



PLANNING & COMMUNITY DEVELOPMENT  
ONE ROOSEVELT SQUARE  
MOUNT VERNON, NEW YORK 10550  
PHONE: (914) 840-4029  
EMAIL: TGRAHAM-OUATTARA@CMVNY.COM

JAMES RAUSSE, FAICP, WEDG  
COMMISSIONER

February 24, 2025

VIA EMAIL:

Honorable City Council Members  
City of Mount Vernon  
1 Roosevelt Square  
Mount Vernon, New York 10550

RE: Request for the City Council to enact legislation to update the City Municipal Code to permit and regulate indoor recreation and amusement uses. For consideration on the agenda at the March 12, 2025 City Council meeting.

Honorable City Council Members:

I am writing to respectfully request for the City Council to enact legislation to update the City Municipal Code to permit and regulate indoor recreation and amusement uses. This would require an amendment to *Chapter 267 – Zoning*.

Fun City Adventure Park, which has locations nationwide, has approached the City of Mount Vernon to explore an opportunity to open a location in Mount Vernon. Fun City is interested in taking over the vacant Bed Bath and Beyond location on Sandford Boulevard, which would be an ideal property given its location, and the fact that it is an existing space that already has adequate structured parking and is directly served by Bee-Line buses.

The general trend of large-format retail closures, which has impacted many municipalities, has created an opportunity for indoor recreation and amusement uses. The increase in these types of uses is another trend that appears to be occurring throughout the Northeast, perhaps in response to a market demand for recreational experiences that can be obtained regardless of the time of day or weather. These businesses can offer a range of recreational experiences including trampolines, video arcades, laser-tag, parkour courses, rock-climbing walls, bowling lanes, go-karts, miniature golf, virtual-reality arcades and other types of uses. Local examples of these types of businesses can be found in New Rochelle (Sky Zone Trampoline Park), Pelham Manor (Dave & Busters), White Plains (5<sup>th</sup> Dimension Virtual Reality), Greenburgh (SportTime USA), Yonkers (Chuck E Cheese), Mount Kisco (Grand Prix Racing & Entertainment) and Port Chester (Air Riderz Adventure Park). Most of these local examples are businesses that have taken over spaces that were once occupied by a large-format retail store, or a vacant warehouse or light industrial building. By updating the Municipal Code to permit and regulate indoor recreation and amusement uses, the City of Mount Vernon will be able to take advantage of this trend, and perhaps repurpose some of its larger vacant or underperforming retail or industrial spaces with recreational uses that will add to the City's tax base and provide recreational opportunities to families. The current dearth of these facilities inside the City is a topic that has frequently been mentioned at the Comprehensive Plan Community Conversations that the Department of Planning and Community Development has held in the past several months.

We recommend adopting legislation to allow for indoor recreation and amusement uses under the following zones: CB – Commercial Business, I – Industrial, and LI-7.5 Landscaped Industrial Districts. To accomplish this, we recommend adding the following definition to Chapter 267 – Zoning:

**RECREATION OR AMUSEMENT FACILITY, INDOOR**

A building and site designed and equipped for recreation, amusement and leisure-time activities that are





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completely located inside of a building, including but not limited to, bowling, go-karting, slot-car racing, amusement devices, miniature golf, sports/batting cages, laser tag, climbing walls, trampolines, rope courses, arts and crafts activities, games of deduction (treasure hunts, escape the room, etc.), virtual reality and other activities. This use shall be deemed to include associated instructional classes. Retail, food and beverage sales associated with any such uses shall be deemed an accessory use. Indoor recreation facilities shall not be deemed to include health and athletic membership clubs, discharge of firearms, or any use where the activity is prohibited by law from being accessible to all age groups. To the extent applicable, the above shall be subject to the provisions of Chapter 84 - Amusements.

We recommend that Recreation or Amusement Facility, Indoor be listed as a principal permitted use in the: CB – Commercial Business, I – Industrial, and LI-7.5 Landscaped Industrial Districts.

