u>Position Title</u>	<u>From Salary Group</u>	<u>To Salary Group</u>
Public Works	Sanitation Superintendent	16	15

§2. Section 2-5-80, Hourly, Appendix 5a of the White Plains Municipal Code is hereby amended as follows:

ESTABLISH

<u>Position Title</u>	<u>Salary Group</u>
Library Assistant PT	B & D
Lifeguard	D
Head Lifeguard	E

§3. Section 2-5-81, Appendix 6a of the White Plains Municipal Code is hereby amended as follows:

REALLOCATE

<u>Position Title</u>	<u>From Salary Group</u>	<u>To Salary Group</u>
Driver/Custodian	6	5

§4. The Table of Organization for the 2015-2016 Tax Budget is hereby amended by adding and abolishing the following positions:

ADD

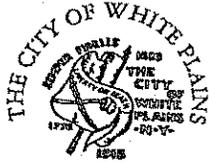
<u>Department</u>	<u>Position Title</u>	<u>Salary Group</u>
Recreation & Parks	Driver/Custodian	5

ABOLISH

<u>Department</u>	<u>Position Title</u>	<u>Salary Group</u>
Recreation & Parks	Driver	4

§5. The Mayor is hereby authorized to direct the Commissioner of Finance to amend the uniform system of accounts accordingly.

§6. This ordinance shall take effect March 14, 2016.



DEPARTMENT OF PERSONNEL
MUNICIPAL BUILDING * 255 MAIN STREET * WHITE PLAINS, NEW YORK, 10601
(914) 422-1257 * FAX (914) 422-6496

Thomas M. Roach
Mayor

Elisabeth Wallace
Personnel Officer

Debra Clay
Deputy Personnel Officer

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

We received 4300 applicants for the 2015 Police Officer examination, a much larger number than we previously had, and required greater expenditures than projected in our 2015/2016 budget. On October 5, 2015, the Common Council approved an amendment to Appendix 5 c. Per Diem employees enabling us to raise the rate of pay for civil service monitors. This adjustment was essential to secure the number of monitors needed for such a large number of candidates, especially since we needed to use New Rochelle High School as an exam site with New Rochelle monitors. Our rate of pay had not increased in many years, and was the lowest in the area. The new rate was equivalent to the rate used in New Rochelle, which was the next lowest rate in the area. Every effort was made to contain costs, however the part-time budget of the Personnel Department was unavoidably over-expended resulting in insufficient funds to administer the agility portion of the Police exam and other scheduled exams for the balance of this fiscal year. Accordingly, it is respectfully requested that the Mayor be authorized to direct the Budget Director to transfer funds from the FY 2015-2016 General Fund Reserve for Financing as follows:

TRANSFER FROM:

A002-9.990	Reserve for Financing	<u>\$56,770</u>
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TRANSFER TO:

A030-1.800	Part-time Salaries	\$43,755
B021-1.400	FF Salaries	1,245
A030-2.001	Social Security	3,442
A030-2.020	MTA Tax	153
A030-2.101	Pension	7,875
B021-2.102	Pension	<u>300</u>
		<u>\$56,770</u>

It is also requested that the Commissioner of Finance be authorized to receive and disburse funds accordingly.

Respectfully submitted,

Elisabeth Wallace
Personnel Officer

Dated for: March 7, 2016

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING THE TRANSFER OF \$56,770 FROM RESERVE FOR FINANCING IN RELATION TO UNANTICIPATED EXPENDITURES INCURRED BY THE DEPARTMENT OF PERSONNEL IN ADMINISTERING THE AGILITY PORTION OF THE POLICE EXAM AND OTHER SCHEDULED EXAMS FOR THE BALANCE OF THE FISCAL YEAR.

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

Section 1. The Department of Personnel received 4300 applicants for the 2015 Police Officer examination, a much larger number in the past, and required greater expenditures than projected in the Department's 2015/2016 budget. On October 5, 2015, the Common Council approved an amendment to Appendix 5 c. Per Diem employees enabling the City to raise the rate of pay for civil service monitors. This adjustment was essential to secure the number of monitors needed for such a large number of candidates, especially since the City needed to use New Rochelle High School as an exam site with New Rochelle monitors. While every effort was made to contain costs, the part-time budget of the Personnel Department was unavoidably over-expended resulting in insufficient funds to administer the agility portion of the Police examination and other scheduled exams for the balance of the fiscal year.

Section 2. To provide the necessary funding for the expenses related to the administration of exams incurred by the Department of Personnel, the Mayor is hereby authorized to direct the Budget Director to transfer \$56,770 from the General Fund Reserve for Financing for FY2015-2016 as follows:

TRANSFER FROM:

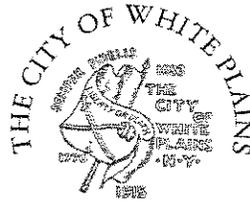
A002-9.990	Reserve for Financing	<u>\$56,770</u>
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TRANSFER TO:

A030-1.800	Part-time Salaries	\$43,755
B021-1.400	FF Salaries	1,245
A030-2.001	Social Security	3,442
A030-2.020	MTA Tax	153
A030-2.101	Pension	7,875
B021-2.102	Pension	<u>300</u>
		<u>\$56,770</u>

Section 3. 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 THOMAS M. ROACH, MAYOR
AND MEMBERS OF THE COMMON COUNCIL OF THE
CITY OF WHITE PLAINS**

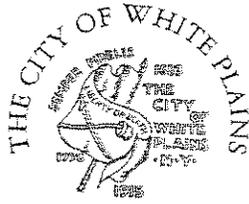
Per referral by the Common Council on February 16, 2016, the Department of Building has reviewed a petition dated January 19, 2016 to amend a site plan application previously approved by Common Council resolution. Kite Realty Group, the owner of 1-29 Mamaroneck Avenue (a.k.a. "City Center") has requested permission to make certain interior and exterior improvements at the facility.

This department has no objection to this petition being approved.



Damon A. Amadio, P.E.
Commissioner of Building

DATED: February 19, 2016
(for the March 7, 2016 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

February 11, 2016

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 February 8, 2016, reviewed an application on behalf of Kite Realty Group with regard to the proposed redevelopment and improvement to City Center, at 1-29 Mamaroneck Ave., White Plains, NY.

OUTCOME: The Design Review Board recommends the approval of this application as submitted

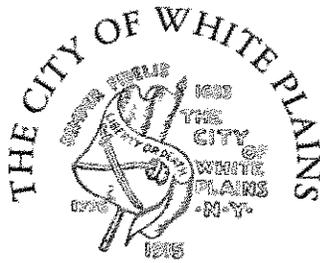
Norman DiChiara

Norman DiChiara, Chairman
Design Review Board

"THE BIRTHPLACE OF THE STATE OF NEW YORK"

<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

CHRISTOPHER N.GOMEZ, AICP
COMMISSIONER

LINDA K. PUOPLO
DEPUTY COMMISSIONER

TO: THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: CITY CENTER
1-29 MAMARONECK AVENUE
(SECTION 125.76, BLOCK 1, LOT 2)
KITE REALTY GROUP
APPLICATION FOR SITE PLAN AMENDMENT

By letter dated January 15, 2016, David S. Steinmetz, on behalf of Kite Realty Group (the "Applicant") submitted an application to the White Plains Common Council for a site plan amendment to redevelop the existing City Center shopping center. The 4.4-acre (191,841 square feet) site is bounded on the easterly side by land containing the City Center Parking Garage, Cambria Suites Hotel and other retail/restaurant uses, on the westerly side by Mamaroneck Avenue (350 feet of frontage), on the southerly side by Martine Avenue (275 feet of frontage), and on the northerly side by Main Street (360 feet of frontage). The site is located in the UR-4 Urban Renewal Central Business District-4 Zoning District and is a part of the Main-Mamaroneck Phase I Urban Renewal District that was adopted by the Common Council in 1998.

Applicant proposes the following changes to the City Center to improve its functionality and overall aesthetic appearance:

- Upgrades to the fountain plaza including a new zero-lip flush grade fountain, additional plantings, seating, lighting and performance stage;
- Reconfiguration of the existing pedestrian and vehicular circulation at the Main Street entrance/exit and plaza drop-off area to improve safety, prevent cueing and reduce conflicts;
- Implementation of a valet service via a newly constructed valet loading zone along the Mamaroneck Avenue frontage within the City right-of-way to benefit

- both patrons to the City Center and other downtown businesses;
- Re-glazing the lobby curtain wall and skybridge connecting the lobby space to the parking garage to direct more light into interior spaces;
 - Provision of a new dog area on the northeast corner of the pedestrian plaza adjacent to the garage entrance to serve both resident and neighborhood dogs;
 - New glass and extruded aluminum marquee awnings above both the Mamaroneck Avenue and plaza entrances;
 - Installation of escalators from the renovated Mamaroneck Avenue lobby space to the second floor to enhance pedestrian access to both the retail uses and parking structure, and add vitality to the street; and,
 - A unified interior/exterior signage plan, including the use of digital signage to reduce visual clutter and achieve more modern branding.

The Planning Department has reviewed the application for site plan amendment pursuant to Section 7.5 Site Plan Standards, and offers the following comments and recommendations for Common Council consideration:

I. CONSISTENCY WITH THE COMPREHENSIVE PLAN

The project is consistent with the strategies established in the 1997 and 2006 City of White Plains Comprehensive Plan. It is located within the City's Core Area – defined as “a place to live, work, shop and spend quality leisure time.” The Comprehensive Plan envisions a vibrant, mixed use Core Area with its three unique sub-areas linked through pedestrian, streetscape, transit and signage improvements and land uses that complement one another. The Plan highlights the need for safe and efficient pedestrian movement in the central business district and identifies pedestrian traffic as a critical planning element in both the review and approval of new development and rehabilitation of existing structures.

The proposed project is consistent with the Plan recommendations in providing clear improvements to enhance pedestrian access to the site and provide safe and attractive pedestrian plaza area in the Core Area. Further, the proposed valet service and improved vehicular circulation patterns for plaza drop-off will maximize the efficiency of the existing street network.

Consistency with Westchester County Regional Planning Policies

The proposed site plan amendment is consistent with the Westchester County Planning Board's long range planning policies set forth in *Westchester 2025- Context for County and Municipal Planning and Policies to Guide County Planning*, and its recommended strategies set forth in *Patterns for Westchester: The Land and the People* as it represents redevelopment in an

existing center where infrastructure can support growth, where public transportation can be provided efficiently, and where redevelopment can enhance economic viability.

II. NEIGHBORHOOD CHARACTER

The project site is located at the crossroads of the City's downtown and contains many anchor tenants including Target, Shop Rite, Barnes and Noble, and a 15-theater cinema that draw patrons from both the City and the region. Due to its prominent downtown location and retail mix, the development attracts pedestrian and vehicular traffic at nearly all times of day while also serving as a vibrant downtown node in evening hours.

However, current site design conditions, such as the existing fountain plaza, vehicular and pedestrian circulation system, and the inefficient and therefore underutilized entrance lobby on Mamaroneck Avenue have created missed opportunities for the City at such a critical downtown site. The proposed site plan amendment seeks to capitalize on the City Center's premier location and tenant mix by providing the public with a more contemporary and attractive place to both gather and shop. The myriad upgrades proposed to the exterior and interior of the building are intended to create a more visually appealing uniform signage vocabulary while enhancing both pedestrian and vehicular access to the site.

III. SIGNAGE

Applicant's City Center Signage Package, dated January 15, 2015 and revised on January 18, 2016 includes the following signage upgrades to the City Center.

Courtyard (Plaza) Area Signage

- A "City Center" sign with face lit channel lettering to be provided underneath the new canopy over the stage and plaza entrances. The sign will be installed into a new background grid, as shown on Page 1 of Applicant's sign package.
- A Garage Directory Illuminated sign with internally illuminated "push thru lettering" will be provided at the entrance to the parking garage, as shown on Page 7 of the Applicant's signage package. New and illuminated directory signage will also be installed inside the garage.
- A new Digital Parking Sign will be installed at the entrance to the City Center site on Main Street, as shown on page 9 of the signage package.
- New tenant signage for the Skyway Bridge will be installed as shown on page 6 of the signage package. These tenant signs will be located within double hinged boxes, illuminated on both sides, and uniform in size.

Mamaroneck Avenue Signage

- A “City Center” sign with face lit channel lettering matching the identification sign for Plaza entrances is provided underneath the new marquee canopy above the Mamaroneck Avenue lobby entrance. The sign will be installed into the background grid, as shown on Page 3 of Applicant’s sign package.
- Pedestrian level blade signs will be installed on the side of the building at a lower level than the existing blade signs, to improve wayfinding along Mamaroneck Avenue.

New tenant storefront signage and decorative canopies will replace existing signage on both Main Street and Mamaroneck Avenue. These new signs and canopies will be designed in a uniform way that is proprietary to the entire City Center site. The “poster style”, static advertising will be replaced with digital advertising further modernizing the site.

IV. ZONING COMPLIANCE

Site Plan Standards

- 7.5.1 Conformity of all proposals with this Ordinance and with the goals of the "Comprehensive Plan."

As previously noted, the proposed project is consistent with many recommendations of the City's Comprehensive Plan including the 2006 Core Area Vision Statement that envisions a vibrant, mixed use Core Area with its three unique sub-areas linked through pedestrian, streetscape, transit and signage improvements and land uses that complement one another.

- 7.5.2 Safe, adequate and convenient vehicular and pedestrian traffic circulation both within and adjacent to the site. At least the following aspects of the "site plan" shall be evaluated to determine conformity to this standard:

- 7.5.2.1 The effect of the proposed development on traffic conditions on existing "streets."

All improvements that would potentially affect traffic conditions, including the internal reconfiguration at the Main Street entrance/exit and the valet parking on Mamaroneck Avenue, have been addressed by the City's Deputy Commissioner of Parking. The proposed physical circulation improvements such as reconfiguring the drop off area adjacent to the plaza and relocation of the pedestrian crosswalk have been designed to improve existing traffic conditions.

7.5.2.2 The number, locations and dimensions of vehicular and pedestrian entrances, exits, drives and walkways.

The existing entrance/exit into the parking garage from Main Street remains unchanged. Cars will continue to enter into the City Center from Main Street via the single lane right-turn or through movement from E.J. Conroy Drive. Cars exiting the City Center onto Main Street will continue to have two-lanes – a thru lane to E.J. Conroy Drive and right-turn only to Main Street. The roadway system will be reconfigured with a more sweeping paved drop-off area radius and passing lane to prevent cueing into the garage. Vehicles will be able to drop off passengers in a newly created 20-foot wide drop-off area adjacent to the plaza while vehicles entering the garage can bypass the drop off area via a 14 foot wide thru-lane. A curbed, brick paved island approximately 15 feet by 30 feet will separate the drop-off area from the thru-lane to better define the two movements. The median separating the entrance and exit lanes into the center from Main Street has also been reduced by approximately 30 feet to accommodate the drop-off and thru-lane areas without compromising the two exit lanes.

Pedestrian access into the site on the Main Street frontage will be greatly enhanced by virtue of the proposed lobby elevators, while the entire plaza area will be constructed with linear pavers framed with 24 inch square granite pavers to provide a clear identification of pedestrian movement throughout the site. The use of various paver materials will create distinct visual pedestrian cues as frequently implemented in classic European piazzas. In addition, the flush zero-lip fountain proposed will be far less obstructive to pedestrian movement through the plaza as compared to the current fountain configuration.

In addition, the existing crosswalk has been relocated to facilitate pedestrian flow between the parking garage and Main Street. Specifically, a 45 foot pedestrian crosswalk would extend from the proposed dog walk area on the northeast corner of the plaza to a newly created crosswalk adjacent to the rear of 240 Main Street. An existing wall will be removed to accommodate the crosswalk connection.

To increase safety and enhance pedestrian flow, a new brick sidewalk will also be constructed and extended from the northeastern corner of the plaza, around the newly created dog park, to the entrance of the parking garage. Currently, many pedestrians exiting the garage traverse the vehicular entrance lane to access Main Street in a location that is obstructed from entering motorists creating an extremely dangerous situation that will be remedied by the proposed sidewalk.

A valet parking pull-up area is proposed within the existing right-of-way of the Mamaroneck Avenue frontage. The valet parking area is located approximately 90 feet from Main Street and will be demarcated by signage and a 15 foot by 50 foot stamped and colored asphalt concrete island to separate the traffic lanes from the valet parking pull-up area directly in front of the City Center lobby entrance. The valet parking pull-up area has been designed in accordance with the City's Valet Ordinance.

Direct pedestrian access from the Mamaroneck Avenue entrance lobby to the second floor retail tenants and parking garage will be provided by the addition of an escalator to the second floor of the building. In addition, new seating, electronic device charging stations, and public restrooms will be added to the Mamaroneck Avenue lobby.

- 7.5.2.3 The visibility in both directions at all exit points of the site. The driver of an automobile exiting the site should have an unobstructed view of the "street" for that distance necessary to allow safe entrance into the traffic stream.

Visibility into and out of the site has not changed.

- 7.5.2.4 The location, arrangement and adequacy of off-"street" "parking lots," which shall, at a minimum, meet the requirements of Section 8 of this Ordinance.

Off-street parking remains unchanged from the original site plan. However, the valeted vehicles will be stored in a pre-defined lower level area of the City Center parking garage in accordance with the City's Valet Ordinance.

- 7.5.2.5 Interconnection of "parking lots" via access drives within and between adjacent "parking lots," in order to provide maximum efficiency, minimize curb cuts, and encourage safe and convenient traffic circulation.

There are no new curb cuts proposed. The interconnection of parking lots remains unchanged.

- 7.5.2.6 The location, arrangement and adequacy of "loading spaces," which shall, at a minimum, meet the requirements of Section 8 of this Ordinance.

The location and arrangement of loading spaces remains unchanged and continues to meet the requirements of Section 8 of the Zoning Ordinance.

- 7.5.2.7 Patterns of vehicular and pedestrian circulation both within the boundaries of the development and in relation to the adjoining "street" and sidewalk system.

Pedestrian access into the site has been greatly improved on both the Main

Street and Mamaroneck Avenue sides. On the Main Street side, the entire plaza will be constructed with linear pavers and framed with 24 inch square granite pavers to facilitate and provide a clear definition of pedestrian movement throughout the site. For increased safety and enhanced pedestrian flow, a brick sidewalk has been added and extended from the central plaza, around the newly created dog park, and to the entrance of the parking garage. In addition, the crosswalk has been relocated to facilitate pedestrian flow between the parking garage and Main Street. Specifically, a 45 foot pedestrian crosswalk has been added from the proposed dog walk area adjacent to the garage entrance to a newly created crosswalk adjacent to the back of 240 Main Street.

The pedestrian sky bridge connecting the parking garage to the City Center will be upgraded and enhanced. The existing arches on the sky bridge will be removed and replaced with new glass panels. All existing tenant signage on the sky bridge will be removed and replaced with 12.5' x 13.5' uniform signs that are symmetrically spaced for each tenant. The sky bridge itself will be upgraded and treated as an extension to the building, complete with matching tiles, paint, etc.

