



City of Springfield

Hearings Meeting

~ Draft ~

36 Court Street
Springfield, MA 01103
<http://www.springfieldcityhall.com>

Linda Fitzpatrick
413-787-6559

Monday, August 17, 2015

7:00 PM

Springfield City Hall -- Council Chambers

I. Hearings

7:00 PM Meeting called to order on August 17, 2015 at Springfield City Hall -- Council Chambers, 36 Court Street, Springfield, MA.

Attendee Name	Title	Status	Arrived
Thomas M. Ashe	At-Large Councilor	Present	
Timothy C. Allen	Ward 7 Councilor	Present	
Clodo Concepcion	Ward 5 Councilor	Present	
Kenneth E. Shea	Ward 6 Councilor	Present	
Orlando Ramos	Vice President	Present	
Timothy J. Rooke	At-Large Councilor	Absent	
Bud L. Williams	At-Large Councilor	Present	
E. Henry Twiggs	Ward 4 Councilor	Present	
Justin Hurst	At Large Councilor	Present	
Melvin A. Edwards	Ward 3 Councilor	Present	
Zaida Luna	Ward 1 Councilor	Present	
Kateri B. Walsh	At-Large Councilor	Present	
Michael A. Fenton	President - Ward 2 Councilor	Absent	

Moment of Silence - Pledge of Allegiance

II. Order

1. Order (ID # 3165)

Order Authorizing Mayor to Execute Quitclaim Deed for Sale of East Side Pine Street (09715-0124) to North End Housing Initiative, Inc.

COMMENTS - Current Meeting:

Read and an explanation was given by Melvyn Altman, Associate City Solicitor that the property (ES Pine St, Parcel 09715-0124) was being transferred to North End Housing Initiative, Inc under the RFP land sale program to be used as a single family home with certain restrictions and was sold for \$7,500.00 and the Order passed by the following roll call vote.

ATTACHMENTS:

- Deed ES Pine St. (Par.124) (DOC)

RESULT:	ADOPTED [11 TO 0]
MOVER:	Melvin A. Edwards, Ward 3 Councilor
SECONDER:	Bud L. Williams, At-Large Councilor
AYES:	Ashe, Allen, Concepcion, Shea, Ramos, Williams, Twiggs, Hurst, Edwards, Luna, Walsh
ABSENT:	Timothy J. Rooke, Michael A. Fenton

III. Special Permits

2. Petition (ID # 3127)

For a Special Permit for Motor Vehicle Sales at the Property Known as 1304 Worcester Street, IO (12525-0375) as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Section 12.1 of Table 4-4 (Use Table).

Request:	See Above
Owner:	Garrett Lumsden
By:	Garrett Lumsden
Petitioner:	Garrett Lumsden
By:	Garrett Lumsden

COMMENTS - Current Meeting:

Hearing held at which Petitioner Garrett Lumsden appeared and spoke in favor of a request for a special permit for motor vehicle sales at 1304 Worcester Street a vacant lot purchased at a City auction. The Petitioner stated that he had met with the Indian Orchard Neighborhood Council and they had approved his request but only wanted 6 cars on the lot for sale. Phil Dromey, Deputy Director of Planning spoke stating that the lot would accommodate 10 cars and no one appeared in opposition and the hearing was closed. Councilor Williams said that the Planning Department is recommending 10 cars and he would support 10 cars for sale and the Special Permit with conditions was granted by the following roll call vote.

ATTACHMENTS:

- 1304_Worcester_St_IO_Tax_Formal (PDF)
- Worcester_St_1304_2015 (PDF)

RESULT:	ADOPTED [11 TO 0]
MOVER:	Bud L. Williams, At-Large Councilor
SECONDER:	E. Henry Twiggs, Ward 4 Councilor
AYES:	Ashe, Allen, Concepcion, Shea, Ramos, Williams, Twiggs, Hurst, Edwards, Luna, Walsh
ABSENT:	Timothy J. Rooke, Michael A. Fenton

3. Petition (ID # 3128)

For a Special Permit to Operate an Indoor Place of Amusement at the Property Known as 87 Avocado Street (A.K.A. 147) (00845-0070), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 17.2 (1).

Request:	See Above
Owner:	Avocado Street, LLC
By:	Dave Ratner

Petitioner: F&F Springmass Inc.
By: Brandon Ferguson

COMMENTS - Current Meeting:

Read and hearing held at which Brandon Ferguson appeared on behalf of the Petitioner Avocado Street, LLC along with Ashleigh and Linda Ferguson spoke in favor of the Petitioner's request to operate an Indoor Place of Amusement at the former large warehouse building where the Petitioner intends to renovate the existing building into an indoor trampoline park called "Launch Trampoline Park". Dave Ratner of Dave's Soda and Pet City the property owner spoke in favor stating that the park would be good clean, family oriented fun without alcohol and a "home run" for the City. Councilor Twiggs asked what is a trampoline park and what the cost Mr. Ferguson said it an indoor park with trampoline game such a basketball, dunking, dodge ball and would include food court and party area and would cost about \$14 or \$15 per hour with discounts for groups and parties. The Petitioner said it had met with North End Citizens Council and they had approved the project and no one appeared in opposition and the hearing was closed. Councilor Luna said she was happy with the project but was concerned about the cost of \$14 per hour. Councilor Allen made a motion to delete condition #7 and was seconded by Councilor Williams because Phil Dromey, Deputy Director of Planning had stated that trees could not be planted along Avocado Street due to utilities in the ground. The Special Permit as amended with conditions was granted by the following roll call vote.

ATTACHMENTS:

- 87_Avocado_St_Tax_Formal (PDF)
- Avocado_St_87_2015 (PDF)

RESULT:	ADOPTED AS AMENDED [11 TO 0]
MOVER:	Zaida Luna, Ward 1 Councilor
SECONDER:	Bud L. Williams, At-Large Councilor
AYES:	Ashe, Allen, Concepcion, Shea, Ramos, Williams, Twiggs, Hurst, Edwards, Luna, Walsh
ABSENT:	Timothy J. Rooke, Michael A. Fenton

Motion To: A. Motion to Delte Condition # 7.

COMMENTS - Current Meeting:

Councilor Allen made a motion to delete condition #7 and was seconded by Councilor Williams because Phil Dromey, Deputy Director of Planning had stated that trees could not be planted along Avocado Street due to utilities in the ground and said motion passed by majority voice vote with Councilor Rooke and Fenton absent.

RESULT:	ADOPTED VOICE
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4. Petition (ID # 3157)

To Amend an Existing Special Permit (Accessory Used Car Sales), Approved December 2013, by Allowing a Change in the Petitioner, at the Property Known as 351 East Columbus Avenue (04303-0630) as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 19.5.

Request: See Above
Owner: Irina Krokhmalyuk

By: Irina Krokhmalyuk
Petitioner: Irina Krokhmalyuk
By: Irina Krokhmalyuk

COMMENTS - Current Meeting:

Hearing held at which Petitioner Irina Krokhmalyuk appeared and spoke in favor of a request for a special permit to amend an existing special permit (accessory used car sales) approved in December, 2013 by allowing a change in the Petitioner at 351 East Columbus Avenue as she has purchased the property from the previous owner and no one appeared in opposition and the hearing was closed and after debate the Special Permit with conditions was granted by the following roll call vote.

ATTACHMENTS:

- E_Columbus_Ave_351_Tax_Formal (PDF)
- E_Columbus_Ave_351_2015 (PDF)

RESULT:	ADOPTED [11 TO 0]
MOVER:	Kateri B. Walsh, At-Large Councilor
SECONDER:	Kenneth E. Shea, Ward 6 Councilor
AYES:	Ashe, Allen, Concepcion, Shea, Ramos, Williams, Twiggs, Hurst, Edwards, Luna, Walsh
ABSENT:	Timothy J. Rooke, Michael A. Fenton



City of Springfield

ADOPTED

Meeting: 08/17/15 07:00 PM
Initiator: Melvyn Altman
Sponsors: Mayor Domenic J. Sarno
DOC ID: 3165

2.1

Order Authorizing Mayor to Execute Quitclaim Deed for Sale of East Side Pine Street (09715-0124) to North End Housing Initiative, Inc. (Mayor Sarno)

WHEREAS, the City of Springfield acquired title to vacant land located in Springfield, Massachusetts known as East Side Pine Street (Parcel-ID # 09715-0124), formerly with building thereon and formerly known as 271 Pine Street, through tax title foreclosure proceedings in Land Court; and

WHEREAS, the Tax Title Custodian determined that said property is not needed for general municipal purposes; and

WHEREAS, the Office of Procurement solicited request for proposals for the purchase and redevelopment of said property pursuant to RFP (Bid) Number SPG-14-201; and

WHEREAS, the Mayor upon the recommendation of the City's RFP Review Committee has accepted the proposal submitted by North End Housing Initiative, Inc.

