

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNT VERNON
AUTHORIZING THE OFF-SITE PARKING LEASE AGREEMENT
WITH 20 S. 2ND SQUARE CMV LLC**

WHEREAS, the City of Mount Vernon (“City”) and 20 S. 2nd Square CMV LLC (“Owner”) entered into a Land Disposition Agreement, dated July 2, 2021, as amended (“LDA”), in connection with the development of certain City-owned parcels having an address of 20 South Second Avenue, Mount Vernon, New York and 25 South Third Avenue, and known and designated on the Tax Map of the City of Mount Vernon as Section 165.70, Block 3112, Lot 11, 13, 37, and 39 (together, the “Development Site”); and

WHEREAS, the LDA provides, among other things, for the City to transfer the Development Site to Owner based upon certain terms and conditions in furtherance of the development of the Development Site; and

WHEREAS, Owner intends to construct on the Development Site approximately 307,932 s.f. of mixed residential development and other amenities in two, 12-story buildings, including 272 mixed-income residential apartments, approximately 15,630 s.f. of community facility space (including outdoor courtyard space for the arts), and 109 parking spaces (“Development Project”); and

WHEREAS, in furtherance of the Development Project, Owner submitted a Zoning Petition for Zoning Map and Text Amendment, dated December 3, 2021, to the City Council of the City of Mount Vernon, seeking to rezone approximately forty-one tax parcels between East 1st and East 2nd Streets and between South 1st and South 3rd Avenue, including the Development Site, as a new, transit oriented district to be called the Downtown Transit Oriented Arts District (“Rezoning”); and

WHEREAS, on March 26, 2025, the City Council, as Lead Agency, adopted a Findings Statement pursuant to the New York State Environmental Quality Review Act and its implementing regulations (“SEQRA”), which completed the SEQRA environmental review process for the Rezoning (“SEQRA Findings Statement”); and

WHEREAS, also on March 26, 2025, the City Council adopted an ordinance amending Chapter 267 of the Code of the City of Mount Vernon to effectuate the Rezoning and establish the new Downtown Transit Oriented Arts District; and

WHEREAS, as set forth in the SEQRA Findings Statement, the Development Project includes 59 parking spaces on-site, and requires 40 parking spaces off-site within the City-owned parking lot (“Off-Site Spaces”) located at the corner of Prospect Avenue and North 3rd Avenue (Section 165.62, Block 1116, Lots 5 & 6) (“City-Owned Parking Lot”), and 10 parking spaces through the Payment in Lieu of Parking (“PILOP”) provisions within the DTOAD zoning; and

WHEREAS, as described in the SEQRA Findings Statement, the City Council determined that the Off-Site Spaces and PILOP, together with the on-site spaces, satisfy the parking demand and DTOAD zoning requirements for the Development Project given its transit-oriented

characteristics, and that no significant adverse parking impact would result from the Development Project; and

WHEREAS, the SEQRA Findings Statement, and the City Council’s Resolution adopting the SEQRA Findings Statement, require the Owner and City to enter into an Off-Site Parking Lease Agreement governing the Off-Site Spaces and PILOP consistent with the terms of the SEQRA Findings Statement (“Parking Agreement”); and

WHEREAS, the Parties are desirous of entering into this Parking Agreement to set forth their respective rights and obligations with respect to the Off-Site Spaces and PILOP; and

WHEREAS, a form of the Parking Agreement has been presented to the members of the City Council for their consideration.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Mount Vernon approves the Off-Site Parking Lease Agreement; and

BE IT FURTHER RESOLVED, the City Council authorizes the Mayor of the City of Mount Vernon to execute the Off-Site Parking Lease Agreement on behalf of the City; and

BE IT FURTHER RESOLVED, the Mayor is authorized to do all things necessary, convenient or appropriate for the accomplishment of the purposes of this Resolution; and

BE IT FURTHER RESOLVED, the City Council determines that the Off-Site Parking Lease Agreement is a Type II Action pursuant to SEQRA, involving “continuing agency administration,” which does not involve “new programs or major reordering of priorities that may affect the environment” (6 N.Y.C.R.R. §617.5(c)(26)) and therefore no findings or determination of significance are required under SEQRA; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

APPROVED AS TO FORM

Assistant Corporation Counsel

Council Person

THIS RESOLUTION
ADOPTED BY CITY COUNCIL

President

Attest:

City Clerk

APPROVED

APPROVED

Dept.

Date

By

Mayor