Along Mamaroneck Avenue, the addition of valet parking and escalators greatly facilitates the movement of pedestrians throughout the site.

- 7.5.2.8 The location, arrangement and adequacy of facilities for the physically handicapped, such as ramps, depressed curbs and reserved "parking spaces."

An ADA compliant ramp with access to the proposed stage is proposed for the plaza area.

The two existing handicap spaces on Mamaroneck Avenue will be relocated to accommodate the valet operation. One space will be relocated to Martine Avenue and the other directly to the north of the proposed valet pull -off location. Appropriate provisions for the physically disabled are provided as confirmed by the City's Deputy Commissioner of Parking.

- 7.5.2.9 The location, arrangement and adequacy of landscaping within and bordering "parking lots" and "loading spaces," which shall, at a minimum, meet the requirements of Section 8.7.5 of this Ordinance.

Significant landscaping and signage improvements are proposed for the plaza area, parking garage, and exterior of the building as discussed below. The proposed exterior improvements to the City Center have been approved by the City's Design Review Board and the City of White Plains Urban Renewal Agency.

7.5.2.10 Adequacy of fire lanes and other emergency zones.

The fire lanes and emergency zones remain unchanged by this plan.

7.5.3 The protection of environmental quality and the preservation and enhancement of property values in the neighboring area.

7.5.3.1 The location, height and materials of walls, fences, hedges and plantings so as to ensure harmony with adjacent development, screen "parking lots" and "loading spaces," and conceal storage areas, refuse areas, utility installations and other such features. Such walls, fences, hedges and plantings shall, at a minimum, meet the requirements of Sections 4.4.16, 4.4.19 and 8.7.5 of this Ordinance.

The newly designed plaza on Main Street features six (6) new stainless steel tree planters (15'x15') with granite seat walls and recycled wood seats, curved light poles, a 420 square foot flush (zero-edge) water feature, and ten (10) outside seating tables with chairs. In addition, a 1,200 square foot stage (including stairs and an ADA compliant ramp) is proposed adjacent to the entrance to the City Center entrance. A glass and aluminum canopy with embedded light fixtures will overhang the stage and two entrances at this location. An artificial turf dog walk area is proposed adjacent to the garage entrance. The entire plaza will be constructed with linear pavers (12"x 36") and framed by 24 inch square granite pavers. These pavers are intended to compliment the tile that will be installed throughout the interior of the City Center.

In addition to the upgrades being made to the sky bridge, the façade on the west side of the building will be re-glazed and replaced with glass to improve the light into the building. The poster tenant signs in this location will be relocated to the sky bridge.

7.5.3.2 The prevention of dust and erosion, both during and after construction, through the planting of ground cover or the installation of other appropriate ground surfaces.

The City's construction management protocols must be adhered to the satisfaction of the Commissioner of Public Works.

7.5.3.3 The preservation of natural features of the site such as wetlands, unique wildlife habitats, historic "structures," major trees and scenic views both from the site and onto or over the site.

The site is completely built-out. Therefore, there are no natural features, wetlands or unique wildlife habitat on the site.

- 7.5.3.4 The conformity of exterior lighting to the requirements of Section 4.4.20 of this Ordinance.

Six (6) EVO curved light poles with LED Luminare are proposed and extend out of the six (6) tree planters. Ten (10) MAC Bollard lights frame the drop-off/pick-up area. Six (6) vertical slot lights have been added to both sides of the columns supporting the pedestrian bridge between the parking garage and the City Center.

- 7.5.3.5 The design and arrangement of "buildings," "structures" and accessory facilities (such as air conditioning systems, public address systems, etc.) so as to achieve minimum and acceptable noise levels at the property boundaries.

The project will continue to conform to City noise protocols.

- 7.5.3.6 The provision of adequate storm and surface water drainage facilities so as to properly drain the site while minimizing downstream flooding.

Drainage facilities for the fountain and planters are provided, pursuant to the recommendations of the Department of Public Works.

- 7.5.3.7 Access to sunlight for present and potential solar energy systems, both on and off site, as well as "building" siting, orientation and landscaping, meeting at a minimum the requirements of Section 4.4.21 of this Ordinance.

No solar energy systems are proposed as part of the site plan amendment. However, many existing interior and exterior building materials are being upgraded or replaced entirely with glass and aluminum to introduce more natural light into interior spaces and increase energy efficiency. Skylights are also proposed for the main concourse lobby roof.

- 7.5.4 A quality of "building" and overall site design which will enhance and protect the character and property values of the adjacent neighborhood.

The proposed upgrades to the City Center are intended to modernize and revitalize the site, ameliorate pedestrian connections and movement, improve traffic circulation, and enhance the overall visual appearance of the site. The overall intent is to create a more vibrant and pedestrian friendly experience at the north end of the Mamaroneck Avenue corridor. Both the interior and exterior improvements to the City Center will enhance the neighborhood character and protect property values of the adjacent neighborhood.

V. CONCLUSION

Based on the foregoing analysis and review of the submitted application pursuant to Section 7.5 Site Plan Standards, the Planning Department recommends that the Common Council grant the requested site plan approval subject to the following conditions:

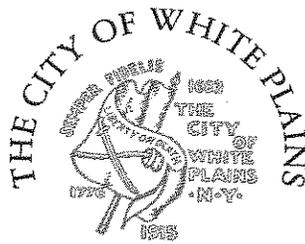
1. All landscaping in the proposed Plaza and dog walking area shall continue to be maintained in a healthy growing condition throughout the duration of the "structure" or "use" which it is intended to serve. Any planting not so maintained shall be replaced with new plants at the beginning of the next growing season.
2. A pre-construction meeting must be held with the applicant, the contractor, the Building Inspector, the Environmental Officer, and other staff, as needed, to review the construction plan and time-line, and to detail City requirements and applicant responsibilities during construction.
3. A Construction Management Plan is required for the development of the Proposed Project and a coordination plan for coordinating construction with other construction in the area, if any, including City projects which will be going on contemporaneously with this Project. The Plan shall include strict controls on all aspects of the construction, including construction related impacts on adjacent properties and properties within the construction impact area, such as, but not limited to, hours of operation of construction vehicles and construction work on the site, hours of deliveries to the site, location of deliveries, requirements for loading/unloading and storage of materials on the Project site, length of time travel lanes can be encumbered, sidewalk closings or pedestrian diversions to ensure the safety of the pedestrians, controls on "fugitive dust" and the impact of run-off from the site on the City storm drain system, such as from the wash down of delivery vehicles departing the site (all such vehicles must be cleaned on pads located on the site and all drainage must have proper filtration of the wash-down water), noise, pest control, street cleaning, site security, scheduling of periodic meetings with nearby residents and City staff to coordinate project construction and keep residents advised. The Construction Management Plan shall be subject to the approval of the Commissioners of Building, Public Safety, Public Works, Traffic, and Planning and the Environmental Officer.
4. Prior to issuing a building permit, the Department of Building should ensure that the Applicant has provided documentation demonstrating the extent to which the project would meet LEED Certification Silver and New York State Energy Star standards.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Christopher N. Gomez". The signature is fluid and cursive, with a prominent initial "C" and "G".

Christopher N. Gomez, AICP
Commissioner of Planning

Dated: February 25, 2016
For the March 7, 2016 Common Council Meeting



PLANNING BOARD

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

THOMAS M. ROACH
MAYOR

MICHAEL QUINN
CHAIRMAN

CHRISTOPHER GOMEZ, AICP
COMMISSIONER

LINDA K. PUOPLO
DEPUTY COMMISSIONER

EILEEN McCLAIN
SECRETARY

February 25, 2015

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: KITE REALTY GROUP - WHITE PLAINS CITY CENTER – SITE PLAN AMENDMENT TO UPGRADE THE PEDESTRIAN PLAZA WITH A NEW FOUNTAIN, ADD PLANTING, SEATING, LIGHTING, AND A STAGE; ADD A VALET AREA ON MAMARONECK AVENUE; INSTALL ESCALATORS FROM THE LOBBY AREA ON MAMARONECK AVENUE TO THE SECOND FLOOR; AND REVISE AND UPDATE EXTERIOR SIGNAGE

At its February 23, 2016 meeting, the Planning Board reviewed the application by Kite Realty Group for approval of a site plan amendment to: upgrade the pedestrian plaza at City Place with a new fountain, add planting, seating, lighting and a stage; add a valet area on Mamaroneck Avenue; install escalators from the lobby on Mamaroneck Avenue to the second floor; and revise and update exterior signage.

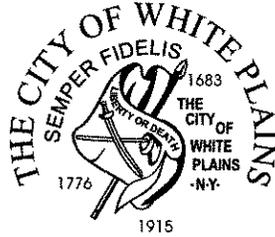
The Board finds that the proposed changes are a significant improvement over existing conditions in terms of aesthetics, pedestrian and vehicular circulation flow and safety, marketability of space in the shopping center, and pedestrian activity in onsite open space. Therefore, the Board recommends approval of the site plan amendment application. The Board offers the following comments and recommendations for the Common Council's consideration:

1. The Board supports the applicant's stated intention to activate the City Place plaza year round. The fountain will be an attraction in the warm weather. Lighting of the trees and plaza might make it more attractive in the cold weather.
2. The valet service should improve the marketability of the vacant restaurant space. The canopy over the sidewalk at the valet station is a nice feature.
3. Digital art in the windows would be an improvement over static posters or advertising.
4. Signage promoting shows at the White Plains Performing Arts Center should be added to the front of the building near the valet marquis.

5. The proposed addition of bicycle racks is a good idea.
6. Activating the Mamaroneck Avenue lobby will attract shopper and the escalators will serve as a connection between the City Center and Mamaroneck Avenue stores and restaurants. The new lobby should be inviting and attractive, and should include digital art, which can constantly change to engage pedestrians.
7. In order to maximize the use of the escalators and their connection potential, the project should include clear wayfinding signage, or perhaps floor treatments that would direct pedestrians.
8. The addition of a dog walking area is a good idea.
9. The bottle return should not be located on Martine Avenue, as its associated noise and potential for litter could adversely impact residents that face the City Center. If the Council determines that the location is acceptable, then an enclosure or shielding should be provided.

Planning Board members voting in favor of the motion to recommend approval of the site plan, with the above comments in a letter to the Common Council: M. Quinn, A. Cabrera, J. Ioris, L. Oliva, and R. Stackpole (5); Opposed: None (0); Absent: J. Durante and J. Westlund (2).

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



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

ANNE FITZSIMMONS
Chief of Police
422-6258

THOMAS M. ROACH
Mayor
422-1200

JAMES M. BRADLEY
Deputy Commissioner
422-6230

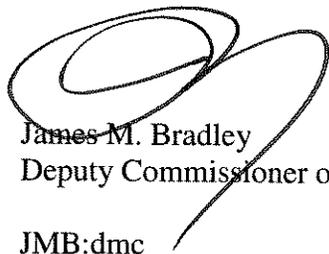
RICHARD L. LYMAN
Fire Chief
422-6360

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

DEAR MAYOR AND COMMON COUNCIL MEMBERS:

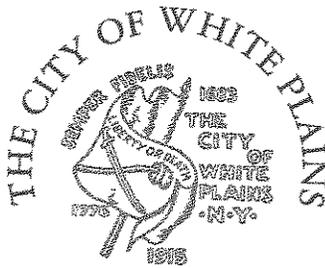
The Department of Public Safety has reviewed these plans. There are no objections.

Kite Realty
1 City Place
Drop-off drive reconfiguration



James M. Bradley
Deputy Commissioner of Public Safety
JMB:dmc

Date: March 1, 2016



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
COMMISSIONER

ANTHONY R. CARR, P.E., CFM
DEPUTY COMMISSIONER

STEFANIA A. MIGNONE
DEPUTY COMMISSIONER

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

In response to the Building Department referral received February 3rd, 2016, the Department of Public Works has reviewed materials submitted by Zarin & Steinmetz, on behalf of Kite Realty Group, applicant and owner, requesting Site Plan Amendment Approval for the proposed redevelopment and improvements at the City Center site at 1-29 Mamaroneck Avenue, SBL: 125.76-1-2. Included with submittals are Architectural Plan set, last revised 1/14/16, prepared by Ratio Architects, Inc.; Site Plan set, revised 1/15/16, prepared by John Meyer Consulting, Inc.; and Signage Plan, revised 1/18/16, prepared by Sign Design & JC Awning. Also included is a copy of completed Department of Building application, dated 1/15/16 submitted by Tony Halsey, Project Manager; a copy of completed Short Environmental Assessment forms, dated 1/15/16, as filed by Anthony P. Nestler of JMC on behalf of the applicant; and Cover Letter from Zarin & Steinmetz, dated 1/15/16, describing the proposed improvements to the site.

We offer the following comments for the Common Council's consideration:

1. Prior to the issuance of a Building Department permit, the applicant shall provide the Department of Public Works (DPW) a copy of certified property survey, signed and sealed by a NYS licensed surveyor. Future submittals of site plans will be required to show property lines, including right-of-way (ROW) where applicable.
2. Revise all plans and documents for future submittals to show the correct address for this site, 1-29 Mamaroneck Avenue. The address listed in the current documents does not match the site's section, block and lot number (125.76-1-2).
3. The applicant must provide stormwater quality design details prior to issuance of Building Department permit. Revise the plans to include proposed feature(s) and all applicable details. All existing drainage structures and features within the site, including their connection to the municipal stormwater system, shall be included in plans adequately labeled.
4. The stormwater system alterations must be under the supervision of the stormwater design Engineer of Record, and an as-built must be provided to the Department of Public Works, signed and sealed by this engineer, or by a New York State licensed land surveyor. A required maintenance agreement for all on-site stormwater management measures must be executed along with all necessary permits, prior to the construction of any permanent stormwater facility and remain in effect with the transfer of the property. This document must be completed in accordance with the City's local law requirements and coordinated

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with the Corporation Counsel. An appropriate escrow account must be established by the Commissioner of Public Works for the maintenance of said stormwater facilities. The Commissioner of Public Works has the right to utilize this escrow account to perform maintenance work should the owner fail to be responsive. Further, the City through the Department of Public Works shall receive 20% of all costs of any work, as an administrative fee.

5. The **owner** must obtain a City of White Plains Department of Public Works (DPW) MS4 storm water permit prior to the issuance of a Building Department permit. Work or encumbrance to be performed within the municipal right-of-way will require other DPW permits prior to undertaking the work. Contact DPW Code Enforcement (914-422-1208).
6. Prior to issuance of a Building Department permit, the applicant must provide DPW with revised plans showing all pertinent information and details of proposed 'Flush' water feature.
7. Revise "Site Erosion and Sediment Plan", sheet SP-8, to include all planned work, including trench drain to be removed and pavement saw cut areas under the proposed limit of disturbance.
8. Backflow prevention device(s) will be required on the proposed 'Flush' water feature. The application for the backflow device installations must be prepared by a licensed New York State professional engineer and submitted to the Department of Public Works for review and subsequent final approval by the Westchester County Health Department. The floor drain for said room must be adequate to comply with White Plains Department of Public Works and Westchester Department of Health requirements.
9. The applicant shall provide designated snow storage areas and how removal of snow will be handled at the site. Note that plowing or storage of snow into the City Right Of Way is not permitted.
10. All construction under the jurisdiction of the Department of Public Works must be in conformance with the Department's standards regardless of what may be shown or omitted on the plan.
11. All construction work shall be subject to the City's Construction Management Protocol. This Protocol includes, among other things, a Construction Management Plan, erosion and sedimentation control measures, noise and dust control, hours of operation, parking, staging of vehicles and materials, site access, etc.

In conclusion, we have no objection to conditioned approval provided the comments are addressed to the sole satisfaction of the Commissioner of Public Works prior to the issuance of a Building Department permit.

Respectfully submitted,



Richard G. Hope
Commissioner of Public Works

Dated: March 7, 2016

THOMAS M. ROACH
MAYOR



JOHN P. LARSON
COMMISSIONER

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

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

(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 site plan amendment application for the City Center (Kite Realty Group) which was referred by the Common Council on February 2, 2016 and has the following comments:

1. The directory sign located near the entrance to the parking garage must have letter heights that comply with low speed street name sign standards (upper case 4" and lower case 3").
2. The directory sign in 1. Must be located behind the proposed five foot sidewalk.

Thomas J. Soyk, PE, PTOE
Deputy Commissioner
City Transportation Engineer

Dated: February 25, 2016
(for the March 7, 2016 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 Transportation Commission, at its meeting held on February 18, 2016, reviewed a request from Kite Realty Group, for a site plan amendment as referred by the Common Council on February 4, 2016.

The Transportation Commission had the following comment:

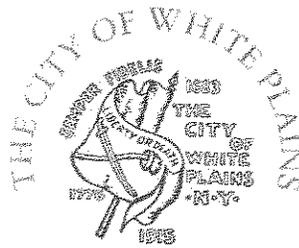
A review of the submitted drawing SP-4 shows a proposed five foot sidewalk with pedestrian crossing signs at the crosswalk. ADA compliant handicap ramps should be added to the sidewalks at the crosswalk. Page 7 and 7B of the "City Center Signage Package" shows a 41 inch wide 78 inch tall sign on the proposed sidewalk. This sign would only leave a 19 inch path for pedestrians. Depending on the exact location of the sign, visibility to pedestrians waiting to cross could be blocked by the sign. The staff suggests that this sign be relocated so that it does not obstruct the sidewalk and possibly pedestrian visibility. The sign should also be shown on drawing SP-4.

Thomas J. Soyk, P.E., PTOE
Acting Chairman

Dated: February 25, 2016 (for the March 7, 2016 Common Council Meeting)

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THOMAS M. ROACH
MAYOR



JOHN P. LARSON
COMMISSIONER

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

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

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

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

**Re: #140 – Kite Realty Group – White Plains City Center
Site Plan Amendment**

The Department of Parking has received and reviewed the above-noted submission of application materials from Kite Realty Group.

The Parking Department has no objection to the approval of this site plan amendment.

Respectfully submitted,


John P. Larson, Commissioner
CWP – Department of Parking

Date: March 7, 2016

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Robert P. Astorino
County Executive

County Planning Board

February 12, 2016

Anne M. McPherson, City Clerk
City of White Plains
Municipal Building
255 Main Street
White Plains, NY 10601-2479

Subject: Referral File No. WHP 16-003 — City Center Renovations, Site Plan Amendment

Dear Ms. McPherson:

The Westchester County Planning Board has received two sets of site plans (dated revised January 15, 2015 and dated revised January 5, 2016) for a proposal to renovate various aspects of the White Plains City Center complex. These improvements include updating the pedestrian plaza and courtyard between the east side of the retail building and the parking garage; implementing valet parking and modifying the sidewalks along Mamaroneck Avenue; modifying the Mamaroneck Avenue entrance by installing escalators from a renovated and redesigned lobby area up to the second floor; and updating signage.