NOW THEREFORE BE IT ORDERED, that the Mayor be and is hereby authorized in the name of and on behalf of the City of Springfield to execute and deliver a quitclaim deed to North End Housing Initiative, Inc. for the transfer of title to East Side Pine Street (Parcel-ID # 09715-0124) for consideration of Seven Thousand Five Hundred and 00/100 Dollars (\$7,500.00) in substantially the same form as the draft deed attached hereto.

RESULT:	ADOPTED [11 TO 0]
MOVER:	Melvin A. Edwards, Ward 3 Councilor
SECONDER:	Bud L. Williams, At-Large Councilor
AYES:	Ashe, Allen, Concepcion, Shea, Ramos, Williams, Twiggs, Hurst, Edwards, Luna, Walsh
ABSENT:	Timothy J. Rooke, Michael A. Fenton

MASSACHUSETTS QUITCLAIM DEED BY CORPORATION (short form)

KNOW ALL PERSONS BY THESE PRESENTS that **CITY OF SPRINGFIELD** (“Grantor”), a municipal corporation duly established under the laws of the Commonwealth of Massachusetts and having its usual place of business at 36 Court Street, Springfield, Hampden County, Massachusetts, for consideration paid and in full consideration of **SEVEN THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$7,500.00)**, grants to **NORTH END HOUSING INITIATIVE, INC.** (“Grantee”), of 2383 Main Street, Springfield, Massachusetts 01107, with **QUITCLAIM COVENANTS**, the land in said Springfield, described as follows:

Land now known as East Side Pine Street (Parcel ID # 09715-0124), formerly with building thereon and formerly known as 271 Pine Street, and being Parcel I described in a deed recorded August 5, 1988, in Hampden County Registry of Deeds, Book 6926, Page 56, and supposed to contain about 6938 square feet; and being the same parcel described in an Instrument of Taking dated September 14, 1993, and recorded in Hampden County Registry of Deeds, Book 8583, Page 493; and also being the same parcel foreclosed by Judgment of the Land Court entered on April 17, 2012, in Case No. 06 TL 134203, and recorded in Hampden County Registry of Deeds, Book 19239, Page 185; and being more particularly bounded and described in Exhibit A attached hereto and made a part hereof (hereinafter referred to as the “Property”).

The Property is sold pursuant to Chapter 30B of the Massachusetts General Laws “as is” and is conveyed subject to the following conditions, restrictions, or covenants which are to be taken and construed as running with the Property and are to be binding upon said Grantee, its successors, assigns, grantees, and lessees for a term of thirty years after the date of this deed creating them unless released by the City of Springfield:

(1) The Property shall be used solely for the construction of a new single family home; (2) The Grantee agrees that all construction shall be undertaken to ensure the Property meets, in the sole discretion of the City of Springfield, Federal Housing Quality Standards; (3) All exterior changes to the landscape including site, elevation, floor, sidewalk, and landscaping plans must be approved by the City of Springfield Office of Planning and Economic Development prior to construction; (4) The Grantee cannot sell the Property until all new construction and all other required work is completed and approved by both the City of Springfield’s Office of Housing and its Office of Disaster Recovery & Compliance; (5) The Grantee agrees that the Property will be sold after new construction is completed to an owner occupant who agrees to use the Property as a principal place of residence for a period not less than three years but this restriction shall terminate upon a lender’s foreclosure of its mortgage or by a deed in lieu of foreclosure should same occur and this condition shall only apply to the purchaser of the property from the Grantee and not apply to subsequent purchasers or owners of the Property; and (6) All excess trash, brush, rubbish, and debris shall be cleared from the Property by the Grantee within one month of transfer of title.

Attachment: Deed ES Pine St. (Par.124) (3165 : Sale ES Pine St. (Par.124))

This deed shall also be subject to all easements and restrictions of record, if any, lawfully existing in, upon or over said Property or appurtenant thereto.

There has been full compliance with the provisions of Chapter 44, Section 63A of the Massachusetts General Laws.

The Mayor has received the appropriate affidavit as prescribed in Chapter 60, Section 77B of the Massachusetts General Laws.

IN WITNESS WHEREOF, the said **CITY OF SPRINGFIELD** has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged, and delivered in its name and behalf by Domenic J. Sarno, its Mayor, hereto duly authorized, this ____ day of _____, 2015, executing this instrument by authority granted by Chapter 40, Section 3 of the Massachusetts General Laws and by Order passed by its City Council on _____, 2015, and attached hereto as Exhibit B.

CITY OF SPRINGFIELD

By _____
Domenic J. Sarno, Mayor

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

Springfield, Massachusetts

On this ____ day of _____, 2015, before me, the undersigned Notary Public, personally appeared the above-named Domenic J. Sarno, Mayor, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, and acknowledged to me that he executed the same as his free act and deed, and as the free act and deed of the City of Springfield.

Melvyn W. Altman
Notary Public
My Commission Expires: 12/16/2016

EXHIBIT A

The land in Springfield, Hampden County, Massachusetts, being known and designated as Lot No. 1 (one) as shown on a Plan of Lots recorded with the Hampden County Registry of Deeds in Book of Plans 446, Page 601; said lot being more particularly bounded and described as follows:

WESTERLY	by Pine Street, fifty-seven and 5/10 (57.5) feet, more or less;
NORTHERLY	by Windsor Street, (formerly Norris Street), one hundred nineteen and 83/100 (119.83) feet;
EASTERLY	by Lot No. 43 (forty-three) as shown on said plan, fifty-four and 50/100 (54.50) feet; and
SOUTHERLY	by Lot No. 2 (two) as shown on said plan, one hundred thirty-five (135) feet.

Attachment: Deed ES Pine St. (Par.124) (3165 : Sale ES Pine St. (Par.124))


City of Springfield

36 Court Street
Springfield, MA 01103

ADOPTED
PETITION (ID # 3127)

Meeting: 08/17/15 07:00 PM
Department: Economic Development
Category: Special Permit
Prepared By: Phil Dromey
Initiator: Phil Dromey
Sponsors:
DOC ID: 3127

**For a Special Permit for Motor Vehicle Sales at the Property
Known as 1304 Worcester Street, IO (12525-0375) as Allowed
by M.G.L. and the Springfield Zoning Ordinance, Article 4,
Section 12.1 of Table 4-4 (Use Table).**

Request: See Above
Owner: Garrett Lumsden
By: Garrett Lumsden
Petitioner: Garrett Lumsden
By: Garrett Lumsden

RESULT: **ADOPTED [11 TO 0]**
MOVER: Bud L. Williams, At-Large Councilor
SECONDER: E. Henry Twiggs, Ward 4 Councilor
AYES: Ashe, Allen, Concepcion, Shea, Ramos, Williams, Twiggs, Hurst,
Edwards, Luna, Walsh
ABSENT: Timothy J. Rooke, Michael A. Fenton

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

for a special permit for motor vehicle sales at the property known as 1304 Worcester Street, IO (12525-0375) as allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Section 12.1 of Table 4-4 (Use Table).

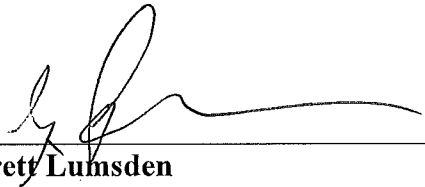
Mailing Address:

107 Oak Street
Springfield, MA 01151

Owner & Petitioner:

Garrett Lumsden

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

BY: 
Garrett Lumsden

Stephen J. Loneragan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

JULY 7, 2016

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: 1304 Worcester Street – 12525-0375

Petitioner: Garrett Lumsden

Landlord: Garrett & Lisa Lumsden

A handwritten signature in black ink, appearing to read "Stephen J. Loneragan". The signature is written over a horizontal line.

