



## **CITY OF SPRINGFIELD**

City Clerk's Office 9/16/2015 12:00:00 PM

### **Hearings Meeting Agenda~**

I hereby notify you that at twelve o'clock noon today the following items of business had been filed with this office and can be acted upon at the meeting in City Council Chambers, Room 200 at City Hall, 36 Court Street **Monday evening September 21, 2015** at 07:00 PM according to Section 12, Rules and Orders of the City Council.

City Clerk

### **Hearings**

7:00 PM Meeting called to order on September 21, 2015 at Springfield City Hall -- Council Chambers, 36 Court Street, Springfield, MA.

### ***Moment of Silence - Pledge of Allegiance***

### **Special Permits**

- (1.) To Amend an Existing Special Permit (Motor Vehicle Sales), Granted September 2013, by Allowing a Change to the Petitioner, at the Property Known as 61 Armory Street (00645-0290), as Allowed by M.G.L. and the Springfield Zoning Ordinance Article 4, Table 4-4, Section 12.1.

Request: See Above  
Owner: Marwan Awkwal  
By: Marwan Awkwal  
Petitioner: Samir Ismaeil  
By: Samir Ismaeil

#### **ATTACHMENTS:**

- Amrory\_St\_61\_2015\_Tax\_Formal\_Sales (PDF)
- Armory\_St\_61\_2015 (PDF)

- (2.) To Amend an Existing Special Permit (Motor Vehicle Repairs), Granted September 2013, by Allowing a Change to the Petitioner, at the Property Known as 61 Armory Street (00645-0290), as Allowed by M.G.L. and the Springfield Zoning Ordinance Article 4, Table 4-4, Section 12.3(3)/(4).

Request: See Above  
Owner: Marwan Awkwal  
By: Marwan Awkwal  
Petitioner: Samir Ismaeil  
By: Samir Ismaeil

#### **ATTACHMENTS:**

- Armory\_St\_61\_2015\_Tax\_Formal\_Repairs (PDF)
- Armory\_St\_61\_2015 (PDF)

### **Zone Changes**

- (3.) To Change the Zoning of the Properties Known as 1259 East Columbus Avenue (04303-0510) and 1070 Main Street (08130-0096) from Business a and Business B to Business C.  
1259 East Columbus Ave & 1070 Main Street Recommend

**PETITIONER:**

Carmela A. Fraziero, Trustee &  
Colvest/Columbus Springfield, LLC

**ADDRESS:**

1259 East Columbus Avenue & 1070 Main  
Street

**CHANGE REQUESTED:**

Bus A and Bus B to Bus C

**ATTACHMENTS:**

- Zone\_Change\_#3177 (PDF)
- 3177\_E\_Columbus\_Main\_2015\_CC (PDF)

**Petitions**

- (4.) Open Air Parking Revocation ()

**City of Springfield**

36 Court Street  
Springfield, MA 01103

**SCHEDULED****PETITION (ID # 3170)**

Meeting: 09/21/15 07:00 PM  
Department: Economic Development  
Category: Special Permit  
Prepared By: Phil Dromey  
Initiator: Phil Dromey  
Sponsors:  
DOC ID: 3170

**To Amend an Existing Special Permit (Motor Vehicle Sales),  
Granted September 2013, by Allowing a Change to the  
Petitioner, at the Property Known as 61 Armory Street (00645-  
0290), as Allowed by M.G.L. and the Springfield Zoning  
Ordinance Article 4, Table 4-4, Section 12.1.**

|             |               |
|-------------|---------------|
| Request:    | See Above     |
| Owner:      | Marwan Awkwal |
| By:         | Marwan Awkwal |
| Petitioner: | Samir Ismaeil |
| By:         | Samir Ismaeil |

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

to amend an existing special permit (motor vehicle sales), granted September 2013, by allowing a change to the petitioner, at the property known as 61 Armory Street (00645-0290), as allowed by M.G.L. and the Springfield Zoning Ordinance Article 4, Table 4-4, Section 12.1.

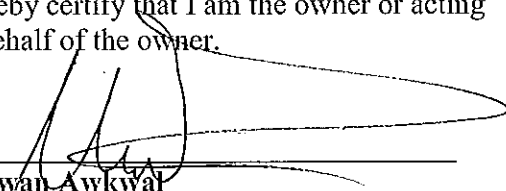
**Mailing Address:**

257 Prospect Street  
 Chicopee, MA 01013

**Owner:**

Marwan Awkwai

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

By:   
 Marwan Awkwai

**Mailing Address:**

889 Liberty Street  
 Springfield, MA 01104

**Petitioner:**

Samir Ismaeil

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

By:   
 Samir Ismaeil

Attachment: Amrory St 61 2015 Tax Formal Sales (3170 : 61 Armory Street)

Stephen J. Lonergan  
*Collector/Treasurer*



THE CITY OF  
SPRINGFIELD, MASSACHUSETTS

August 13, 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: 61 Armory Street -- (00645-0290)

Petitioner: Samir Ismaeil

Property Owner: Alfonso M. & Margaret M. Amore

Landlord: Marwan Awkwal

Stephen J. Lonergan: Treasurer/Collector

Attachment: Amrory St 61 2015 Tax Formal Sales (3170 : 61 Armory Street)

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

---

**61 ARMORY STREET (00645-0290)  
AMEND TWO (2) EXISTING SPECIAL PERMITS  
(MOTOR VEHICLE SALE/MOTOR VEHICLE REPAIRS)**

*General Information*

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|                                                       |                                                                                                                                            |
|-------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Petitioner:</b>                                    | Samir Ismaeil                                                                                                                              |
| <b>Request:</b>                                       | Amend two (2) special permits (motor vehicle sales/motor vehicle repairs), granted September 2013, by allowing a change on the petitioner. |
| <b>Proposed use of the property:</b>                  | Motor vehicle sales/motor vehicle repairs                                                                                                  |
| <b>Size:</b>                                          | 13,047 s.f.                                                                                                                                |
| <b>Compatibility with current planning documents:</b> | The McKnight Neighborhood Plan shows no changes to this area.                                                                              |
| <b>Neighborhood council notification:</b>             | McKnight Neighborhood Council: 8-21-15                                                                                                     |
| <b>Tax Status:</b>                                    | SEE ATTACHED                                                                                                                               |
| <b>Site Visit:</b>                                    | 9-14-15                                                                                                                                    |
| <b>Scheduled Hearing Date:</b>                        | 9-21-15                                                                                                                                    |

*Staff Analysis*

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**Neighborhood characteristics:**

The parcel is currently zoned Business B and is located in an area with a mixture of both commercial and residential uses.