We have reviewed this matter under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code and we offer the following comments:

- 1. Consistency with County Planning Board policies.** We find the proposed modifications to be consistent with the County Planning Board's long-range planning policies set forth in *Westchester 2025—Context for County and Municipal Planning and Policies to Guide County Planning*, adopted by the Board on May 6, 2008, amended January 5, 2010, because it will improve the pedestrian-oriented streetscape of this development and improve access to the interior uses.
- 2. Bicycle parking.** We recommend that improved and additional bicycle parking be provided at the City Center site. The current bike parking area in the parking garage consists of pipes bolted to the floor; it is difficult to lock a bike securely to such pipes. This parking area may also warrant expansion. Further, the addition of bicycle parking along Mamaroneck Avenue would add the site's attractiveness for bicyclists.

Thank you for calling this matter to our attention.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

For:
By: 
Edward Buroughs, AICP
Commissioner

EEB/LH

70

WHITE PLAINS URBAN RENEWAL AGENCY
70 CHURCH STREET, WHITE PLAINS, NEW YORK 10601 (914) 422-1300 Fax (914) 422-1301

TO: THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: CITY CENTER
1-29 MAMARONECK AVENUE
(SECTION 125.76, BLOCK 1, LOT 2)
KITE REALTY GROUP
APPLICATION FOR SITE PLAN AMENDMENT –
CONSISTENCY WITH PHASE I MAIN-MAMARONECK URBAN
RENEWAL PROJECT (WPUR-13) PLAN

Please find the attached White Plains Urban Renewal Agency Resolution 02-2016, adopted February 24, 2016. The Agency has made determination that the exterior improvements proposed do not constitute a substantial change to the overall character of the originally approved City Center Project pursuant to Section E, Phase I of the Main-Mamaroneck Urban Renewal Project (WPUR-13) Plan.

Respectfully submitted,



Christopher N. Gomez, AICP
Executive Director

Dated: February 25, 2016
For the March 7, 2016 Common Council Meeting

WHITE PLAINS URBAN RENEWAL AGENCY

RESOLUTION 02-2016

RESOLUTION APPROVING MODIFICATIONS TO THE EXTERIOR DESIGN FOR THE CITY CENTER PROJECT LOCATED IN PHASE I OF THE MAIN-MAMARONECK URBAN RENEWAL PROJECT, PROJECT NO. WPUR-13.

WHEREAS:

The Main-Mamaroneck Phase I Urban Renewal Plan (Project No. WPUR-13) was adopted by the White Plains Urban Renewal Agency (the Agency) on April 20, 1998 (Resolution 4-98) and modified on February 7, 2003 (Resolution 02-03) and August 8, 2006 (Resolution 14-2006);

WHEREAS:

Section B.3(a)(3) of the WPUR-13 Plan specifically provides that the Agency must approve the exterior materials of all buildings proposed, as follows:

The site plan and exterior design of all buildings and development proposed for the Project Area, including notes and samples of color and material of all exterior portions of buildings and structures, shall be subject to the approval of the White Plains Urban Renewal Agency. Such plans and designs shall be reviewed with respect to architectural style, general design, arrangement, location, and materials affecting exterior appearance.

WHEREAS:

By Resolutions 34-01 and 36-01, adopted September 5, 2001 and September 17, 2001 respectively, the Agency approved the Preliminary Plans for the White Plains City Center Project ("City Center Project") and recommended that the Common Council approve the site plans for the Project.

WHEREAS:

By Resolution 37-01 adopted December 3, 2001, the Agency approved the final exterior design and materials for the two residential towers and the parking garage.

WHEREAS:

Section 201(b) of the Second Amended Land Disposition Agreement dated April 24, 2002 between the White Plains Urban Renewal Agency, the City of White Plains, and LC White Plains, LLC states: "The Redeveloper may, but shall not be obligated to, make amendments or modifications thereto, provided that such amendments or modifications comply with the requirement of the Phase I Plan [WPUR-13 Plan] and are approved by the City of White Plains." (LDA pg. 32).

WHEREAS:

By Resolution 12-03, adopted July 18, 2003, the Agency approved the design and exterior materials for the development of up to approximately 60,000 square feet of development rights over the city center municipal garage in the city center project located in Phase I of the Main-Mamaroneck Urban Renewal Project, Project no. WPUR-13.

WHEREAS:

By Resolution 12-05, adopted August 10, 2005, the Agency approved the installation of tenant signage on the north side of the Garage Commercial Building pursuant to the July 20, 2005 Sign Plan, but denied the installation of signage on the east side of the Garage Commercial Building because such signage would detract from the open space and residential character of the South Broadway neighborhood.

WHEREAS:

On January 15, 2016, KRG White Plains City Center, LLC (Applicant) proposed the following changes to the exterior of the City Center Project to improve its vibrancy, functionality and overall aesthetic appearance. The following enhancements are depicted in Applicant's Site Plan Drawings dated January 5, 2015, Site Plan Addendum dated September 22, 2015, and Signage Package dated January 13, 2015.

- Upgrading the pedestrian plaza and courtyard on the east side of City Center with a new fountain, additional plantings, seating, lighting and a stage;
- Implementing a valet in conjunction with pavement, curbing and sidewalk modifications along Mamaroneck Avenue to provide benefits and improved parking and circulation to patrons of the City Center and surround retail and restaurants;
- Modifying the Mamaroneck Avenue entrance to the City Center by installing escalators from a renovated and redesigned lobby area up to the second floor; and,
- Revising and updating certain exterior signage on the City Center and the skyway bridge.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Based on its review of the proposed design changes to the exterior building and plaza at its meeting of February 24, 2016, the Agency finds that the proposed design changes do not constitute a substantial change to the overall character of the approved City Center Project, pursuant to Section E of the WPUR-13 Plan.
2. The Agency hereby approves the changes to the exterior of the City Center and the plaza;
3. The Agency hereby directs the Executive Director to forward a copy of this resolution to the Common Council.

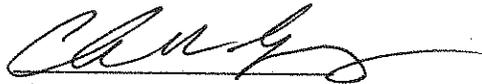
Dated: February 22, 2016

Adopted: February 24, 2016

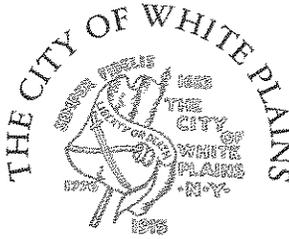
WHITE PLAINS URBAN RENEWAL AGENCY
MUNICIPAL BUILDING ANNEX 255 MAIN STREET, WHITE PLAINS, NEW YORK 10601 (914) 422-1300
Fax (914) 422-1301

CERTIFIED COPY

1. I am the duly qualified and acting Assistant Secretary of the White Plains Urban Renewal Agency (the "Agency"). I am the custodian of the minutes of the meetings of the Agency and am authorized to execute this certificate.
2. Attached hereto is a correct copy of **Resolution 02-2016**, (the "Resolution"), adopted at a meeting of the Agency held on **February 24, 2016**, (the "Meeting"), which Resolution is now in full force and effect.
3. The Meeting was duly convened and held in accordance with law and the by-laws of the Agency, and proper notice of the Meeting was given. A legal quorum of the Agency was present throughout the Meeting and a legally sufficient number of members of the Agency duly voted for the adoption of the Resolution.
4. The authority delegated to the Chairman in the Resolution has not been altered or revoked in any way.
5. The seal that appears below is the official seal of the Agency and was duly affixed by me at the time I executed this certificate on **February 24, 2016**.



Christopher N. Gomez
Executive Director



ENVIRONMENTAL OFFICER

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

(914) 422-1252 • FAX: (914) 422-1301

THOMAS M. ROACH
MAYOR

ROD JOHNSON
ENVIRONMENTAL OFFICER

March 1, 2016

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: KITE REALTY GROUP – WHITE PLAINS CITY CENTER
1-29 MAMARONECK AVENUE
SITE PLAN AMENDMENT

The proposed amendment to the previously approved site plan for the White Plains City Center regarding various improvement such as upgrading the pedestrian plaza, installing interior escalators, a new a valet parking drop-off area and exterior signage on behalf of Kite Realty Group (“Proposed Action”), has been reviewed for compliance with the State Environmental Quality Review regulations (“SEQR”).

The Proposed Action involves the following approval actions by the Common Council:

1. Approval of a Site Plan amendment pursuant to Section 7.5 of the Zoning Ordinance regarding various improvements such as upgrading the pedestrian plaza, reconfiguration of the existing on-site pedestrian and vehicular circulation, installing interior escalators, a new a valet parking drop-off area.
2. Approval of an amendment to the signage plan for the White Plains City Center previously approved by the Common Council. As specified in the original site plan approval for the City Center development, the Common Council is the designated approval agency for the project signage.

The City Center is a multi-use project consisting primarily of: (1) rental housing; (2) a four level retail shopping center; (3) condominium housing; (4) the City Center Municipal Parking Garage (“City Center Garage”); (5) an air rights building above a portion of the City Center Garage, including a health club; (6) additional rental housing units; (7) an access road, City Place, running from Main Street into the City Center Garage; (8) below grade parking for the residential units; and (9) a public plaza and public access easement running from Main Street to Martine Avenue.

The site plan for the White Plains City Center was approved by the Common Council on September 20, 2001.

The Common Council has adopted a series of amendments pertaining to the City Center site plan, including, on November 20, 2001; December 3, 2001; February 7, 2002; September 3, 2002;

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May 5, 2003; July 17, 2003; and August 4, 2003; and

The Proposed Action involves the following changes to the White Plains City Center retail facility to improve its functionality and overall aesthetic appearance:

1. Upgrades to the pedestrian fountain-plaza located between the Main Street/City Place entrance to the City Center and the Municipal White Plains Center Garage including the installation of a new zero-lip flush grade fountain, additional plantings, seating, lighting and performance stage;
2. Reconfiguration of the existing pedestrian walkway and vehicular driveway circulation at the Main Street entrance/exit and plaza drop-off area to improve safety, prevent cueing and reduce conflicts;
3. Implementation of a valet service via a newly constructed valet loading zone along the Mamaroneck Avenue frontage within the street right-of-way to benefit both patrons to the White Plains and other downtown businesses;
4. Re-glazing the lobby curtain wall and skybridge connecting the City Center lobby space to the parking garage to direct more light into interior spaces;
5. Provision of a new dog area on the northeast corner of the pedestrian plaza adjacent to the garage entrance to serve both resident and neighborhood dogs;
6. New glass and extruded aluminum marquee awnings above both the Mamaroneck Avenue and plaza entrances;
7. Installation of interior escalators from the renovated Mamaroneck Avenue lobby space to the second floor to enhance pedestrian access to both the retail uses and parking structure, and add vitality to the street; and,
8. A unified interior/exterior signage plan, including the use of digital signage to reduce visual clutter and achieve more modern branding.

(a) Courtyard (Plaza) Area Signage

- (1) A “City Center” sign with face lit channel lettering to be provided underneath the new canopy over the stage and plaza entrances. The sign will be installed into a new background grid, as shown in the Applicant’s sign package.
- (2) A Garage Directory illuminated sign with internally illuminated “push thru lettering” will be provided at the entrance to the Parking Garage. New and illuminated directory signage will also be installed inside the Parking Garage.
- (3) A new Digital Parking Sign will be installed at the entrance of the City Center site on Main Street.
- (4) New tenant signage to be installed on the northern façade of the Skyway Bridge facing the pedestrian plaza and the Main Street/City Place driveway entrance to the City Center. These tenant signs will be located within double hinged boxes,

illuminated on both sides, and uniform in size.

(b) Mamaroneck Avenue Signage

- (1) A "City Center" sign with face lit channel lettering matching the identification sign for Plaza entrances is provided underneath the new marquee canopy above the Mamaroneck Avenue lobby entrance. The sign will be installed into the background grid, as shown on the Applicant's sign package.
- (2) Pedestrian level blade signs will be installed on the side of the building at a lower level than the existing blade signs, to improve wayfinding along Mamaroneck Avenue.

(c) New tenant storefront signage and decorative canopies will replace existing signage on both Main Street and Mamaroneck Avenue. These new signs and canopies will be designed in a uniform way that is proprietary to the entire City Center site. The "poster style", static advertising will be replaced with digital advertising further modernizing the site.

Based on comments offered by the various City Departments, Boards, and Commissions, the Environmental Officer recommends that the following conditions be included as part of the Proposed Action

1. Pursuant to the communication from the Commissioner of Planning, dated February 25, 2016, all landscaping in the proposed Plaza and dog walking area shall continue to be maintained in a healthy growing condition throughout the duration of the "structure" or "use" which it is intended to serve. Any planting not so maintained shall be replaced with new plants at the beginning of the next growing season.
2. Pursuant to the communication from the Commissioner of Planning, dated February 25, 2016, a pre-construction meeting must be held with the applicant, the contractor, the Building Inspector, the Environmental Officer, and other staff, as needed, to review the construction plan and time-line, and to detail City requirements and applicant responsibilities during construction.
3. Pursuant to the communication from the Commissioner of Planning, dated February 25, 2016, a Construction Management Plan is required for the development of the Proposed Project and a coordination plan for coordinating construction with other construction in the area, if any, including City projects which will be going on contemporaneously with this Project. The Plan shall include strict controls on all aspects of the construction, including construction related impacts on adjacent properties and properties within the construction impact area, such as, but not limited to, hours of operation of construction vehicles and construction work on the site, hours of deliveries to the site, location of deliveries, requirements for loading/unloading and storage of materials on the Project site, length of time travel lanes can be encumbered, sidewalk closings or pedestrian diversions to ensure the safety of the pedestrians, controls on "fugitive dust" and the impact of run-off from the site on the City storm drain system, such as from the wash down of delivery vehicles departing the site (all such vehicles must be cleaned on pads located on the site and all drainage must have proper filtration of the wash-down water), noise, pest control, street cleaning, site security, scheduling of periodic meetings with nearby residents and City staff to coordinate project

construction and keep residents advised. The Construction Management Plan shall be subject to the approval of the Commissioners of Building, Public Safety, Public Works, Traffic, and Planning and the Environmental Officer.

4. Pursuant to the communication from the Commissioner of Planning, dated February 25, 2016, prior to issuing a building permit, the Department of Building should ensure that the Applicant has provided documentation demonstrating the extent to which the project would meet LEED Certification Silver and New York State Energy Star standards.
5. The City Center sign program was approved by the Common Council as an element of Site Plan approval. As a condition of that approval, the installation of the individual tenant signs are subject to the approval of the Commissioners of Building and Planning.

All signage, including an proposed digital advertising, shall conform to the standards in Municipal Code Chapter 9-10 - Outdoor Signs And Awnings as follows:

Sec. 9-10-13. - Flashing, rotating or animated signs prohibited.

No flashing, rotating or animated signs shall be erected, constructed or maintained nor shall any such signs or devices be installed on, within or behind any window, door, building facade or store front so as to be visible to the general public from any public street or sidewalk area. This requirement shall apply to all existing as well as new uses; and

It is recommended that the Common Council (a) designate itself to serve as the Lead Agency for the environmental review; (b) designate the Proposed Action to be an Unlisted Action; and (c) find that the Proposed Action will not have a significant effect on the environment for the following reasons:

- (a) The proposal is consistent with the 1997 Comprehensive Plan and the White Plains Zoning Ordinance, as amended.

The project is consistent with the strategies established in the City of White Plains Comprehensive Plan. It is located within the City's Core Area – defined as “a place to live, work, shop and spend quality leisure time.” The Comprehensive Plan envisions a vibrant, mixed use Core Area with its three unique sub-areas linked through pedestrian, streetscape, transit and signage improvements and land uses that complement one another. The Plan highlights the need for safe and efficient pedestrian movement in the central business district and identifies pedestrian traffic as a critical planning element in both the review and approval of new development and rehabilitation of existing structures.

The proposed project is consistent with the Plan recommendations in providing clear improvements to enhance pedestrian access to the site and provide safe and attractive pedestrian plaza area in the Core Area. Further, the proposed valet service and improved vehicular circulation patterns for plaza drop-off will maximize the efficiency of the existing street network.

In regard to the land use regulations for the UR-4 Zoning District, the proposed amendments to the approved site plan do not represent a significant change to the approved land uses, floor area, building bulk dimensions, site layout or circulation.

Similarly, the City Center project, with the proposed amendments to the approved site plan, continues to conform to the standards for site plan approval in Section 7.5 of the Zoning Ordinance.

A valet parking pull-up area is proposed within the existing right-of-way of the Mamaroneck Avenue frontage. The valet parking area is located approximately 90 feet from Main Street and will be demarcated by signage and a 15 foot by 50 foot stamped and colored asphalt concrete island to separate the traffic lanes from the valet parking pull-up area directly in front of the City Center lobby entrance. The valet parking pull-up area has been designed in accordance with the City's Valet Ordinance.

- (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 represent a significant change to the design or operation of the established City Center retail facility or municipal parking garage.

A Construction Management Plan will be required for the development of the Proposed Project in order to avoid any potential construction related impacts.

The existing entrance/exit into the parking garage from Main Street remains unchanged. Cars will continue to enter into the City Center from Main Street via the single lane right-turn or through movement from E.J. Conroy Drive. Cars exiting the City Center onto Main Street will continue to have two-lanes – a thru lane to E. J. Conroy Drive and right-turn only to Main Street.

The driveway roadway system will be reconfigured to separate the thru-lane, garage access driveway from the passenger drop-off area adjacent to the plaza. This design will serve to improve on-site vehicular circulation and avoid traffic congestion.

The two existing handicap spaces on Mamaroneck Avenue will be relocated to accommodate the valet operation. One space will be relocated to Martine Avenue and the other directly to the north of the proposed valet pull-off location.

- (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 City Center is located at the crossroads of the City's downtown and contains many anchor tenants including Target, Shop Rite, Barnes and Noble, and a 15-theater cinema that draw patrons from both the City and the region. Due to its prominent downtown location and retail mix, the development attracts pedestrian and vehicular traffic at nearly all times of day.

The proposed upgrades to the City Center are intended to improve pedestrian and traffic circulation.

Direct pedestrian access from the Mamaroneck Avenue entrance lobby to the second floor retail

tenants and parking garage will be provided by the addition of an escalator to the second floor of the building. This new pedestrian access will serve to connect and significantly benefit the surrounding downtown, Main Street /Mamaroneck Avenue core area.

- (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.

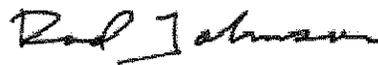
There is no reason to expect any hazard to human health or safety resulting from this Proposed Action. All development is subject to the appropriate municipal safety codes and approval by the Departments of Building, Public Safety, Public Works and Traffic.

The existing pedestrian crosswalk between the municipal parking garage and walkway to Main Street will be relocated and clearly marked on the pavement to improve pedestrian safety.

- (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 that 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 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 that makes these findings is offered for the Common Council's consideration.

Respectfully submitted,



Rod Johnson
Environmental Officer

ENVIRONMENTAL FINDINGS RESOLUTION ISSUED UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT, ENVIRONMENTAL CONSERVATION LAW SECTION 8-0101 ET. SEQ. (SEQR), REGARDING AN AMENDMENT TO THE PREVIOUSLY AMENDED SITE PLAN FOR THE PROJECT KNOWN AS THE CITY CENTER AT 1-29 MAMARONECK AVENUE ON BEHALF OF KITE REALTY GROUP.

