



CITY COUNCIL

City Clerk's Office 7/3/2023 12:00:00 PM

Special Meeting Agenda~

I hereby notify you that the following items of business have been filed with this office and can be acted upon at the meeting of the City Council **Wednesday July 5, 2023** at 05:30 PM.

City Clerk

Call to Order

5:30 PM Meeting called to order on July 5, 2023 at Springfield City Hall -- Council Chambers, 36 Court Street, Springfield, MA.

Special Permits

- (1.) For a Special Permit to Operate a Drive-Up Service Window at the Properties Known as ES East Columbus Avenue (04303-0522, 0519 & 0518), SS Wilcox Street (12285-0064 & 0065) and NS William Street (12300-0019 & 0021) (Book#20922/Page#317, Book#20586/Page#70, Book#22566/Page#458 & Book#20586/Page#65), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 19.1(2).

Request: See Above
Owner: 180 Redevelopment, LLC
By: Francis J. Cataldo/Paul C. Picknelly
Petitioner: 180 Redevelopment, LLC
By: Francis J. Cataldo/Paul C. Picknelly

ATTACHMENTS:

- E_Columbus_Ave_ES_Tax_Formal (PDF)
- E_Columbus_Ave_ES_2023 (PDF)

Zone Changes

- (2.) To Change the Zoning of the Property Known as 1781 Page Boulevard (09440-0772) from Business B to Industrial A. 1781 Page Boulevard None Yet

PETITIONER: United Rentals, Inc.
ADDRESS: 1781 Page Boulevard
CHANGE REQUESTED: Business B to Industrial A

ATTACHMENTS:

- Page_BI_1781_Zone_Change_Formal (PDF)
- 3238_1781_Page_BI_2023_PB_Report (PDF)
- 3238_1781_Page_BI_2023 (PDF)

- (3.) To Change the Property Known as NS Rutledge Avenue (10485-0004) from Residence C to Business B. NS Rutledge Avenue (10485-0004) None Yet

PETITIONER: 457 Main Street, LLC

ADDRESS: NS Rutledge Avenue

CHANGE REQUESTED: Residence C to Business B

ATTACHMENTS:

- Rutledge_Ave_NS_Zone_Change_Formal (PDF)
- 3239_NS_Rutledge_Ave_2023_PB_Report (PDF)
- 3239_NS_Rutledge_Ave_2023 (PDF)

(4.) Amendment Article 4, Section 4.7.114(B)(5)(Adult Use) Amendment Article 4, Section 4.7.114(B)(5)(Adult Use) None Yet

PETITIONER: Springfield City Council

ADDRESS: City Wide

CHANGE REQUESTED: Amendment to Article 4, Section 4.7.114(B)(5)

ATTACHMENTS:

- 3237_Article_4_Formal (PDF)
- 3237_Adult_Use_Article_4_2023_PB_Report (PDF)
- 3237_Article_4_Amendment_May_2023(PDF)
- Adult_Use_4_7_114_B_5_Amended (PDF)



City Council

SCHEDULED

Meeting: 07/05/23 05:30 PM

Initiator: Phil Dromey

Sponsors:

DOC ID: 7421

1

Special Permit

For a Special Permit to Operate a Drive-Up Service Window at the Properties Known as ES East Columbus Avenue (04303-0522, 0519 & 0518), SS Wilcox Street (12285-0064 & 0065) and NS William Street (12300-0019 & 0021) (Book#20922/Page#317, Book#20586/Page#70, Book#22566/Page#458 & Book#20586/Page#65), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 19.1(2).

Request:	See Above
Owner:	180 Redevelopment, LLC
By:	Francis J. Cataldo/Paul C. Picknelly
Petitioner:	180 Redevelopment, LLC
By:	Francis J. Cataldo/Paul C. Picknelly

To The City Council of the City of Springfield:
The undersigned respectfully petition your honorable body

for a special permit to operate a drive-up service window at the properties known as ES East Columbus Avenue (04303-0522, 0519 & 0518), SS Wilcox Street (12285-0064 & 0065) and NS William Street (12300-0019 & 0021) (Book#20922/Page#317, Book#20586/Page#70, Book#22566/Page#458 & Book#20586/Page#65), as allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 19.1(2).

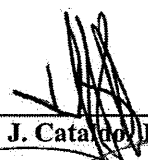
Mailing Address:

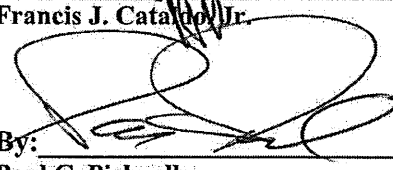
One Monarch Place, Suite 2500
Springfield, MA 01114

Owner & Petitioner:

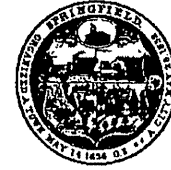
180 Redevelopment, LLC

I hereby certify that I am the owner and petitioner or acting on behalf of the owner and petitioner.

By: 
Francis J. Cataldo Jr.

By: 
Paul C. Picknelly

Attachment: E_Columbus_Ave_ES_Tax_Formal (7421 : ES East Columbus Avenue, Et.Al.)



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

5/17/2023

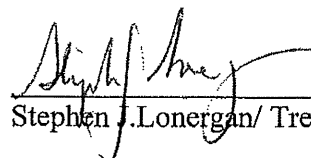
Special Permit Tax Certification

I certify that all identifiable real estate, personal property and excise taxes have been paid by the petitioner and/or landlord associated with the special permit request shown below:

Special Permit: ES East Columbus Ave, SS Wilcox St, NS William St.

Petitioner: 180 Redevelopment, LLC
One Monarch Place
Suite 2500
Springfield, Ma. 01114

Landlord: 180 Redevelopment, LLC
One Monarch Place
Suite 2500
Springfield, Ma.. 01114


Stephen J. Lonergan/ Treasurer Collector

Attachment: E_Columbus_Ave_ES_Tax_Formal (7421 : ES East Columbus Avenue, Et.Al.)

**OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A SPECIAL PERMIT**

**ES EAST COLUMBUS AVENUE (04303-0519), ET.AL.
DRIVE-UP SERVICE WINDOW**

General Information

Petitioner:	180 Redevelopment, LLC
Request:	Drive-up service window.
Proposed use of the property:	Panera restaurant with drive-up service window.
Parcel Size:	30,005 s.f.
Compatibility with current planning documents:	The South End Neighborhood Plan shows no changes to this area.
Neighborhood council notification:	South End Citizens Council: 6-5-23
Urban Renewal Plan:	Property is not located within an urban renewal plan.
Tax Status:	SEE ATTACHED
Site Visit:	6-20-23
City Council Hearing:	6-26-23

Staff Analysis

Neighborhood characteristics:

The property is currently zoned Business B and is located in an area with primarily commercial uses.
The surrounding land uses include:

- To the north is a gas station zoned Business B.
- To the south are a housing complex and automotive repair operation zoned Business B.
- To the east are a three-family house and Frigo's restaurant zoned Residence C and Business A.
- To the west is Interstate 91.

Site plan review:

The petitioner has requested a special permit to allow a drive-up service window at the properties known as ES East Columbus Avenue, SS Wilcox Street and NS William Street. The property is currently vacant and will be the new location of a 3,500± square foot Panera restaurant.

After reviewing the plans and visiting the site, the staff does not oppose the proposed request, however, the staff does have the following comments.

As noted above, the development involves the construction of a new 3,500± square foot building for a new

Panera restaurant. As per the plans submitted, the new drive-up service window will be located along the East Columbus Avenue frontage with the stacking lane located along William Street. While the staff is not partial to having the drive-up window lane up against a public way, the staff has had a number of conversations with the petitioner and engineer and is satisfied that a good faith effort has been completed to try and re-configure the building and drive-up lane. This included turning the building and relocating the drive-up lane. After a number of revisions, it was determined that the submitted design works best for the overall operation of the site.

The proposed development is located at the corners of East Columbus Avenue, William Street and Wilcox Street. There are currently a number of existing curb cuts onto this property. As per the attached plans, the development will have a total of three (3) entrances/exits onto the property. One (1) curb cut will be located on East Columbus Avenue, one (1) on William Street and one (1) on Wilcox Street. It should be noted that William Street is a one-way going east and Wilcox Street is a one-way going west. The un-used curb cuts will need to be legally closed and tree belts re-established. In speaking with Department of Public Works (DPW), they do not have any strong concerns that this proposed use will add significantly to the existing traffic volume, however, as with all new developments, a full review of all proposed curb cuts and traffic/drainage related issues will be required by the DPW. This review will be required prior to the issuance of a building permit.



As with all developments, the staff is always concerned that pedestrian access is provided along with vehicular access. In reviewing the plans, it was noted that there have been pedestrian crossings added from William Street and Wilcox Street. As with other similar developments the staff would strongly recommend that these pedestrian crossings be raised to provide additional protection for the pedestrian. It should also be noted that an outdoor seating area will also be installed as part of this development. The staff firmly believes that these outdoor seating areas add a significant amenity to these developments and are used frequently by the customers.

As part of the submission a detailed landscaping plan was also provided. Overall, the staff is pleased with what is being proposed to be installed, including the landscape buffer along the abutting properties. However, the staff would recommend that in addition to the arborvitae hedge, a solid fence also be installed along this property line. This fencing will help to provide addition protection to the residential abutter. This is also a requirement of the Zoning Ordinance. It also needs to be stressed that any and all lighting must be shielded from the abutters.

In addition to the site plans, full building elevations were submitted as well. Overall, the staff is pleased with the proposed building design, however, the staff did want to ensure that the side of building facing East Columbus Avenue, does not look like the "back" of the building. In speaking with the petitioner, it was

indicated this concern would be addressed. One suggestion that the staff had was to continue the brick treatment along the entire length of this side of the building rather than transitioning to the gray "concrete" style façade. Again, the petitioner has indicated that they would work with the operator to review this option.

Overall, the staff is pleased that this vacant property is being redeveloped and does not believe the proposed development will have a negative impact on the abutters or on the neighborhood as a whole.

Recommendation

Approve, with conditions.