Stephen J. Loneragan: Treasurer/Collector

Attachment: 1304_Worcester_St_IO_Tax_Form (3127 : 1304 Worcester Street, IO)

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

**1304 WORCESTER STREET, I.O. (12525-0375)
MOTOR VEHICLE SALES**

General Information

Petitioner:	Garrett Lumsden
Request:	Used car sales
Proposed use of the property:	Used car sales
Size:	7,500 s.f.
Compatibility with current planning documents:	The Indian Orchard Neighborhood Plan shows no changes to this area.
Neighborhood council notification:	Indian Orchard Citizens Council: 7-9-15
Tax Status:	SEE ATTACHED
Site Visit:	7-30-15
Scheduled Hearing Date:	8-17-15

Staff Analysis

Neighborhood characteristics:

The parcel is currently zoned Business B and is located in an area with a mix of commercial and residential uses. The surrounding land uses include:

- To the north are a church and single family home zoned Business A.
- To the south is an auto repair facility zoned Business B.
- To the west is a warehouse zoned Business B.
- To the east is a single family home zoned Residence B.

Site plan review:

The petitioner has requested a special permit for motor vehicle sales at the property known as 1304 Worcester Street, in the Indian Orchard neighborhood. The site is currently vacant and was sold at a city auction.

After visiting the site and viewing the plans, the staff has the following comments. First, the plan submitted indicates that only the front half of the parcel will be paved. The rear of the parcel is proposed to remain grassed. The submitted plans indicate that eleven (11) spaces will be created. However, as noted on the plans,

all eleven (11) spaces are intended to be used for the display of used cars. Since employee and customer parking must also be accommodated on-site, the staff is strongly recommending that the number of display spaces be limited to eight (8). This would allow for the display of vehicles while also still providing on-site parking for customers and employees. Also, it needs to be stressed to the petitioner that the rear of the parcel cannot be used for parking or display of vehicles unless this portion of the lot is paved as well. As with all paving plans, review and approval by the Department of Public Works (DPW) is required.



Secondly, there is currently a stockade fence running along the eastern property line, however, this fence is in very poor condition. If approved, the staff is recommending that a new stockade fence be installed. Further, the proposed plans indicate that arborvitae shrubs will be installed ten (10) feet on center along only half of the site. Planting arborvitae shrubs at this distance will provide absolutely no buffer to the abutting residence. Therefore, the staff is recommending that the arborvitae shrubs be planted three (3) feet on center and run the entire length on the property. Again, this is very important as this property directly abuts residential uses.

Lastly, it should be noted that a small office building will also be constructed on the site. As with all new construction, these plans will need to be permitted by the Springfield Building Department.

Recommendation

Approve, with conditions.

Recommended Conditions

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for motor vehicle sales at the property known as 1304 Worcester Street (12525-0375).
3. The use shall be developed according to the attached plans, with the addition of conditions #4 through #16.
4. The number of vehicles to be sold or displayed, at any one time, shall be limited to eight (8).
5. There shall be no repairs to vehicles completed at this location.
6. There shall be no storage of junk vehicles.
7. There shall be no parking of vehicles on the grassed portion of the property.
8. A new six (6) foot high stockade fence shall be installed along the eastern property line.
9. The existing chain link fence, along the front of the property shall be painted and remain at only four (4) feet.
10. There shall be no barb-wire or razor wire on any fencing.

11. A full review by the Department of Public Works, as per the provisions of City Ordinance, Article VIII, §27-29, will be required. This approval must be obtained prior to the issuance of a Building Permit or start of any paving work.
12. Arborvitae shrubs, three (3) feet in height at the time of planting, planted three (3) feet on center, shall be installed along the entire length of the eastern property line.
13. Any and all Building Permits shall be obtained prior to any construction.
14. The site, including all landscaped areas shall be maintained and kept free of all litter, trash and debris.
15. The public tree belt and sidewalk along Worcester Street shall be maintained, including snow removal.
16. Any and all dumpsters shall be completely enclosed.
17. 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.

Stephen J. Loneragan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

JULY 7, 2016

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: 1304 Worcester Street – 12525-0375