WHEREAS, the proposed amendment to the previously approved site plan for the White Plains City Center regarding various improvement such as upgrading the pedestrian plaza, installing interior escalators, a new a valet parking drop-off area and exterior signage on behalf of Kite Realty Group (“Proposed Action”), has been reviewed for compliance with the State Environmental Quality Review regulations (“SEQR”); and

WHEREAS, the “City Center” is a multi-use project consisting primarily of: (1) rental housing; (2) a four level retail shopping center; (3) condominium housing; (4) the City Center Municipal Parking Garage (“City Center Garage”); (5) an air rights building above a portion of the City Center Garage, including a health club; (6) additional rental housing units; (7) an access road, City Place, running from Main Street into the City Center Garage; (8) below grade parking for the residential units; and (9) a public plaza and public access easement running from Main Street to Martine Avenue; and

WHEREAS, the site plan for the White Plains City Center was approved by the Common Council on September 20, 2001; and

WHEREAS, the Common Council has adopted a series of amendments pertaining to the City Center site plan, including, on November 20, 2001; December 3, 2001; February 7, 2002; September 3, 2002; May 5, 2003; July 17, 2003; and August 4, 2003; and

WHEREAS, the Proposed Action involves the following approval actions by the Common Council:

1. Approval of a Site Plan amendment pursuant to Section 7.5 of the Zoning Ordinance regarding various improvements such as upgrading the pedestrian plaza, reconfiguration of the existing on-site pedestrian and vehicular circulation, installing interior escalators, a new a valet parking drop-off area
2. Approval of an amendment to the signage plan for the White Plains City Center previously approved by the Common Council. As specified in the original site plan approval for the City Center development, the Common Council is the designated approval agency for the project signage; and

WHEREAS, the Proposed Action involves the following changes to the White Plains City Center retail facility to improve its functionality and overall aesthetic appearance:

1. Upgrades to the pedestrian fountain-plaza located between the Main Street/City Place entrance to the City Center and the Municipal White Plains Center Garage including the installation of a new zero-lip flush grade fountain, additional plantings, seating, lighting and performance stage;
2. Reconfiguration of the existing pedestrian walkway and vehicular driveway circulation at the Main Street entrance/exit and plaza drop-off area to improve safety, prevent cueing and

reduce conflicts;

3. Implementation of a valet service via a newly constructed valet loading zone along the Mamaroneck Avenue frontage within the street right-of-way to benefit both patrons to the White Plains and other downtown businesses;
4. Re-glazing the lobby curtain wall and skybridge connecting the City Center lobby space to the parking garage to direct more light into interior spaces;
5. Provision of a new dog area on the northeast corner of the pedestrian plaza adjacent to the garage entrance to serve both resident and neighborhood dogs;
6. New glass and extruded aluminum marquee awnings above both the Mamaroneck Avenue and plaza entrances;
7. Installation of interior escalators from the renovated Mamaroneck Avenue lobby space to the second floor to enhance pedestrian access to both the retail uses and parking structure, and add vitality to the street; and,
8. A unified interior/exterior signage plan, including the use of digital signage to reduce visual clutter and achieve more modern branding.

(a) Courtyard (Plaza) Area Signage

- (1) A “City Center” sign with face lit channel lettering to be provided underneath the new canopy over the stage and plaza entrances. The sign will be installed into a new background grid, as shown in the Applicant’s sign package.
- (2) A Garage Directory illuminated sign with internally illuminated “push thru lettering” will be provided at the entrance to the Parking Garage, as shown in the Applicant’s signage package. New and illuminated directory signage will also be installed inside the Parking Garage.
- (3) A new Digital Parking Sign will be installed at the entrance of the City Center site on Main Street, as shown on page 9 of the Applicant’s signage package.
- (4) New tenant signage to be installed on the northern façade of the Skyway Bridge facing the pedestrian plaza and the Main Street/City Place driveway entrance to the City Center. These tenant signs will be located within double hinged boxes, illuminated on both sides, and uniform in size.

(b) Mamaroneck Avenue Signage

- (1) A “City Center” sign with face lit channel lettering matching the identification sign for Plaza entrances is provided underneath the new marquee canopy above the Mamaroneck Avenue lobby entrance. The sign will be installed into the background grid, as shown on page 3 of Applicant’s sign package.
- (2) Pedestrian level blade signs will be installed on the side of the building at a lower level than the existing blade signs, to improve wayfinding along Mamaroneck

Avenue.

- (c) New tenant storefront signage and decorative canopies will replace existing signage on both Main Street and Mamaroneck Avenue. These new signs and canopies will be designed in a uniform way that is proprietary to the entire City Center site. The “poster style”, static advertising will be replaced with digital advertising further modernizing the site; and

WHEREAS, the Application included the following documents:

- A. A cover letter dated January 15, 2016, from David S. Steinmetz, Esq., of the law firm of Zarin & Steinmetz, on behalf of the Applicant Kite Realty Group, transmitting the aforementioned Application.
- B. A short form Building application dated January 19, 2016.
- C. A short Environmental Assessment form dated January 15, 2016.
- D. Drawings, entitled “City Center Plaza Redevelopment,” prepared by JMC Site Planner, Civil & Traffic Engineer and Landscape Architects, dated 01/15/2016.
- E. Drawings, entitled, “Perspective Figures,” prepared by RATIO Architects, Inc., dated 01/15/2016.
- F. Various General, Structural, Architectural, Plumbing, Mechanical and Electrical Drawings, prepared by RATIO Architects, Inc. and T/E/S Engineering, dated 01/12/2016.
- G. “City Center Sign Package,” prepared by Ratio Architects, Inc., last revised January 18, 2016; and

WHEREAS, based on comments offered by the various City Departments, Boards, and Commissions, the Environmental Officer recommends that the following conditions be included as part of the Proposed Action:

1. Pursuant to the communication from the Commissioner of Planning, dated February 25, 2016, all landscaping in the proposed Plaza and dog walking area shall continue to be maintained in a healthy growing condition throughout the duration of the "structure" or "use" which it is intended to serve. Any planting not so maintained shall be replaced with new plants at the beginning of the next growing season.
2. Pursuant to the communication from the Commissioner of Planning, dated February 25, 2016, a pre-construction meeting must be held with the applicant, the contractor, the Building Inspector, the Environmental Officer, and other staff, as needed, to review the construction plan and time-line, and to detail City requirements and applicant responsibilities during construction.
3. Pursuant to the communication from the Commissioner of Planning, dated February 25, 2016, a Construction Management Plan is required for the development of the Proposed Project and a coordination plan for coordinating construction with other construction in the area, if any, including City projects which will be going on contemporaneously with this Project. The

Plan shall include strict controls on all aspects of the construction, including construction related impacts on adjacent properties and properties within the construction impact area, such as, but not limited to, hours of operation of construction vehicles and construction work on the site, hours of deliveries to the site, location of deliveries, requirements for loading/unloading and storage of materials on the Project site, length of time travel lanes can be encumbered, sidewalk closings or pedestrian diversions to ensure the safety of the pedestrians, controls on "fugitive dust" and the impact of run-off from the site on the City storm drain system, such as from the wash down of delivery vehicles departing the site (all such vehicles must be cleaned on pads located on the site and all drainage must have proper filtration of the wash-down water), noise, pest control, street cleaning, site security, scheduling of periodic meetings with nearby residents and City staff to coordinate project construction and keep residents advised. The Construction Management Plan shall be subject to the approval of the Commissioners of Building, Public Safety, Public Works, Traffic, and Planning and the Environmental Officer.

4. Pursuant to the communication from the Commissioner of Planning, dated February 25, 2016, prior to issuing a building permit, the Department of Building should ensure that the Applicant has provided documentation demonstrating the extent to which the project would meet LEED Certification Silver and New York State Energy Star standards.
5. The City Center sign program was approved by the Common Council as an element of Site Plan approval. As a condition of that approval, the installation of the individual tenant signs are subject to the approval of the Commissioners of Building and Planning.

All signage, including an proposed digital advertising, shall conform to the standards in Municipal Code Chapter 9-10 - Outdoor Signs And Awnings as follows:

Sec. 9-10-13. - Flashing, rotating or animated signs prohibited.

No flashing, rotating or animated signs shall be erected, constructed or maintained nor shall any such signs or devices be installed on, within or behind any window, door, building facade or store front so as to be visible to the general public from any public street or sidewalk area. This requirement shall apply to all existing as well as new uses; 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

WHEREAS, the Environmental Officer has recommended that the Common Council (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; and (c) find that the Proposed Action will not have a significant effect on the environmen; and

WHEREAS, the Common Council has considered the Proposed Action, Application Materials, Conditions 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 regulations; 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 proposal is consistent with the 1997 Comprehensive Plan and the White Plains Zoning Ordinance, as amended.

The project is consistent with the strategies established in the City of White Plains Comprehensive Plan. It is located within the City's Core Area – defined as “a place to live, work, shop and spend quality leisure time.” The Comprehensive Plan envisions a vibrant, mixed use Core Area with its three unique sub-areas linked through pedestrian, streetscape, transit and signage improvements and land uses that complement one another. The Plan highlights the need for safe and efficient pedestrian movement in the central business district and identifies pedestrian traffic as a critical planning element in both the review and approval of new development and rehabilitation of existing structures.

The proposed project is consistent with the Plan recommendations in providing clear improvements to enhance pedestrian access to the site and provide safe and attractive pedestrian plaza area in the Core Area. Further, the proposed valet service and improved vehicular circulation patterns for plaza drop-off will maximize the efficiency of the existing street network.

In regard to the land use regulations for the UR-4 Zoning District, the proposed amendments to the approved site plan do not represent a significant change to the approved land uses, floor area, building bulk dimensions, site layout or circulation.

Similarly, the City Center project, with the proposed amendments to the approved site plan, continues to conform to the standards for site plan approval in Section 7.5 of the Zoning Ordinance.

A valet parking pull-up area is proposed within the existing right-of-way of the Mamaroneck Avenue frontage. The valet parking area is located approximately 90 feet from Main Street and will be demarcated by signage and a 15 foot by 50 foot stamped and colored asphalt concrete island to separate the traffic lanes from the valet parking pull-up area directly in front of the City Center lobby entrance. The valet parking pull-up area has been designed in accordance with the City's Valet Ordinance.

- (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 represent a significant change to the design or operation of the established City Center retail facility or municipal parking garage.

A Construction Management Plan will be required for the development of the Proposed Project

in order to avoid any potential construction related impacts.

The existing entrance/exit into the parking garage from Main Street remains unchanged. Cars will continue to enter into the City Center from Main Street via the single lane right-turn or through movement from E.J. Conroy Drive. Cars exiting the City Center onto Main Street will continue to have two-lanes – a thru lane to E. J. Conroy Drive and right-turn only to Main Street.

The driveway roadway system will be reconfigured to separate the thru-lane, garage access driveway from the passenger drop-off area adjacent to the plaza. This design will serve to improve on-site vehicular circulation and avoid traffic congestion.

The two existing handicap spaces on Mamaroneck Avenue will be relocated to accommodate the valet operation. One space will be relocated to Martine Avenue and the other directly to the north of the proposed valet pull-off location.

- (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 City Center is located at the crossroads of the City's downtown and contains many anchor tenants including Target, Shop Rite, Barnes and Noble, and a 15-theater cinema that draw patrons from both the City and the region. Due to its prominent downtown location and retail mix, the development attracts pedestrian and vehicular traffic at nearly all times of day.

The proposed upgrades to the City Center are intended to improve pedestrian and traffic circulation.

Direct pedestrian access from the Mamaroneck Avenue entrance lobby to the second floor retail tenants and parking garage will be provided by the addition of an escalator to the second floor of the building. This new pedestrian access will serve to connect and significantly benefit the surrounding downtown, Main Street /Mamaroneck Avenue core area.

- (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 approval by the Departments of Building, Public Safety, Public Works and Traffic.

The existing pedestrian crosswalk between the municipal parking garage and walkway to Main Street will be relocated and clearly marked on the pavement to improve pedestrian safety.

- (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 that 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 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 directed to file the appropriate notice as required by SEQR.

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS APPROVING THE APPLICATION SUBMITTED ON BEHALF OF THE KITE REALTY GROUP ("APPLICANT"), OWNER OF PROPERTY LOCATED AT 1-29 MAMARONECK AVENUE, KNOWN AS THE CITY CENTER SHOPPING CENTER (SECTION 125.76, BLOCK 1, LOT 2) FOR AN AMENDMENT TO ITS EXISTING AMENDED SITE PLAN TO (1) UPGRADE THE PEDESTRIAN PLAZA ON THE EAST SIDE OF CITY CENTER SHOPPING CENTER WITH A NEW FOUNTAIN, ADDITIONAL PLANTING, SEATING, LIGHTING AND A STAGE; (2) IMPLEMENT A VALET SERVICE ALONG MAMARONECK AVENUE IN CONJUNCTION WITH PAVEMENT, CURBING AND SIDEWALK MODIFICATIONS; (3) MODIFY THE MAMARONECK AVENUE ENTRANCE TO THE CITY CENTER SHOPPING CENTER BY INSTALLING ESCALATORS FROM A RENOVATED AND REDESIGNED LOBBY AREA UP TO THE SECOND FLOOR; AND (4) REVISE AND UPDATE CERTAIN EXTERIOR SIGNAGE ON THE CITY CENTER SHOPPING CENTER.

WHEREAS, at a Special Meeting held on September 20, 2001, the Common Council of the City of White Plains unanimously adopted a ninety-four (94) page resolution in relation to a project known as the "City Center," entitled, "Resolution of the Common Council of the City of White Plains Granting a One Year Extension of a Previously Approved Site Plan and Approving the Application Submitted on Behalf of LC White Plains, LLC to Amend the Aforementioned Previously Approved Site Plan [Regarding the Redevelopment of Parcels 34, 35, 36, 37, 38 and Portions of Parcels 39 and 50, in the Phase I Main-Mamaroneck Urban Renewal Project, Project No. WPUR-13, [Including the Construction of a Retail and Entertainment Complex and the Construction of a New, Expanded and Reconfigured Parking Garage to Replace the Existing Main-Martine Garage (Section 125.76, Block 1, Lots 1, 2.1, 3, 5, 9)] by Eliminating Parcel 39 and Including the Additional Redevelopment of Parcels 40, 41 and 42, to Construct a Revised Retail and Entertainment Complex of Approximately 600,000 Square Feet, Approximately 600 Predominately One (1) and Two (2) Bedroom Dwelling Units in Three (3) Buildings, Two (2) of Which Shall Be Approximately 340 Feet High, (Exclusive of Final Exterior Materials and Design), and Containing Approximately

17,000 Square Feet of Ground and First Floor Retail/Restaurant Uses, the Residential Dwelling to Be Served by New, Private On-Site Parking Structures Having a Total of Approximately 780 Parking Spaces and for a Special Permit to Allow an Increase in Maximum Building Height for Two (2) Residential Buildings for Up to Approximately 340 Feet in Accordance with Section 5.5.3.2 of the Zoning Ordinance of the City of White Plains;" and

WHEREAS, the Common Council adopted a series of amendments pertaining to the City Center Site Plan, including, on November 20, 2001; December 3, 2001; February 7, 2002; September 3, 2002; May 5, 2003; July 17, 2003; and August 4, 2003; and

WHEREAS, the "City Center" is a multi-use project consisting primarily of: (1) rental housing; (2) a four level retail shopping center; (3) condominium housing; (4) the City Center Municipal Parking Garage ("City Center Garage"); (5) an air rights building above a portion of the City Center Garage, including a health club and additional affordable rental housing units; (6) an access road, City Place, running from Main Street into the City Center Garage; (7) below grade parking for the residential units; and (8) a public plaza and public access easement running from Main Street to Martine Avenue; and

WHEREAS, the existing City Center shopping center component is located at 1-29 Mamaroneck Avenue and is known and designated on the Tax Assessment Map of the City of White Plains as Section 125.76, Lot 1, Block 2; and

WHEREAS, the 4.4 acre (191,841 square feet) site is bounded on the easterly side by land containing the City Center Parking Garage, Cambria Suites Hotel and other retail/restaurant uses, on the westerly side by Mamaroneck Avenue (350 feet of frontage), on the southerly side by Martine Avenue (275 feet of frontage), and on the northerly side by Main Street (360 feet of frontage); and

WHEREAS, the property is located in the UR-4 Urban Renewal Central Business District-4 Zoning District (“UR-4 Zoning District”) and is part of the Main-Mamaroneck Phase I Urban Renewal District that was adopted by the Common Council in 1998, and the Central Parking Area (CPA); and

WHEREAS, the Common Council of the City of White Plains, at a meeting held on February 1, 2016, received a communication from the Commissioner of Building dated January 28, 2016, forwarding an application, submitted by David S. Steinmetz, Esq., of the law firm of Zarin & Steinmetz, on behalf of the Kite Realty Group (“Applicant”), owner of the City Center, for an amendment to an approved existing amended site plan (“Application”), in accordance with Section 7 of the Zoning Ordinance of the City of White Plains (“Zoning Ordinance”) to upgrade the pedestrian plaza on the east side of City Center shopping center with a new zero-lip flush grade fountain, additional plantings, seating, lighting and a performance stage; (2) reconfiguration of the existing pedestrian and vehicular circulation at the Main Street entrance/exit and plaza drop-off area to improve safety, prevent cueing and reduce conflicts; (3) implementation a valet service via a newly constructed valet loading zone along the Mamaroneck Avenue frontage within the City right-

of-way to benefit both patrons to the City Center and other downtown businesses; (4) re-glazing the lobby curtain wall and skybridge connecting the lobby space to the parking garage to direct more light into interior spaces; (4) the provision of a new dog area on the northeast corner of the pedestrian plaza adjacent to the garage entrance to serve both resident and neighborhood dogs; (5) new glass and extruded aluminum marquee awnings above both the Mamaroneck Avenue and plaza entrances; (6) installation of escalators from the renovated Mamaroneck Avenue lobby space to the second floor to enhance pedestrian access to both the retail uses and parking structure, and add vitality to the street ; and (7) a unified interior/exterior signage plan, including the use of digital signage to reduce visual clutter and achieve more modern branding; and

WHEREAS, the Application included the following documents:

A. A cover letter dated January 15, 2016, from David S. Steinmetz, Esq., of the law firm of Zarin & Steinmetz, on behalf of the Applicant Kite Realty Group, transmitting the aforementioned Application; and

B. A short form Building application dated January 19, 2016; and

C. A short Environmental Assessment form dated January 15, 2016; and

D. Drawings, entitled "City Center Plaza Redevelopment," prepared by JMC Site Planner, Civil & Traffic Engineer and Landscape Architects, consisting of the following:

<u>Drawing No.</u>	<u>Entitled</u>	<u>Last Revised</u>
SP-1	Cover Sheet	01/15/2016
SP-2	Site Existing Conditions Map	01/15/2016
SP-3	Site Demolition Plan	01/15/2016
SP-4	Site Layout Plan	01/15/2016
SP-5	Site Grading Plan	01/15/2016
SP-6	Site Utilities Plan	01/15/2016
SP-7	Site Landscape&Lighting Plan	01/15/2016
SP-8	Site Erosion&Sediment Control Plan	01/15/2016
SP-9	Construction Details	01/15/2016
SP-10	Site Construction Details	01/15/2016
SP-11	Site Construction Details	01/15/2016
V-1	Valet Parking Plan	01/15/2016
V-2	Valet Construction Detail Plan	01/15/2016; and