Recommended Conditions

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for a drive-up service window, at the properties known as ES East Columbus Avenue (04303-0522, 0519 & 0518), SS Wilcox Street (12285-0064 & 0065) and NS William Street (12300-0019 & 0021).
3. The use shall be developed as per the attached site plans and elevations, with the addition of conditions #4 and #19.
4. In addition to the special permit approval, a full review by the Department of Public Works, as per the provisions of City Ordinance, Chapter 27, Article VIII, § 27-58 through 27-63, will be required. This approval must be obtained prior to the issuance of a Building Permit.
5. The pedestrian crossings from William Street and Wilcox Street shall be raised.
6. An Approval Not Required Plan (ANR) shall be submitted to the Planning Board for review and approval, combining all the existing properties. Once approved, this plan shall be filed at the Hampden County Registry of Deeds.
7. Landscaping shall be installed as per the attached plans.
8. In addition to the landscape buffer, a six (6) foot, solid fence shall also be installed along the eastern property line.
9. All landscaped areas, as well as the entire site, shall be maintained and kept free of all overgrown vegetation, weeds, litter and/or debris.
10. The public sidewalks along East Columbus Avenue, William Street and Wilcox Street shall be maintained, including snow removal.
11. All unused curb cuts shall be legally discontinued and the tree belt, if any, re-established.
12. All signs shall be properly permitted prior to installation.
13. All lighting shall be shielded from the abutters.
14. There shall be no banners, streamers or pennants located on the property, with the exception of a grand opening event. Any and all temporary signage shall be properly permitted.
15. No signs or banners shall be attached to the light poles or any utility poles.
16. Any and all dumpsters shall be completely enclosed.
17. Loitering to be addressed at all times.
18. The building shall be maintained graffiti free.
19. There shall be no outdoor storage of materials.
20. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in denial of the issuance of a Building Permit and/or Occupancy Permit, revocation of any permits issued and/or enforcement by the Code Enforcement Department punishable by fines of up to \$200 per day for each day a violation exists.



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

5/17/2023

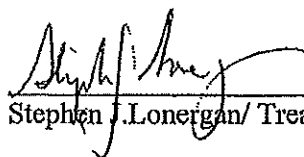
Special Permit Tax Certification

I certify that all identifiable real estate, personal property and excise taxes have been paid by the petitioner and/or landlord associated with the special permit request shown below:

Special Permit: ES East Columbus Ave, SS Wilcox St, NS William St.

Petitioner: 180 Redevelopment, LLC
One Monarch Place
Suite 2500
Springfield, Ma. 01114

Landlord: 180 Redevelopment, LLC
One Monarch Place
Suite 2500
Springfield, Ma.. 01114


Stephen J. Loneragan/ Treasurer Collector

Attachment: E Columbus Ave ES 2023 (7421 : ES East Columbus Avenue, Et.Al.)

PROJECT NARRATIVE TO CITY COUNCIL SPECIAL PERMIT APPLICATION – TIER 3

For

PROPOSED DRIVE-THROUGH RESTAURANT
ES EAST COLUMBUS AVENUE (04303-0522, 0519 & 0518); SS WILCOX STREET
(12285-0064 & 0065); & NS WILLIAM STREET (12300-0019 & 0221)
SPRINGFIELD, MASSACHUSETTS 01114

INTRODUCTION & PROPERTY DESCRIPTION

On behalf of the applicant and property owner, 180 Redevelopment, LLC c/o Mr. Francis J. Cataldo, Jr. and Mr. Paul C. Picknelly, R Levesque Associates, Inc. is herein providing this project narrative as a supplement to the City Council Tier 3 Special Permit application for the proposed construction of a drive-through restaurant with associated site improvements to be located at the above-referenced properties in Springfield, Massachusetts.

The subject properties are located northeast of East Columbus Avenue, southeast of Wilcox Street, and northwest of William Street in Springfield, Massachusetts (hereinafter referred to as the "project site"). Said properties are designated with the parcel ID numbers, 043030518; 122850064; 122850065; 123000021; 123000019; 043030522; and 043030519 121450047, with the City of Springfield Assessor's database. The subject parcels lie within the Business B (BB) zoning district according to the City of Springfield Zoning Map. The project site consist of approximately 0.70 ± acres and is shown on the associated project plans, dated May 17, 2023, as prepared by R Levesque Associates, Inc. The record property owner of the subject properties is 180 Redevelopment, LLC. Said properties are recorded under the Hampden County Registry of Deeds in Book 20922, Page 317; Book 20586, Page 70; Book 22566, Page 458; and Book 20586, Page 65. A copy of these deeds are included herein this applicant packet under Section 6. A drive-through restaurant is an allowed use governed by a City Council Tier 3 Special Permit within the Business B (BB) zoning district per the City of Springfield's Zoning Ordinance under Table 4-4 – Use Regulations, Section 19.1 (2).

EXISTING CONDITIONS & SURROUNDING LAND USES

The project site is currently undeveloped and consists of vacant land. The topography of the site can be generally described as moderately flat. Please refer to the associated project

Attachment: E_Columbus_Ave_ES_2023 (7421 : ES East Columbus Avenue, Et.Al.)

plans for greater detail regarding existing and proposed contours. The site is bounded to the north by Wilcox Street, to the east by a residential area and Frigo Foods Deli, to the south by William Street, and to the west by East Columbus Avenue. A locus map of the subject parcels is included herein this application packet under Section 4.

DETAILED PROJECT DESCRIPTION

The proposed project consists of the construction of a new building with associated site improvements. Associated site improvements include, but are not limited to, access drive aisles, a vehicular parking lot, installation of underground utilities including, water, sewer, gas, electric, and telecommunication services, the construction of a new stormwater system, associated site grading, landscaped areas, and lighting.

Please refer to the associated project plans for greater detail regarding the exact locations of proposed work.

PARKING & SITE CIRCULATION

As part of this project, provisions for a total of forty (40) parking spaces are proposed including two (2) handicap and van accessible spaces. The drive aisles surrounding the building are designed to be a width of approximately twenty-four (24) feet to accommodate parked vehicles for customers accessing the building and the drive-through while allowing enough space for cars to pass through. Drive aisles have been arranged in a north south and east west direction to allow for customers to navigate back and forth between the building, drive-through, and the surrounding streets. The project site will provide entrance and egress to and from the site along East Columbus Avenue, Wilcox Street, and William Street. Please refer to the associated project plans for greater detail regarding the configuration of parking/drive aisle areas at the project site.

UTILITIES

As part of this project inspection and extension of existing water, sewer, gas, electric, and telecommunication service connections from existing utilities within East Columbus Avenue; Wilcox Street; and William Street are proposed. Utilities will be run within the project site to the proposed building as shown on the associated project plans. All new/revised utility connections will be coordinated with the utility provider and are subject to provider specification. All utility connections will be coordinated with final plans and are subject to modification as necessary. Please refer to the associated project plans for greater detail regarding proposed locations of utilities at the project site.

LANDSCAPING & LIGHTING

On-site landscaping will be provided and will be in conformance with municipal regulations. All proposed landscaping has been coordinated by the applicant. All plantings will be native plans and will be non-invasive. Please refer to the associated project plans for greater detail regarding proposed landscaping at the project site.

On-site lighting will be provided and will be in conformance with municipal regulations and in general conformance with the surrounding areas. Please refer to the associated project plans for greater detail regarding the exact locations of proposed lighting at the project site.

[END OF PROJECT NARRATIVE]

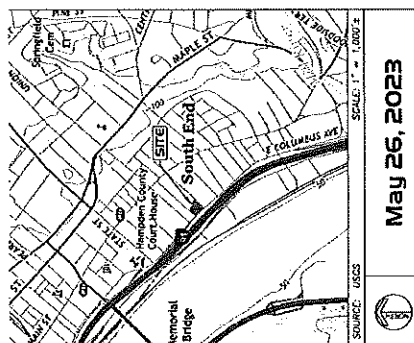
Proposed Drive Thru Restaurant

**East Columbus Avenue, Wilcox Street & William Street
Springfield, MA 01105**

Parcel I.D.s: 122850065, 122850064, 043030518, 043030519, 043030522, 123000016 & 123000021

AS PREPARED FOR

180 reDevelopment
c/o Mr. Francis Cataldo
Monarch Place - Suite 250
Springfield, MA 01114

[illegible]

DRAWING INDEX - (PARTIAL SET) - CITY COUNCIL			
SHEET NO.	TITLE SHEET	SHEET NAME	ISSUE DATE
1-1			05/26/23
C-1		NOTES, SYMBOL, LINE LEGEND, AND ABBREVIATIONS	05/26/23
C-2		CONSTRUCTION NOTES	05/26/23
C-3		DEMOLITION AND REMOVALS PLAN	05/26/23
C-4		LAYOUT AND MATERIALS PLAN	6/8/2023
C-7		LANDSCAPING PLAN	05/26/23
D-1		DETAILS	05/26/23