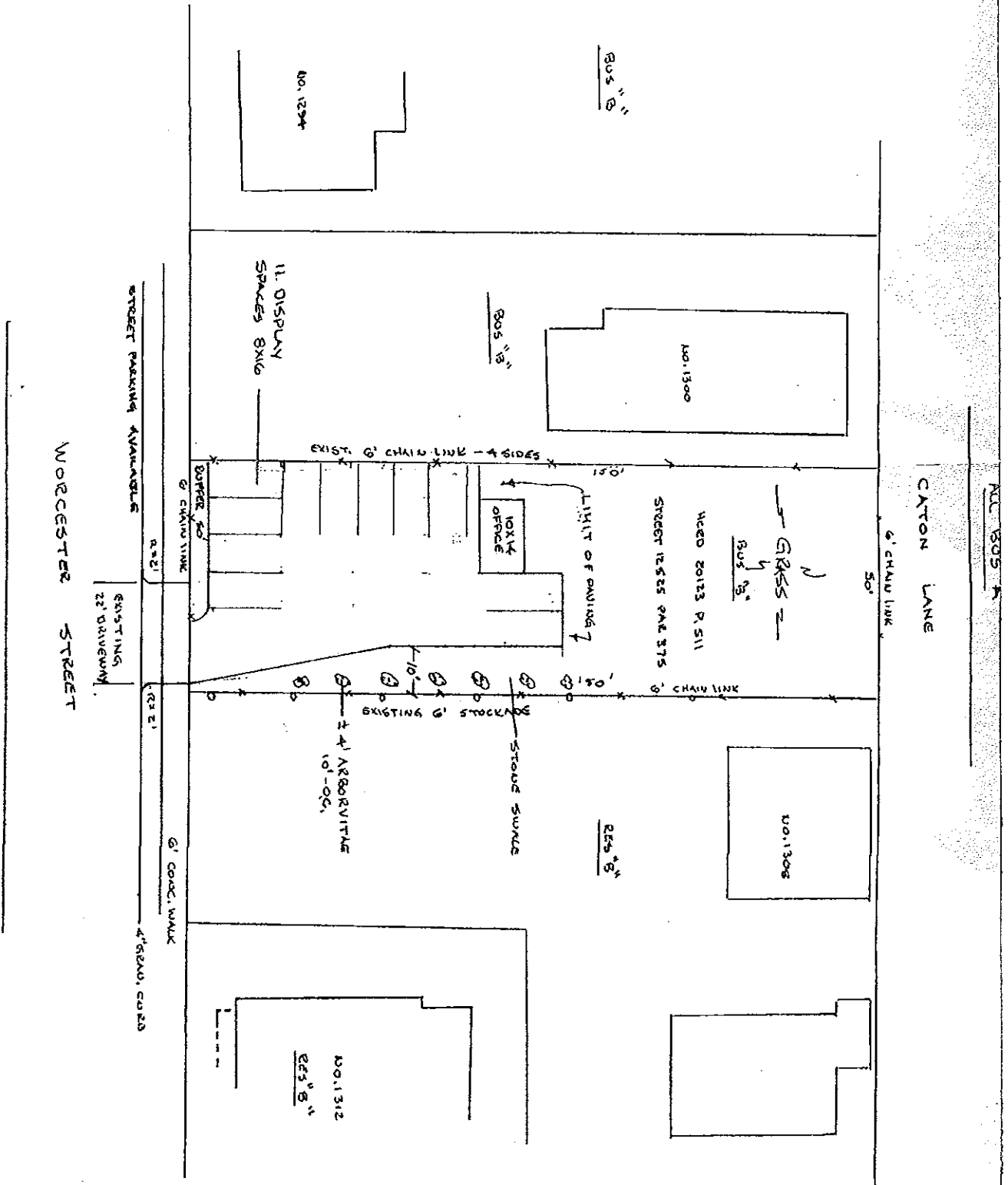
Petitioner: Garrett Lumsden

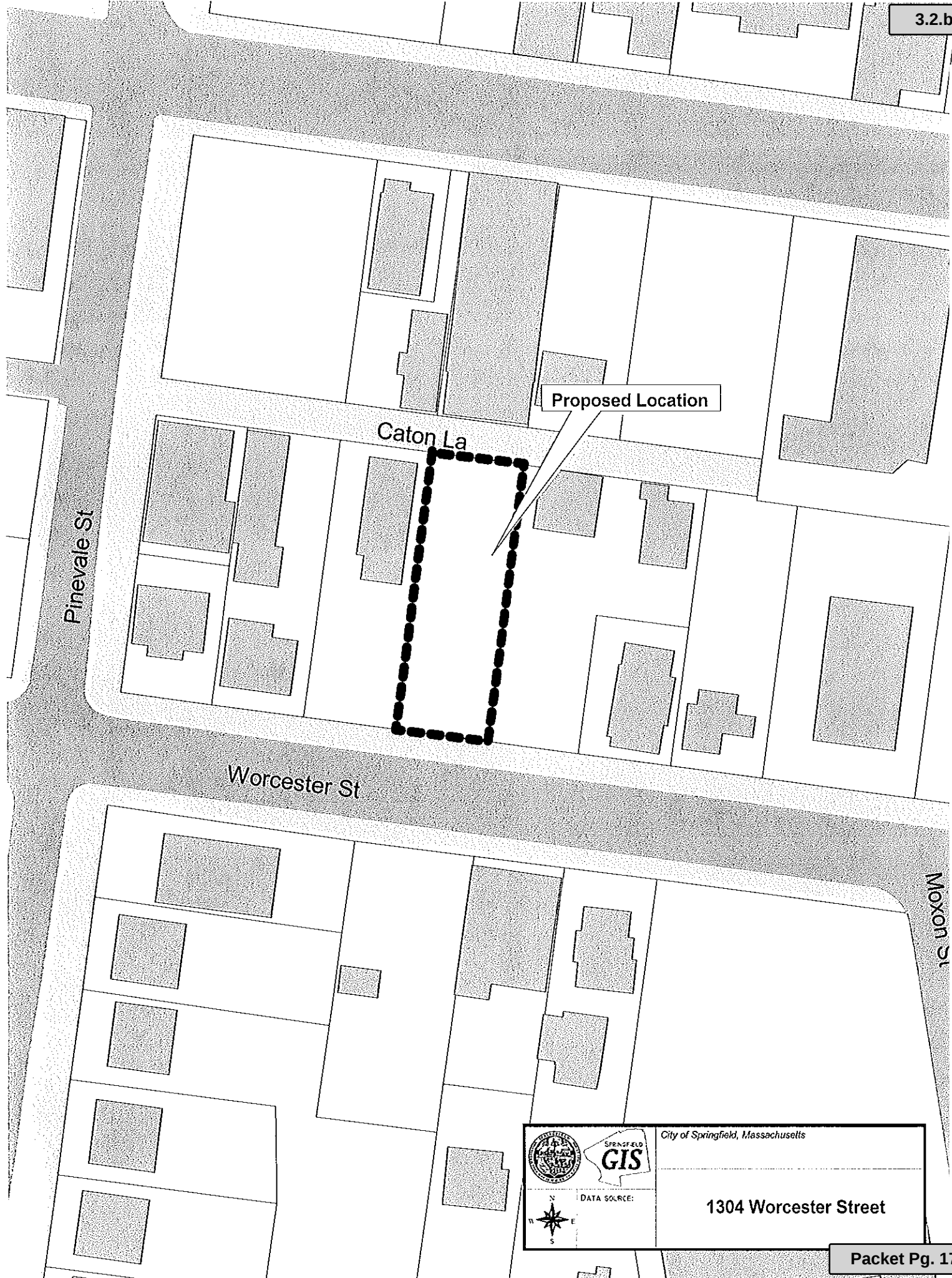
Landlord: Garrett & Lisa Lumsden

A handwritten signature in cursive script, appearing to read "Stephen J. Loneragan", is written over a horizontal line.

Stephen J. Loneragan: Treasurer/Collector

Attachment: Worcester_St_1304_2015 (3127 : 1304 Worcester Street, IO)





Attachment: Worchester_St_1304_2015 (3127 : 1304 Worchester Street, IO)

 SPRINGFIELD GIS	City of Springfield, Massachusetts
	1304 Worchester Street
 N S E W	DATA SOURCE:


City of Springfield

36 Court Street
Springfield, MA 01103

ADOPTED
PETITION (ID # 3128)

Meeting: 08/17/15 07:00 PM
Department: Economic Development
Category: Special Permit
Prepared By: Phil Dromey
Initiator: Phil Dromey
Sponsors:
DOC ID: 3128

**For a Special Permit to Operate an Indoor Place of
Amusement at the Property Known as 87 Avocado Street
(A.K.A. 147) (00845-0070), as Allowed by M.G.L. and the
Springfield Zoning Ordinance, Article 4, Table 4-4, Section
17.2 (1).**

Request: See Above
Owner: Avocado Street, LLC
By: Dave Ratner
Petitioner: F&F Springmass Inc.
By: Brandon Ferguson

RESULT:	ADOPTED AS AMENDED [11 TO 0]
MOVER:	Zaida Luna, Ward 1 Councilor
SECONDER:	Bud L. Williams, At-Large Councilor
AYES:	Ashe, Allen, Concepcion, Shea, Ramos, Williams, Twiggs, Hurst, Edwards, Luna, Walsh
ABSENT:	Timothy J. Rooke, Michael A. Fenton

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

for a special permit to operate an Indoor Place of Amusement at the property known as 87 Avocado Street (a.k.a. 147) (00845-0070), as allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 17.2 (1).

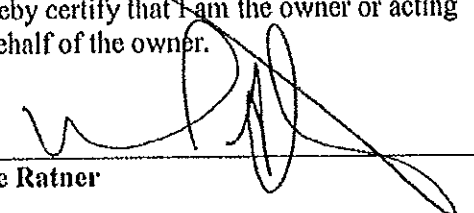
Mailing Address:

151 Springfield Street
Agawam, MA 01001

Owner:

Avocado Street, LLC

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

BY: 

Dave Ratner

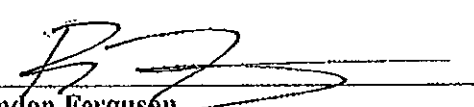
Mailing Address:

6022 Jockey Street
Galway, NY 12074

Petitioner:

F&F Springmass Inc.

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

BY: 

Brandon Ferguson

Stephen J. Loneragan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

June 22, 2015

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: 87-147 Avocado Street – (00845-0070)

Petitioner: F & F Springmass Inc.

Landlord: Avocado Street LLC

Stephen J. Loneragan: Treasurer/Collector

Attachment: 87_Avocado_St_Tax_Formal (3128 : 87 Avocado Street)

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

**87 (A.K.A. 147) AVOCADO STREET (00845-0070)
INDOOR PLACE OF AMUSEMENT (TRAMPOLINE PARK)**

General Information

Petitioner:	F&F Springmass Inc.
Request:	Indoor place of amusement – trampoline park.
Proposed use of the property:	Trampoline park
Size:	219,978 s.f.
Compatibility with current planning documents:	The Brightwood Neighborhood Plan shows no changes to this area.
Neighborhood council notification:	New North Citizens Council: 7-9-15
Tax Status:	SEE ATTACHED
Site Visit:	7-30-15
Scheduled Hearing Date:	8-17-15

Staff Analysis

Neighborhood characteristics:

The parcel is currently zoned Industrial A and is located in an area with primarily industrial/commercial uses. The surrounding land uses include:

- To the north is a warehouse operation zoned Industrial A.
- To the south is a warehouse operation zoned Industrial A.
- To the west are warehouse operations zoned Industrial A
- To the east are rail road tracks and I-91.

Site plan review:

The petitioner has requested a special permit to operate an indoor place of amusement at the property located at the property known as 87 Avocado Street. This was a former warehouse and is now being proposed to be renovated into a trampoline park known as *Launch Trampoline Park*.