- To the north is a used car dealership zoned Business A.
- To the south is a single family house zoned Residence B.
- To the west are a parking lot and restaurant zoned Business A.
- To the east are a single family house zoned Residence B.

**Site plan review:**

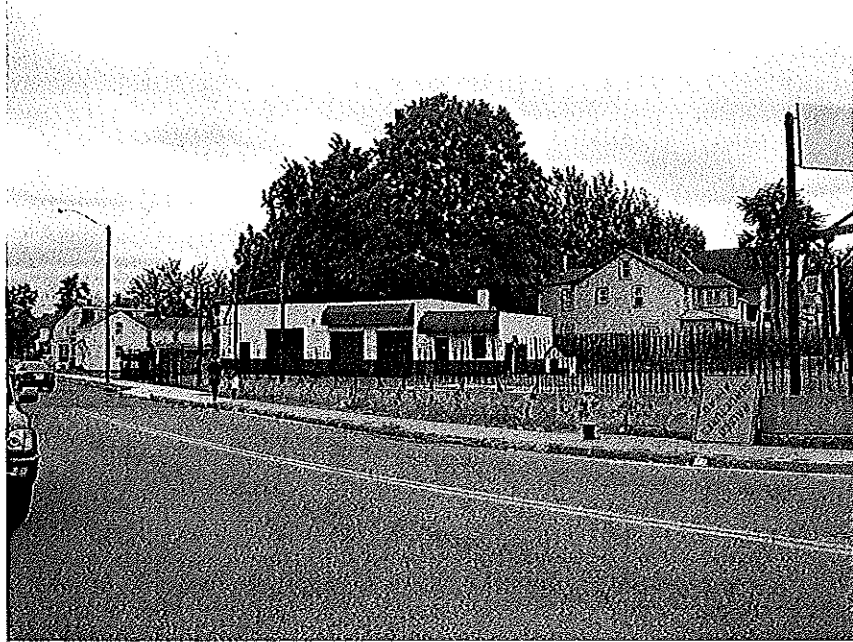
The petitioner has requested to amend two (2) special permits (motor vehicle sales/service), by allowing a change in the petitioner, at the property known as 62 Armory Street. This site is located at the intersections of Armory and Magazine Streets. This area has a mixture of both commercial and residential uses. The site has

had automotive related uses located here in the past. Currently, there is a combination concrete wall and metal fence enclosing the entire lot.

After visiting the site and reviewing the submitted site plan, the staff does not oppose the proposed request.

However, it should be noted that the site plan submitted indicates that there will be room for twenty one (21) vehicles. Therefore, in order to ensure that there is enough room on the parcel for both employees and customers, the staff would strongly

recommend that the number of vehicles allowed to be displayed for sale at this location be limited to fifteen (15). Again, the staff wants to ensure that there is going to be adequate room on the site to accommodate the employees and customers for both the car dealership as well as the repair operation.



Further, after visiting the site, it was noted that the existing landscaped area along Magazine Street and Armory Street is in need of maintained. If approved, the staff would strongly recommend that this landscaped area be required to be re-loamed and re-seeded by the petitioner.

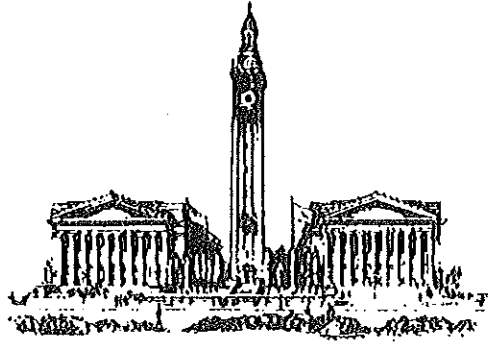
### Recommendation

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 and service at the property known as 61 Armory Street (00645-0290).
3. There shall be no more than fifteen (15) vehicles on display at any one time.
4. All repairs to vehicles shall be completed inside the building.
5. There shall be no storage of automotive parts or junk vehicles located outside the building.
6. The landscaped area along Magazine Street and Armory Street shall be loamed and seeded.
7. All landscaped areas shall be maintained.
8. The two (2) existing street trees along Armory Street shall be replaced. Type and size to be determined by the City Forester.
9. The public sidewalk shall be maintained, including snow removal.
10. The building and concrete fencing shall be maintained graffiti free.
11. There shall be only one (1) wall sign and one (1) ground sign located on the property.
12. There shall be no banners, streamers, pennants, or non-accessory signs located on the property.
13. Any and all dumpsters shall be completely enclosed.
14. 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 fine of up to \$200 per day for each day a violation exists.

Stephen J. Lonergan  
*Collector/Treasurer*



THE CITY OF  
SPRINGFIELD, MASSACHUSETTS

August 13, 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: 61 Armory Street – (00645-0290)

Petitioner: Samir Ismaeil

Property Owner: Alfonso M. & Margaret M. Amore

Landlord: Marwan Awkwal

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

Stephen J. Lonergan: Treasurer/Collector

Attachment: Armory\_St\_61\_2015 (3170 : 61 Armory Street)