BY



**R LEVESQUE
ASSOCIATES INC.**
A LAND PLANNING SERVICES COMPANY

10 School Street • Westfield, MA • 01085
ph 413.568.0985 • fax 413.568.0986
www.rhaind.com

RLA Project Number: 230402

PERMITTING

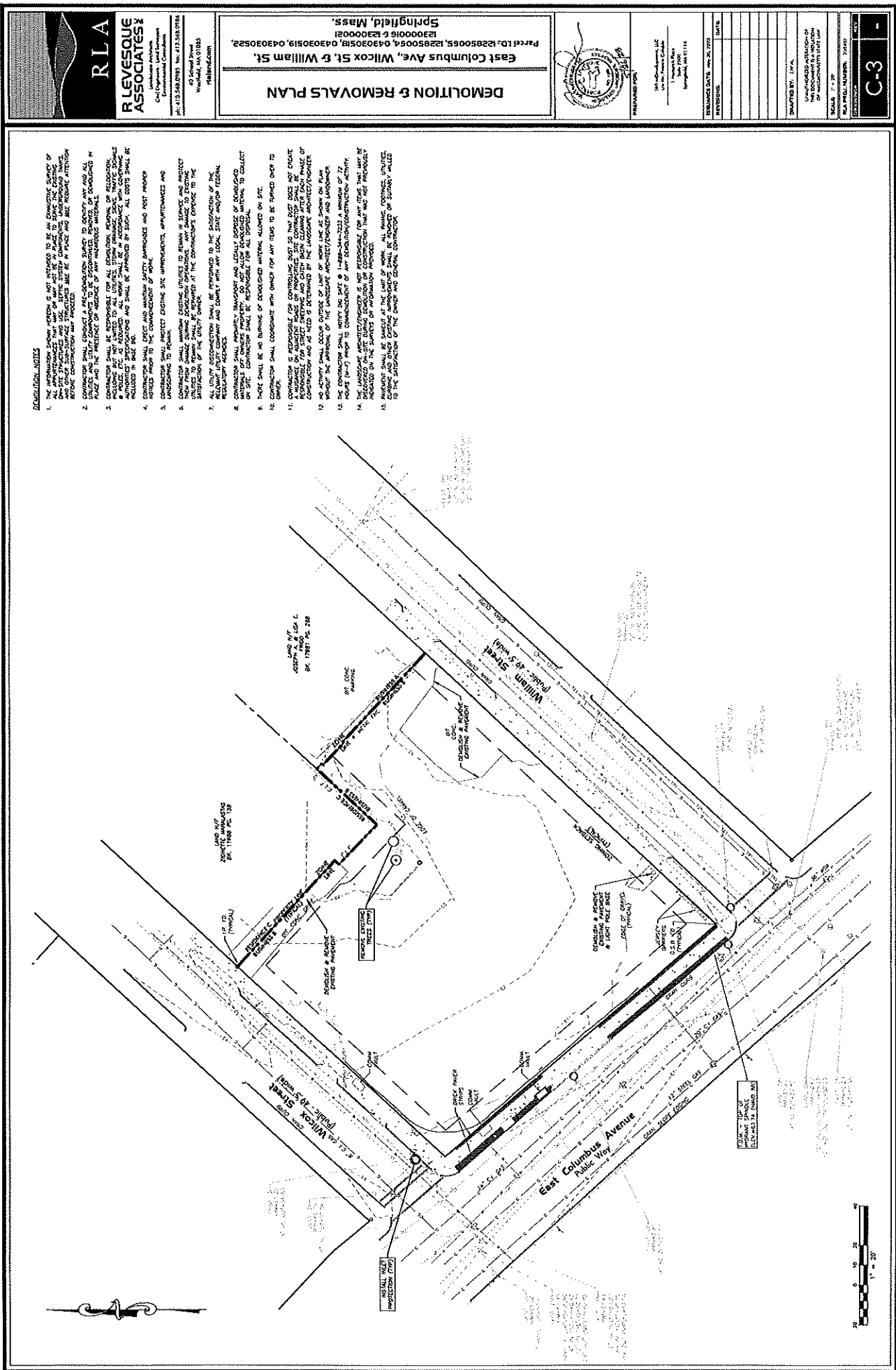
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1. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELIMINATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON THE INFORMATION PROVIDED BY THE OWNER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UTILITIES IN THE FIELD. THE CONTRACTOR IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REOCCUPY EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN THE NECESSARY PERMITS AND UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

2. ALL CUT OR FILL SLOPES SHALL BE 3:1 OR FLATER UNLESS OTHERWISE NOTED.

[illegible][illegible]





" N.E. - NO REGULATION
 " ABUTTING A RESIDENTIAL OBJECT/ABUTTING A NON-RESIDENTIAL DISTRICT

TYPE (MINIMUM)

TYPE	ANNUAL	REQUIRED	PROPOSED
AREA	400	400	3,975 S.F.
PERMANENT		400	3,975 S.F. TOTAL
TEMPORARY		400	186
PROJECT YARD		10 FT	72.8
WATER YARD		1000 FT	0
ROAD YARD		1000 FT	42.7
HOISTING YARD		40 FT X 100 FT	1 TONN
LOADING YARD		800	11.7

2. SITE CONTRACT
SITE LAYOUT,

- [illegible]

2. ALL ACCESSIBLE HOUT
INCLUDING ALL INTRAM

1. ALL ACCESSIBLE ROUTES, TRANSITIONS, AND ACCESSIBLE PARKING/LOADING AREAS, INCLUDING ALL ENTRANCES TO BUILDING, SHALL ADHERE TO 321 CMR.
2. SHOULD THE ARCHITECT PROVIDE ADDITIONAL DIMENSIONS ON ACCOUNT OF EXISTING ADDITIONAL ACCESSIBLE ROUTES MAY BE REQUIRED.
3. IT IS THE RESPONSIBILITY OF THE ARCHITECT AND CONTRACTOR TO NOTIFY THE ENGINEER AND LANDSCAPE ARCHITECT OF ANY CHANGES TO THE PROPOSED BUILDING THAT WOULD AFFECT THE ACCESSIBILITY REQUIREMENTS OF THE PROPOSED SITE.
4. THE CONTRACTOR SHALL REVIEW IN OTHER THE REQUIREMENTS OF 321 CMR AND SHALL BE RESPONSIBLE FOR COMPLIANCE WITH SAID REGULATIONS.

100

WILLIAMSON COUNTY
MEMORANDUM

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

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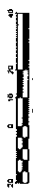
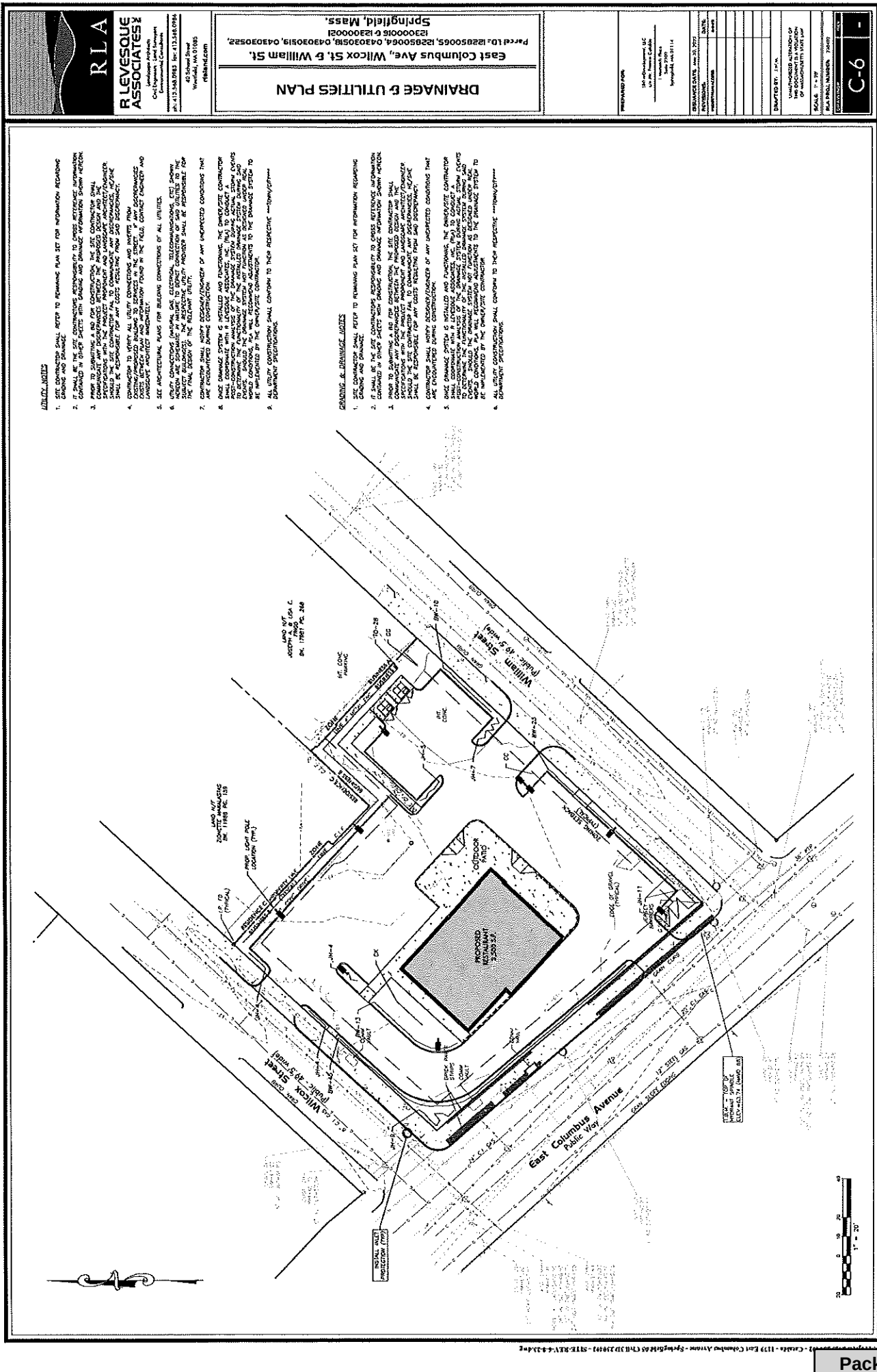
UNIVERSITY OF CALIFORNIA, BERKELEY

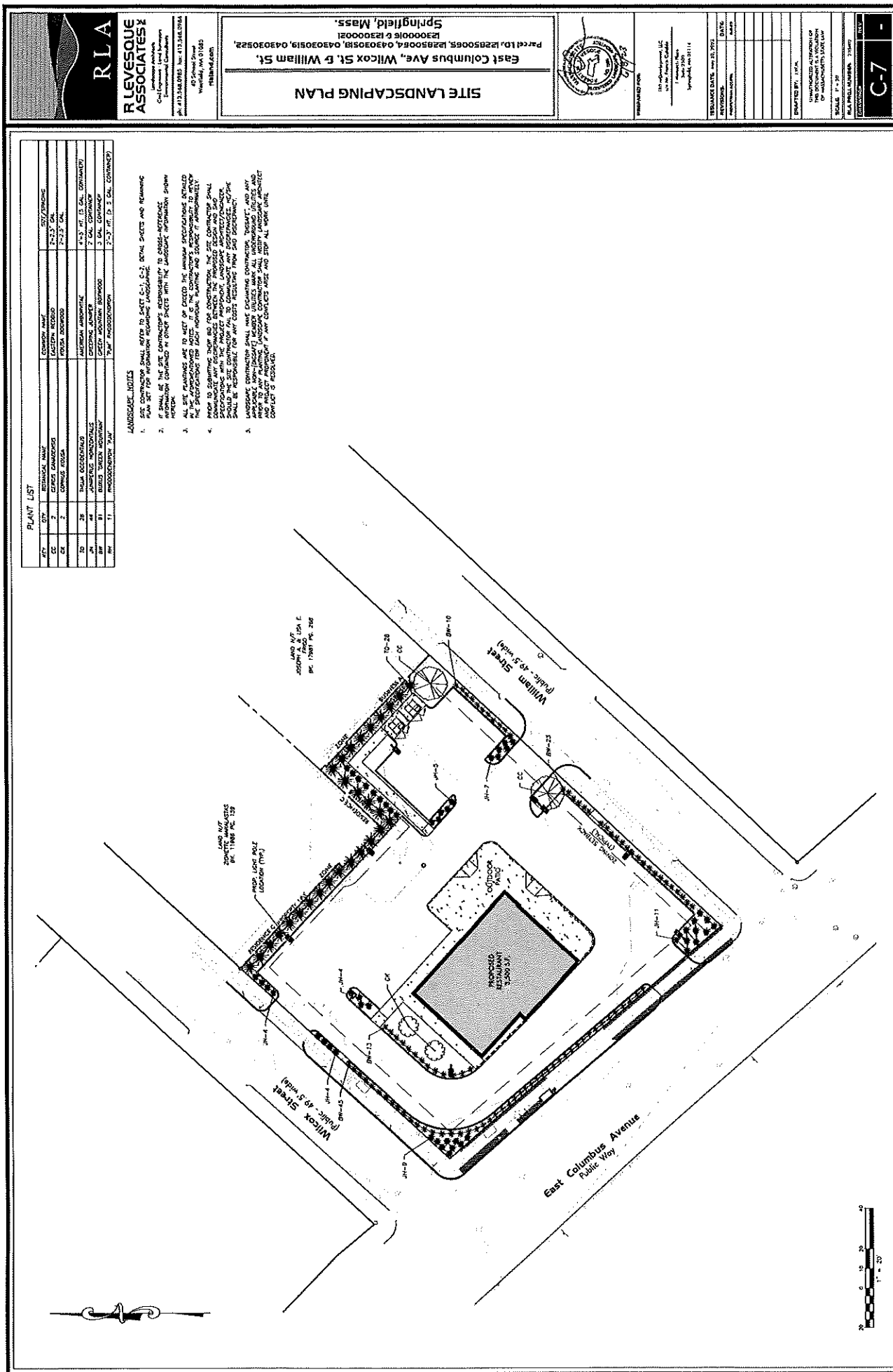
SCALE 1" = 20'

