



City of Springfield

Hearings Meeting

~ Final ~

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

Linda Fitzpatrick
413-787-6559

Monday, September 21, 2015

7:00 PM

Springfield City Hall -- Council Chambers

I. Hearings

7:00 PM Meeting called to order on September 21, 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	Present	
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	Absent	
Kateri B. Walsh	At-Large Councilor	Present	
Michael A. Fenton	President - Ward 2 Councilor	Present	

Moment of Silence - Pledge of Allegiance

II. Special Permits

1. Petition (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

COMMENTS - Current Meeting:

Hearing held at which Marwan Awkwal, the Owner and Samir Isaeil, Petitioner appeared and spoke in favor of a special permit to allowing a change in the Petitioner from Alfonso Amore and Kristine Bentinez to Samir Isaeil to operate a motor vehicle service station (motor vehicle sales). The Petitioner asked that the special permit be amended from 15 car for sale to 17 cars for sale. Phil Dromey, Deputy Director of Planning spoke stating that the property has parking spaces for 21 cars but this is a combination permit for sales and

repairs and 15 cars limit would allow for parking by staff and customers since both services would be used at the same time and no one appeared in opposition and the hearing was closed. Councilor Twiggs made a motion to amend the special permit to allow for the sale of 16 cars and was seconded by Councilor Hurst and said motion passed by a majority voice votes with Councilor Luna absent. The Special Permit as amended with conditions was granted by the following roll call vote.

ATTACHMENTS:

- Amrory_St_61_2015_Tax_Formal_Sales (PDF)
- Armory_St_61_2015 (PDF)

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

Motion To: A. Motion to Amend the Special Permit

COMMENTS - Current Meeting:

Councilor Twiggs made a motion to amend the special permit to allow for the sale of 16 cars and was seconded by Councilor Hurst and said motion passed by a majority voice votes with Councilor Luna absent.

RESULT:	ADOPTED VOICE
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2. Petition (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

COMMENTS - Current Meeting:

Hearing held at which Marwan Awkwal, the Owner and Samir Isaeil, Petitioner appeared and spoke in favor of a special permit to allowing a change in the Petitioner from Alfonso Amore and Kristine Bentinez to Samir Isaeil to operate a motor vehicle service station (motor vehicle repairs). The Petitioner asked that the special permit be amended from 15 car for sale to 17 cars for sale. Phil Dromey, Deputy Director of Planning spoke stating that the property has parking spaces for 21 cars but this is a combination permit for sales and repairs and 15 cars limit would allow for parking by staff and customers since both services would be used at the same time and no one appeared in opposition and the hearing was closed. Councilor Twiggs made a motion to amend the special permit to allow for the sale of 16 cars and was seconded by Councilor Hurst and said motion passed by a majority

voice votes with Councilor Luna absent. The Special Permit as amended with conditions was granted by the following roll call vote.

ATTACHMENTS:

- Armory_St_61_2015_Tax_Formal_Repairs (PDF)
- Armory_St_61_2015 (PDF)

RESULT:	ADOPTED [12 TO 0]
MOVER:	Bud L. Williams, At-Large Councilor
SECONDER:	Melvin A. Edwards, Ward 3 Councilor
AYES:	Ashe, Allen, Concepcion, Shea, Ramos, Rooke, Williams, Twiggs, Hurst, Edwards, Walsh, Fenton
ABSENT:	Zaida Luna

Motion To: A. Motion to Amend the Special Permit

COMMENTS - Current Meeting:

Councilor Twiggs made a motion to amend the special permit to allow for the sale of 16 cars and was seconded by Councilor Hurst and said motion passed by a majority voice votes with Councilor Luna absent.

RESULT:	ADOPTED VOICE
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III. Zone Changes

3. Zoning Ordinance 2015-8

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.

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

HISTORY:

09/14/15	City Council	RECEIVED 1ST STEP
Next: 09/21/15		

COMMENTS - Current Meeting:

Read for first time on September 14, 2015 and the Council received the Report and Passed 1st step and was referred to the Committee on Ordinances by a majority voice vote with Councilor Luna absent and public hearing is set for Monday, September 21, 2015. The Planning Board recommendation is to approve.