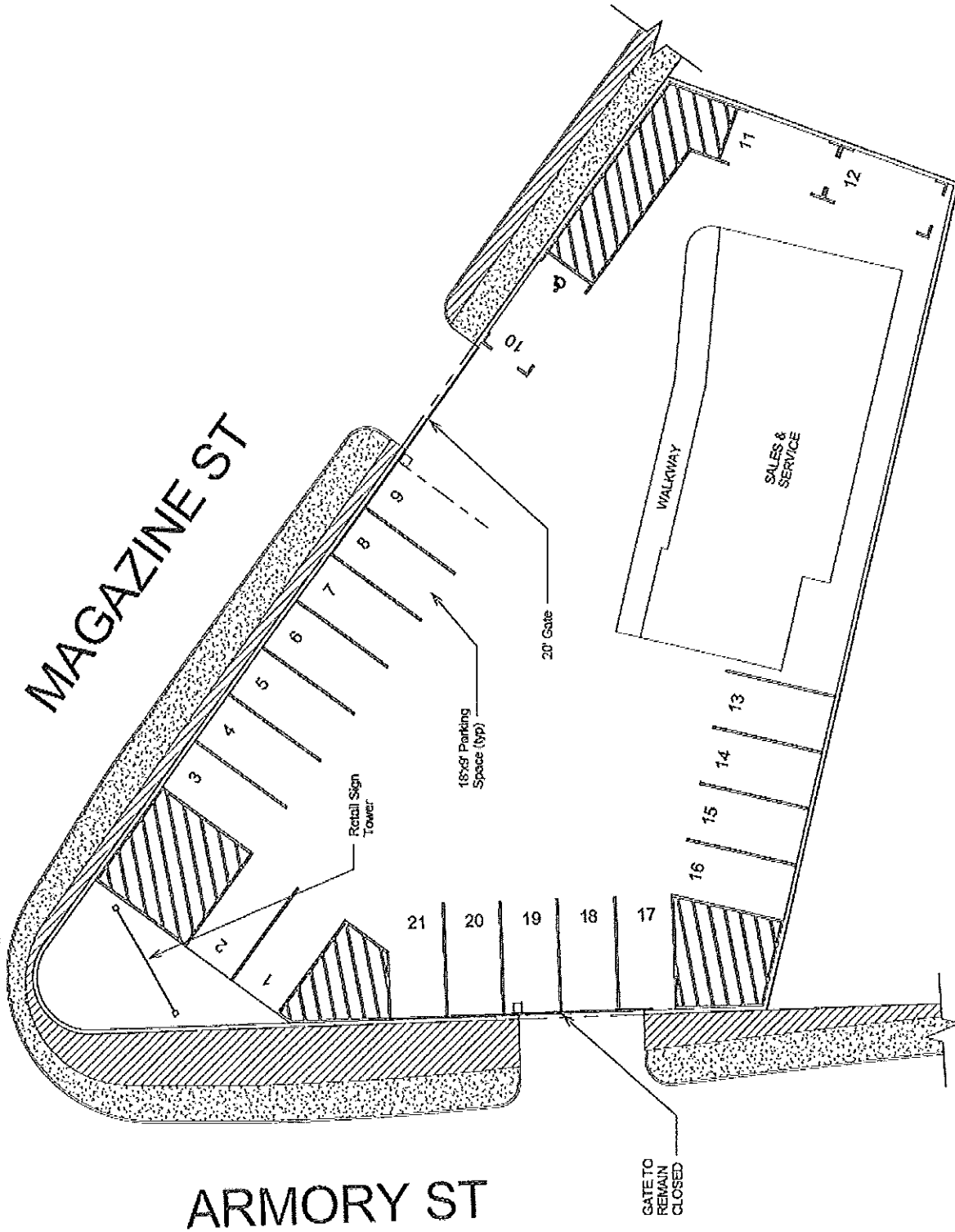
SAMIR ISMAEIL  
61 ARMORY ST  
SPRINGFIELD, MA

SITE

|                |          |
|----------------|----------|
| Project number | A1       |
| Date           | 08/17/15 |
| Drawn by       | AG       |
| Checked by     | AG       |

E1

|       |               |
|-------|---------------|
| Scale | 1/16" = 1'-0" |
|-------|---------------|



1 Site 1/16" = 1'-0"

DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCE  
CITY OF SPRINGFIELD  
MASSACHUSETTS

2.1.b

TO:

DATE: September 16, 2013

DEPARTMENT:

FROM: Wayman Lee, Esq.

COPIES TO:

DEPARTMENT: City Clerk

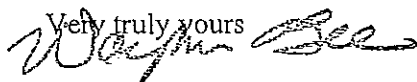
SUBJECT: 61 Armory Street serv station

This is to inform you that at a meeting of the City Council held on Monday, August 19, 2013 it was voted by the City Council according to law to grant a special permit to Owner: Alfonso Amore and Petitioner: Kristine Benitez to operate a motor vehicle service station (motor vehicle repair) at the property known as **61 Armory Street** (00645-0290) as allowed by M.G.L and the Springfield Zoning Ordinance Article XI, Section 1101.11.f with the following conditions:

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely a motor vehicle service station (motor vehicle repairs) at the property known as 61 Amory Street (00645-0290).
3. The use shall be developed according to the attached site plan with the additions of conditions #4 through #14.
4. There shall be no storage of automotive parts outside the building.
5. There shall be no storage of junk vehicles located at the site
6. There shall be no auto body work completed at this site
7. There shall be no work done outside the building
8. Any and all dumpsters shall be completely enclosed
9. The existing concrete wall and building shall be maintained free of all graffiti
10. The public sidewalk and public tree belt shall be maintained, including the mowing of grassed areas and snow removal of the public sidewalk
11. All landscaped areas shall be maintained free of weeds and debris.
12. There shall be only one (1) wall sign and one (1) ground sign located on the property. Sign permits for any and all signs shall be obtained prior to installation.
13. There shall be no banners, streamers, pennants or non-accessory signs located on the property .
14. All parking, including display areas and customer parking shall be clearly marked.
15. 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 September 13, 2013

Very truly yours  


Wayman Lee, Esq.  
City Clerk

Attachment: Armory\_St\_61\_2015 (3170 : 61 Armory Street)

DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCE  
CITY OF SPRINGFIELD  
MASSACHUSETTS

2.1.b

TO: DATE: September 16, 2013  
DEPARTMENT: FROM: Wayman Lee, Esq.  
COPIES TO: DEPARTMENT: City Clerk  
SUBJECT: 61 Armory St (sales)