E. Drawings, entitled, "Perspective Figures," prepared by RATIO Architects, Inc., consisting of the following:

<u>Drawing No.</u>	<u>Entitled</u>	<u>Last Revised</u>
P-1	3D Renderings	01/15/2016
P-2	3D Renderings	01/15/2016
P-3	3D Renderings	01/15/2016
P-4	3D Renderings	01/15/2016

<u>Drawing No.</u>	<u>Entitled</u>	<u>Last Revised</u>
P-5	3D Renderings	01/15/2016
P-6	3D Renderings	01/15/2016; and

F. Various General, Structural, Architectural, Plumbing, Mechanical and Electrical

Drawings, prepared by RATIO Architects, Inc. and T/E/S Engineering, consisting of the following:

<u>Drawing No.</u>	<u>Entitled</u>	<u>Last Revised</u>
G-001	Cover	01/12/2016
G-002	Sheet Index, Project Location, Code Summary And Life Safety Plan	01/12/2016
G-003	Life Safety Plans and Code Summary	01/12/2016
S101	Structural Demolition Plans	01/12/2016
S201	West Framing Plan-Grade Level	01/12/2016
S202	West Framing Plan-Second Level	01/12/2016
S203	East Framing Plan-Grade Level	01/12/2016
S204	East Framing Plan-Second Level	01/12/2016
S205	Skylight Framing Plans	01/12/2016
S301	Building Sections	01/12/2016
S302	Building Sections	01/12/2016
S401	General Notes Schedules and Abbrev	01/12/2016
S402	Sections and Details	01/12/2016
S403	Sections and Details	01/12/2016
S501	Framing Elevations	01/12/2016

<u>Drawing No.</u>	<u>Entitled</u>	<u>Last Revised</u>
S600	Model Views	01/12/2016
A-001	General Notes, Symbols, and Standard Mounting Heights	01/12/2016
A-002	Interior Partition Types and Standard Partition Details	01/12/2016
AD-101	Overall Demolition Plans	01/12/2016
AD-102	Mamaroneck Lobby&Main St Demo Plans	01/12/2016
AD-103	Mamaroneck Lobby Demo Plans	01/12/2016
AD-104	City Place Demolition Plans	01/12/2016
AD-105	City Place Demolition Plans	01/12/2016
AD-106	Garage Demolition Plans	01/12/2016
AD-107	Bridge, Garage and Loading Dock Demolition Plans	01/12/2016
AD-108	Bridge and Garage Demolition Plans	01/12/2016
AD-109	Bridge and Garage Demolition Plans	01/12/2016
AD-110	Roof Demolition Plans	01/12/2016
AD-201	Mamaroneck & Martine Exterior Demolition Elevations	01/12/2016
AD-202	Main Street Demolition Elevation	01/12/2016
AD-203	City Place Demolition Elevations	01/12/2016
A-100	Overall Lower Level 2 Floor Plan	01/12/2016
A-101	Overall First Floor Plan	01/12/2016
A-102	Overall Second Floor Plan	01/12/2016

<u>Drawing No.</u>	<u>Entitled</u>	<u>Last Revised</u>
A-103	Overall Third Floor Plan	01/12/2016
A-105	Roof Plan	01/12/2016
A-110	Enlarged Plans-Mamaroneck Lobby & Main Street	01/12/2016
A-111	Enlarged Plans-Mamaroneck Lobby	01/12/2016
A-112	Enlarged Plans-City Place Lobby	01/12/2016
A-113	Enlarged Plans-City Place Lobby	01/12/2016
A-114	Enlarged Plans-Garage	01/12/2016
A-115	Enlarged Plans-Bridge, Garage & Loading Dock	01/12/2016
A-116	Enlarged Plans-Bridge & Garage	01/12/2016
A-117	Enlarged Plans-Bridge & Garage	01/12/2016
A-118	Enlarged Plans-Roof	01/12/2016
A-130	Lower Level 2 Overall RCP	01/12/2016
A-131	Overall First Floor Reflected Ceiling Plan	01/12/2016
A-132	Overall Second Floor Reflected Ceiling Plan	01/12/2016
A-133	Overall Third Floor Reflected Ceiling Plan	01/12/2016
A-140	Enlarged RCP-Mamaroneck Lobby & Main Street Facade	01/12/2016
A-141	Enlarged RCP-Mamaroneck Lobby	01/12/2016
A-142	Enlarged RCP-City Place Lobby	01/12/2016
A-143	Enlarged RCP-City Place Lobby	01/12/2016
A-145	Enlarged RCP-Bridge and Garage	01/12/2016

<u>Drawing No.</u>	<u>Entitled</u>	<u>Last Revised</u>
A-146	Enlarged RCP-Bridge, Garage & Loading Dock	01/12/2016
A-147	Enlarged RCP-Bridge & Garage	01/12/2016
A-148	Enlarged RCP-Bridge & Garage	01/12/2016
A-150	General Finish Plan Notes & Schedule	01/12/2016
A-160	Finish Plans-Mamaroneck Lobby	01/12/2016
A-161	Finish Plans-Mamaroneck Lobby	01/12/2016
A-162	Finish Plans-City Place Lobby	01/12/2016
A-163	Finish Plans-City Place Lobby	01/12/2016
A-164	Finish Plans-Garage	01/12/2016
A-165	Finish Plans-Bridge, Garage & Loading Dock	01/12/2016
A-166	Finish Plans-Bridge&Garage	01/12/2016
A-167	Finish Plans-Bridge&Garage	01/12/2016
A-201	Mamaroneck & Martine Exterior Elevations	01/12/2016
A-202	Main Street Exterior Elevation	01/12/2016
A-203	City Place Exterior Elevations	01/12/2016
A-220	Interior Elevations-Mamaroneck Lobby	01/12/2016
A-221	Interior Elevations-Mamaroneck Lobby	01/12/2016
A-222	Interior Elevations-2nd Floor Corridor	01/12/2016
A-223	Interior Elevations-City Place Lobby	01/12/2016
A-224	Interior Elevations-City Place Lobby	01/12/2016
A-225	Interior Elevations-City Place Lobby	01/12/2016

<u>Drawing No.</u>	<u>Entitled</u>	<u>Last Revised</u>
A-226	Interior Elevations-City Place Lobby	01/12/2016
A-227	Interior Elevations-City Place Lobby	01/12/2016
A-228	Interior Elevations-City Place Lobby	01/12/2016
A-229	Interior Elevations-City Place Lobby	01/12/2016
A-230	Interior Elevations-Garage	01/12/2016
A-231	Interior Elevations-Garage	01/12/2016
A-232	Interior Elevations-Kite Offices	01/12/2016
A-301	Building Sections	01/12/2016
A-310	Wall Sections	01/12/2016
A-311	Wall Sections	01/12/2016
A-312	Wall Sections	01/12/2016
A-401	Enlarged Plans & Elevations	01/12/2016
A-402	Escalator Plans & Sections	01/12/2016
A-403	Enlarged Plans & Casework DTLS	01/12/2016
A-501	Exterior Details	01/12/2016
A-502	Exterior Details	01/12/2016
A-503	Exterior Details	01/12/2016
A-520	Interior Details	01/12/2016
A-521	Interior Details	01/12/2016
A-522	Interior Details	01/12/2016
A-601	Door Schedule & Details	01/12/2016

<u>Drawing No.</u>	<u>Entitled</u>	<u>Last Revised</u>
P-001	Plumbing Legends&Details	01/12/2016
P-111	Enlarged Plumbing Plans- Mamaroneck Lobby	01/12/2016
M-001	Mechanical Legend & Details	01/12/2016
M-002	Mechanical Schedules	01/12/2016
MD-110	Mechanical Demolition Plans- Mamaroneck Lobby	01/12/2016
M-110	Mechanical Enlarged Plans- Mamaroneck Lobby	01/12/2016
M-111	Mechanical Plan-Mamaroneck Second Level	01/12/2016
M-112	Mechanical Plan-Corridor Mamaroneck Second Level	01/12/2016
M-113	Mechanical Roof Plan-Mamaroneck Lobby	01/12/2016
M-114	Mechanical Plans-Garage Lobby	01/12/2016
M-115	Mechanical Elevation-Garage Lobby East	01/12/2016
M-116	Mechanical Elevation-North	01/12/2016
E-001	Electrical Legend&Details	01/12/2016
E-002	One Line Diagrams, Panel Schedule	01/12/2016
ED-110	Electrical Demolition Plans- Mamaroneck Lobby	01/12/2016
ED-111	Demolition Plans-Mamaroneck Lobby 2 nd Level	01/12/2016
ED-112	City Place Lobby Demolition Plans	01/12/2016
ED-113	City Place Demolition Plans	01/12/2016

<u>Drawing No.</u>	<u>Entitled</u>	<u>Last Revised</u>
ED-114	Garage Electrical Demolition Plans	01/12/2016
ED-115	Bridge&Garage Electrical Demolition Plans	01/12/2016
ED-116	Bridge&Garage Electrical Demolition Plans	01/12/2016
ED-117	Bridge&Garage Electrical Demolition Plans	01/12/2016
E-110	New Work Power Plans-Mamaroneck Lobby	01/12/2016
E-111	Mamaroneck Lobby Second Level-Power Plan	01/12/2016
E-112	Enlarged Plans-City Place Lobby	01/12/2016
E-113	Enlarged Plans-City Place Lobby	01/12/2016
E-114	Enlarged Plans-Garage	01/12/2016
E-115	Enlarged Plans-Bridge, Garage&Loading Dock	01/12/2016
E-116	Enlarged Plans-Bridge&Garage	01/12/2016
E-117	Enlarged Plans-Bridge&Garage	01/12/2016
E-118	Enlarged Plans-Garage Roof	01/12/2016
E-140	Enlarged Lighting Plan-Mamaroneck Lobby	01/12/2016
E-141	Enlarged Lighting Plan-Mamaroneck Lobby	01/12/2016
E-142	City Place Lobby Mid Level Lighting Plan	01/12/2016
E-143	Enlarged Lighting Plans-City Place Lobby	01/12/2016
E-144	City Place Third Level Lighting Plan	01/12/2016
E-145	Enlarged Lighting Plans-Garage	01/12/2016
E-146	Enlarged Lighting Plans-Bridge, Garage& Loading Dock	01/12/2016
E-147	Enlarged Lighting Plans-Bridge&Garage	01/12/2016

<u>Drawing No.</u>	<u>Entitled</u>	<u>Last Revised</u>
E-148	Enlarged Lighting Plans-Bridge&Garage	01/12/2016; and

G. "City Center Sign Package," prepared by Ratio Architects, Inc., last revised January 18, 2016, including the following signage upgrades to the City Center:

Courtyard (Plaza) Area Signage

(1) A "City Center" sign with face lit channel lettering to be provided underneath the new canopy over the stage and plaza entrances. The sign will be installed into a new background grid, as shown on page 1 of Applicant's sign package.

(2) A Garage Directory illuminated sign with internally illuminated "push thru lettering" will be provided at the entrance to the Parking Garage, as shown on page 7 of the Applicant's signage package. New and illuminated directory signage will also be installed inside the Parking Garage.

(3) A new Digital Parking Sign will be installed at the entrance of the City Center site on Main Street, as shown on page 9 of the Applicant's signage package.

(4) New tenant signage for the Skyway Bridge will be installed as shown on page 6 of the signage package. These tenant signs will be located within double hinged boxes, illuminated on both sides, and uniform in size.

Mamaroneck Avenue Signage

(1) A "City Center" sign with face lit channel lettering matching the identification sign for Plaza entrances is provided underneath the new marquee canopy above the Mamaroneck Avenue

lobby entrance. The sign will be installed into the background grid, as shown on page 3 of Applicant's sign package.

(2) Pedestrian level blade signs will be installed on the side of the building at a lower level than the existing blade signs, to improve wayfinding along Mamaroneck Avenue.

New tenant storefront signage and decorative canopies will replace existing signage on both Main Street and Mamaroneck Avenue. These new signs and canopies will be designed in a uniform way that is proprietary to the entire City Center site. The "poster style", static advertising will be replaced with digital advertising further modernizing the site; and

WHEREAS, the Application was referred to all necessary City departments, boards, commissions, agencies and officers and the Westchester County Planning Board for review, comments and recommendations in accordance with the Zoning Ordinance; and

WHEREAS, at the February 1, 2016 meeting of the Common Council, representatives of the Applicant made a presentation in relation to the proposed Application; and

WHEREAS, at a Special Meeting of the Common Council held on February 9, 2016, representatives of the Applicant made a further presentation in relation to the proposed Application; and

WHEREAS, at a Special Meeting of the Common Council held on February 29, 2016,

representatives of the Applicant made an additional presentation in relation to the proposed Application, and requested that the marquee component of the amended Site Plan Application be the subject of a future separate approval by the Common Council and thereby not part of the approval resolution herein; and

WHEREAS, in connection with the Application, the Common Council, at a meeting held on March 7, 2016, received a communication from the Commissioner of Building, dated February 19, 2016; the Commissioner of Planning dated February 25, 2016; the Deputy Commissioner of Public Safety, dated March 1, 2016; the Commissioner of Parking, dated March 7, 2016; the Deputy Commissioner of Parking for Transportation Engineering, dated February 25, 2016; the Chair of the Planning Board, dated February 25, 2016; the Executive Director of the White Plains Urban Renewal Agency, dated February 25, 2016; the Chair of the Design Review Board, dated February 11, 2016; the Acting Chair to the Transportation Commission, dated February 25, 2016; the Environmental Officer, dated March 1, 2016; and the Westchester County Planning Board, dated February 12, 2016; and

WHEREAS, in connection with the Application for an amendment to the Site Plan, the Common Council, at its March 7, 2016 meeting, declared itself Lead Agency for the environmental review of the project pursuant to the New York State Environmental Quality Review Act and its accompanying regulations (“SEQRA”), classified this proposal as an Unlisted Action and undertook an environmental review of the proposed action pursuant to SEQRA, adopted environmental findings, including a negative declaration; and

WHEREAS, the Common Council has reviewed and considered comments from various City departments, boards, commissions, agencies and officers, and has reviewed and considered the amendment to the Site Plan Application with respect to the applicable standards set forth in Section 7.5 of the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that the following Findings are hereby adopted in accordance with the Zoning Ordinance:

1. In accordance with Section 7.5.1 of the Zoning Ordinance, the proposed Application for an amended site plan is in full compliance with the use and dimensional requirements of the UR-4 Zoning District and is consistent with the Zoning Ordinance and the 1997 Comprehensive Plan and its amendments thereto adopted by the Common Council on July 11, 2006, and with the Phase I Main-Mamaroneck Urban Renewal Plan.

2. The Application is consistent with the strategies established in the 1997 Comprehensive Plan and 2006 Plan Update. It is located within the City's Core Area - defined as "a place to live, work, shop and spend quality leisure time." The Comprehensive Plan envisions a vibrant, mixed use Core Area with its three unique sub-areas linked through pedestrian, streetscape, transit and signage improvements and land uses that complement one another. The Plan highlights the need for safe and efficient pedestrian movement in the central business district and identifies pedestrian traffic as a critical planning element in both the review and approval of new development and rehabilitation of existing structures.

3. The Application is consistent with the Comprehensive Plan recommendations in providing clear improvements to enhance pedestrian access to the site and provide safe and an attractive pedestrian plaza area in the Core Area. Further the proposed valet service and improved vehicular circulation patterns for plaza drop-off will maximize the efficiency of the existing street network.

4. The proposed Site Plan amendment application is consistent with the Westchester County Planning Board's long range planning policies set forth in *Westchester 2025-Context for County and Municipal Planning and Policies to Guide County Planning*, and its recommended strategies set forth in *Patterns for Westchester: The Land and the People* as it represents redevelopment in an existing center where infrastructure can support growth, where public transportation can be provided efficiently, and where redevelopment can enhance economic viability.

5. Subject to the Applicant's compliance with the conditions set forth in this approval resolution herein, and the reports of the Deputy Commissioner of Parking for Transportation Engineering and the Transportation Commission, the vehicular and traffic circulation both within and without the site have been reviewed and are considered safe, adequate and convenient in accordance with Section 7.5.2 of the Zoning Ordinance. This finding specifically includes, but is not limited to, consideration of the effects of (a) the modifications to the City Center access roadway; (b) the relocation and improvements to the pedestrian crossing for City Place; (c) pedestrian access to, within and through the public plaza and courtyard area; (d) access to and operation of the valet parking; (e) visibility at all exit and entrance points to the City Center Garage

and to and from Main Street on City Place; (f) pedestrian handicapped access and parking; and (g) adequacy of fire lanes and emergency zones. There are no changes to loading spaces or off-street parking.

6. Specifically, in accordance with Section 7.5.2.1 of the Zoning Ordinance, all improvements that would potentially affect traffic conditions, including the internal reconfiguration at the Main Street entrance/exit and the valet parking on Mamaroneck Avenue, have been addressed by the Deputy Commissioner of Parking for Transportation Engineering. The proposed physical circulation improvements, such as reconfiguring the drop off area adjacent to the plaza and the relocation of the pedestrian crosswalk have been designed to improve existing traffic conditions.

7. Specifically, in accordance with Section 7.5.2.2 of the Zoning Ordinance, the existing entrance/exit into the Parking Garage from Main Street remains unchanged. Cars will continue to enter into the City Center from main Street via the single lane right-turn or through movement from E.J. Conroy Drive. Cars exiting the City Center onto Main Street will continue to have two lanes - a thru lane to E.J. Conroy Drive and right-turn only to Main Street. The roadway system will be reconfigured with a more sweeping paved drop-off area radius and passing lane to prevent cueing into the Parking Garage. Vehicles will be able to drop off passengers in a newly created 20-foot wide drop off area adjacent to the plaza while vehicles entering the Parking Garage can bypass the drop off area via a 14 foot wide thru-lane. A curbed, brick paved island approximately 15 feet by 30 feet will separate the drop off area from the thru-lane to better define the two movements. The median separating the entrance and exit lanes into the center from Main

Street has also been reduced by approximately 30 feet to accommodate the drop off and thru-lane areas without compromising the two exit lanes.

8. Pedestrian access into the site on the Main Street frontage will be greatly enhanced by virtue of the proposed lobby elevators, while the entire plaza area will be constructed with linear pavers framed with 24 inch square granite pavers to provide a clear identification of pedestrian movement throughout the site. The use of various paver materials will create distinct visual pedestrian cues as frequently implemented in classic European piazzas. In addition, the flush zero-lip foundation fountain proposed will be far less than obstructive to pedestrian movement through the plaza as compared to the current fountain configuration.

9. In addition, the existing crosswalk has been relocated to facilitate pedestrian flow between the Parking Garage and Main Street. Specifically, a 45 foot pedestrian crosswalk would extend from the proposed dog walk area on the northeast corner of the plaza to a newly created crosswalk adjacent to the rear of 240 Main Street. An existing wall will be removed to accommodate the crosswalk connection.