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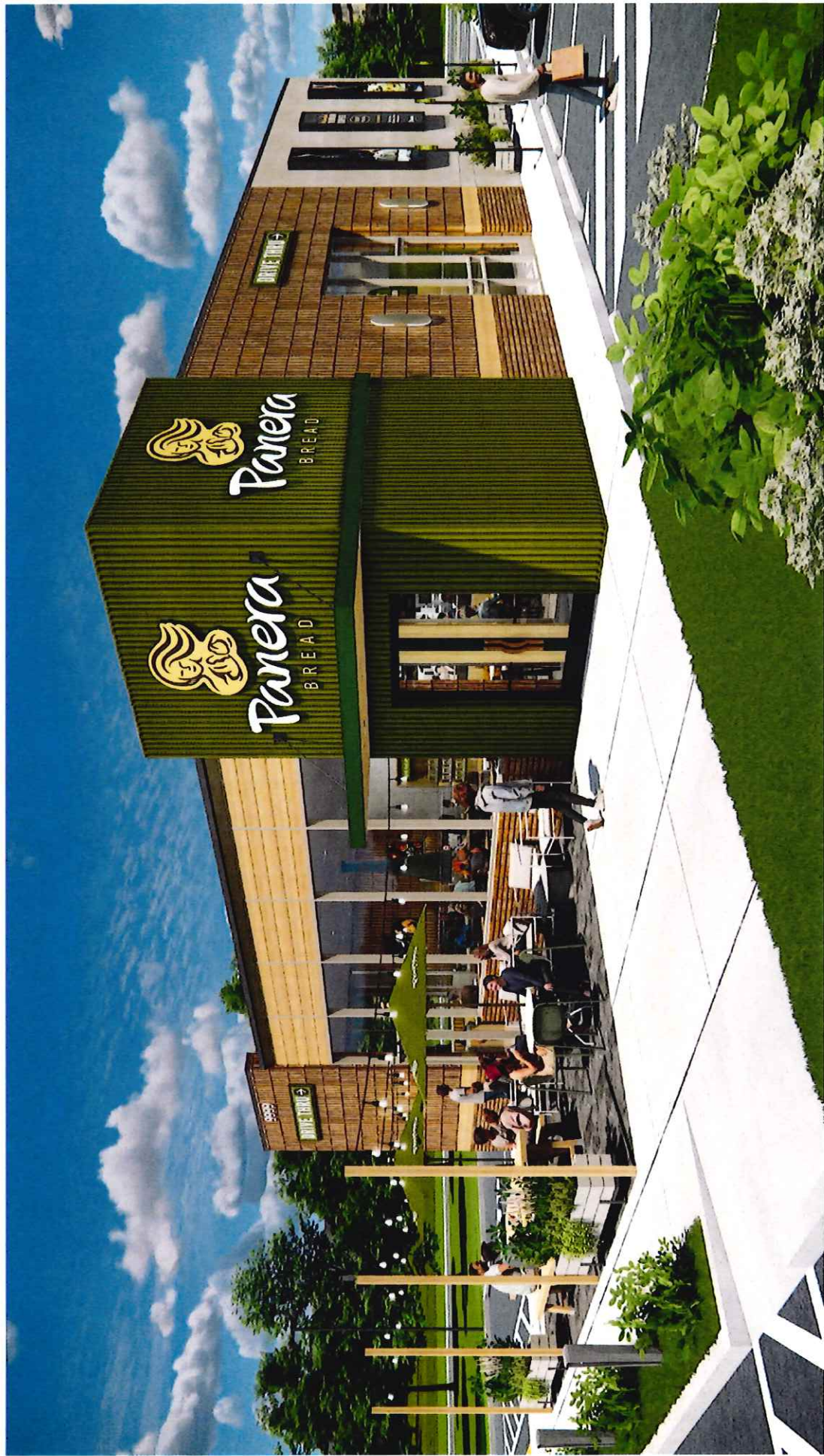
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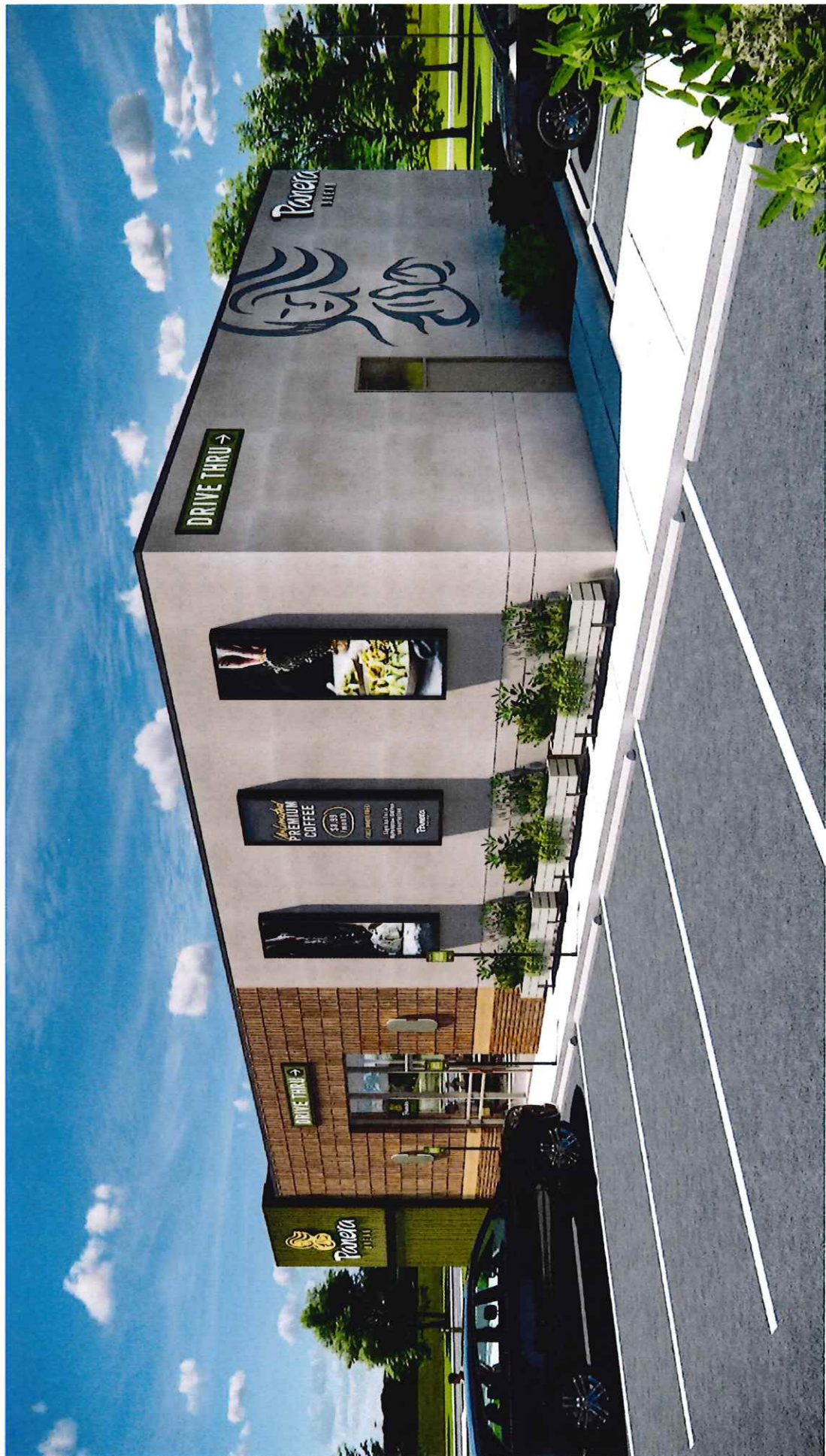