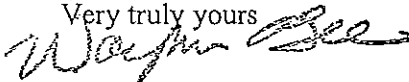
This is to inform you that at a meeting of the City Council held on Monday, August 19, 2013 it was voted by the City Council according to law to grant a special permit to Owner: Alfonso Amore and Petitioner: Kristine Benitez for motor vehicle sales at the property known as 61 Armory Street (00645-0290) as allowed by M.G.L and the Springfield Zoning Ordinance Article XI, Section 1101.11.a with the following conditions:

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for motor vehicles sales at the property known as 61 Amory Street (00645-0290).
3. The use shall be developed according to the attached site plan with the addition of condition #4 through #14.
4. There shall be no more than seventeen (17) for sale on the property at any one time.
5. There shall be no storage of automotive parts outside the building
6. There shall be no storage of junk vehicles located on the site
7. There shall be no auto body work completed at this location.
8. Any and all dumpsters shall be completely enclosed
9. The existing concrete wall and building shall be maintained free of all graffiti
10. The public sidewalk and public tree belt shall be maintained, including the mowing of grassed areas and snow removal of the public sidewalk
11. All landscaped areas shall be maintained free of weeds and debris.
12. There shall be only one (1) wall sign and one (1) ground sign located on the property. Sign permits for any and all signs shall be obtained prior to installation.
13. There shall be no banners, streamers, pennants or non-accessory signs located on the property.
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This permit becomes effective on September 13, 2013

Very truly yours



Wayman Lee, Esq.  
City Clerk

Attachment: Armory St 61 2015 (3170 : 61 Armory Street)

Proposed Location

Armory St

Magazine St



SPRINGFIELD  
GIS

City of Springfield, Massachusetts



DATA SOURCE:

61 Armory Street

**City of Springfield**

36 Court Street  
Springfield, MA 01103

**SCHEDULED****PETITION (ID # 3171)**

Meeting: 09/21/15 07:00 PM  
Department: Economic Development  
Category: Special Permit  
Prepared By: Phil Dromey  
Initiator: Phil Dromey  
Sponsors:  
DOC ID: 3171

**To Amend an Existing Special Permit (Motor Vehicle Repairs),  
Granted September 2013, by Allowing a Change to the  
Petitioner, at the Property Known as 61 Armory Street (00645-  
0290), as Allowed by M.G.L. and the Springfield Zoning  
Ordinance Article 4, Table 4-4, Section 12.3(3)/(4).**

|             |               |
|-------------|---------------|
| Request:    | See Above     |
| Owner:      | Marwan Awkwal |
| By:         | Marwan Awkwal |
| Petitioner: | Samir Ismaeil |
| By:         | Samir Ismaeil |

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

to amend an existing special permit (motor vehicle repairs), granted September 2013, by allowing a change to the petitioner, at the property known as 61 Armory Street (00645-0290), as allowed by M.G.L. and the Springfield Zoning Ordinance Article 4, Table 4-4, Section 12.3(3)/(4).

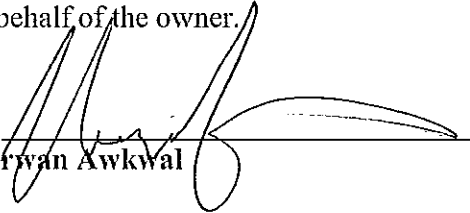
**Mailing Address:**

257 Prospect Street  
 Chicopee, MA 01013

**Owner:**

Marwan Awkwai

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

By: 

Marwan Awkwai

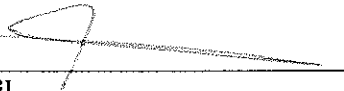
**Mailing Address:**

889 Liberty Street  
 Springfield, MA 01104

**Petitioner:**

Samir Ismaeil

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

By: 

Samir Ismaeil

Attachment: Armory St 61 2015 Tax Formal Repairs (3171 : 61 Armory Street)

Stephen J. Loneragan  
*Collector/Treasurer*



THE CITY OF  
SPRINGFIELD, MASSACHUSETTS

August 13, 2015

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Special Permit: 61 Armory Street – (00645-0290)

Petitioner: Samir Ismaeil

Property Owner: Alfonso M. & Margaret M. Amore

Landlord: Marwan Awkwai

Stephen J. Loneragan: Treasurer/Collector

Attachment: Armory\_St\_61\_2015\_Tax\_Formal\_Repairs (3171 : 61 Armory Street)

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

---

**61 ARMORY STREET (00645-0290)  
AMEND TWO (2) EXISTING SPECIAL PERMITS  
(MOTOR VEHICLE SALE/MOTOR VEHICLE REPAIRS)**

*General Information*

---

|                                                       |                                                                                                                                            |
|-------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Petitioner:</b>                                    | Samir Ismaeil                                                                                                                              |
| <b>Request:</b>                                       | Amend two (2) special permits (motor vehicle sales/motor vehicle repairs), granted September 2013, by allowing a change on the petitioner. |
| <b>Proposed use of the property:</b>                  | Motor vehicle sales/motor vehicle repairs                                                                                                  |
| <b>Size:</b>                                          | 13,047 s.f.                                                                                                                                |
| <b>Compatibility with current planning documents:</b> | The McKnight Neighborhood Plan shows no changes to this area.                                                                              |
| <b>Neighborhood council notification:</b>             | McKnight Neighborhood Council: 8-21-15                                                                                                     |
| <b>Tax Status:</b>                                    | SEE ATTACHED                                                                                                                               |
| <b>Site Visit:</b>                                    | 9-14-15                                                                                                                                    |
| <b>Scheduled Hearing Date:</b>                        | 9-21-15                                                                                                                                    |

*Staff Analysis*

---

**Neighborhood characteristics:**

The parcel is currently zoned Business B and is located in an area with a mixture of both commercial and residential uses.

To the north is a used car dealership zoned Business A.  
To the south is a single family house zoned Residence B.  
To the west are a parking lot and restaurant zoned Business A.  
To the east are a single family house zoned Residence B.