As noted above, this location was the former location of a large industrial building. A large portion of the building is currently vacant while the remaining portion of the building appears to still be occupied for a

warehouse use. The petitioner intends to renovate the existing theater spaces into a new trampoline park. This will be a large recreational facility which utilizes large format trampolines for a number of different uses. The site plan submitted indicates that there will be "slam dunk" basketball hoops and foam pits. Other uses include trampoline dodgeball courts and "party" rooms. The petitioner has indicated that this facility caters to families, large groups for parties, camps, schools and other special events. It should be noted that the trampoline park will only be located in one (1) side of the building. The



petitioner has indicated that they do not yet have any definitive plans for the second half of the building, however, as noted above, this portion of the building appears to be occupied.

After reviewing the proposed plans and visiting the site, the staff does not object to the proposed use. The staff believes this is a unique re-use of a vacant property and one that will not have a negative effect on the surrounding neighborhood. Due to the fact that Avocado Street is currently devoid of any trees, the staff would strongly suggest that, if approved, the petitioner be required to plant a number of street trees within the public tree belt.

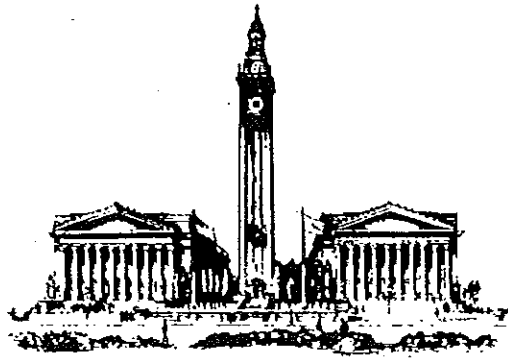
Recommendation

Approve, with conditions.

Recommended Conditions

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for the operation of an indoor place of amusement (trampoline park) at the property known as 87 (a.k.a. 147) Avocado Street (00845-0070).
3. The use shall be developed according to the attached plans, dated July 5, 2014, with the addition of conditions #4 through #8.
4. Any and all Building Permits shall be obtained prior to any construction.
5. The site, including all landscaped areas shall be maintained and kept free of all litter, trash and debris.
6. The public tree belts and sidewalks along Avocado Street shall be maintained.
7. The petitioner shall install five (5) shade trees along the Avocado Street tree belt. Varieties and locations to be reviewed and approved by the City Forester.
8. Any and all dumpsters shall be completely enclosed.
9. 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.

Stephen J. Lonergan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

June 22, 2015

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:

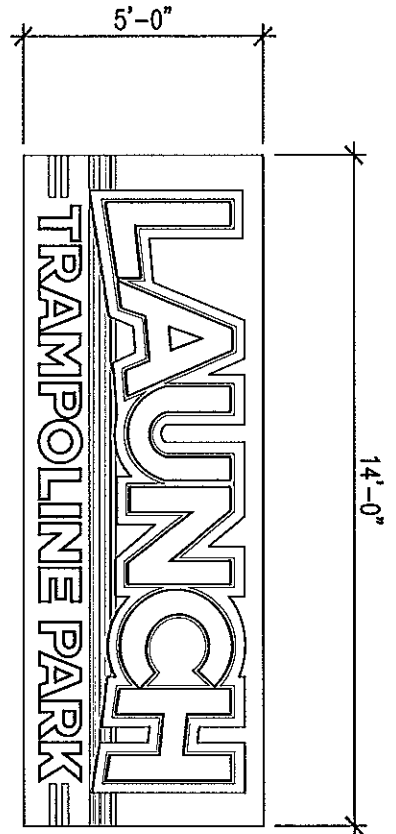
Special Permit: 87-147 Avocado Street – (00845-0070)

Petitioner: F & F Springmass Inc.

Landlord: Avocado Street LLC

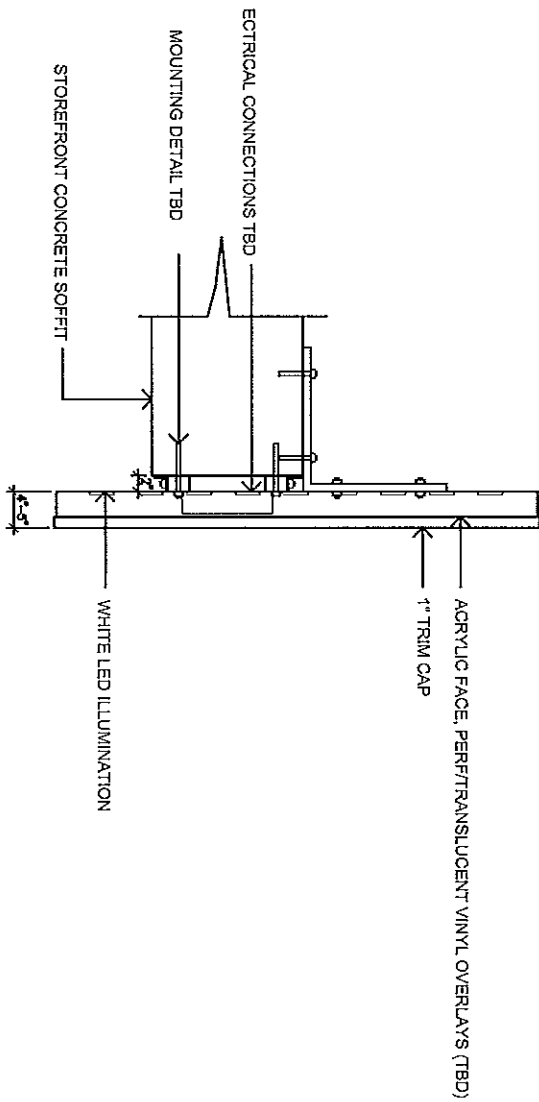
Stephen J. Lonergan: Treasurer/Collector

Attachment: Avocado_St_87_2015 (3128 : 87 Avocado Street)



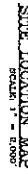
Preliminary Signage Front Elevation

Scale: $\frac{1}{4}" = 1'-0"$



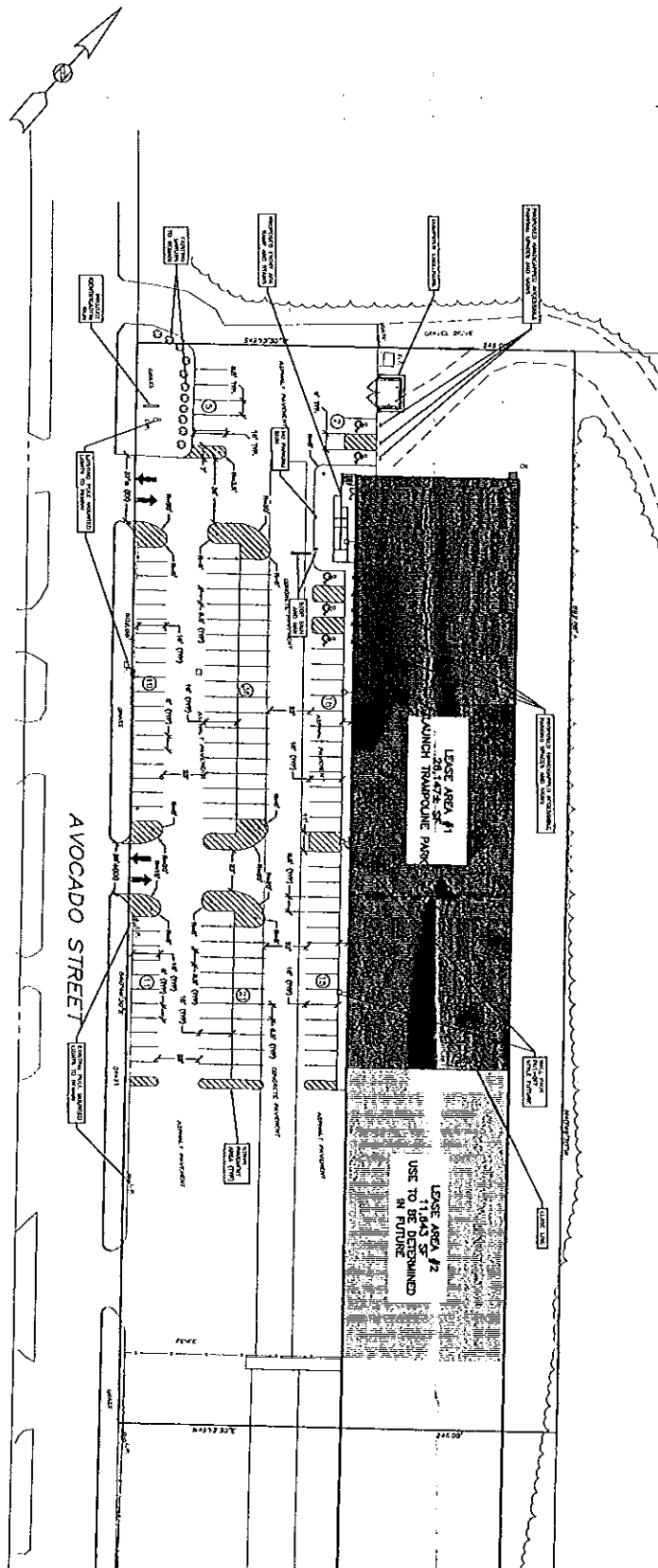
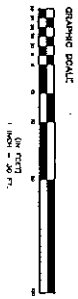
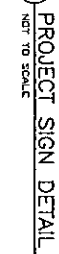
Preliminary Signage Section