We also recommend that parking requirements for Indoor Recreation Facilities be considered on a case-by-case basis during site plan review. While parking requirements are an important consideration, it would be difficult to codify parking requirements on a square foot basis because the size requirements for different types of recreational amenities vary. Instead, we recommend the zoning ordinance require applicants to submit a parking study demonstrating the demand for parking based on data from the Institute of Traffic Engineers (ITE), field data and other appropriate source material. The final determination should be left to the discretion of the Planning Board during site plan review, in consultation with staff from the Department of Planning and Community Development.

We thank the City for your support in addressing the needs in the city. I am available to address any questions or concerns you may have regarding this request.

Sincerely,

JAMES RAUSSE, FAICP, WEDG

cc: Mayor Shawyn Patterson-Howard  
Comptroller Darren M. Morton  
Malcolm Clark, Chief of Staff



**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF MOUNT VERNON DESIGNATING  
ITSELF AS LEAD AGENCY FOR PROPOSED ZONING  
AMENDMENTS REGARDING INDOOR AMUSEMENT  
USES IN THE CB, LI-7.5, AND I ZONING DISTRICTS,  
REFERRING THE AMENDMENTS TO THE CITY  
CORPORATION COUNSEL, CITY PLANNING BOARD,  
AND WESTCHESTER COUNTY PLANNING BOARD,  
AND SCHEDULING A PUBLIC HEARING**

**WHEREAS**, the City Council of the City of Mount Vernon proposes to amend Chapter 267 (Zoning) of the Code of the City of Mount Vernon ("Code") to permit and regulate indoor amusement uses in the City's CB Commercial Business, LI-7.5 Landscaped Industrial, and I Industry Districts in the City of Mount Vernon; and

**WHEREAS**, the City Council finds that it is necessary and desirable, as a matter of public policy, to permit and regulate indoor amusement uses as special permit uses in the City of Mount Vernon; and

**WHEREAS**, the City Council, in conjunction with its Staff, prepared a draft "Ordinance to Amend Chapter 267 (Zoning) of the Code of the City of Mount Vernon to Permit and Regulate Indoor Amusement Uses in the CB, LI-7.5, and I Districts" ("Code Amendment"), a copy of which is annexed to this Resolution; and

**WHEREAS**, the Code Amendment is classified as a Type I Action under the New York State Environmental Quality Review Act and its implementing regulations, 6 N.Y.C.R.R. Part 617 ("SEQRA"); and

**WHEREAS**, the City Council desires to designate itself as Lead Agency for the review of the Code Amendment under SEQRA pursuant to 6 N.Y.C.R.R. Section 617.6(b)(1); and

**WHEREAS**, the City Council is required to refer the Code Amendment to the Corporation Counsel and Planning Board for their respective reviews and reports pursuant to Section 267-59 of the Code; and

**WHEREAS**, Section 267-59 of the Code requires the Corporation Counsel and the Planning Board to report its recommendations to the City Council with respect to the Code Amendment within 30 days after referral; and

**WHEREAS**, the City Council is also required to refer the Code Amendment to the Westchester County Planning Board pursuant to Section 267-62 of the Code, and Section 239-m of the General Municipal Law; and

**WHEREAS**, the City Council is desirous of scheduling a Public Hearing on the Zoning Amendment for May 14, 2025 pursuant to Section 267-60 of the Code;  
**NOW, THEREFORE, BE IT**

**RESOLVED**, that the City Council hereby designates itself as Lead Agency for review of the Code Amendment under SEQRA; **BE IT FURTHER**

**RESOLVED**, that the City Council authorizes the City Clerk to refer the Code Amendment to the City of Mount Vernon Corporation Counsel and Planning Board for their respective reports pursuant to Section 267-59 of the Code; **BE IT FURTHER**

**RESOLVED**, that the City Council authorizes the City Clerk to refer the Code Amendment to the Westchester County Planning Board in accordance with Section 267-62 of the Code, and Section 239-m of the General Municipal Law; **BE IT FURTHER**