Read and hearing held in which Frank Colaccino, President of Colvest/Columbus Springfield, LLC appeared on behalf of the Owner/ Petitioner Colvest/Columbus

Springfield, LLC and Carmela A. Fraziero, Trustee and spoke requesting a zone change from Business A and Business B to Business C for the properties located at 1259 East Columbus Avenue (Berkshire Bank/Colvest building and 1070 Main Street (Red Rose Pizzeria) seeking to make it consistency with the surrounding land use and the new zone is adjacent to the proposed "Casino Overlay District" and would be directly impacted by the new casino development and would allow for greater development opportunities. The Petitioner expressed concerns about MGM Springfield site plan and permitting processes. The Petitioner indicated that they would withdrawn their request for a "Casino Overlay District B" zone change if this zone change was passed. Councilor Walsh asked if the Planning Department had any concerns about the zone change and Phil Dromey, Deputy Director of Planning spoke stating no but even within Business C zone there are provisions in the new Zoning Ordinance that would allow a 3 tier review either by the Planning Department, Planning Board or the City Council and no one appeared in opposition and the hearing was closed.

The Committee on Enrollment met on September 14, 2015 and found the zone change to be properly enrolled and referred the Zone Change to the full Council for passage and the Council passed the Zone Change by the following roll called vote.

ATTACHMENTS:

- Zone_Change_#3177 (PDF)
- 3177_E_Columbus_Main_2015_CC (PDF)

RESULT:	ADOPTED [12 TO 0]
MOVER:	Kateri B. Walsh, At-Large Councilor
SECONDER:	Justin Hurst, At Large Councilor
AYES:	Ashe, Allen, Concepcion, Shea, Ramos, Rooke, Williams, Twiggs, Hurst, Edwards, Walsh, Fenton
ABSENT:	Zaida Luna

IV. Petitions

4. Order (ID # 3210)

Open Air Parking Revocation

COMMENTS - Current Meeting:

Read and an explanation was given by Wayman Lee, City Clerk stating that the Petition is to revoke the Open Air Parking permit for the Ten Center Lot on Boylston Street because they are not able to park cars because the State has taken over the lot for the I-91 project. Councilor Rooke asked while would we be eliminating parking spaces when we have a shortest of parking spaces in the City and Clerk Lee said that Springfield Parking Authority did not want to pay for spaces that they could not use. Councilor Rooke made a motion to refer to committee to hear from Springfield Parking Authority and was seconded by Councilor Williams.

RESULT:	REFERRED TO COMMITTEE	Next: 10/5/2015 7:00 PM
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Motion To: A. Motion to Refer to the Maintenance and Development Committee

COMMENTS - Current Meeting:

Councilor Rooke made a motion to refer to committee to hear from Springfield Parking Authority and was seconded by Councilor Williams and said motion passed by a majority voice votes with Councilor Luna absent and was referred to the Maintenance and Development Committee.

RESULT:	ADOPTED VOICE
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City of Springfield

36 Court Street
Springfield, MA 01103

ADOPTED

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

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

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.

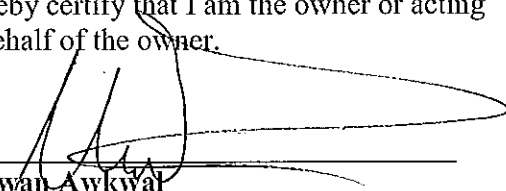
Mailing Address:

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:

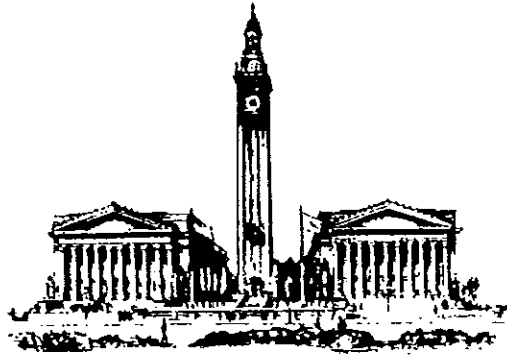
Samir Ismaeil

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

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

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

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

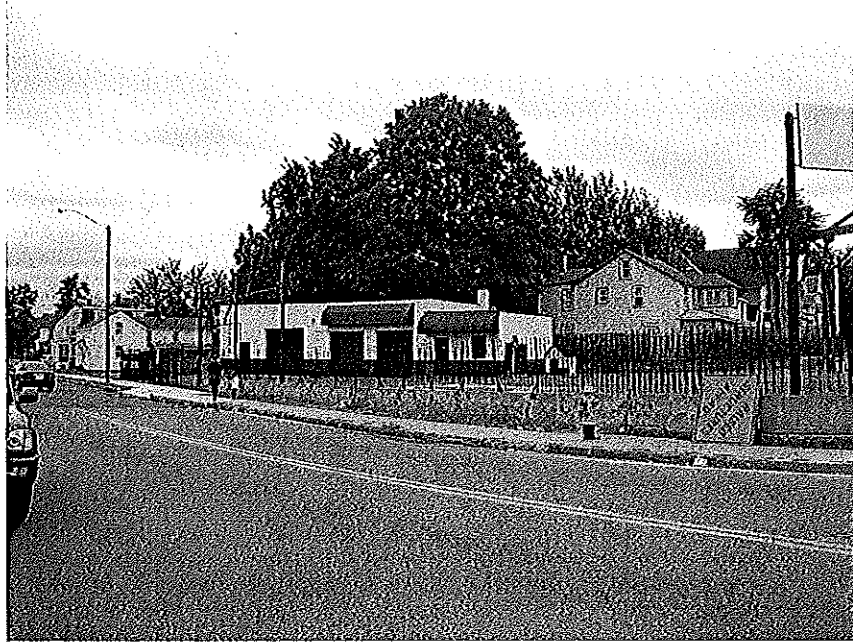
The petitioner has requested to amend two (2) special permits (motor vehicle sales/service), by allowing a change in the petitioner, at the property known as 62 Armory Street. This site is located at the intersections of Armory and Magazine Streets. This area has a mixture of both commercial and residential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

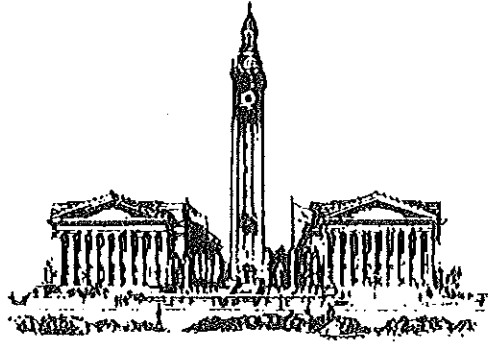
Recommendation

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)



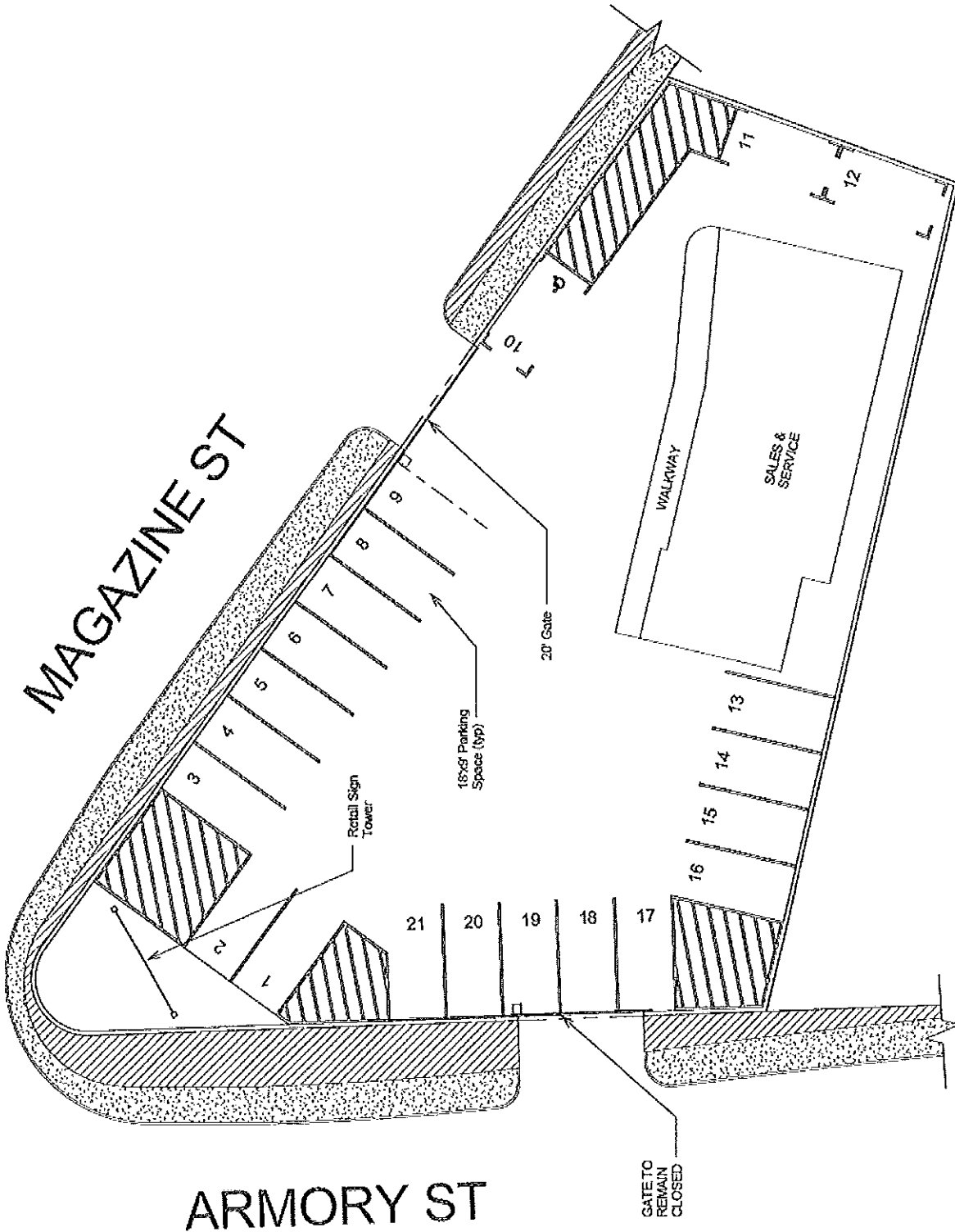
SAMIR ISMAEIL
61 ARMORY ST
SPRINGFIELD, MA