Scale: 1" = 1'-0"



DISPATCH NOTICE: STOCK NOT TRADING AFTER HOURS IN AIRPORTS AREA DUE TO CLOSURE OF THE AIRPORTS DUE TO SEVERE WEATHER.

The world's largest airport security company is the leading provider of security and threat management services to the world's airports, with over 100 years of experience. We are the leading provider of security and threat management services to the world's airports, with over 100 years of experience. We are the leading provider of security and threat management services to the world's airports, with over 100 years of experience.



SCALE: 1" = 30'																																
			REVISIONS DATE BY <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>																												SHEET TITLE PROPOSED SITE PLAN	PROPOSED BUILDING RENOVATIONS FOR LAUNCH TRAMPOLINE PARK 87 AVOCADO STREET CITY OF SPRINGFIELD HAMPDEN COUNTY, MASSACHUSETTS JULY 5, 2016 ENVIRONMENTAL DESIGN PARTNERSHIP, LLP ROUTE 146 CLIFTON PARK, N.Y. 12085 (518) 371-7621 ENGINEERING LANDSCAPE ARCHITECTURE LAND SURVEYING
SHEET No. SP-1																																

[illegible]

ARCHITECTS
DANIEL K. JUDITH ASSOCIATES, INC.

HAZOP ENGINEERING
 Professor A. Luchini
 1220a Collins College Campus
 Aubrey, TX 76227
 e-mail: 770-1127

This document is the property of the Owner and is
not to be used without their written permission.

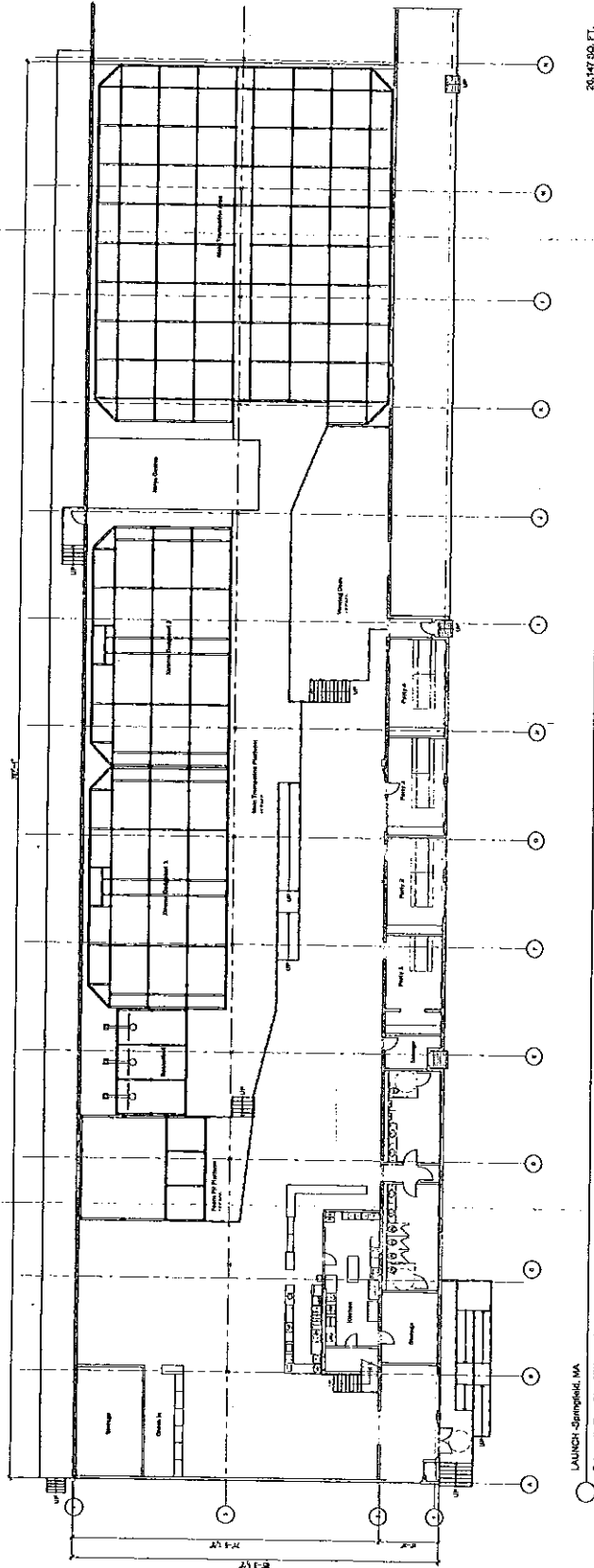
PRELIMINARY DRAWINGS
NOT FOR CONSTRUCTION

17 Avenida Simoes

Launch Timeline Center

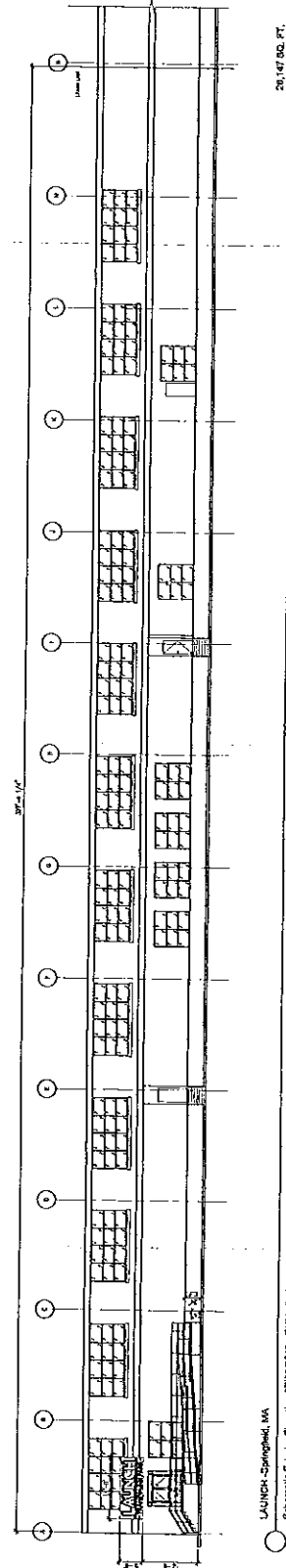
Spill Table

Project No.	73-03-00
Project Name	Wetland
Project Location	Wetland
Project Status	Wetland
Project Date	July 6, 2015