Building Elevations



PANERA BREAD

Building Elevations

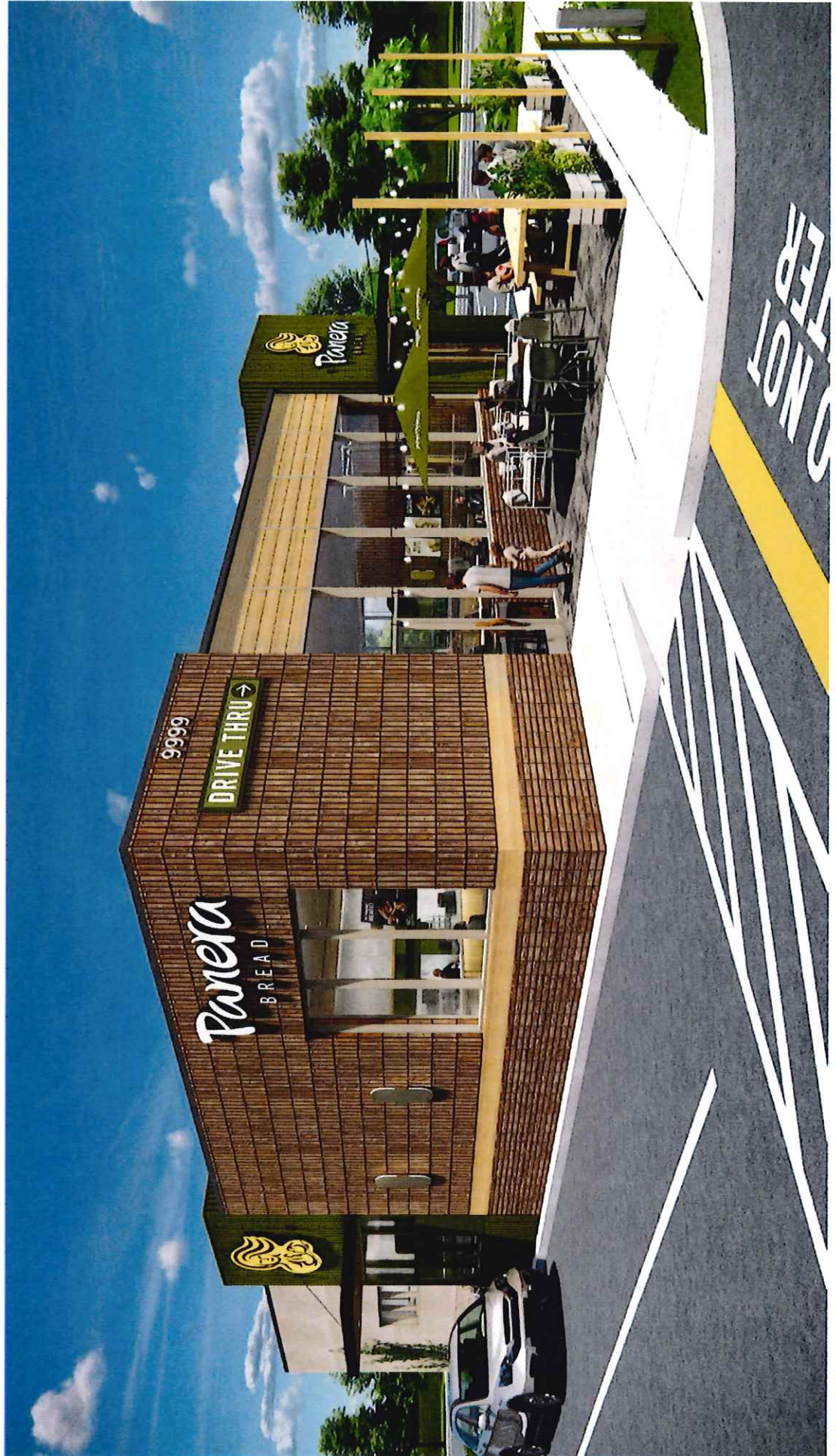


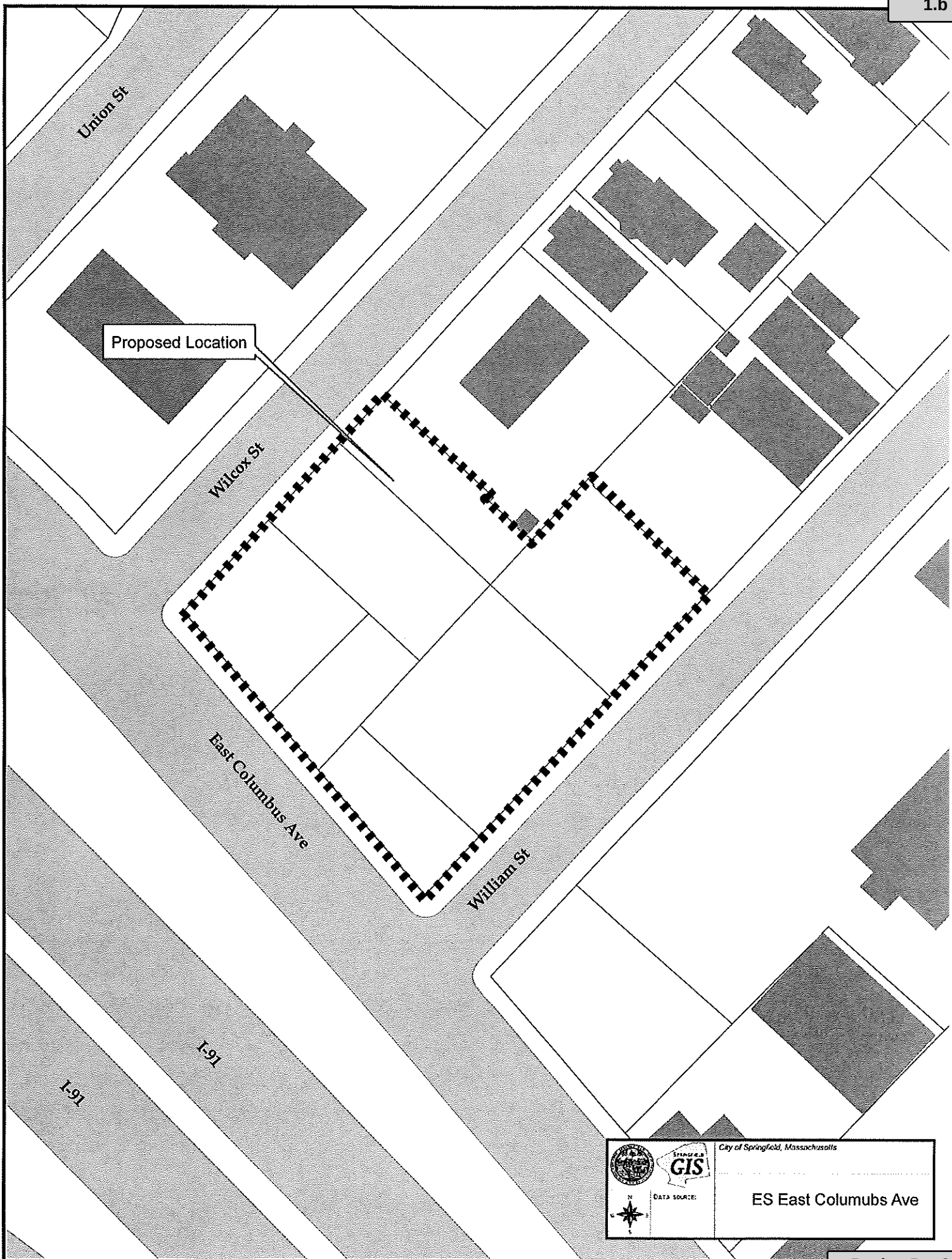
PANERA BREAD

Building Elevations



Building Elevations





Attachment: E Columbus Ave ES 2023 (7421 : ES East Columbus Avenue, Et.Al.)



City of Springfield, Massachusetts

DATA SOURCE:

ES East Columbus Ave

To The City Council of the City of Springfield:
The undersigned respectfully petition your honorable body

to change the zoning of the property known as 1781 Page Boulevard (09440-0772) from Business B and Industrial A.

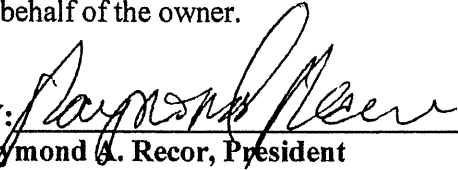
Mailing Address:

224 Monson Road
 Wilbraham, MA 01195

Owner:

Mari Real Estate Corporation

I hereby certify that I am the owner or acting on behalf of the owner.

BY: 
 Raymond A. Recor, President

4.14.2023

Mailing Address:

100 Stamford First Place, Suite 700
 Stamford, CT 06902

Petitioner:

United Rentals, Inc.

I hereby certify that I am the petitioner or acting on behalf of the petitioner.

BY: 
 Michael Sala

4/14/23

City of Springfield, MA
 APR 26 2023
 City Clerk's Office

Attachment: Page BI 1781 Zone Change Formal (7385 : 1781 Page Boulevard)



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND TWENTY-THREE

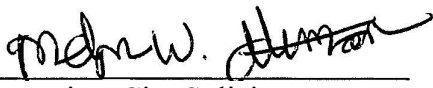
AN ORDINANCE

AMENDING SECTION 15 OF THE BUILDING ZONE MAP

Be it ordained by the City Council of the City of Springfield as follows:

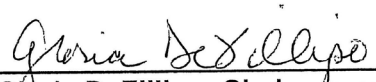
SECTION 1. The Zoning Ordinance of the City of Springfield, Massachusetts entitled “An Ordinance for Consolidating and Arranging, Enlarging, Modifying and Amending the Ordinances of the City Restricting Buildings, Structures, and Premises According to Their Use or Construction to Specified Parts of the City”, text enacted, May 28, 2013, as amended, is hereby further amended by changing from **Business B to Industrial A** the zoning on **Plot #3238, Section 15** of the Building Zone Map as indicated in red ink on the plan thereof hereto attached and marked “**Section 15 Building Zone Map of the City of Springfield.**”

Approved as to Form;


Associate City Solicitor

In accordance with Mass. Gen. Laws c. 40A, section 5, the Planning Board held a hearing on June 7, 2023 regarding the above Ordinance amendment.

3 Person(s) appeared in favor, and 1 Person(s) appeared in opposition.


Gloria DeFillipo, Chairperson



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND TWENTY-THREE

AN ORDINANCE

AMENDING SECTION 15 BUILDING ZONE MAP

SECTION 1. The Zoning Ordinance of the City of Springfield, Massachusetts entitled “An Ordinance for Consolidating and Arranging, Enlarging, Modifying and Amending the Ordinances of the City Restricting Buildings, Structures, and Premises According to Their Use or Construction to Specified Parts of the City”, text enacted, May 28, 2013, as amended, is hereby further amended by changing from **Business B to Industrial A** the zoning on **Plot #3238, Section 15** of the Building Zone Map as indicated in red ink on the plan thereof hereto attached and marked “**Section 15 Building Zone Map of the City of Springfield.**”

**REPORT TO CITY COUNCIL
ZONE CHANGE HEARING**

PETITION: #3238
SECTION: 15

DATE: June 8, 2023

To the Honorable Mayor and City Council of the City of Springfield, Massachusetts, the Planning Board submits the following report on the Zone Change Petition, which was referred to the Board for its recommendation:

PETITIONER: United Rentals, Inc.