**Site plan review:**

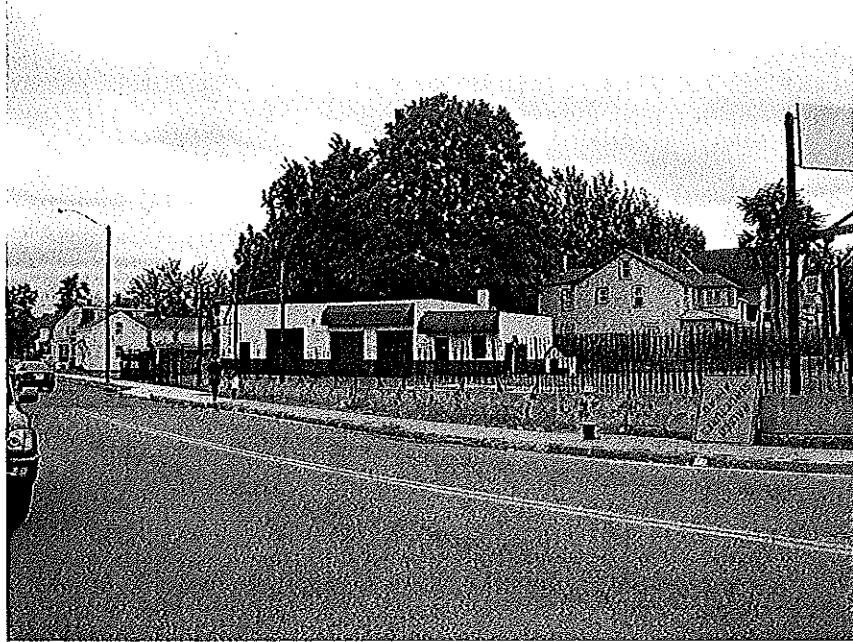
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However, it should be noted that the site plan submitted indicates that there will be room for twenty one (21) vehicles. Therefore, in order to ensure that there is enough room on the parcel for both employees and customers, the staff would strongly

recommend that the number of vehicles allowed to be displayed for sale at this location be limited to fifteen (15). Again, the staff wants to ensure that there is going to be adequate room on the site to accommodate the employees and customers for both the car dealership as well as the repair operation.



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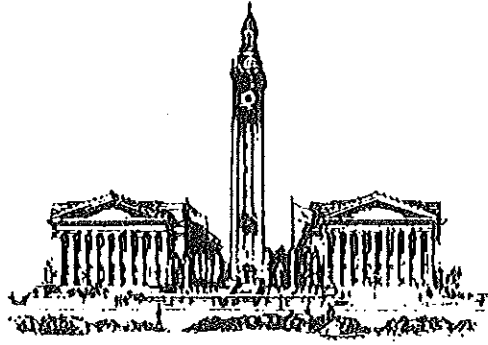
### **Recommendation**

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 and service at the property known as 61 Armory Street (00645-0290).
3. There shall be no more than fifteen (15) vehicles on display at any one time.
4. All repairs to vehicles shall be completed inside the building.
5. There shall be no storage of automotive parts or junk vehicles located outside the building.
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9. The public sidewalk shall be maintained, including snow removal.
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12. There shall be no banners, streamers, pennants, or non-accessory signs located on the property.
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Stephen J. Lonergan  
*Collector/Treasurer*



THE CITY OF  
SPRINGFIELD, MASSACHUSETTS

August 13, 2015

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Property Owner: Alfonso M. & Margaret M. Amore

Landlord: Marwan Awkwal

Stephen J. Lonergan: Treasurer/Collector

Attachment: Armory\_St\_61\_2015 (3171 : 61 Armory Street)



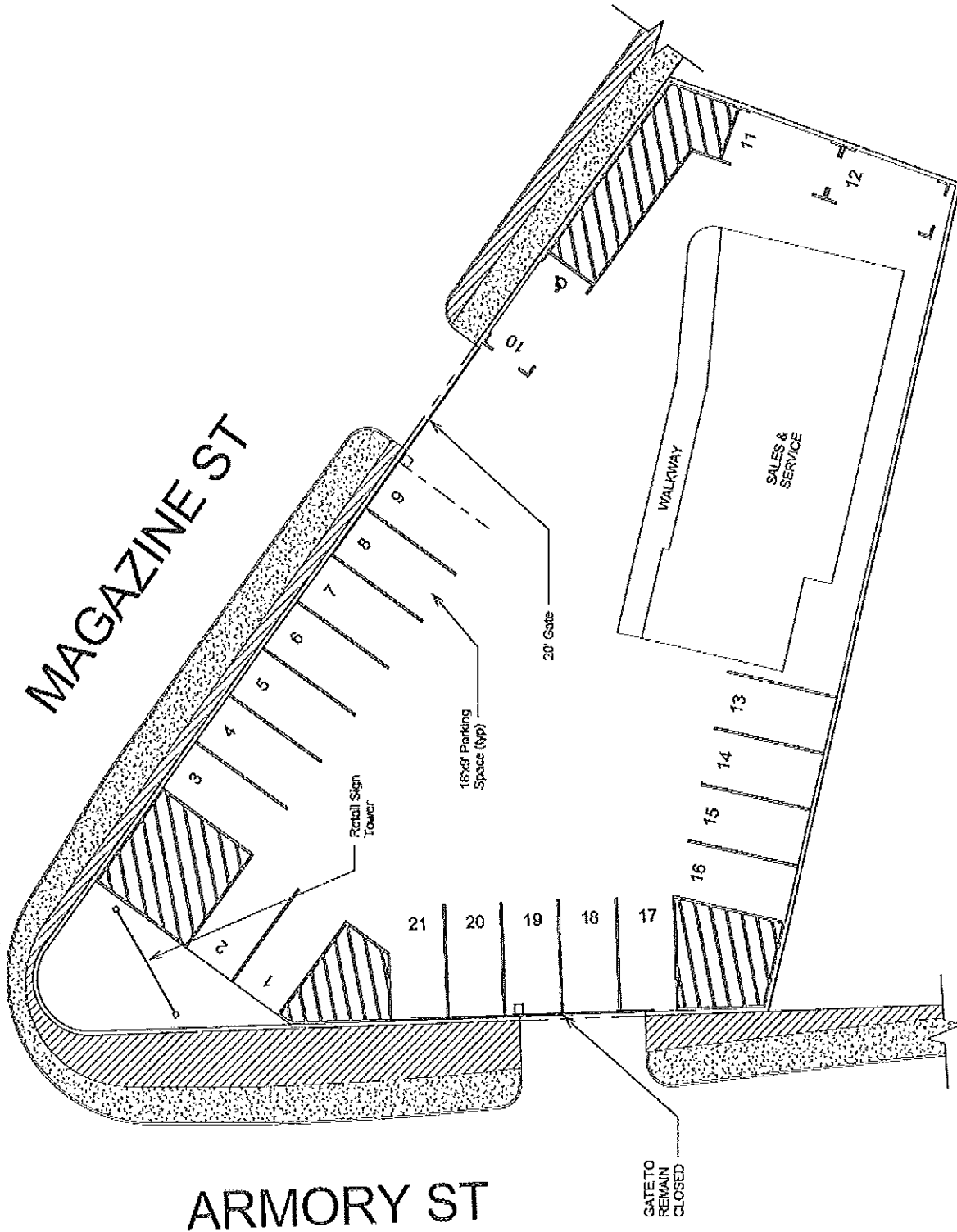
SAMIR ISMAEIL  
61 ARMORY ST  
SPRINGFIELD, MA