SITE

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

E1

Scale	1/16" = 1'-0"
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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

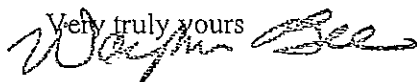
SUBJECT: 61 Armory Street serv station

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)

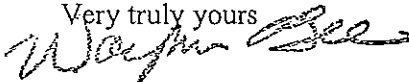
This is to inform you that at a meeting of the City Council held on Monday, August 19, 2013 it was voted by the City Council according to law to grant a special permit to Owner: Alfonso Amore and Petitioner: Kristine Benitez for motor vehicle sales at the property known as 61 Armory Street (00645-0290) 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.
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



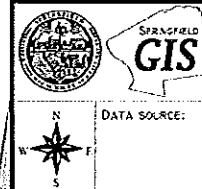
Wayman Lee, Esq.
City Clerk

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

Proposed Location

Armory St

Magazine St



DATA SOURCE:

City of Springfield, Massachusetts

61 Armory Street


City of Springfield

36 Court Street
Springfield, MA 01103

ADOPTED
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

RESULT: **ADOPTED [12 TO 0]**
MOVER: Bud L. Williams, At-Large Councilor
SECONDER: Melvin A. Edwards, Ward 3 Councilor
AYES: Ashe, Allen, Concepcion, Shea, Ramos, Rooke, Williams, Twiggs, Hurst,
Edwards, Walsh, Fenton
ABSENT: Zaida Luna

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).

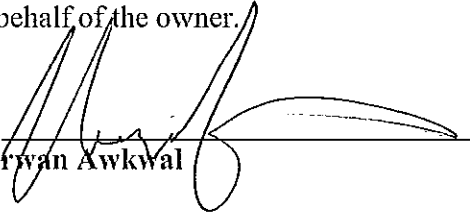
Mailing Address:

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

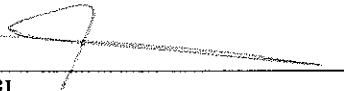
Mailing Address:

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

Stephen J. Loneragan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

August 13, 2015

Special Permit Tax Certification

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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