ADDRESS: 1781 Page Boulevard (09440-0772)

CHANGE REQUESTED: Proposed zone change from Business B to Industrial A

PETITIONER'S PURPOSE STATEMENT: Indoor and outdoor storage of porta-lets and portable and fixed sanitary equipment.

DATE OF PUBLIC HEARING: June 7, 2023

DATE OF FINAL DECISION: June 7, 2023

BOARD MEMBERS PRESENT and COUNT: six (6): Mr. Cunningham, Ms. McQuade, Ms. DeFillipo, Ms. Morin, Mr. Mineo and Mr. Florian

FINAL MOTION: APPROVE

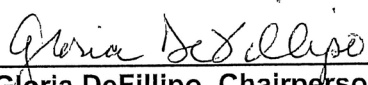
IN FAVOR: six (6): Mr. Cunningham, Ms. McQuade, Ms. DeFillipo, Ms. Morin, Mr. Mineo and Mr. Florian

OPPOSED: zero (0)

ABSTAINED: N/A

RECOMMENDATION: APPROVE

Respectfully submitted,


Gloria DeFillipo, Chairperson

Attachment: 3238_1781_Page_BI_2023_PB_Report (7385 : 1781 Page Boulevard)

**OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A ZONE CHANGE**

**1781 PAGE BOULEVARD (09440-0772)
BUSINESS B TO INDUSTRIAL A**

GENERAL INFORMATION

Applicant:	United Rentals, Inc.
Request:	Business B to Industrial A
Location:	1781 Page Boulevard
Parcel Size:	250,906 s.f.
Purpose:	Indoor and outdoor storage of porta-lets and portable and fixed sanitary equipment.
Surrounding Land Use and Zoning:	The property is located in the Indian Orchard Neighborhood and is located in an area with a mix of commercial and industrial uses. The surrounding land uses include: To the north is a US Postal Bulk Mail facility zoned Residence B and Industrial A. To the south is single-family homes zoned Residence A. To the east is an auto-repair facility zoned Business B. To the west is a junk yard operation zoned Business B and Industrial A.
Site Visit:	5-30-23
Neighborhood Council Notification:	Indian Orchard Council: 5-23-23
Planning Board Hearing Date:	6-7-23

SPECIAL INFORMATION

Traffic & Parking:	N/A
Physical Characteristics:	N/A
Other Notes:	N/A

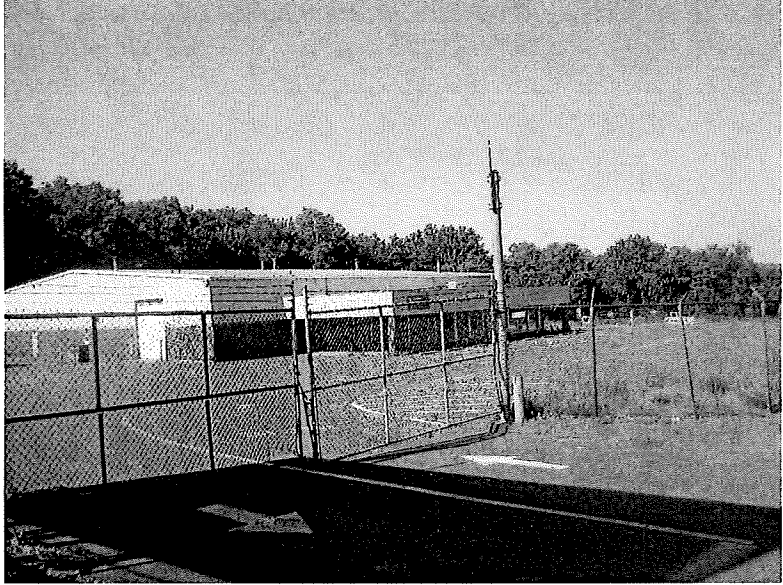
ANALYSIS

The petitioner has requested to change the zoning of the property known as 1781 Page Boulevard from Business B to Industrial A. This site is currently vacant and had been used for the storage of construction equipment. The petitioner intends to use the property for "...the indoor and outdoor storage of porta-lets and portable and fixed sanitary equipment".

After reviewing the plans submitted with the application and reviewing the overall zoning of this area, the staff does not object to the proposed request. As noted above, the proposed parcel is currently vacant and will be used for the storage of sanitary equipment. As per the current Zoning Ordinance, this use is

considered to be a “trash hauling facility” and, as such, is only allowed in an Industrial A zone.

In reviewing the proposed operation, it was noted that the equipment being stored at this location will be empty. The petitioner has indicated that the units being stored at the site are emptied at the locations where they are being utilized. It was noted that DOT regulations prohibit the transportation of units that have not been emptied. The units will then be cleaned and sanitized at this location; however, this washing operation will be completed inside the existing building. Water from the wash bay will then be drained into an underground storage tank. This tank is equipped with an oil separator.



Overall, the staff believes that a change to Industrial A at this location will not adversely affect the abutting properties or the neighborhood as whole. As noted above, this area of Page Boulevard has a mix of other commercial and industrial uses. Further, it should be noted that there is a large wooded area separating this use from the abutting residential properties. Lastly, it is important to note that in addition to the zone change, a special permit for this use will also be required from the City Council.

RECOMMENDATION

Approve.

STATEMENT OF PURPOSE & IMPACT

Zone Change Petition
1781 Page Boulevard
Springfield, Massachusetts 01104
(Parcel ID: 094400772)

On behalf of the applicant, United Rentals, Inc. c/o Mr. Michael Sala, R Levesque Associates, Inc. is herein providing this statement of purpose and impact to the zone change petition for the above-referenced property in Springfield, Massachusetts. The subject property is currently zoned Business B (BB) and is owned by Mari Real Estate Corporation. Said property is recorded under the Hampden County Registry of Deeds in Book 8685, Page 439. The applicant respectfully requests that the City of Springfield City Council grant the following Zone Change:

Parcel ID	Current Zoning District	Proposed Zoning District
094400772	Business B (BB)	Industrial A (IA)

The subject property consists of approximately 5.76 ± acres. The purpose of the proposed zone change is to allow for the future indoor and outdoor storage of porta-lets, and portable and fixed sanitation equipment with associated site improvements to be housed at the 1781 Page Boulevard site in Springfield, Massachusetts. Should the City Council grant the aforementioned zone change, the proposed project would be defined as a “trash hauling services facility” under the City of Springfield Zoning Ordinance which would require the approval of a Tier 3 Special Permit by further review from the City of Springfield City Council. Further details regarding the proposed project will be provided during this time. There should be no significant impact to the neighborhood as additional Industrial A (IA) districts and uses currently exist to the south of the subject property along Page Boulevard.

[END OF STATEMENT OF PURPOSE & IMPACT]

INDIAN ORCHARD CITIZEN'S COUNCIL



April 13, 2023

To whom it may concern:

Mr. Mike Ryan and Ryan Scully and their team presented to the Indian Orchard Citizens Council on 04/12/2022 at our monthly meeting. They presented their plans for United Rentals to host storage for Port a Potty's which will be for rent. There was a site visit on the same day and neighbors who attended did not have an issue with their proposed zone change. The IOCC Board voted to write a letter of support for the team to allow for a zone change on the property located at 1781 Page Blvd.

If you have any questions, please feel free to call me at 413-301-2533 or email me at iocc.council@gmail.com Thank you.

In service,

Zaida Govan

Zaida Govan, President

IOCC

117 Main Street P. O. Box 51593 Indian Orchard, MA 01151 413-209-8240
iocc.council@gmail.com

Attachment: 3238_1781_Page_BI_2023 (7385 : 1781 Page Boulevard)

[illegible]

Proposed Location

Page Blvd

Fullerton St

Leo St

Pennaquid St

Midway St

Berkshire Ave

Lorimer St

Superior Ave



City of Springfield, Massachusetts



DATA SOURCE:

1781 Page Blvd

Attachment: 3238 1781 Page Bl 2023 (7385 : 1781 Page Boulevard)

To The City Council of the City of Springfield:
The undersigned respectfully petition your honorable body

to change the zoning of the property known as NS Rutledge Avenue (formally #16) (10485-0004)
from Residence C to Business B.

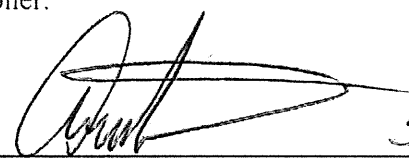
Mailing Address:

487 Main Street
Springfield, MA 01105

Owner & Petitioner:

457 Main Street, LLC

I hereby certify that I am the owner and
petitioner or acting on behalf of the owner and
petitioner.

BY:  5/1/23

Antonio Calabrese

Attachment: Rutledge Ave NS Zone Change Formal (7386 : NS Rutledge Avenue (10485-0004))



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND TWENTY-THREE

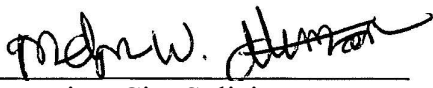
AN ORDINANCE

AMENDING SECTION 46 OF THE BUILDING ZONE MAP

Be it ordained by the City Council of the City of Springfield as follows:

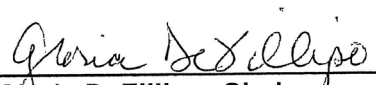
SECTION 1. The Zoning Ordinance of the City of Springfield, Massachusetts entitled “An Ordinance for Consolidating and Arranging, Enlarging, Modifying and Amending the Ordinances of the City Restricting Buildings, Structures, and Premises According to Their Use or Construction to Specified Parts of the City”, text enacted, May 28, 2013, as amended, is hereby further amended by changing from **Residence C to Business B** the zoning on **Plot #3239, Section 46** of the Building Zone Map as indicated in red ink on the plan thereof hereto attached and marked “**Section 46 Building Zone Map of the City of Springfield.**”

Approved as to Form;


Associate City Solicitor

In accordance with Mass. Gen. Laws c. 40A, section 5, the Planning Board held a hearing on June 7, 2023 regarding the above Ordinance amendment.