SITE

|                |          |
|----------------|----------|
| Project number | A1       |
| Date           | 08/17/15 |
| Drawn by       | AG       |
| Checked by     | AG       |

E1

|       |               |
|-------|---------------|
| Scale | 1/16" = 1'-0" |
|-------|---------------|



1 Site 1/16" = 1'-0"

DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCE  
CITY OF SPRINGFIELD  
MASSACHUSETTS

2.2.b

TO:

DATE: September 16, 2013

DEPARTMENT:

FROM: Wayman Lee, Esq.

COPIES TO:

DEPARTMENT: City Clerk

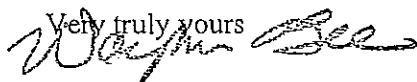
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4. There shall be no storage of automotive parts outside the building.
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14. All parking, including display areas and customer parking shall be clearly marked.
15. Compliance with these conditions, 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 September 13, 2013

Very truly yours  


Wayman Lee, Esq.  
City Clerk

Attachment: Armory\_St\_61\_2015 (3171 : 61 Armory Street)

DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCE  
CITY OF SPRINGFIELD  
MASSACHUSETTS

2.2.b

TO: DATE: September 16, 2013  
DEPARTMENT: FROM: Wayman Lee, Esq.  
COPIES TO: DEPARTMENT: City Clerk  
SUBJECT: 61 Armory St (sales)

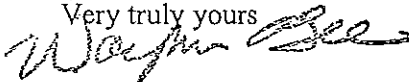
This is to inform you that at a meeting of the City Council held on Monday, August 19, 2013 it was voted by the City Council according to law to grant a special permit to Owner: Alfonso Amore and Petitioner: Kristine Benitez for motor vehicle sales at the property known as 61 Armory Street (00645-0290) as allowed by M.G.L and the Springfield Zoning Ordinance Article XI, Section 1101.11.a with the following conditions:

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for motor vehicles sales at the property known as 61 Amory Street (00645-0290).
3. The use shall be developed according to the attached site plan with the addition of condition #4 through #14.
4. There shall be no more than seventeen (17) for sale on the property at any one time.
5. There shall be no storage of automotive parts outside the building
6. There shall be no storage of junk vehicles located on the site
7. There shall be no auto body work completed at this location.
8. Any and all dumpsters shall be completely enclosed
9. The existing concrete wall and building shall be maintained free of all graffiti
10. The public sidewalk and public tree belt shall be maintained, including the mowing of grassed areas and snow removal of the public sidewalk
11. All landscaped areas shall be maintained free of weeds and debris.
12. There shall be only one (1) wall sign and one (1) ground sign located on the property. Sign permits for any and all signs shall be obtained prior to installation.
13. There shall be no banners, streamers, pennants or non-accessory signs located on the property.
14. All parking, including display areas and customer parking shall be clearly marked.
15. 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 September 13, 2013

Very truly yours



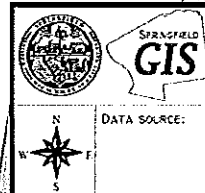
Wayman Lee, Esq.  
City Clerk

Attachment: Armory St 61 2015 (3171 : 61 Armory Street)

Proposed Location

Armory St

Magazine St



City of Springfield, Massachusetts

DATA SOURCE:

61 Armory Street

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

to change the zoning of the properties known as 1259 East Columbus Avenue (04303-0510) and 1070 Main Street (08130-0096) from Business A and Business B to Business C.

**Mailing Address:**

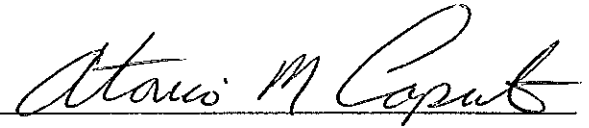
160 Main Street  
Springfield, MA 01103

1259 East Columbus Avenue  
Springfield, MA 01105

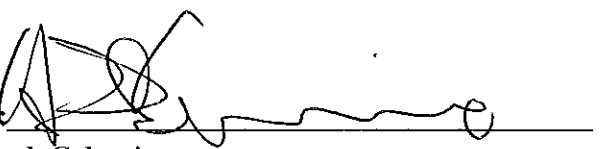
**Owner/Petitioner:**

**Carmela A. Fraziero, Trustee,  
Colvest/Columbus Springfield, LLC**

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

By: 

Tony Caputo

By: 

Frank Colaccino

Attachment: Zone\_Change\_#3177 (3168 : 1259 East Columbus Ave & 1070 Main Street)