APR 23 2025

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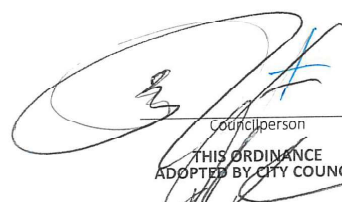
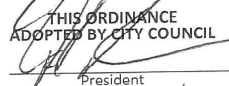

**RESOLVED**, that the City Council shall hold a Public Hearing on the Code Amendment on May 14, 2025, at 7:00 p.m. in City Hall, Council Chambers – Room 206, 1 Roosevelt Square N., Mount Vernon, New York, 10550, where public comment will be heard regarding the Code Amendment, and written comments on the Code Amendment are requested, and will be accepted by the City Council up to ten (10) days following the close of the Public Hearing; **BE IT FURTHER**

**RESOLVED**, that the City Clerk shall arrange to fulfill the notice requirements for the Public Hearing pursuant to Section 267-61 of the Code; **BE IT FURTHER**

**RESOLVED**, that this Resolution shall take effect immediately.

Vote Taken As Follows: 4/23/25  
Boxhill: Yea Gleason: Yea  
Poteat: Yea Thompson: Yea  
Browne: Yea Ordinance Adopted

APPROVED AS TO FORM  
  
Assistant Corporation Counsel  
APPROVED  
  
Date  
Mayor

  
Councilperson  
THIS ORDINANCE  
ADOPTED BY CITY COUNCIL  
  
President  
ATTEST:  
  
City Clerk

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# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Ordinance to Amend Ch. 267 (Zoning) of the Code of the City of Mt. Vernon to Permit and Regulate Indoor Amusement Uses in CB, LI-7.5, & I Districts			
Project Location (describe, and attach a location map): City-wide			
Brief Description of Proposed Action: The City of Mount Vernon has determined that it is in the best interest of the City and its residents to adopt an ordinance to amend Chapter 267 (Zoning) to permit and regulate indoor amusement uses in the City's CB Commercial Business, LI-7.5 Landscaped Industrial, and I Industry Districts as uses allowable by special use permit.			
Name of Applicant or Sponsor: City of Mount Vernon		Telephone: 914-665-2398 E-Mail: dbrowne@mountvernonny.gov	
Address: City Hall, 1 Roosevelt Square			
City/PO: Mount Vernon		State: NY	Zip Code: 10550
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action: 5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			



5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO  <input type="checkbox"/>  <input type="checkbox"/>	YES  <input type="checkbox"/>  <input type="checkbox"/>	N/A  <input type="checkbox"/>  <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO  <input type="checkbox"/>	YES  <input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO  <input type="checkbox"/>	YES  <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	YES  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO  <input type="checkbox"/>	YES  <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO  <input type="checkbox"/>	YES  <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO  <input type="checkbox"/>	YES  <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO  <input type="checkbox"/>  <input type="checkbox"/>	YES  <input type="checkbox"/>  <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO  <input type="checkbox"/>  <input type="checkbox"/>	YES  <input type="checkbox"/>  <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, <div style="margin-left: 20px;">           a. Will storm water discharges flow to adjacent properties?             b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?         </div> If Yes, briefly describe:	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor/name: <u>City of Mount Vernon, City Council</u> Date: <u>___/___/2025</u></p> <p>Signature: <u>James Rausse, FAICP, WEDG</u> Title: <u>Commissioner, Planning &amp; Community Dev.</u></p>		

Project: Indoor Amusement Uses Ordinance

Date: \_\_/\_\_/2025

## *Short Environmental Assessment Form*

### *Part 2 - Impact Assessment*

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>



## Short Environmental Assessment Form

### Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

There were no impacts identified in Part 2 that would result in a "moderate to large impact." The City is proposing a zoning text amendment to permit and regulate, as special permit uses, indoor amusement uses in the City's CB Commercial Business, LI-7.5 Landscaped Industrial, and I Industry Districts. This legislation is generic in nature, not site-specific, and does not directly result in physical change to the environment. The proposed use is consistent with other uses permitted in the subject districts. It will also benefit the City and its residents by encouraging the adaptive reuse of otherwise vacant large spaces within these districts.