1 Person(s) appeared in favor, and 0 Person(s) appeared in opposition.


Gloria DeFillipo, Chairperson

Attachment: 3239 NS Rutledge Ave 2023 PB Report (7386 : NS Rutledge Avenue (10485-0004))



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND TWENTY-THREE

AN ORDINANCE

AMENDING SECTION 46 BUILDING ZONE MAP

SECTION 1. The Zoning Ordinance of the City of Springfield, Massachusetts entitled “An Ordinance for Consolidating and Arranging, Enlarging, Modifying and Amending the Ordinances of the City Restricting Buildings, Structures, and Premises According to Their Use or Construction to Specified Parts of the City”, text enacted, May 28, 2013, as amended, is hereby further amended by changing from **Residence C to Business B** the zoning on **Plot #3239, Section 46** of the Building Zone Map as indicated in red ink on the plan thereof hereto attached and marked “**Section 46 Building Zone Map of the City of Springfield.**”

**REPORT TO CITY COUNCIL
ZONE CHANGE HEARING**

PETITION: #3239
SECTION: 46

DATE: June 8, 2023

To the Honorable Mayor and City Council of the City of Springfield, Massachusetts, the Planning Board submits the following report on the Zone Change Petition, which was referred to the Board for its recommendation:

PETITIONER: 457 Main Street, LLC

ADDRESS: NS Rutledge Avenue (10484-0004)

CHANGE REQUESTED: Proposed zone change from Residence C to Business B

PETITIONER'S PURPOSE STATEMENT: Expanded parking

DATE OF PUBLIC HEARING: June 7, 2023

DATE OF FINAL DECISION: June 7, 2023

BOARD MEMBERS PRESENT and COUNT: six (6): Mr. Cunningham, Ms. McQuade, Ms. DeFillipo, Ms. Morin, Mr. Mineo and Mr. Florian

FINAL MOTION: APPROVE

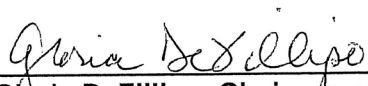
IN FAVOR: six (6): Mr. Cunningham, Ms. McQuade, Ms. DeFillipo, Ms. Morin, Mr. Mineo and Mr. Florian

OPPOSED: zero (0)

ABSTAINED: N/A

RECOMMENDATION: APPROVE

Respectfully submitted,


Gloria DeFillipo, Chairperson

Attachment: 3239 NS Rutledge Ave 2023 PB Report (7386 : NS Rutledge Avenue (10485-0004))

**OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A ZONE CHANGE**

**NS RUTLEDGE AVENUE (10484-0004)
RESIDENCE C TO BUSINESS B**

GENERAL INFORMATION

Applicant:	457 Main Street, LLC
Request:	Residence C to Business B
Location:	NS Rutledge Avenue
Parcel Size:	4,169 s.f.
Purpose:	Expanded parking
Surrounding Land Use and Zoning:	The property is located in the South End Neighborhood and is located in an area with a mix of commercial and residential uses. The surrounding land uses include: To the north is the AC Produce Building zoned Business B. To the south is three-family housed zoned Residence C. To the east is a three-family house zoned Residence C. To the west is commercial parking zoned Business B.
Site Visit:	5-30-23
Neighborhood Council Notification:	South End Citizens Council: 5-23-23
Planning Board Hearing Date:	6-7-23

SPECIAL INFORMATION

Traffic & Parking:	N/A
Physical Characteristics:	N/A
Other Notes:	N/A

ANALYSIS

The petitioner has requested to change the zoning of the property known as NS Rutledge Avenue (formally #16) from Residence C to Business B. This site is currently vacant and is planned to be used for expanded parking for the existing AC Produce business.

After reviewing the plans submitted with the application and reviewing the overall zoning of this area, the staff does not object to the proposed request. As noted above, the proposed parcel is currently vacant and will be used for the creation of addition parking for the existing AC Produce commercial use.

In reviewing the submitted plans, it should be noted that in addition to the existing fencing, as per the Zoning Ordinance, a landscape buffer is also required along the property line which abuts the residentially zoned property. Further, as with all new paving, a full review and approval will be needed by the Department of

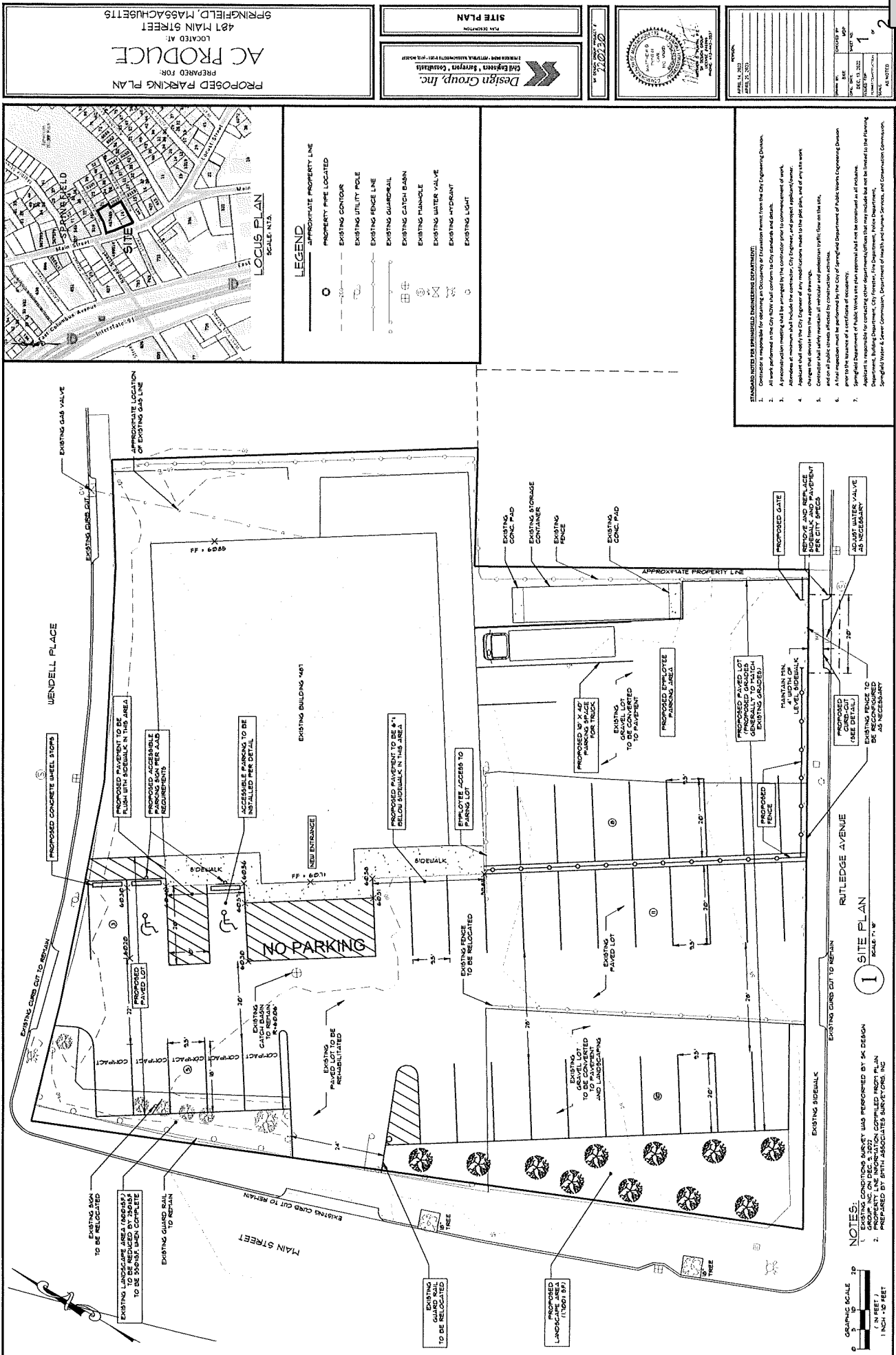
Public Works, prior to the start of any paving.

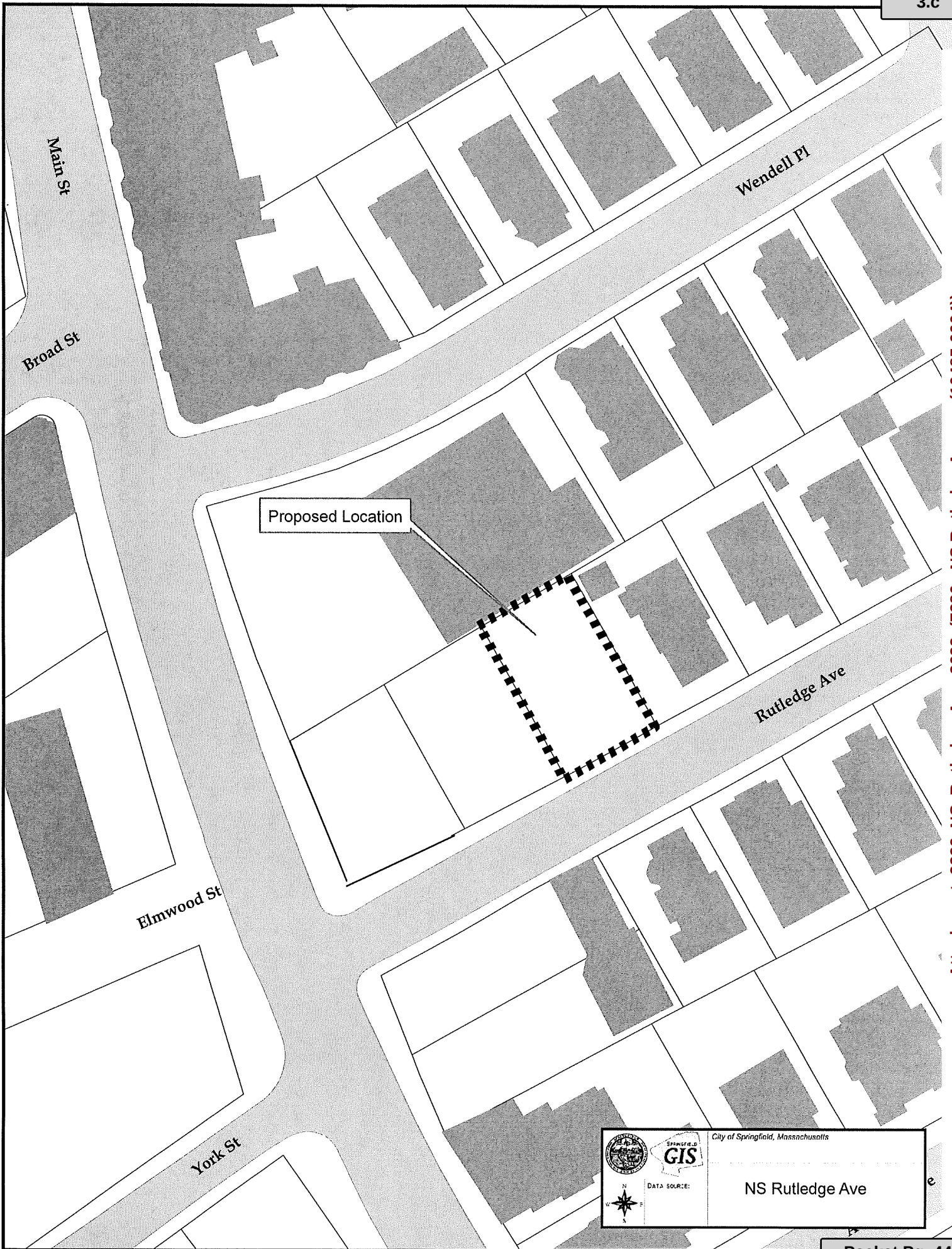
Overall, the staff believes that a change to Business B will not adversely affect the abutting properties or the neighborhood and will also provide much needed additional parking for this long-standing South End business.