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

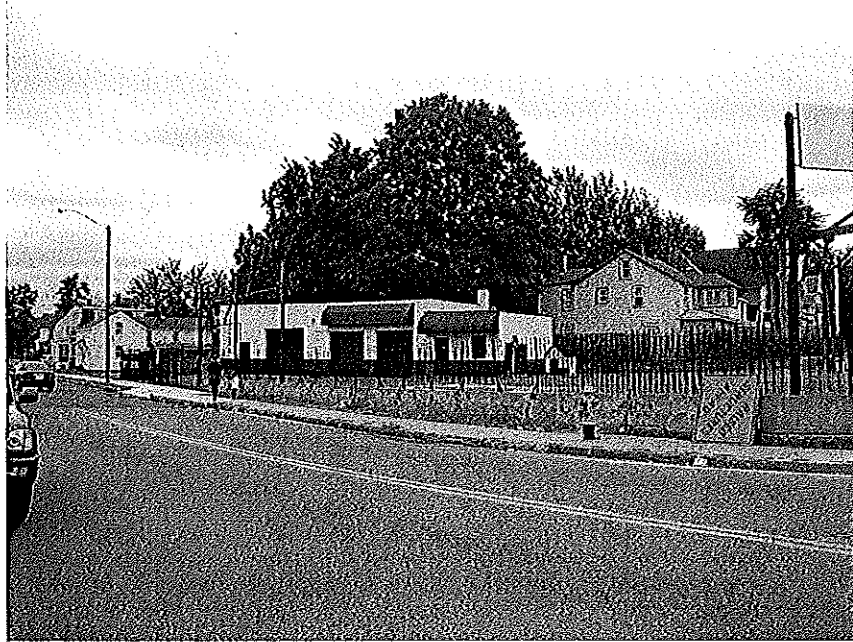
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had automotive related uses located here in the past. Currently, there is a combination concrete wall and metal fence enclosing the entire lot.

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.

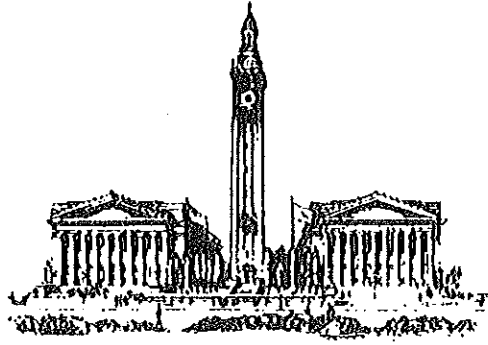
Recommendation

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 Awkwai

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 (3171 : 61 Armory Street)



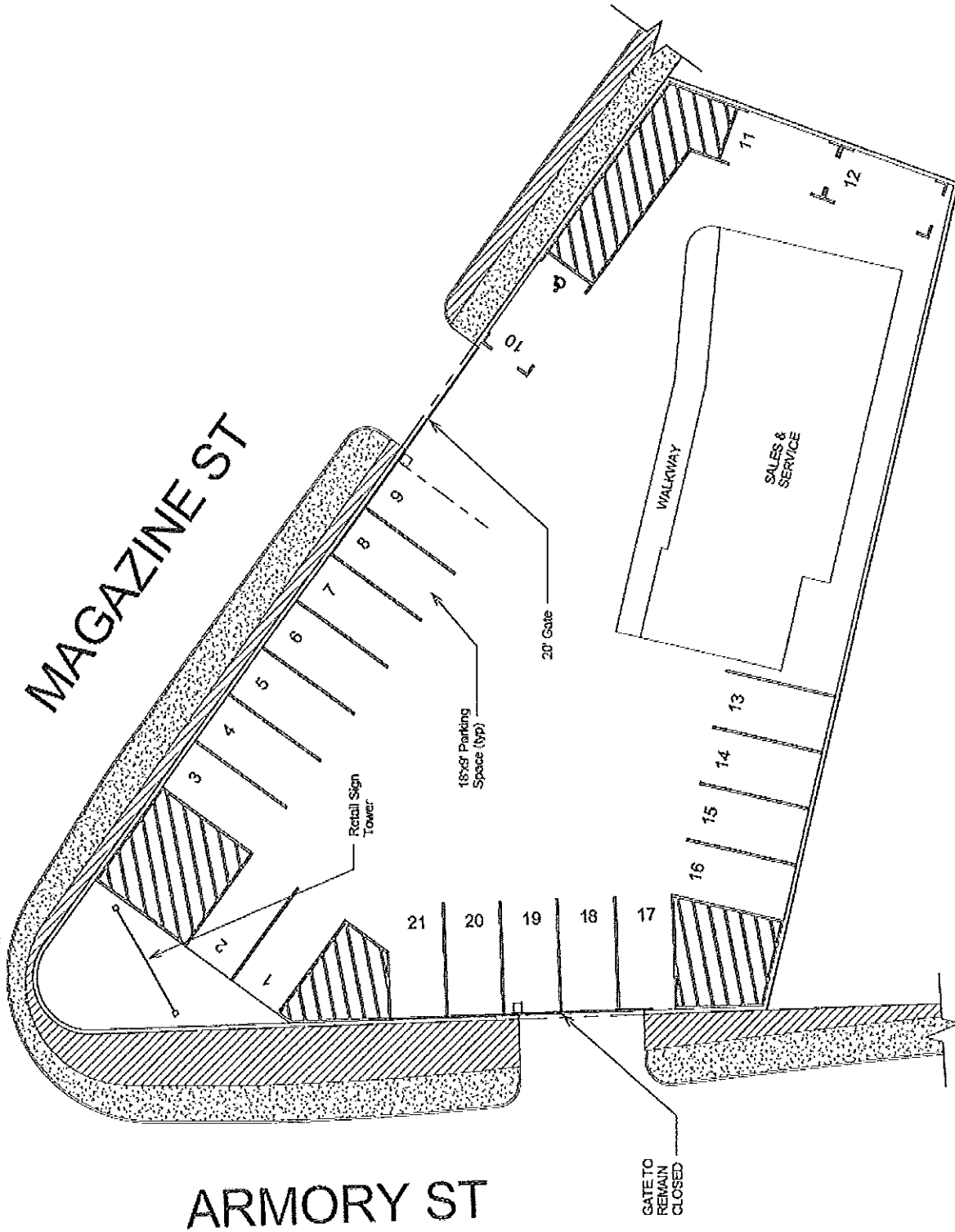
SAMIR ISMAEIL
61 ARMORY ST
SPRINGFIELD, MA