10. To increase safety and enhance pedestrian flow, a new brick sidewalk will also be constructed and extended from the northeastern corner of the plaza, around the newly created dog park, to the entrance of the Parking Garage. Currently, many pedestrians exiting the Parking Garage traverse the vehicle entrance lane to access Main Street in a location that is obstructed from entering motorists creating an extremely dangerous situation that will be remedied by the proposed sidewalk.

11. A valet parking pull-up area is proposed within the existing right-of-way of the Mamaroneck Avenue frontage. The valet parking area is located approximately 90 feet from Main Street and will be demarcated by signage and a 15 foot by 50 foot stamped and colored asphalt concrete island to separate the traffic lanes from the valet parking pull-up area directly in front of the City Center lobby entrance. The valet parking pull-up area has been designed in accordance with the City's Valet ordinance.

12. Direct pedestrian access from the Mamaroneck Avenue entrance lobby to the second floor retail tenants and Parking Garage will be provided by the addition of an escalator to the second floor of the building. In addition, new seating, electronic device charging stations, and public restrooms will be added to the Mamaroneck Avenue lobby.

13. Specifically, in accordance with Section 7.5.2.3 of the Zoning Ordinance, visibility into and out of the site has not changed.

14. Specifically, in accordance with Section 7.5.2.4 of the Zoning Ordinance, off-street parking remains unchanged from the original approved Site Plan. However, the valeted vehicles will be stored in a pre-defined lower level area of the City Center Parking Garage in accordance with the City's Valet Ordinance.

15. Specifically, in accordance with Section 7.5.2.5, there are no new curb cuts proposed, other than that for the valet drop-off. The interconnection of parking lots remains

unchanged.

16. Specifically, in accordance with Section 7.5.2.6 of the Zoning Ordinance, the location and arrangement of loading spaces remain unchanged and continues to meet the requirements of Section 8 of the Zoning Ordinance.

17. Specifically, in accordance with Section 7.5.2. 7 of the Zoning Ordinance, pedestrian access into the site has been greatly improved on both the Main Street and Mamaroneck Avenue sides. On the Main Street side, the entire plaza will be constructed with linear pavers and framed with 24 inch square granite pavers to facilitate and provide a clear definition of pedestrian movement throughout the site. For increased safety and enhanced pedestrian flow, a brick sidewalk has been added and extended from the central plaza, around the newly created dog park, and to the entrance of the Parking Garage. In addition, the crosswalk has been relocated to facilitate pedestrian flow between the Parking Garage and Main Street. A 45 foot pedestrian crosswalk has been added from the proposed dog walk area adjacent to the garage entrance to a newly created crosswalk adjacent to the back of 240 Main Street.

18. The pedestrian sky bridge connecting the Parking Garage to the City Center will be upgraded and enhanced. The existing arches on the sky bridge will be removed and replaced with 12.5' x 13.5' uniform signs that are symmetrically spaced for each tenant. The sky bridge itself will be upgraded and treated as an extension to the building, complete with matching tiles, paint, etc.

19. Along Mamaroneck Avenue, the addition of valet parking and escalators greatly facilitates the movement of pedestrians throughout the site.

20. Specifically, in accordance with Section 7.5.2.8 of the Zoning Ordinance, an ADA (Americans with Disabilities Act) compliant ramp with access to the proposed stage is proposed for the plaza area.

21. The two existing handicapped spaces on Mamaroneck Avenue will be relocated to accommodate the valet operation. One space will be relocated to Martine Avenue and the other directly to the north of the proposed valet pull-up location. Appropriate provisions for the physically challenged are provided as confirmed by the Deputy Commissioner of Parking for Transportation Engineering.

22. Specifically, in accordance with Section 7.5.2.9 of the Zoning Ordinance, significant landscaping and signage improvements are proposed for the plaza area, Parking Garage, and exterior of the building. The proposed exterior improvements for the City Center have been approved by the City's Design Review Board and the City of White Plains Urban Renewal Agency. The executive Director of the White Plains Urban Renewal Agency stated in a communication dated February 25, 2016, that the White Plains Urban renewal Agency found that the proposed design changes to the exterior building and plaza do not constitute a substantial change to the overall character of the approved City Center Project, pursuant to Section E of the WPUR-13 Plan.

23. Specifically, in accordance with Section 7.5.2.10 of the Zoning Ordinance, the fire lanes and emergency zones remain unchanged by the Application.

24. Subject to the Applicant's compliance with the conditions set forth in this approval resolution herein, in accordance with Section 7.5.3 of the Zoning Ordinance, the Application provides for the protection of environmental quality and the preservation and enhancement of property values in the neighboring area through the improvements to the landscaping of the City Center plaza and courtyard and improvements to the Mamaroneck Avenue entrance, including exterior lighting.

25. Specifically, in accordance with Section 7.5.3.1 of the Zoning Ordinance, the newly designed plaza on Main Street features six (6) new stainless steel tree planters (15' x 15') with granite seat walls and recycled wood seats, curved light poles, a 420 square foot flush (zero-edge) water feature, and ten (10) outside seating tables with chairs. In addition, a 1,200 square foot stage (including stairs and an ADA compliant ramp) is proposed adjacent to the entrance to the City Center entrance. A glass and aluminum canopy with embedded light fixtures will overhang the stage and two entrances at this location. An artificial turf dog walk area is proposed adjacent to the Parking Garage entrance. The entire plaza will be constructed with linear pavers (12"x 36") and framed by 24 inch square granite pavers. These pavers are intended to compliment the tile that will be installed throughout the interior of the City Center.

26. In addition to the upgrades being made to the sky bridge, the facade on the west

side of the building will be re-glazed and replaced with glass to improve the light into the building. The poster tenant signs in this location will be relocated to the sky bridge.

27. Specifically, in accordance with Section 7.5.3.2 of the Zoning Ordinance, the City's Construction Management Protocols must be adhered to the satisfaction of the Commissioner of Public Works.

28. Specifically, in accordance with Section 7.5.3.3 of the Zoning Ordinance, the site is completely built-out. Therefore, there are no natural features, wetlands or unique wildlife habitat on the site.

29. Specifically, in accordance with Section 7.5.3.4 of the Zoning Ordinance, six (6) curved light poles with LED Luminare are proposed and extend out of the six (6) tree planters. Ten (10) MAC Bollard lights frame the drop-off/pick-up area. Six (6) vertical slot lights have been added to both sides of the columns supporting the pedestrian bridge between the Parking Garage and the City Center.

30. Specifically, in accordance with Section 7.5.3.5 of the Zoning Ordinance, the project will continue to conform to City noise protocols.

31. Specifically, in accordance with Section 7.5.3.6 of the Zoning Ordinance, drainage facilities for the fountain and planters are provided, pursuant to the recommendations of

the Department of Public Works.

32. Specifically, in accordance with Section 7.5.3.7 of the Zoning Ordinance, no solar energy systems are proposed as part of the amended Site Plan. However, many existing interior and exterior building materials are being upgraded or replaced entirely with glass and aluminum to introduce more natural light into interior spaces and increase energy efficiency. Skylights are also proposed for the main concourse lobby roof.

33. Subject to the Applicant's compliance with the conditions set forth in this approval resolution herein, in accordance with Section 7.5.4 of the Zoning Ordinance, the modifications to the signage on the City Center retail component and the overall improvements to the City Center plaza and courtyard enhance and protect the overall character of the adjacent neighborhood.

34. The proposed upgrades to the City Center are intended to modernize and revitalize the site, ameliorate pedestrian connections and movement, improve traffic circulation, and enhance the overall visual appearance of the site. The overall intent is to create a more vibrant and pedestrian friendly experience at the north end of the Mamaroneck Avenue corridor. Both the interior and exterior improvements to the City Center will enhance the neighborhood character and protect property values of the adjacent neighborhood; and now, therefore, be it

RESOLVED, that the portions of the Application concerning the marquee and the

bottle return machines proposed to be located on Martine Avenue are not approved by this resolution herein and shall be the subject of a future separate approval by the Common Council; and be it further

RESOLVED, that the Signage package submitted herein partially supersedes and supplements the City Center Signage plans previously approved by the Common Council; and be it further

RESOLVED, that based upon the above Findings, the Common Council determines that the applicable standards of Section 7.5 of the Zoning Ordinance have been satisfied and that the amended Site Plan Application be and hereby is granted, subject to the following conditions:

1. As per the recommendation set forth in the communication of the Commissioner of Planning dated February 25, 2016, all landscaping in the proposed plaza and the dog walking area shall continue to be maintained in a healthy growing condition throughout the duration of the “structure” or “use” which it is intended to serve. Any planting not so maintained shall be replaced with new plants at the beginning of next growing season.

2. As per the recommendation set forth in the communication of the Commissioner of Planning dated February 25, 2016, a pre-construction meeting shall be held with the Applicant, the contractor, the Building Inspector, the Environmental Officer, and other City staff, as needed, to review the construction plan and time line, and to detail City requirements and Applicant

responsibilities during construction.

3. As per the recommendation set forth in the communication of the Commissioner of Planning dated February 25, 2016, a Construction Management Plan is required for the development of the proposed project and a coordination plan for coordinating construction other construction in the area, if any, including City projects which will be going on contemporaneously with this Project. The Plan shall include strict controls on all aspects of the construction, including construction related impacts on adjacent properties and properties within the construction impact area, such as, but not limited to, hours of operation of construction vehicles and construction work on the site, hours of deliveries to the site, location of deliveries, requirements for loading/unloading and storage of materials on the project site , length of time travel lanes can be encumbered, sidewalk closings or pedestrian diversions to ensure the safety of the pedestrians, controls on "fugitive dust" and the impact of run-off from the site on the City storm drain system, such as from the wash down of delivery vehicles departing the site (all such vehicles must be cleaned on pads located on the site and all drainage must have proper filtration of the wash-down water), noise, pest control, street cleaning, site security, scheduling of periodic meetings with nearby residents and City staff to coordinate project construction and keep residents advised. The Construction Management Plan shall be subject to the approval of the Commissioners of Building, Public Safety, Planning, and Public Works, the Deputy Commissioner of Parking for Transportation Engineering, and the Environmental Officer.

4. As per the recommendation set forth in the communication of the Commissioner

of Planning dated February 25, 2016, prior to the issuance of a building permit, the Department of Building shall ensure that the Applicant has provided appropriate documentation demonstrating the extent to which the project would meet LEED Certification Silver and New York State Energy Star standards.

5. As per the recommendation set forth in the communication of the Deputy Commissioner of Parking for Transportation Engineering dated February 25, 2016, the directory sign located near the entrance to the Parking Garage shall have letter heights that comply with low speed street name sign standards (upper case 4" and lower case 3").

6. As per the recommendation set forth in the communication of the Deputy Commissioner of Parking for Transportation Engineering dated February 25, 2016, the aforementioned directory sign must be located behind the proposed five (5) foot sidewalk.

7. As per the recommendation set forth in the communication of the Acting Chair of the Transportation Commission dated February 25, 2016, a review of the submitted drawing SP-4 shows a proposed five foot sidewalk with pedestrian crossing signs at the crosswalk. ADA compliant handicap ramps shall be added to the sidewalks at the crosswalk. Page 7 and 7B of the "City Center Signage Package" shows a 41 inch wide 78 inch tall sign on the proposed sidewalk. This sign would only leave a 19 inch path for pedestrians. Depending on the exact location of the sign, visibility to pedestrians waiting to cross could be blocked by the sign. This sign shall be relocated so that it does not obstruct the sidewalk and possibly pedestrian visibility. The sign shall

also be shown on drawing SP-4. Said revised drawing SP-4 showing such sign shall be submitted to the Deputy Commissioner of Parking for Transportation Engineering for review and approval within sixty (60) days of adoption of this approval resolution herein.

8. As per the recommendation set forth in the communication of the Chair of the Planning Board dated February 25, 2016, the Applicant shall consider whether signage promoting shows at the White Plains Performing Arts Center may be added to the front of the building near the valet marquee.

9. As per the recommendation set forth in the communication of the Chair of the Planning Board dated February 25, 2016, in order to maximize the use of escalators and their connection potential, the project shall include clear wayfaring signage, or floor treatments that would direct pedestrians.

10. As per the recommendation set forth in the communication of the Chair of the Planning Board dated February 25, 2016, an enclosure or shielding shall be provided at the bottle return located on Martine Avenue, as its associated noise and potential for litter could adversely impact residents that face the City Center.

11. As per the recommendation set forth in the communication of the Chair of the Planning Board dated February 25, 2016 and the recommendation set forth in the communication of the Westchester County Planning Board dated February 12, 2016, the City may consider providing

additional bicycle racks at the City Center site.

12. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, prior to the issuance of a Building Department permit, the Applicant shall provide the Department of Public Works a copy of a certified property survey, signed and sealed by a New York State licensed surveyor. Future submittals of site plans will be required to show property lines, including rights-of-way, where applicable.

13. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, the Applicant shall revise all plans and documents for future submittals to show the correct address for the site, 1-29 Mamaroneck Avenue. The address listed in the current documents does not match the site's section, block and lot number (125.76-1-2).

14. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, the Applicant must provide stormwater quality design details prior to the issuance of a Building Department permit. The Applicant shall revise the plans to include proposed feature(s) and all applicable details. All existing drainage structures and features within the site, including their connection to the municipal stormwater system, shall be included in plans adequately labeled.

15. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, the stormwater system alterations must be under the

supervision of the stormwater design Engineer of Record, and an as-built must be provided to the Department of Public Works, signed and sealed by this engineer, or by a New York State licensed land surveyor. A required maintenance agreement for all on-site stormwater management measures must be executed along with all necessary permits, prior to the construction of any permanent stormwater facility and remain in effect with the transfer of the property. This document must be completed in accordance with the City's local law requirements and coordinated with the Corporation Counsel. An appropriate escrow account must be established by the Commissioner of Public Works for the maintenance of said stormwater facilities. The Commissioner of Public Works has the right to utilize this escrow account to perform maintenance work should the Applicant fail to be responsive. Further, the City through the Department of Public Works shall receive 20% of all costs of any work, as an administrative fee.

16. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, the Applicant shall obtain a City of White Plains Department of Public Works MS4 stormwater permit prior to the issuance of a Building Department permit. Work or encumbrance to be performed within the municipal right-of-way will require other Department of Public Works permits prior to undertaking the work.

17. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, prior to the issuance of a Building Department permit, the Applicant shall provide the Department of Public Works with revised plans showing all pertinent information and details of proposed "Flush" water feature.

18. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, the Applicant shall revise the "Site Erosion and Sediment Plan," sheet SP-8, to include all planned work, including the trench drain to be removed and pavement saw cut areas under the proposed limit of disturbance.

19. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, backflow prevention device(s) shall be required on the proposed "Flush" water feature. The application for the backflow device installations must be prepared by a licensed New York State professional engineer and submitted to the Department of Public Works for review and subsequent final approval by the Westchester County Department of Health. The floor drain for said room must be adequate to comply with the Department of Public Works and Westchester County Department of Health requirements.

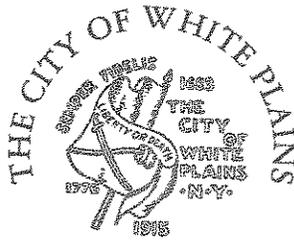
20. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, the Applicant shall provide to the Department of Public Works details concerning the designated snow storage areas and shall provide details as to how removal of snow will be handled at the site. Plowing or storage of snow into the City's right-of-way is not permitted.

21. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, all construction under the jurisdiction of the Department of Public Works must be in conformance with the department's standards regardless of what may be

shown or omitted on the plan.

22. As per the recommendation set forth in the communication of the Commissioner of Public Works dated March 7, 2016, all construction work shall be subject to the City's Construction Management Protocol. This Protocol includes, *inter alia*, a Construction Management Plan, erosion and sedimentation control measures, noise and dust control, hours of operation, parking, staging of vehicles and materials, site access, etc.

23. As per the recommendation set forth in the communication of the Environmental Officer dated March 1, 2016, the City Center sign package was approved by the Common Council as an element of Site Plan approval. As a condition of that approval, the installation of individual tenant signs are subject to the approval of the Commissioners of Building and Planning. All signage, including a proposed digital advertising, shall conform to the standards of Chapter 9-10 of the White Plains Municipal Code, particularly Section 9-10-13.



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

Under the Rules of Order and Procedure of the Common Council noted in Section 2-3-16 of the Municipal Code, the Regular Stated Monthly Meeting of the Common Council is established as the First Monday of the month, (except if such is a holiday and then it would be held the first Tuesday).

Due to a scheduling conflict, the attached resolution is requesting that the date for the Regular Stated Meeting of May be changed from the first Monday, May 2, 2016, to Monday, May 9, 2016 at 7:30 p.m.


Anne M. McPherson, CMC
City Clerk

DATED: March 3, 2016

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS SETTING THE DATE FOR THE REGULAR STATED MEETING OF THE COMMON COUNCIL FOR THE MONTH OF MAY 2016, FROM MONDAY, MAY 2, 2016 TO MONDAY, MAY 9, 2016.

WHEREAS, the Rules of Order and Procedure of the Common Council of the City of White Plains, as stated in Section 2-3-16 of the White Plains Municipal Code, provide by resolution provide that the Regular Stated Meeting of the Common Council shall be on the first Monday of the month, unless that first Monday be a holiday, and then Regular Stated Meeting shall be on the next day; and

WHEREAS, the Charter of the City of White Plains, at Section 28, empowers the Common Council of the City of White Plains to establish its Regular Stated Meeting by ordinance or resolution; and

WHEREAS, the first Monday of May 2016, May 2, 2016, poses a scheduling conflict for the Mayor and would result in his absence from said Meeting; now, therefore, be it

RESOLVED, that notwithstanding Section 2-3-16 of the White Plains Municipal Code, the Regular Stated Meeting for May 2016 shall be May 9, 2016 at 7:30 p.m.

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

Submitted, herewith, for your review and appropriate action pursuant to White Plains Municipal Code, Chapter 9-6 Historic Preservation, Section 9-6-3(C), is the report from the Historic Preservation Commission of the City of White Plains recommending that the structure on 283 Soundview Avenue (Section 137.08, Block 3, Lot 6) be designated a local landmark.

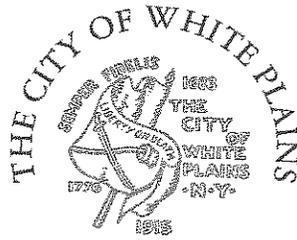
The Commission's report sets forth the reasons for the recommendation that the structure on 283 Soundview Avenue be designated a local landmark. In accordance with Municipal Code Section 9-6-3(c)(3), the recommendation will be considered approved, unless, by resolution, the Council disapproves the proposed action by March 18, 2016.