RECOMMENDATION

Approve.





Proposed Location

Attachment: 3239 NS Rutledge Ave 2023 (7386 : NS Rutledge Avenue (10485-0004))



City of Springfield, Massachusetts



DATA SOURCE:

NS Rutledge Ave

To The City Council of the City of Springfield:
The undersigned respectfully petition your honorable body

to amend the Springfield Zoning Ordinance by amending Article 4, Section 4.7.114(B)(5) by amending the existing language:

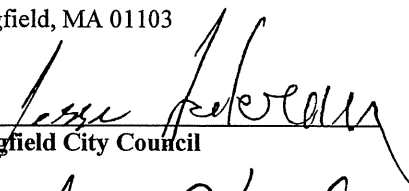
5. The hours of operation shall be set by the City Council, but in no event shall an MARIJUANA RETAILER be open to the public, and no sale or other distribution of marijuana shall occur upon the premises or via delivery from the premises, between the hours of 9:00 p.m. and 8:00 a.m.

To read as follows:

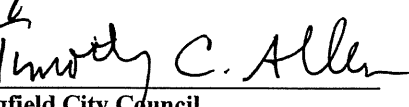
5. The hours of operation shall be set by the City Council, but in no event shall an MARIJUANA RETAILER be open to the public, and no sale or other distribution of marijuana shall occur upon the premises or via delivery from the premises, between the hours of 11:00 p.m. and 8:00 a.m.

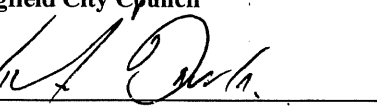
Mailing Address:

36 Court Street
 Springfield, MA 01103

BY: 
 Springfield City Council

BY: 
 Springfield City Council

BY: 
 Springfield City Council

BY: 
 Springfield City Council

BY: 
 Springfield City Council

BY: 
 Springfield City Council

BY: 
 Springfield City Council

Petitioner:

Springfield City Council

BY: _____
 Springfield City Council

BY: _____
 Springfield City Council

BY: _____
 Springfield City Council

BY: _____
 Springfield City Council

BY: _____
 Springfield City Council

BY: _____
 Springfield City Council

City of Springfield, MA

APR 14 2023

City Clerk's Office

Attachment: 3237 Article 4 Formal (7359 : Amendment Article 4, Section 4.7.114(B)(5)(Adult Use))



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND TWENTY-THREE

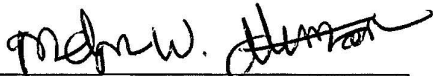
AN ORDINANCE

AMENDING THE ENTIRE CITY OF THE BUILDING ZONING MAP

Be it ordained by the City Council of the City of Springfield as follows:

SECTION 1. The Zoning Ordinance of the City of Springfield, Massachusetts entitled “An Ordinance for Consolidating and Arranging, Enlarging, Modifying and Amending the Ordinances of the City Restricting Buildings, Structures, and Premises According to Their Use or Construction to Specified Parts of the City”, text enacted, May 28, 2013, effective August 26, 2013, as amended, is hereby further amended **by amending Article 4, Section 4.7.114(B)(5). Plot #3237, for “the entire City Building Zone Map of the City of Springfield.”**

Approved as to Form;


Associate City Solicitor

In accordance with Mass. Gen. Laws c. 40A, section 5, the Planning Board held a hearing on May 3, 2023 regarding the above Ordinance amendment.

1 Person(s) appeared in favor, and 0 Person(s) appeared in opposition.


Gloria DeFillipo, Chairperson



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND TWENTY-THREE

AN ORDINANCE

AMENDING THE ENTIRE CITY OF THE BUILDING ZONING MAP

SECTION 1. The Zoning Ordinance of the City of Springfield, Massachusetts entitled “An Ordinance for Consolidating and Arranging, Enlarging, Modifying and Amending the Ordinances of the City Restricting Buildings, Structures, and Premises According to Their Use or Construction to Specified Parts of the City”, text enacted, May 28, 2013, effective August 26, 2013, as amended, is hereby further amended **by amending Article 4, Section 4.7.114(B)(5). Plot #3237, for “the entire City Building Zone Map of the City of Springfield.”**

**REPORT TO CITY COUNCIL
ZONE CHANGE HEARING**

PETITION: #3237
SECTION: City-Wide

DATE: May 4, 2023

To the Honorable Mayor and City Council of the City of Springfield, Massachusetts, the Planning Board submits the following report on the Zone Change Petition, which was referred to the Board for its recommendation:

PETITIONER: PS Springfield, LLC

ADDRESS: City-wide

CHANGE REQUESTED: Proposed amendment to Article 4, Section 4.7.114(B)(5)

PETITIONER'S PURPOSE STATEMENT: To extend the hours of operation for Adult Use Retail Marijuana operations.

DATE OF PUBLIC HEARING: May 3, 2023

DATE OF FINAL DECISION: May 3, 2023

BOARD MEMBERS PRESENT and COUNT: eight (8): Mr. Cunningham, Ms. McQuade, Ms. Choi, Ms. DeFillipo, Mr. Daniele, Ms. Morin, Mr. Mineo and Mr. Florian

FINAL MOTION: NOT TO APPROVE

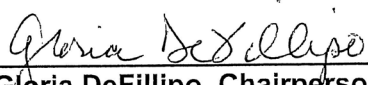
IN FAVOR: eight (8): Mr. Cunningham, Ms. McQuade, Ms. Choi, Ms. DeFillipo, Mr. Daniele, Ms. Morin, Mr. Mineo and Mr. Florian

OPPOSED: zero (0)

ABSTAINED: N/A

RECOMMENDATION: APPROVE

Respectfully submitted,


Gloria DeFillipo, Chairperson

Attachment: 3237 Adult Use Article 4 2023 PB Report (7359 : Amendment Article 4, Section 4.7.114(B)(5)(Adult Use))

OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A ZONE CHANGE

AMENDMENT TO ARTICLE 4, SECTION 4.7.114(B)(5)

GENERAL INFORMATION

Petitioner:	Springfield City Council
Request:	To amend Article 4, Section 4.7.114(B)(5)
Location:	City wide
Parcel Size:	N/A
Purpose:	To change the hours of operation.
Surrounding Land Use and Zoning:	n/a
Site Visit:	n/a
Neighborhood Council Notification:	n/a
Planning Board Hearing Date:	5-3-23

SPECIAL INFORMATION

Traffic & Parking:	n/a
Physical Characteristics:	n/a
Other Notes:	n/a

ANALYSIS

The petitioner has requested to amend Article 4, Section 4.7.114(B)(5) by amending the existing language. The current language reads as follows:

5. The hours of operation shall be set by the City Council, but in no event shall a MARIJUANA RETAILER be open to the public, and no sale or other distribution of marijuana shall occur upon the premises or via delivery from the premises, between the hours of 9:00 p.m. and 8:00 a.m.

The proposed amendment would change the language to read as follows:

5. The hours of operation shall be set by the City Council, but in no event shall a MARIJUANA RETAILER be open to the public, and no sale or other distribution of marijuana shall occur upon the premises or via delivery from the premises, between the hours of 11:00 p.m. and 8:00 a.m.

As noted above, the Springfield City Council has filed a petition to extend the hours of operation for marijuana

retail operations. The current hours allow an operation to be open between the hours of 8:00AM to 9:00PM. The City Council has proposed to extend the closing hours until 11:00PM.

In reviewing the proposed request, the staff does not object to the proposed change. It is important to note, that if approved, the change would apply to all retail marijuana operations. Additionally, as part of the review, the staff looked at other communities to see what hours were allowed. It was noted that while many communities require the operations to close before 11:00PM, there are a number of communities that currently allow these uses to stay open until 11:00PM. These include Holyoke, Worcester and Gardner. In speaking with a representative from Northampton, the staff was also informed that the hours of operation are not controlled by the zoning and a number of the existing businesses currently operate until 11:00PM.

Lastly, while this change in the ordinance would allow an operation to stay open until 11:00PM, it is important to note that the City Council has the authority, through the special permit process, to ultimately limit the hours of operation if concerns are raised about a particular operation and/or location.

RECOMMENDATION

APPROVE.

To The City Council of the City of Springfield:
The undersigned respectfully petition your honorable body

to amend the Springfield Zoning Ordinance by amending Article 4, Section 4.7.114(B)(5) by amending the existing language:

5. The hours of operation shall be set by the City Council, but in no event shall a MARIJUANA RETAILER be open to the public, and no sale or other distribution of marijuana shall occur upon the premises or via delivery from the premises, between the hours of 9:00 p.m. and 8:00 a.m.

To read as follows:

5. The hours of operation shall be set by the City Council, but in no event shall a MARIJUANA RETAILER be open to the public, and no sale or other distribution of marijuana shall occur upon the premises or via delivery from the premises, between the hours of 11:00 p.m. and 8:00 a.m.

Amended Version:

5. *The hours of operation shall be set by the City Council, but in no event shall a MARIJUANA RETAILER be open to the public, and no sale or other distribution of marijuana shall occur upon the premises or via delivery from the premises, between the hours of 11:00 p.m. and 8:00 a.m. This change in hours shall apply to all MARIJUANA RETAILER(S) now in operation within the City of Springfield.*