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

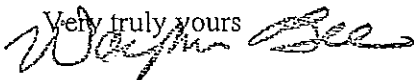
SUBJECT: 61 Armory Street serv station

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 (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)

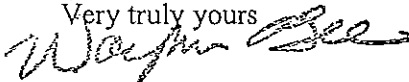
This is to inform you that at a meeting of the City Council held on Monday, August 19, 2013 it was voted by the City Council according to law to grant a special permit to Owner: Alfonso Amore and Petitioner: Kristine Benitez for motor vehicle sales at the property known as 61 Armory Street (00645-0290) 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



SPRINGFIELD
MASSACHUSETTS
GIS

City of Springfield, Massachusetts

61 Armory Street

DATA SOURCE:



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 (Z-2015-8 : 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

Applicant:	Carmela A. Fraziero, Trustee & Colvest/Columbus Springfield, LLC
Request:	Business A/B to Business C
Location:	1259 East Columbus Avenue & 1070 Main Street
Parcel Size:	102,852 s.f.
Purpose:	Bring properties into conformity with surrounding land uses.
Surrounding Land Use and Zoning:	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.
Comprehensive/ Neighborhood Plan:	The South End Neighborhood Plan shows no changes to this area.
Site Visit:	8-24-15
Neighborhood Council Notification:	South End Citizens Council: 8-18-15
Planning Board Hearing Date:	9-2-15