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

**1259 EAST COLUMBUS AVENUE & 1070 MAIN STREET  
BUSINESS A/B TO BUSINESS C**

**GENERAL INFORMATION**

|                                           |                                                                                                                                                                                                                                                                               |
|-------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Applicant:</b>                         | Carmela A. Fraziero, Trustee & Colvest/Columbus Springfield, LLC                                                                                                                                                                                                              |
| <b>Request:</b>                           | Business A/B to Business C                                                                                                                                                                                                                                                    |
| <b>Location:</b>                          | 1259 East Columbus Avenue & 1070 Main Street                                                                                                                                                                                                                                  |
| <b>Parcel Size:</b>                       | 102,852 s.f.                                                                                                                                                                                                                                                                  |
| <b>Purpose:</b>                           | Bring properties into conformity with surrounding land uses.                                                                                                                                                                                                                  |
| <b>Surrounding Land Use and Zoning:</b>   | The properties are located in the South End neighborhood, directly adjacent to the central business district. The sites will directly abut the proposed casino development. Additional surrounding land uses include retail uses, offices, I-91 and a commercial gas station. |
| <b>Comprehensive/ Neighborhood Plan:</b>  | The South End Neighborhood Plan shows no changes to this area.                                                                                                                                                                                                                |
| <b>Site Visit:</b>                        | 8-24-15                                                                                                                                                                                                                                                                       |
| <b>Neighborhood Council Notification:</b> | South End Citizens Council: 8-18-15                                                                                                                                                                                                                                           |
| <b>Planning Board Hearing Date:</b>       | 9-2-15                                                                                                                                                                                                                                                                        |

**SPECIAL INFORMATION**

|                                  |     |
|----------------------------------|-----|
| <b>Traffic &amp; Parking:</b>    | N/A |
| <b>Physical Characteristics:</b> | N/A |
| <b>Other Notes:</b>              | N/A |

**ANALYSIS**

The petitioners have requested to change the zoning of the properties known as 1259 East Columbus Avenue and 1070 Main Street from Business A and Business B to Business C. These sites are the currently locations of Red Rose Pizzeria and the Berkshire Bank/Colvest building.

As the Board is aware, the petitioners for these two (2) properties had previously petitioned to be included within a new "Casino Overlay District B" which, in addition to these properties, also included properties along State Street. The reason for this proposal was to recognize that these properties would be directly impacted by the new casino development and allow greater development opportunities. In reviewing this proposed "Casino Overlay District B", the staff had a number of concerns. First and foremost, this proposed "Casino Overlay District Overlay B" would provide those properties with the same development rights as currently outlined under the Casino Overlay District but without the same provisions and protections. Specifically, the Casino Overlay District directly ties the proposed casino development back to the approved Host Community

Agreement (HCA). As noted in the previous analysis, the HCA was drafted and ultimately approved by the Mayor, City Council, Mass Gaming Commission and the voters of the City of Springfield. This HCA was a lengthy, comprehensive, transparent process which outlined in great detail the overall development of the proposed casino, including base site plans/elevations, and involved criteria to address public health, safety and welfare concerns protected by the Zoning Enabling Act. The HCA also requires the casino developer to comply with the terms and conditions of the agreement, including the payment of substantial impact fees, as well as all regulations outlined under M.G.L. c. 23K enacted by Chapter 194 of the Acts of 2011 – An Act Establishing Expanded Gaming in the Commonwealth. Again, the “Casino Overlay District B”, as proposed, did not have any of the same provisions or protections yet it would still provide the same underlying development regulations as those found within the Casino Overlay District. As such, the staff recommended that the “Casino Overlay District B” not be approved. The Board voted to deny the request and this petition is currently pending at the City Council.

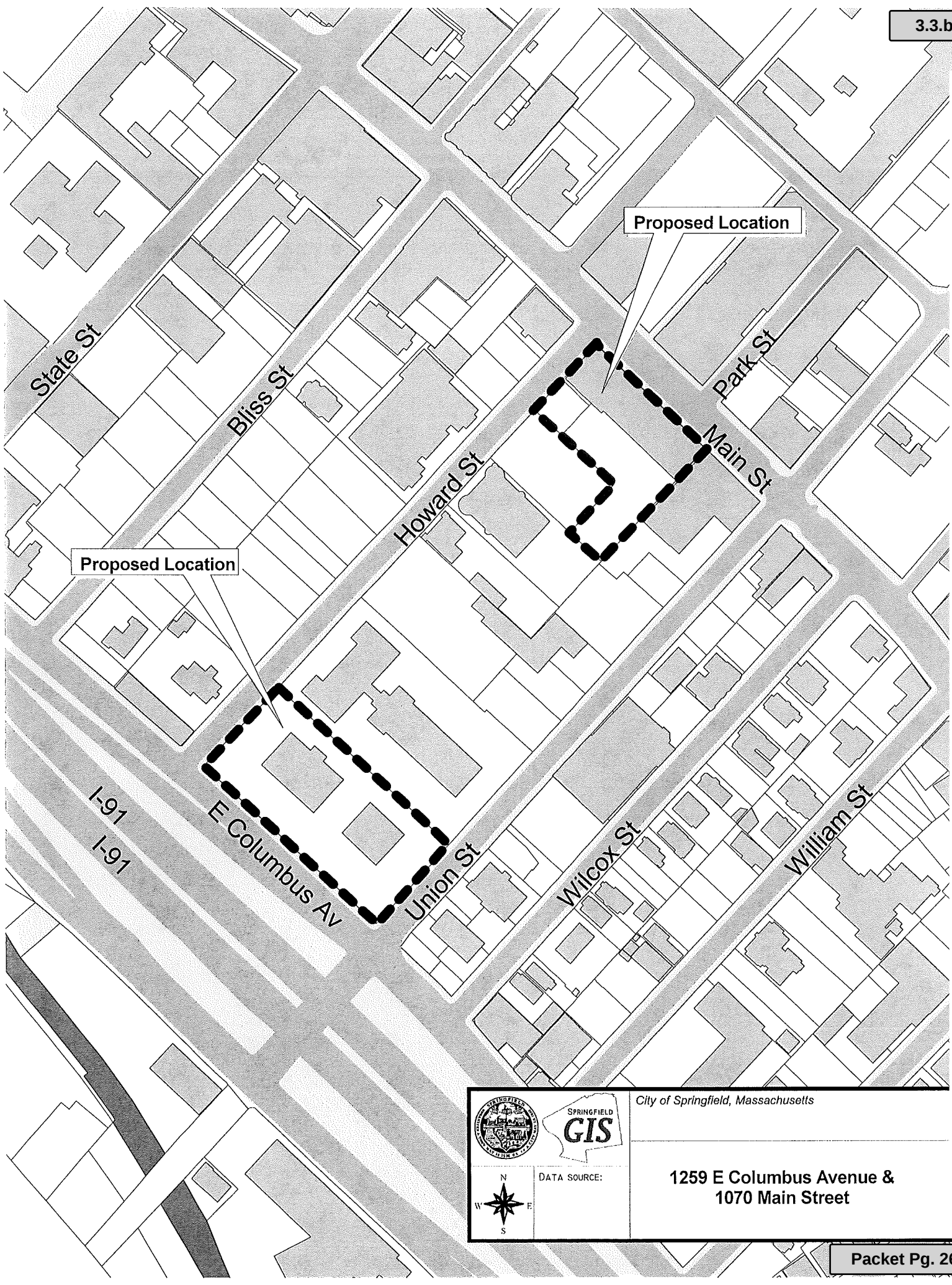
After further discussions with the petitioner and as noted in the analysis referenced above, the staff recommended that if these property owners were looking for flexibility for future development, they could explore re-zoning their properties to Business C. Business C was used as the basis for the Casino Overlay District and is a zoning classification that is used throughout the Central Business District and up and down Main Street, State Street and East Columbus Avenue. The Business C zoning classification allows for much greater building coverage, building heights and far less parking restrictions. This would be beneficial to the owners of these properties while also providing the full range of review levels required under the existing Zoning Ordinance regulations. The staff believes that the change to Business C is an appropriate land use for this area and would not have a negative impact on the surrounding properties or the neighborhood as a whole.