Respectfully submitted,

Damon A. Amadio P.E.
Commissioner of Building

DATED: February 23 2016
(For the March 7, 2016 Common Council Meeting)

RELATED DOCUMENTS: February 2016 Resolution of the Historic Preservation Commission



HISTORIC PRESERVATION COMMISSION
MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NY 10601
(914) 422-1227 • (914) 422-1330 Fax

Thomas M. Roach
Mayor

Robert Hoch
Chairman

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

In accordance with the White Plains Municipal Code Chapter 9-6, Historic Preservation, the Historic Preservation Commission initiated the proposed recommendation of 283 Soundview Avenue, listed on the Official Tax Map of the City of White Plains as Section 137.08, Block 3, Lot 6, as an individual landmark. Pursuant to that recommendation, the property owner was notified and public hearings were held. After reviewing all the testamentary and documentary evidence, the Historic Preservation Commission voted, on February 2, 2016, in favor of recommending the structure on 283 Soundview Avenue be designated a local landmark pursuant to the White Plains Municipal Code Section 9-6-3(b)(1) subsections b, f and h.

Transmitted herewith is the Historic Preservation Commission's resolution, which shall serve as the Commission's report, recommending that the structure on 283 Soundview Avenue be designated a local landmark. The entire record is available at the Clerk's office for examination. Please be aware that the Commission's recommendation shall be deemed approved unless, by resolution, the Council disapproves the proposed action by March 18, 2016.

Respectfully submitted,

Robert Hoch
Chairperson

DATED: February 26, 2016
(For the March 7, 2016 Common Council Meeting)

enc.

**RESOLUTION OF THE HISTORIC PRESERVATION
COMMISSION OF THE CITY OF WHITE PLAINS
RECOMMENDING THE DESIGNATION OF THE
STRUCTURE ON 283 SOUNDVIEW AVENUE,
APPLICATION NO. H-2015-1, AS A LOCAL LANDMARK.**

WHEREAS, pursuant to Section 9-6-2(h) of the City of White Plains Municipal Code (the “Municipal Code”), the Historic Preservation Commission of the City of White Plains (the “Commission”) has the authority to recommend the designation of local landmarks or districts and is charged with maintaining an inventory of designated local landmarks or districts within the City; and

WHEREAS, pursuant to Section 9-6-2(h)(2) of the Municipal Code, the Commission adopted Rules of Procedure that set forth the criteria that must be submitted in an application to propose a property for designation as a local landmark; and

WHEREAS, pursuant to the Municipal Code Section 9-6(3), recommendations proposing properties for local landmark designation may be initiated by the Commission; and

WHEREAS, at the October 19, 2015 meeting of the Commission, the Commission voted unanimously to nominate 283 Soundview Avenue (hereinafter “Soundview Manor”) for recommendation as a designated local landmark pursuant to its powers under Chapter 9-6 of the Municipal Code; and

WHEREAS, pursuant to the Rules of Procedure, the following required information was included in the landmark application:

- (i) A concise description of the physical elements, qualities, architectural style, period and historical significance represented by the building, structure, site or object, including a consideration of design, scale, material, workmanship and spatial qualities, as relevant;

- (ii) A concise statement of how the building, structure, site or object meets the criteria of "landmark" as provided in Municipal Code Section 9-6-3(b);
- (iii) Exterior photographs of the building, structure, site or object and a site map illustrating the characteristics enumerated in Municipal Code Section 9-6-3(b) (photograph of exterior facade attached);
- (iv) The name and address of the property owner(s);
- (v) The name, address and telephone number of the person, agency, organization or entity which submitted the proposal and the person, organization, agency or entity represented; and
- (vi) Any other information that the Commission may reasonably find necessary in order to consider an application for proposed designation; and

WHEREAS, Soundview Manor is designated on the Official Tax Assessment Map of the City of White Plains as Section 137.08, Block 2, Lot 6; and

WHEREAS, Soundview Manor is owned by KOS Building Group with its business office located at 875 Mamaroneck Avenue # 400, Mamaroneck, NY; and

WHEREAS, an application for a permit to demolish Soundview Manor was submitted on behalf of KOS Building Group to the Building Department on October 16, 2015; and

WHEREAS, the Commission reviewed the registration form, dated October 8, 2009, prepared by the New York State Office of Parks, Recreation & Historic Preservation to the United States Department of the Interior, that sought to have the property listed on the National Register of Historic Places; and

WHEREAS, the registration form contained maps indicating the property's location as well a front elevation and first floor plan; and

WHEREAS, the Commission obtained a picture of the exterior front facade of Soundview Manor; and

WHEREAS, during the registration process for the National Registry, it was determined that Soundview Manor met the National Register Criteria of “property [that] embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic value as Soundview Manor is a distinctive and intact example of an early 20th Century estate in Westchester County” (a copy of the National Register of Historic Places Registration Form and determination, dated December 18, 2008, is attached); and

WHEREAS, according to said National Register of Historic Places Registration Form, Soundview Manor was designed by architect Chester A. Patterson, an architect who designed other residences in Westchester, Connecticut and along the North Shore of Long Island, and whose work was published in architectural periodicals; and

WHEREAS, Soundview Manor is described in said National Register of Historic Places Registration Form as:

- A significant and intact example of Beaux-Arts classicism, featuring an axial plan, symmetrical facade, balanced massing and modest classically-derived detailing;
 - having a south facade that is characterized by bold forms and flat wall planes articulated by pilasters, entablatures, balustrades and porches detailed with simple but effective classical elements such as Tuscan Doric columns, modillions, cornices and period iron fixtures and window grilles;
- and

- having a design that reflects the lifestyle and tastes of New York's upper class as well as being an expression of the owner's background and status, which places it in the context of early twentieth century Beaux Arts estates in New York's surrounding counties; and

WHEREAS, in October 2015, pursuant to Municipal Code Section 9-6-3, the Commission adopted a resolution proposing 283 Soundview Avenue for designation as a local landmark; and

WHEREAS, the Commission conducted a site visit on November 21, 2015 to observe the conditions of the structure; and

WHEREAS, pursuant to Section 9-6(3)(C), a duly notice public hearing was held on November 12, 2015 and December 9, 2015, to consider the designation of Soundview Manor as a local landmark; and

WHEREAS, the owner of Soundview Manor, said owner's attorney, and members of the public were afforded the opportunity to speak and submit documentation in favor of, or against the designation of said property as a local landmark; and

WHEREAS, the public hearing was closed on December 9, 2015, and the hearing record was left open by the Commission for ten additional days for the submission of written comments; and

WHEREAS, at the January 13, 2016 meeting, the Commission considered and reviewed all the information submitted regarding Soundview Manor; and

WHEREAS, after a complete review of the record, and after having had due deliberations thereon, now, therefore, be it

RESOLVED, that at the February 2, 2016 meeting, the Historic Preservation Commission made the following findings of fact:

1. Soundview Manor represents American Beaux Arts architecture, a style that flourished between 1876 and 1930.
2. Soundview Manor has a symmetrical facade, a predominately flat roof with a slight tilt, a front porch supported by Tuscan order columns, and a mix of architectural styles, which embodies the distinguishing characteristics of the Beaux Arts style.
3. Soundview Manor is one of the only structures in White Plains that contains the characteristics of a classic manor house, which was not constructed for family life but for wealthy people who made their fortunes and flourished in the early 1900s.
4. Soundview Manor is one of the only remaining structures constructed during an interim phase as White Plains shifted from agriculture to the suburb it is today. Soundview Manor represents an era in White Plains when wealthy individuals were moving into White Plains and creating "country get-aways" from New York City.
5. Soundview Manor is an architecturally unique structure in White Plains, is well-known locally and was designed by architect Chester A. Patterson, who designed other homes in Westchester, New Jersey, Connecticut and along the North Shore of Long Island, as well as the Venezuelan ambassador's residence in Washington DC.

6. Soundview Manor reflects the style and character of the neighborhood as it existed in the early 1900s; and

BE IT FURTHER RESOLVED, that the Historic Preservation Commission hereby recommends that the structure located at 283 Soundview Ave, also known as Soundview Manor, be designated a local landmark pursuant to Municipal Code Section 9-6-3(b)(1) subsection (b), in that it derives its primary significance from architectural or artistic distinction or historical importance; subsection (f), in that it embodies the distinguishing characteristics of an architectural style; and subsection (h), in that the property has yielded or may be likely to yield information important to the study of the history of the region.

Dated: February 22 2016

HISTORIC PRESERVATION
COMMISSION OF THE CITY OF WHITE
PLAINS



ROBERT HOCH
Chairperson

I HEREBY CERTIFY the above to be a full, true and correct copy of a resolution duly adopted by the Historic Preservation Commission of the City of White Plains on the date above mentioned, five (5) members of the Commission being present and (4) concurring; said resolution being filed in the office of the City Clerk.



Anne McPherson
Secretary

Dated: February 23 2016
White Plains, New York

United States Department of the Interior
National Park Service

National Register of Historic Places Registration Form

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in *How to Complete the National Register of Historic Places Registration Form* (National Register Bulletin 16A). Complete each item by marking "X" in the appropriate box or by entering the information requested. If an item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions. Place additional entries and narrative items on continuation sheets (NPS Form 10-900a). Use a typewriter, word processor, or computer to complete all items.

1. Name of Property

historic name Soundview Manor

other names/site number _____

2. Location

street & number 283 Soundview Avenue [N/A] not for publication

city or town White Plains [N/A] vicinity

state New York code NY county Westchester code 119 zip code 10606

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this nomination request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements as set forth in 36 CFR Part 60. In my opinion, the property meets does not meet the National Register criteria. I recommend that this property be considered significant nationally statewide locally. (see continuation sheet for additional comments.)

Ruth A. Perpoint
Signature of certifying official/Title

Deputy SHPO

12/18/08
Date

New York State Office of Parks, Recreation & Historic Preservation
State or Federal agency and bureau

In my opinion, the property meets does not meet the National Register criteria. (see continuation sheet for additional comments.)

Signature of certifying official/Title

Date

State or Federal agency and bureau

4. National Park Service Certification

I hereby certify that the property is:

- entered in the National Register
 see continuation sheet
- determined eligible for the National Register
 see continuation sheet
- determined not eligible for the National Register
- removed from the National Register
- other (explain) _____

Signature of the Keeper

date of action

Soundview Manor
Name of Property

Westchester County, New York
County and State

5. Classification

Ownership of Property
(check as many boxes as apply)

- private
- public-local
- public-State
- public-Federal

Category of Property
(Check only one box)

- building(s)
- district
- site
- structure
- object

Number of Resources within Property
(Do not include previously listed resources in the count)

Contributing	Noncontributing	
1		buildings
		sites
		structures
		objects
1	0	TOTAL

Name of related multiple property listing
(Enter "N/A" if property is not part of a multiple property listing)

N/A

Number of contributing resources previously listed in the National Register

0

6. Function or Use

Historic Functions
(enter categories from instructions)

DOMESTIC: single dwelling

Current Functions
(Enter categories from instructions)

DOMESTIC: Bed and Breakfast

7. Description

Architectural Classification
(Enter categories from instructions)

LATE 19th and 20th CENTURY REVIVALS:

Neoclassical

Materials
(Enter categories from instructions)

foundation concrete

walls stucco

roof EPDM

other

Narrative Description
(Describe the historic and current condition of the property on one or more continuation sheets)

Soundview Manor
Name of Property

Westchester County, New York
County and State

8. Statement of Significance

Applicable National Register Criteria

(Mark "X" in one or more boxes for the criteria qualifying the property for National Register listing.)

- A Property associated with events that have made a significant contribution to the broad patterns of our history.
- B Property is associated with the lives of persons significant in our past.
- C Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- D Property has yielded, or is likely to yield, information important in prehistory or history.

Criteria Considerations

(Mark "X" in all boxes that apply.)

- A owned by a religious institution or used for religious purposes.
- B removed from its original location
- C a birthplace or grave
- D a cemetery
- E a reconstructed building, object, or structure
- F a commemorative property
- G less than 50 years of age or achieved significance within the past 50 years

Areas of Significance:

(Enter categories from instructions)

ARCHITECTURE

Period of Significance:

1919-1920

Significant Dates:

1920

Significant Person:

N/A

Cultural Affiliation:

N/A

Architect/Bulider:

Patterson, Chester A.

Narrative Statement of Significance

(Explain the significance of the property on one or more continuation sheets.)

9. Major Bibliographical References

Bibliography

(Cite the books, articles, and other sources used in preparing this form on one or more continuation sheets.)

Previous documentation on file (NPS):

Primary location of additional data:

- preliminary determination of individual listing (36 CFR 67) has been requested.
- previously listed in the National Register
- previously determined eligible by the National Register
- designated a National Historic Landmark
- recorded by historic American Building Survey # _____
- recorded by Historic American Engineering Record # _____
- State Historic Preservation Office
- Other State agency
- Federal Agency
- Local Government
- University
- Other repository: _____

United States Department of the Interior
National Park Service

National Register of Historic Places
Continuation Sheet

Section 7 Page 1

Soundview Manor
Westchester County, New York

Narrative Description

Soundview Manor, a Neoclassical residence built in 1920 on a large landscaped property, is located in the southern part of the City of White Plains in Westchester County, New York, very close to the Village of Scarsdale. Although the surrounding neighborhood is largely residential in character, there are two synagogues near the property and a third synagogue adjacent to the east. The property is slightly more than four acres in size and the house is deeply set back from the street, with a U-shaped driveway leading in through two openings in the hedge along the street and centered on the house. A fork in the northwest corner of the driveway leads into a parking area on the west side of the house. A wide variety of mature plantings encircle the property. Two prominent purple beech trees frame the house and numerous ornamental shrubs and trees are located across the front of the property and on the east lawn, including Japanese maples, tulip trees, magnolias, hydrangeas, rhododendrons, yews, and fruit trees. This nomination includes one contributing building.

The residence is sited on a slight rise facing south and several steps lead up to the main entrance. Constructed of wood with a stuccoed exterior, the house is L-shaped, with a main block and a service wing. The façade is symmetrically composed and five bays in width, with a three-story three-bay central block, two-story one-bay blocks on each side, and one-story open porches on the east and west ends. Wide, deep pilasters adorn the façade as well as a modillioned cornice and balustraded parapet. Concrete urns once graced the balustrade above each pilaster; however these are gone. The roofs are all almost flat very shallow pitches leading to internal drains. Pergolas on each end of the third story are shown on the original architect's drawing, but they are no longer there or it is possible they were never constructed. The center entrance is protected by an open, flat-roofed porch supported by two pairs of Tuscan columns. The roof has a balustrade like that of the main roof. The entrance has a single door with a semi-circular transom and is flanked by sidelights. (Note – this is also different in the original drawing but the present configuration appears to be original.) All of the windows on the façade and on the east and west elevations of the main block are paired full length French casements. Those on the first floor have eight lights in each side and a transom above. Those on the second floor have decorative wrought iron railings across the lower part of the openings. Of the three on the third story, the center window is like that on the other stories, but the two windows that flank it are in three parts, with a single central multi-paned door flanked by full-length sidelights. The porches are recessed from the façade and north elevation. They are supported by two square corner piers flanked by Tuscan columns. The roofs of the porch also have balustrades.

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Section 7 Page 2

Soundview Manor
Westchester County, New York

The east elevation has three pairs of French doors on the first story, corresponding to the porch, a pair of French doors on the second story, and two single glass doors on the third story, flanking an exterior end brick chimney. The west elevation has a porch like that of the east elevation; however, a stuccoed wall separates it from a shallow second open porch adjacent to the north. On the main block there is a pair of French doors and a single window on the first story, two pairs of French doors on the second story, and two single glass doors on the third story. The service wing has a variety of window and door configurations, with two garage doors in the northernmost bays. Instead of a balustrade, the service wing has a paneled parapet. The north elevation has a variety of double-hung and casements windows. It originally had two pairs of French doors on the first story. One has been replaced with a picture window; the other with two sets of sliding glass doors. Under the picture window is a staircase to the basement. The east elevation of the service wing has single and paired double-hung windows.

The front door leads directly into an 18 x 33 foot "living room," which has a white marble Rococo mantelpiece on the east end. The house has mostly oak floors, plaster walls, plaster ceilings, and simple painted woodwork throughout. French doors lead from the living room west into the dining room, which also has a marble fireplace. On the west wall of the dining room French doors lead out onto a covered porch. A single door leads from the dining room in the butler's pantry and then into the kitchen, which has been completely remodeled. An enclosed staircase rises to the servant's quarters on the second floor. A single door leads out onto a small enclosed porch. A door from the porch leads into a two-car garage and another door leads into the "man's room" behind the kitchen. It has its own bathroom and separate exterior entrance.

Two sets of French doors lead from the living room into spaces at the rear of the house. One leads into a "den" with a tray-shaped ceiling and the other leads into the stair hall and subsequently into a closet, bathroom, and the "library." The 16 x 31 foot library occupies the entire eastern end of the house. It has a fireplace and once had access to the living room, but that door has been sealed off. French doors lead out onto a large covered porch. A pair of door originally opened out onto the rear lawn as well, but that has been replaced with a large plate glass window.

The main staircase wraps around an open central space, open to the third floor. On the second floor there are six bedrooms and four bathrooms in the main part of the house. Some have all of their original fixtures. The master bedroom has a dressing room and French doors leading out on the flat roof of the east porch. The other bathrooms each have closets and one of the bedrooms has French doors leading out onto the flat roof of the west porch. There is a cedar closet in the hall. In the service wing there are two maid's bedrooms, a nurse's room, and two bathrooms.

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Section 7 Page 3

Soundview Manor
Westchester County, New York

The staircase continues to the third story which has a large room (labeled sitting room on the original plans) across the front measuring 19 x 33 feet. It has a fireplace with a wood mantelpiece on the east end and access to the flat roofs of the main house through French doors on the east and west ends. There

is also a shallow walkway across the front. The ceiling of the main room has plaster faux beams. Behind the main room is a dressing room and bathroom.

An enclosed staircase between the kitchen and den leads to the basement which has a boiler room, laundry, and two storage rooms. The rest is either partially excavated or unexcavated.

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Section 8 Page 1

Soundview Manor
Westchester County, New York

Narrative Statement of Significance

Soundview Manor meets Criterion C in the area of architecture as a distinctive and intact example of an early-20th century estate in Westchester County. Designed in 1919 by New York City architect Chester A. Patterson and likely completed in 1920 for Robert L. and Elsie Dula as their principal residence, the house is an impressive example of the Neoclassical style with its symmetrical form, columned porches, prominent balustrade, refined classical ornamentation on the exterior and interior, and unusual central attic story. Contributing to the significance of the house is its four-acre property, with sweeping lawns, circular entrance drive, and numerous mature specimen trees and plantings. The house and property retain a high degree of integrity of location, setting, design, materials, craftsmanship, feeling, and association, continuing to recall the lifestyle of the well-to-do in Westchester County.

Robert B. Dula was born in 1849 in Lenoir, North Carolina and was in the Home Guards at the end of the Civil War. After the war he moved to Missouri where he started a tobacco business. Strangely enough, he was related to the infamous Thomas Dula, who was hanged in 1868 for the murder of his girlfriend in North Carolina. Robert Dula headed the Drummond Tobacco Company in St. Louis until it was sold to the American Tobacco Company in 1898. In 1903 he became Vice President of the American Tobacco Company and he and his family moved to New York City. He became a confidant of its president, James B. Duke and became very wealthy. By 1907, the Dula family was living in a townhouse at 1073 Fifth Avenue, overlooking Central Park. Robert Dula and his wife Josephine (Carr) had five children: Iva, Belva, Rena, Grover and Robert L. By 1910, the family had moved again, to an apartment building on Broadway, and it is presumed all but one son had gotten married or moved on, for the household included Robert B., Josephine, Robert L., and six servants. In 1916 the Dulas leased an apartment in the new luxury apartment building at 1000 Park Avenue (at East 84th Street), which was designed by Emery Roth and is still in existence. The apartment included 12 rooms and four bathrooms.