SPECIAL INFORMATION

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

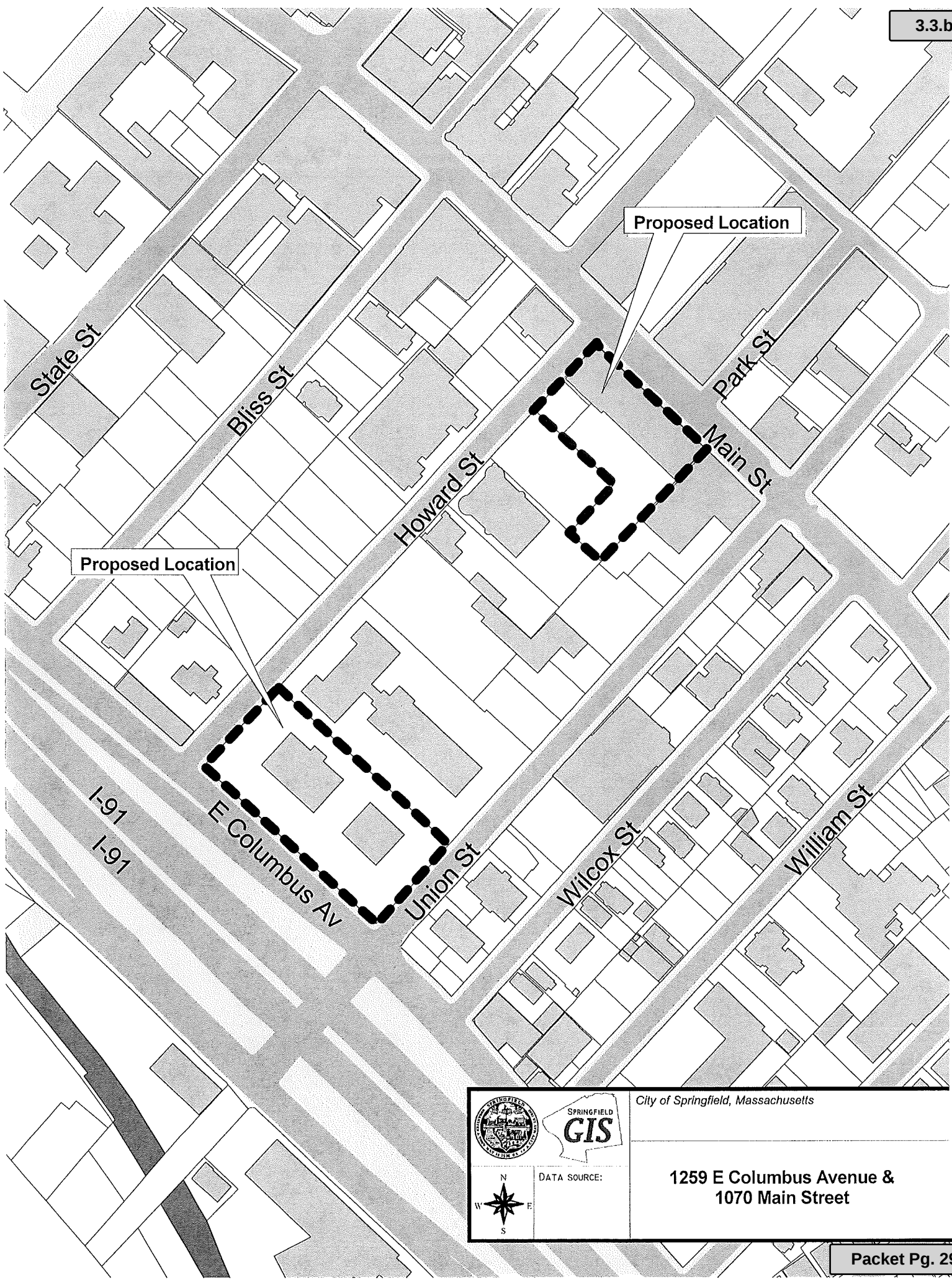
Agreement (HCA). As noted in the previous analysis, the HCA was drafted and ultimately approved by the Mayor, City Council, Mass Gaming Commission and the voters of the City of Springfield. This HCA was a lengthy, comprehensive, transparent process which outlined in great detail the overall development 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 (Z-2015-8 : 1259 East Columbus Ave & 1070 Main Street)



City of Springfield, Massachusetts



DATA SOURCE:

**1259 E Columbus Avenue &
1070 Main Street**



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND FIFTEEN

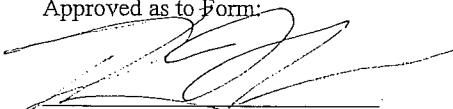
AN ORDINANCE

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. Moirin, Mr. Daniele, Ms. Defillipo, Mr. Swan, Mr. Florian and Ms. McQuade

FINAL MOTION: Approve

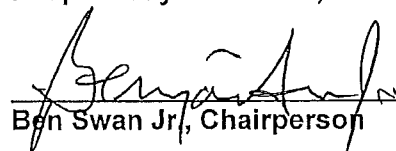
IN FAVOR: five (5): Mr. Daniele, Ms. Defillipo, Mr. Swan, Mr. Florian and Ms. McQuade

OPPOSED: zero (0)