- ☐
 Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☐
 Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

City of Mount Vernon City Council

Name of Lead Agency

Danielle Browne, Esq.

Print or Type Name of Responsible Officer in Lead Agency

Signature of Responsible Officer in Lead Agency

Date

President, City Council

Title of Responsible Officer

James Rausse, FAICP, WEDG

Signature of Preparer (if different from Responsible Officer)



## Westchester County Planning Board Referral Review

Pursuant to Section 239 L, M and N of the General Municipal Law and  
Section 277.61 of the County Administrative Code

Kenneth W. Jenkins  
Westchester County Executive

May 7, 2025

Nicole Bonilla, City Clerk  
City of Mount Vernon  
One Roosevelt Square  
Mount Vernon, NY 10550

### **County Planning Board Referral File: MTV 25-005 – Indoor Amusement Facilities Zoning Text Amendment**

Dear Ms. Bonilla:

The Westchester County Planning Board has received a proposed amendment to the text of the Mount Vernon Zoning Ordinance to define and permit Indoor Amusement Facilities as a special permit use within the CB – Commercial Business, LI-7.5 – Landscaped Industrial, and I – Industry Districts. Requirements for special permit approval would prohibit indoor amusement facilities within sites that include residential uses, or that abut sites that permit residential dwellings as a principal use. Traffic studies would be required to determine that vehicular circulation and driveways are suitable for the proposed use, and a parking study would be required to determine the appropriate number of parking spaces required for the use.

We have no objection to the Mount Vernon City Council assuming Lead Agency status for this review.

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. We appreciate that the City proposes a flexible parking requirement that does not impose a specific parking minimum, as this type of use can span a wide range of intensity. We recommend that the City considers including a requirement that any parking study includes a discussion of Transportation Demand Management techniques that may be utilized to reduce the need for single-occupancy vehicle commutes to and from indoor amusement facility locations.

Please inform us of the City's decision so that we can make it a part of the record.

Thank you for calling this matter to our attention.

Respectfully,  
WESTCHESTER COUNTY PLANNING BOARD

Bernard Thombs  
Chair, Westchester County Planning Board

BT/mv

cc: Blanca Lopez, Commissioner, Westchester County Department of Planning



**City Planning Board**  
Department of Planning & Community Development  
City Hall - Roosevelt Square  
Mount Vernon, New York 10550-2060  
(914) 699-7230

Shawyn Patterson-Howard  
Mayor

Darryl Selsey  
Chair

## **MEMO**

**TO: Mount Vernon City Council**

**FROM: Chair Darryl Selsey and Planning Board Members**

**RE: Request for Comments on Zoning Text Amendment for Indoor Amusement Uses**

**DATE: May 13, 2025**

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### **Comments:**

- This report is provided to the City Council under Code Section 267-59.
- The Planning Board reviewed and discussed the proposed Zoning Amendment to permit and regulate indoor amusement uses in the CB, LI-7.5 and I Districts.
- The Planning Board supports the proposed Zoning Amendment because it will allow for the re-use of large-format retail and industrial spaces with new businesses that cater to individuals and families who seek indoor recreational experiences.
- The Planning Board notes that Indoor Amusement Uses are currently permitted in other municipalities within Westchester County, but not currently permitted in Mount Vernon. This proposed amendment will allow Mount Vernon to also have these businesses.
- The proposed special permit provisions, particularly with respect to traffic and parking, will give the Planning Board the ability to work directly with applicants to determine the most suitable locations for Indoor Amusement Uses.
- The proposed Zoning Amendment is in accordance with the purposes of the Zoning Chapter.

As a separate, general matter, the Planning Board recommends the City Council consider implementing a provision to collect fees from applicants who come before the City with large-scale development projects that could go into a dedicated infrastructure fund. This infrastructure fund could pay for parking, sewer, drainage or other needed infrastructure improvements, which, in-turn, could help attract additional investment.