After the American Tobacco Company was broken up in 1911, Robert Dula went into retirement, but had substantial income from other interests. The Dulas had a country estate in Tarrytown, which they sold in the nineteen-teens and also had a summer house on Lake George. In 1920 Robert B. Dula bought a several-acre parcel in the southwestern portion of the city of White Plains, near the border of Scarsdale. He commissioned New York City architect Chester A. Patterson to design a large house on the property, likely as a wedding gift for his son Robert L., who was married in 1919.

Little is known about Chester A. Patterson, but he evidently was at one time in partnership with one of Robert Dula's nephews, as there are several references in the New York Times real estate section in the 19-teens for the firm of Patterson & Dula designing large residences on Long Island. By 1920, Patterson and his family were living in Babylon, Suffolk County. Several other residences he designed for well-to-do owners on Long Island, in Westchester County, and in Connecticut between 1913 and 1934 were

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Section 8 Page 2

Soundview Manor
Westchester County, New York

published in architectural periodicals. Four of his houses on the North Shore are known to have survived. Luckily the plans for Soundview Manor survive.

Soundview Manor is a significant and intact example of Beaux-Arts classicism, featuring an axial plan, symmetrical façade, balanced massing and modest classically-derived detailing. The house rests on a slight terrace, oriented south toward Soundview Avenue. The overall design, while inspired by Renaissance prototypes, is modern in its execution, without excessive historicist details. The south façade is characterized by bold forms and flat wall planes articulated by pilasters, entablatures, balustrades and porches detailed with simple but effective classical elements such as Tuscan Doric columns, modillions, cornices and period iron fixtures and window grilles. At the interior, the principle rooms are simple in detail and finish as well. Notable features include the liberal use of French doors, the Rococo marble mantelpieces in the living and dining rooms and shelf niches with scallop shell heads. The design of the house reflects the lifestyle and tastes of New York's upper class. While not as grand as some of its contemporaries in Long Island's north shore communities, its restrained classicism is an expression of the owner's background and status and places it in the context of early twentieth century Beaux Arts estates in New York's surrounding counties. In spite of its relatively small size, the arrangement of the house reflects an emphasis on entertaining and convenience rather than domestic life. The house retains substantial integrity to the 1920s and represents an important example of its genre in White Plains.

Soundview Manor is an unusual house and likely designed specifically for entertaining. The house has large public rooms, numerous French doors, and outdoor spaces on all three levels. From the large room on the third floor which is labeled as "sitting room" on the original plans, one could get a spectacular view of Long Island Sound (and still can in the winter), thus the name "Soundview Manor." And there was plenty of space for outdoor entertaining. The house really belongs in a warmer climate with its many windows and doors and high ceilings. But it was modern in every respect, with an attached two-car garage, many bathrooms, closets, central heat, and rooms for live-in staff.

Robert B. Dula died in 1926 in his New York apartment and left a considerable estate to his children. Unfortunately, at the time of his death he and his wife were being sued by their former daughter-in-law Elsie (nee Hinman), the wife of their son Robert L. It appears Robert L. enjoyed the good life, as evidenced by the newspaper report of his speeding ticket in 1906, his arrest for reckless drunken driving in 1910, and his elopement in 1912 (to his first wife). Apparently he married his second wife a few days after his divorce from his first wife (in 1919) and the couple evidently spent a great deal of time traveling and partying. At some point his parents committed him to Bloomingdale Asylum to dry out.

As the architect's plans for the house indicate "Residence for Robert B. Dula," it is likely the house was a wedding present from Robert L's parents. The house was in a convenient location, just a short distance from the Ridgeway station of the New York, Westchester and Boston Railway, which opened in 1912 and went out of business in 1937. The Dula's could easily walk to the station and take a short ride

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Section 8 Page 3

Soundview Manor
Westchester County, New York

to Manhattan, where his parents lived; however, it appears they had a chauffeur and probably two cars, so they probably drove to the city.

Robert L. Dula's second marriage didn't last long and Elsie Dula began a long series of lawsuits in 1924 against her husband and his parents for lack of financial support. Apparently Robert L. had no assets except the White Plains house and money given to him by his immensely wealthy father. Probably in an attempt to keep Elsie from getting the house, the house was foreclosed upon and sold at auction in 1926. Robert B. Dula died in that year and his wife Josephine Dula died in 1929. Elsie's lawsuits continued until she won a small settlement in 1927. Robert L. Dula married a third time and died in 1945. Elsie Hinman died in 1958 and her New York Times obituary noted that she had married three millionaires in the twenties and thirties and sued them all for divorce.

The Miner W. Allen family owned the house from 1926 until 1945. The Allens were from Ohio and came to White Plains after Miner was hired by Union Carbide to become vice president and manager of its world-wide manufacturing operations. According to his grandson Jeff, Miner Allen commuted daily to Manhattan and often walked to the station, the Ridgeway station on the New York, Westchester and

Boston Railway. The Allen family was particularly attracted to the property on Soundview Avenue because of the large grounds and the size of the house, which could accommodate their large extended family and friends. Miner and Erma Allen had three children: Miner D. (born 1908), Erma L. (born 1915), and Albert Clark (born 1916). According to Jeff Allen, their grandson, Minnie, their housekeeper, "came with the house and stayed with the family for 40 years."

In 1945, the property was sold to Lipman family and in 1952 it was purchased by Regina and Robert Alexander. Their gardener Filip Martino lived in the "man's room" until he died in the garden in the 1960's. The Sassower family bought the property in 1980 and now operate part of the house as a bed-and-breakfast.

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Soundview Manor
Westchester County, New York

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Soundview Manor
Westchester County, New York

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"Sues Dulas for \$250,000." New York Times 30 Aug. 1924.

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United States Census: 1880, 1900, 1920

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Continuation Sheet

Section 10 Page 1

Soundview Manor
Westchester County, New York

Geographical Data

Verbal Boundary Description

The boundaries of Soundview Manor are shown by a heavy line on the attached site map.

Boundary Justification

The nominated property includes most of the property originally associated with Soundview Manor. About one acre on the west side of the lot was sold off in the 1920's and was subsequently developed.

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PHOTOGRAPH KEY

Soundview Manor
Westchester County, New York

Photographer: Peter Shaver
Historic Preservation Field Services Bureau
Peebles Island
PO Box 189
Waterford, NY 12188-0189

Date: October 2007

Tiff Files: CD-R of .tiff files on file at
National Park Service
Washington, DC, and

Historic Preservation Field Services Bureau
Peebles Island
PO Box 189
Waterford, NY 12188-0189

NY_WestchesterCounty_Soundview

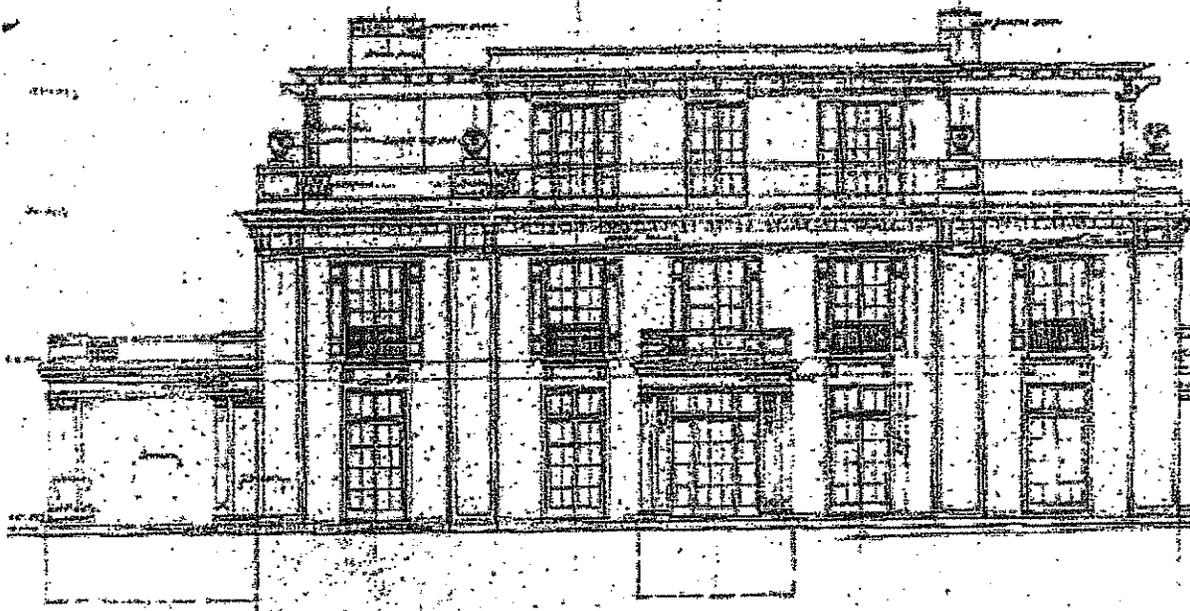
1. Exterior: View to north
2. Exterior: View to north
3. Exterior: View to north
4. Exterior: View to southwest
5. Exterior: View to northeast
6. Interior: Living room/hall, looking east
7. Interior: Third floor, looking west
8. Interior: Third floor, looking to first floor

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National Park Service

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ADDITIONAL IMAGES

Soundview Manor
Westchester County, New York



Front elevation, 1919 architect's drawing (east porch cut off in image)



ROBERT B. DULA,
MANAGER DIRECTOR,
CONTINENTAL TRADING CO.

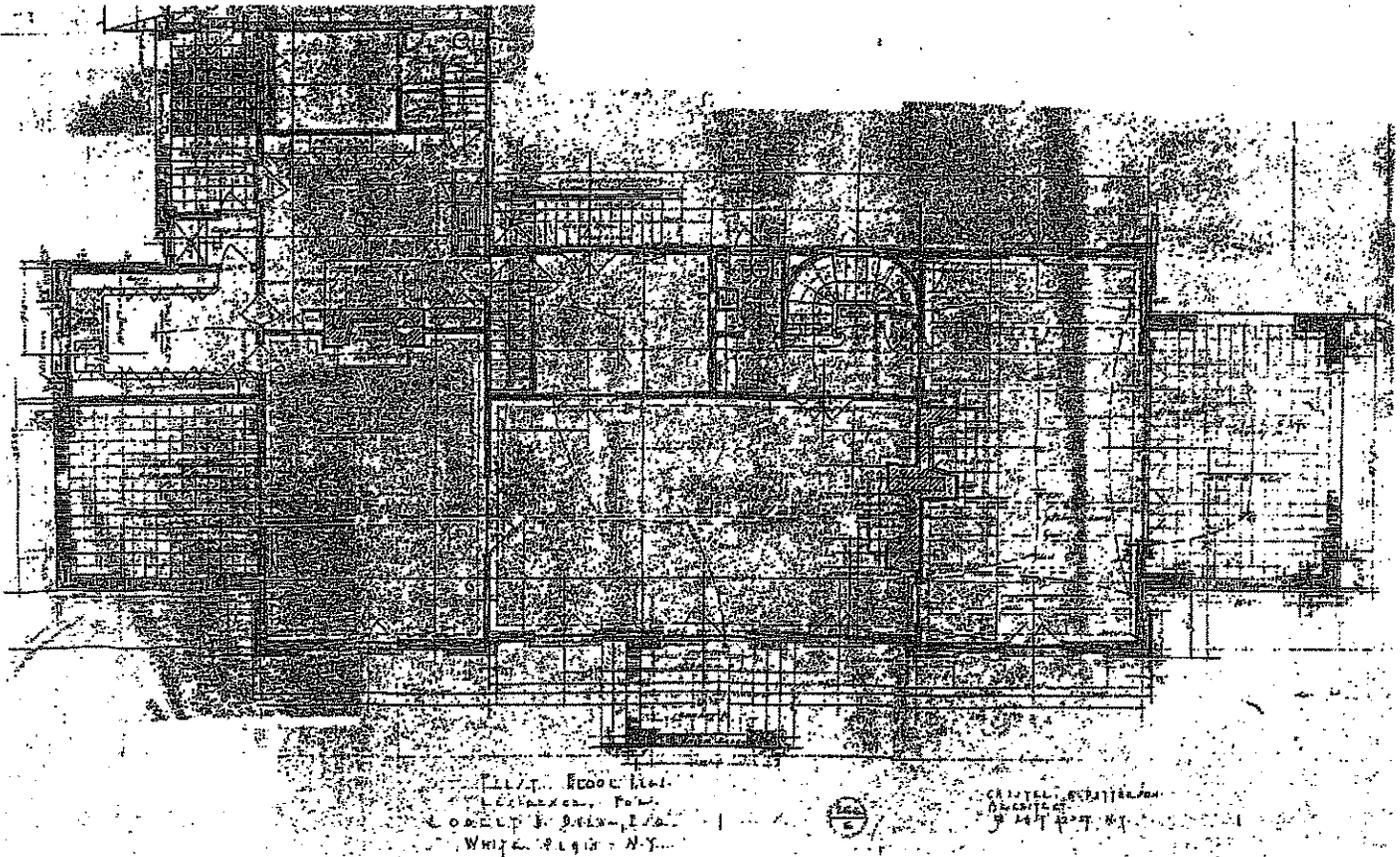
Robert B. Dula, c. 1900 (from Notable St. Louisians in 1900)

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Continuation Sheet

ADDITIONAL IMAGES

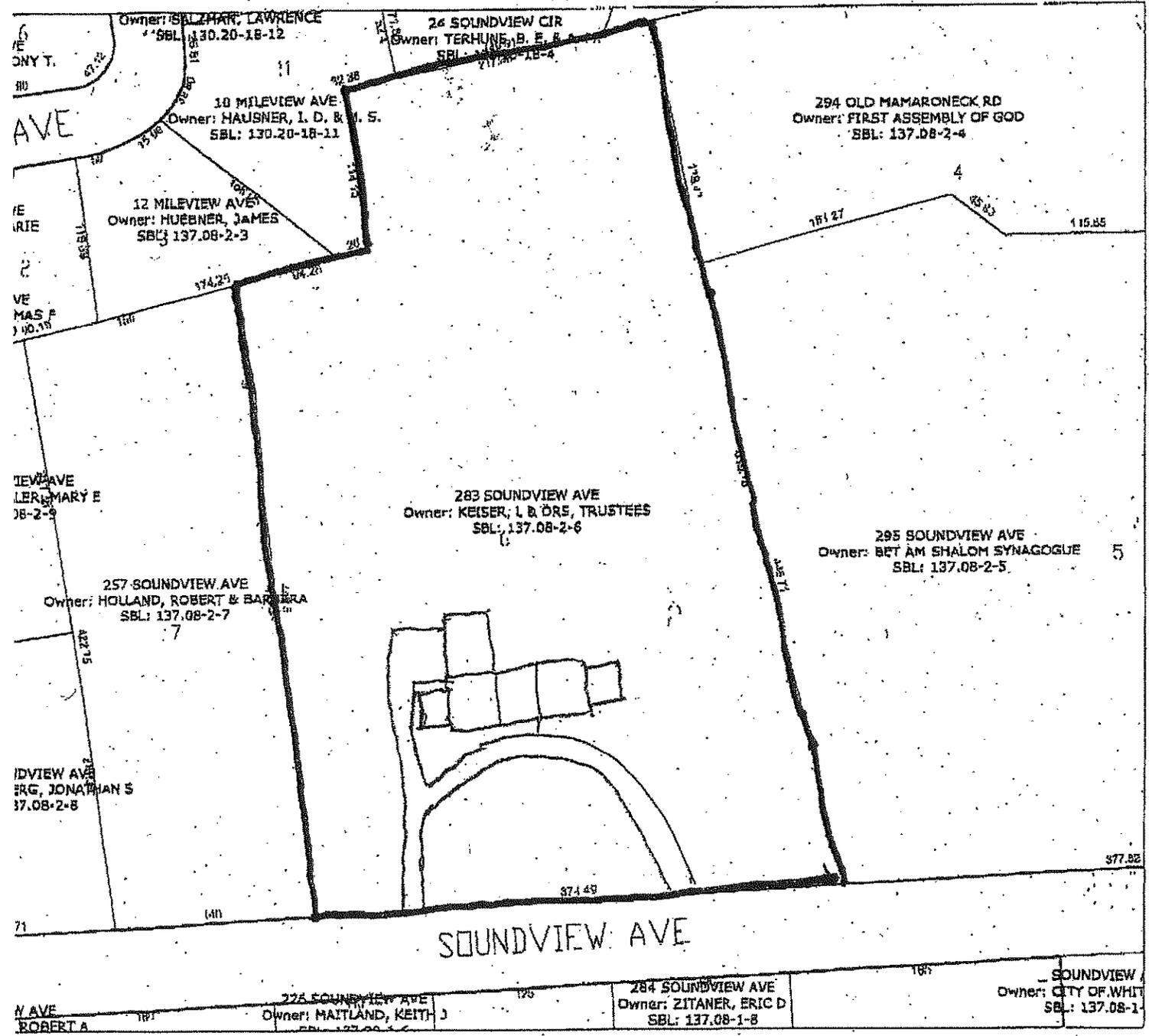
Soundview Manor
Westchester County, New York



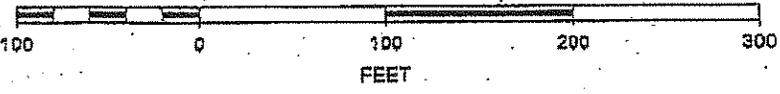
First floor plan, 1919 architect's drawing (garage cut off at top of image)

The City of White Plains

THE CITY ASSUMES NO LEGAL RESPONSIBILITIES FOR THE INFORMATION CONTAINED ON THIS MAP



SCALE 1 : 1,230



*Soundview Manor
White Plains,
Westchester County, NY*



2'30"
 "44
 "43
 (287)
 "42
 "41
 "40
 "41°00'
 "41

Soundview
 Manor
 White Plains,
 Westchester County,
 New York
 Zone 18
 1:24,000
 easting 603834
 northing 4339954

INTERIOR—GEOLOGICAL SURVEY, RESTON, VIRGINIA—2000

ROAD CLASSIFICATION

Primary highway hard surface Light-duty road, hard or improved surface
 Secondary highway hard surface Unimproved road

○ Interstate Route □ U.S. Route ○ State Route



QUADRANGLE LOCATION

1	2	3	1 Haverstraw
			2 Ossining
			3 Mount Kisco
4		5	4 Nyack
			5 Glenville
			6 Yonkers
6	7	8	7 Mount Vernon
			8 Mamaroneck

ADJOINING 7.5' QUADRANGLES

WHITE PLAINS, NY

1994

NIMA 6266 III SE-SERIES V821



See all 7 albums