ABSTAINED: one (1): Ms. Morin

RECOMMENDATION: APPROVE

Respectfully submitted,


Ben Swan Jr., Chairperson

Attachment: 3177_E_Columbus_Main_2015_CC (Z-2015-8 : 1259 East Columbus Ave & 1070 Main Street)

SCALE

1 INCH = 400 FEET

SEC. 47

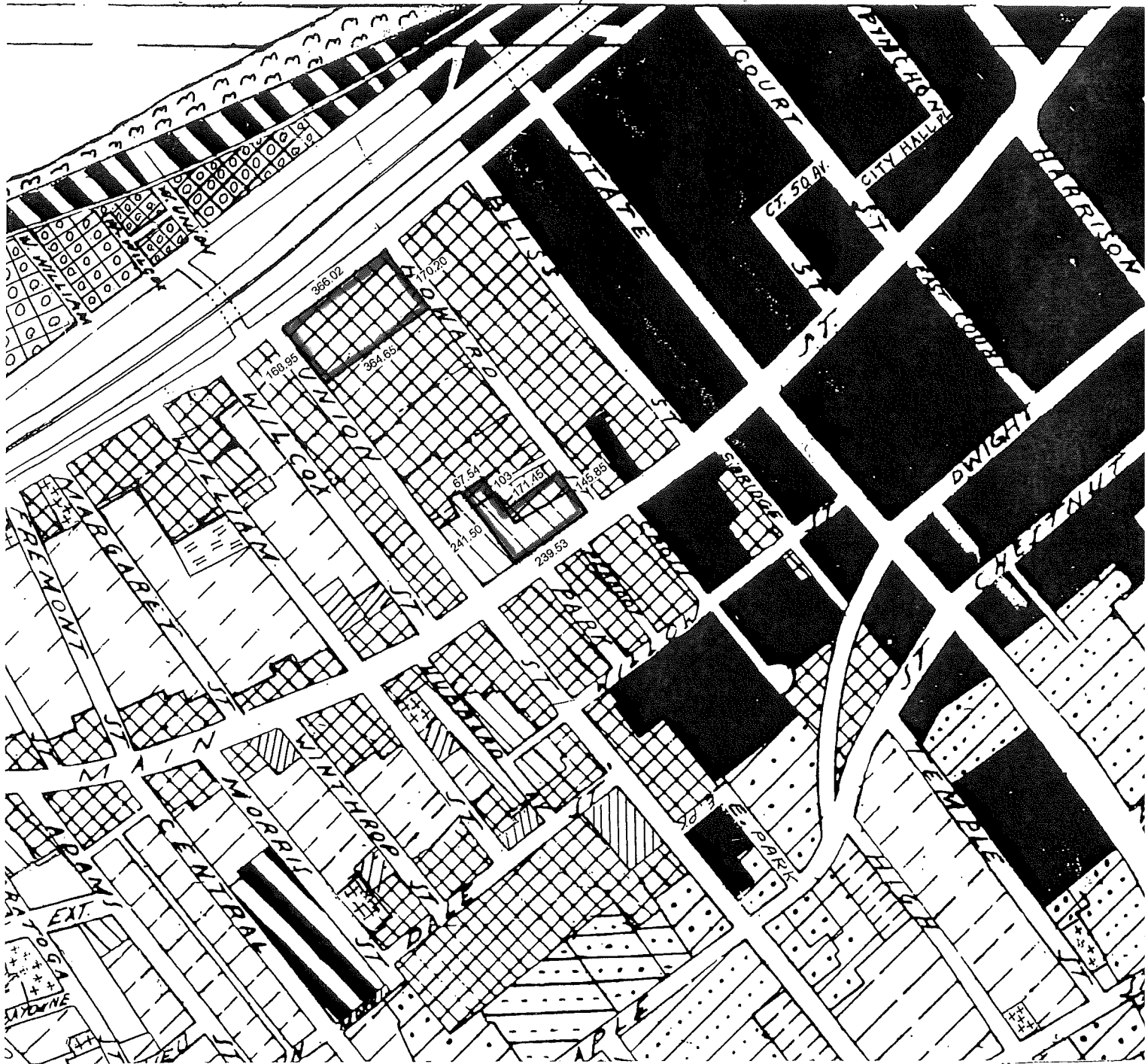
BUILDING ZONE MAP

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

TABLED

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

RESULT:

REFERRED TO COMMITTEE

Next: 10/5/2015 7:00 PM