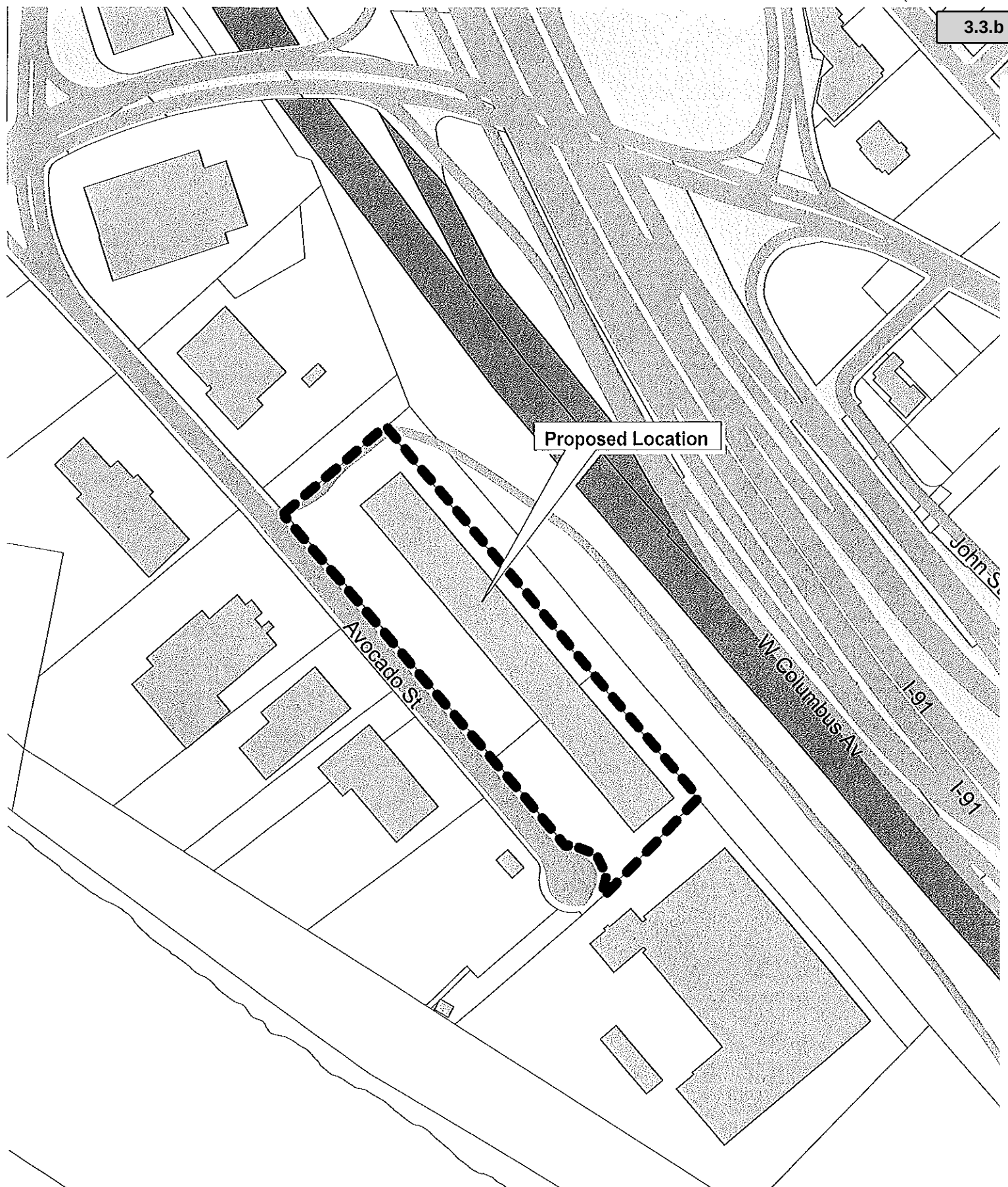
LAUNCH Springfield, MA

Schematic Floor Plan 07/08/2015 - OKMullin Architects



10/11/2011 11:11:11 AM

Thermally Exterior Elevation 07/05/2015 - DickMullin Architects



 SPRINGFIELD GIS DATA SOURCE:	City of Springfield, Massachusetts 87 Avocado Street
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City of Springfield

 36 Court Street
 Springfield, MA 01103

ADOPTED
PETITION (ID # 3157)

 Meeting: 08/17/15 07:00 PM
 Department: Economic Development
 Category: Special Permit
 Prepared By: Phil Dromey
 Initiator: Phil Dromey
 Sponsors:
 DOC ID: 3157

To Amend an Existing Special Permit (Accessory Used Car Sales), Approved December 2013, by Allowing a Change in the Petitioner, at the Property Known as 351 East Columbus Avenue (04303-0630) as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 19.5.

Request:	See Above
Owner:	Irina Krokhmalyuk
By:	Irina Krokhmalyuk
Petitioner:	Irina Krokhmalyuk
By:	Irina Krokhmalyuk

RESULT:	ADOPTED [11 TO 0]
MOVER:	Kateri B. Walsh, At-Large Councilor
SECONDER:	Kenneth E. Shea, Ward 6 Councilor
AYES:	Ashe, Allen, Concepcion, Shea, Ramos, Williams, Twiggs, Hurst, Edwards, Luna, Walsh
ABSENT:	Timothy J. Rooke, Michael A. Fenton

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

to amend an existing special permit (accessory used car sales), approved December 2013, by allowing a change in the petitioner, at the property known as 351 East Columbus Avenue (04303-0630) as allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 19.5.

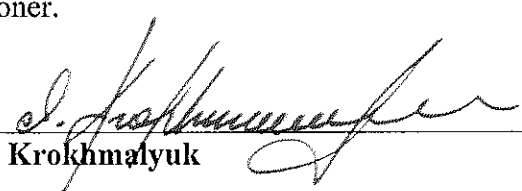
Mailing Address:

351 E. Columbus Avenue
Springfield, MA 01105

Owner & Petitioner:

Irina Krokhamlyuk

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

BY: 
Irina Krokhamlyuk

Attachment: E_Columbus_Ave_351_Tax_Formal (3157 : 351 East Columbus Avenue)

Stephen J. Lonergan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

JULY 21, 2016

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: 351 East Columbus Avenue – 04303-0630

Petitioner: Irina Krokhmaluk

Landlord: William M. McCarthy

Stephen J. Lonergan: Treasurer/Collector

OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A SPECIAL PERMIT

351 EAST COLUMBUS AVENUE (04303-0630)
AMEND AN EXISTING SPECIAL PERMIT (ACCESSORY USED CAR SALES)

General Information

Petitioner:	Irina Krokmaluyk
Request:	Amend an existing special permit, granted December 2013, by allowing a change in the petitioner.
Proposed use of the property:	Motor vehicle repairs/used car sales
Parcel Size:	8,067 s.f.
Compatibility with current planning documents:	The Forest Park Neighborhood Plan shows no changes to this area.
Neighborhood council Notification:	Forest Park Civic Association: 7-23-15
Tax Status:	SEE ATTACHED
Site Visit:	7-30-15
Hearing Date:	8-17-15

Staff Analysis

Neighborhood characteristics:

The parcel is currently zoned Business A and is located within an area that has a mix of commercial uses.

To the north is a veterinary clinic zoned Business A.

To the south are offices zoned Business A.

To the west is Interstate 91.

To the east is vacant land zoned Residence C.

Site plan review:

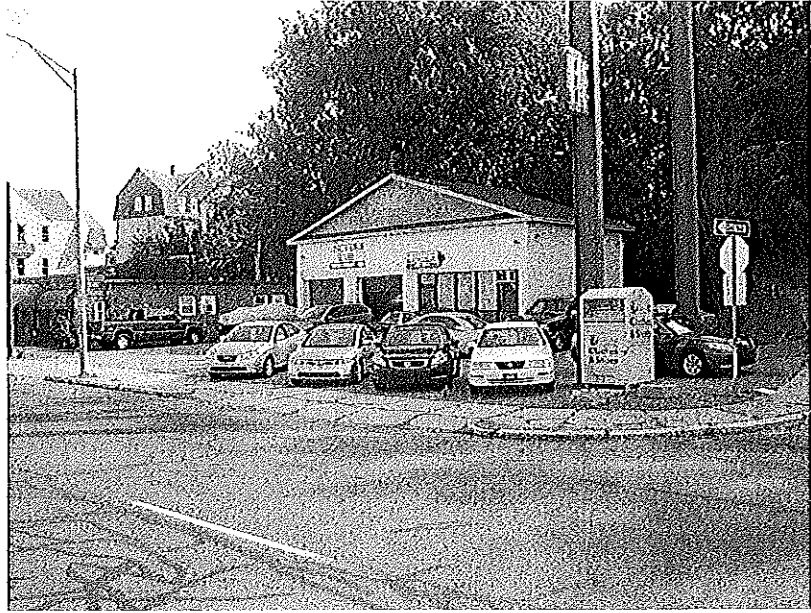
The petitioner has requested to amend an existing special permit, granted December 2013, by allowing a change to the petitioner as the property known as 351 East Columbus Avenue. This site has been used for automotive repairs and used car sales for a number of years.