Lastly, as noted above, the proposed “Casino Overlay District B” regulations are currently pending before the City Council. After speaking with the petitioner, it is their intention to withdraw that petition if their request to Business C is approved. This is important to note as while the staff is supportive of the change to Business C, the staff continues to have very strong opposition to the “Casino Overlay District B” regulations. Further, if the “Casino Overlay District B” is enacted, the staff does not believe there would be any reason to move forward with rezoning these properties to Business C.

#### RECOMMENDATION

---

Approve



Attachment: 3177\_E\_Columbus\_Main\_2015\_CC (3168 : 1259 East Columbus Ave & 1070 Main Street)





DATA SOURCE:

City of Springfield, Massachusetts

1259 E Columbus Avenue &  
1070 Main Street



# CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND FIFTEEN

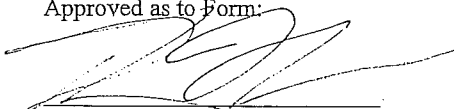
## AN ORDINANCE

AMENDING SECTION 47 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 A and Business B** to **Business C** the zoning on Plot #3177, Section 47 of the Building Zone Map as indicated in red ink on the plan thereof hereto attached and marked "Section 47 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 September 2, 2015 regarding the above Ordinance amendment.

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

  
Ben Swan Jr., Chairperson



# CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND FIFTEEN

## AN ORDINANCE

AMENDING SECTION 47 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 A and Business B** to **Business C** the zoning on **Plot #3177, Section 47** of the Building Zone Map as indicated in red ink on the plan thereof hereto attached and marked "Section 47 Building Zone Map of the City of Springfield."

**REPORT TO CITY COUNCIL  
ZONE CHANGE HEARING**

**PETITION:** #3177  
**SECTION:** 47

**DATE:** September 3, 2015

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:** Carmela A. Fraziero, Trustee & Colvest/Columbus Springfield, LLC

**ADDRESS:** 1259 East Columbus Avenue & 1070 Main Street

**CHANGE REQUESTED:** Proposed zone change from Business A and Business B to Business C

**PETITIONER'S PURPOSE STATEMENT:** Consistency with the surrounding land uses.

**DATE OF PUBLIC HEARING:** September 2, 2015

**DATE OF FINAL DECISION:** September 2, 2015

**BOARD MEMBERS PRESENT and COUNT:** six (6): Ms. Morin, Mr. Daniele, Ms. Defillipo, Mr. Swan, Mr. Florian and Ms. McQuade

**FINAL MOTION:** Approve

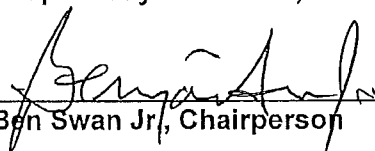
**IN FAVOR:** five (5): Mr. Daniele, Ms. Defillipo, Mr. Swan, Mr. Florian and Ms. McQuade

**OPPOSED:** zero (0)

**ABSTAINED:** one (1): Ms. Morin

**RECOMMENDATION:** APPROVE

Respectfully submitted,

  
Ben Swan Jr., Chairperson

Attachment: 3177\_E\_Columbus\_Main\_2015\_CC (3168 : 1259 East Columbus Ave & 1070 Main Street)

SCALE

1 INCH = 400 FEET

SEC. 47

BUILDING ZONE MAP

3.3.b

PLOT 3177

OF THE CITY OF SPRINGFIELD

REVISED TO



PLOT \_\_\_\_\_

SECTION \_\_\_\_\_

0 200 400

SCALE - 1 INCH = 400 FEET

|        |  |        |  |        |  |       |  |
|--------|--|--------|--|--------|--|-------|--|
| RES A  |  | RES C1 |  | BUS B  |  |       |  |
| RES B  |  | RES C2 |  | BUS C  |  | COM P |  |
| RES C  |  | COM A  |  | IND A  |  | OFF A |  |
| RES A1 |  | BUS A  |  | IND PK |  |       |  |



# City of Springfield

**SCHEDULED**

Meeting: 09/21/15 07:00 PM

Initiator: Wayman Lee

Sponsors:

DOC ID: 3210

4.4

## Open Air Parking Revocation ()

**Ordered**, that a hearing be given on **Monday evening, September 21, 2015** at 7:00 o'clock P.M., to the owners or occupants of property listed below relative to the revocation of licenses granted to them for open-air parking. Said hearings to be held in accordance with Chapter 148, Section 56 of the General Laws, as amended.

**Be it Further Ordered**, that the licenses granted to the owners or occupants of property listed below for a license allowing for open air parking be and the same are hereby **revoked**, subsequent to said hearing.

### NAME

Springfield Parking Authority

### LOCATION

Ten Center Lot  
Boylston Street