While the staff has no objection to the change in the petitioner, the staff did note a couple of issues that need to be addressed after visiting the site. First, it needs to be made clear to the petitioner that the number of cars allowed to be sold at this location, at any one time, is limited to five (5). At the time of the site visit, there appeared to be six (6) to seven (7) vehicles with "for sale" signs posted. Second, it was noted that the required landscaped planters were not located on the site.

Further, it was noted that a new roof addition has been constructed but not yet finished. If this special permit is approved, the staff would strongly suggest that a condition be added requiring the completion of this new addition.

Lastly, it should be noted that there is currently a large sign at this location. Due to the height of this sign, it is considered to be a pre-existing, non-conforming use. As per the Zoning Ordinance, non-conforming signs are allowed to remain so long as they continue to call attention to a product or business which is located on the property (Article 9, Section 9.11).

Therefore, this sign needs to either be removed or utilized for the existing business.



Recommendation

Approve, with conditions.

Recommended Conditions:

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for motor vehicle sales, as an accessory use, at the property known as 351 East Columbus Avenue (04303-0630).
3. The use shall be developed as per the attached site plan, dated September 2007, with the addition of conditions #4 through #10.
4. The existing roof addition shall be painted.
5. There shall be no more than five (5) vehicles displayed for sale at any one time.
6. There shall be no storage of junk vehicles or parts located on the property.
7. The site shall be maintained graffiti free.
8. There shall be landscape planters, with seasonal plantings, placed along the corner of Bruno Street and East Columbus Avenue.
9. The public sidewalks shall be maintained, including snow removal.
10. Vehicles for display shall not be elevated.
11. 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.

Stephen J. Loneragan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

JULY 21, 2016

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: 351 East Columbus Avenue -- 04303-0630

Petitioner: Irina Krokhmal'yuk

Landlord: William M. McCarthy

A handwritten signature in black ink, appearing to read "Stephen J. Loneragan", is written over a horizontal line.

Stephen J. Loneragan: Treasurer/Collector

Attachment: E_Columbus_Ave_351_2015 (3157 : 351 East Columbus Avenue)

DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCE
CITY OF SPRINGFIELD
MASSACHUSETTS

2013-1324

TO:

DATE: December 26, 2013

DEPARTMENT:

FROM: Wayman Lee, Esq.

COPIES TO:

DEPARTMENT: City Clerk

SUBJECT: 351 E Columbus Ave

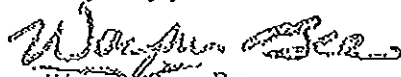
This is to inform you that at a meeting of the City Council held on Monday, November 25, 2013, it was voted by the City Council according to law to grant a special permit to Owner & Petitioner: William M. McCarthy to amend an existing special permit (accessory used car sales) approved April 23, 2008, by amending condition #4 (number of vehicles) at the property known as 351 East Columbus Avenue (04303-0630) as allowed by M.G.L. and the Springfield Zoning Ordinance Article 4, Table 4-4, Section 19.5 with the following conditions:

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for motor vehicle sales at the property known as 351 East Columbus Avenue (04303-0630).
3. The use shall be developed according to the attached site plan with the addition of condition #4 through #9.
4. There shall be no more than five (5) vehicles displayed for sale at any one time.
5. There shall be no storage of junk vehicles or parts located on the property.
6. The site shall be maintained graffiti free.
7. There shall be landscape planters, with seasonal plantings, placed along the corner of Bruno Street and East Columbus Avenue.
8. The public sidewalks shall be maintained free of all trash, debris and snow.
9. Vehicles for display shall be elevated.
10. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in enforcement by the Code Enforcement Department punishable by a fine of up to \$50 per day for each day a violation exists.

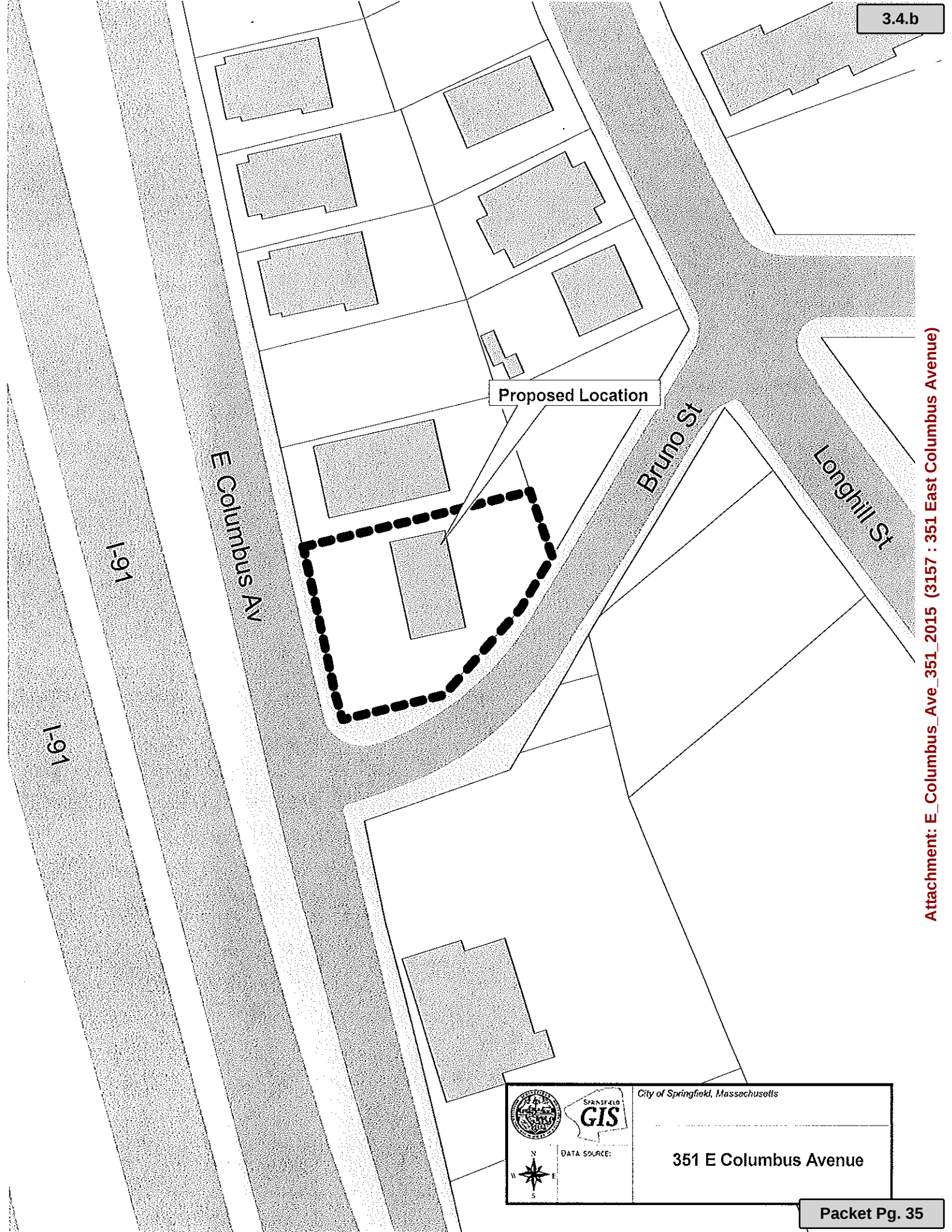
REASONS: (1) The specific site is an appropriate location for such a use, structure, or condition. (2) The use as developed will not adversely affect the neighborhood. (3) Adequate and appropriate facilities will be provided for the proper operation of the proposed use. (4.) To incorporate the Planning Staff Analysis into the decision at the basis of the findings.

This permit becomes effective on December 26, 2013

Very truly yours


Wayman Lee, Esq.
City Clerk

Attachment: E_Columbus_Ave_351_2015 (3157 : 351 East Columbus Avenue)



Attachment: E_Columbus_Ave_351_2015 (3157 : 351 East Columbus Avenue)

 SPRINGFIELD GIS DATA SOURCE:	City of Springfield, Massachusetts
	351 E Columbus Avenue