# City of Springfield

**Special Meeting**

**~ Minutes ~**

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

Linda Fitzpatrick
413-787-6559

Monday, December 21, 2015 | 5:00 PM | Springfield City Hall -- Council Chambers

## I. Call to Order

5:00 PM Meeting called to order on December 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- Ward 8 Councilor | Present | |
| Timothy J. Rooke | At-Large Councilor | Present | |
| Bud L. Williams | At-Large Councilor | Late | 5:27 PM |
| E. Henry Twiggs | Ward 4 Councilor | Present | |
| Justin Hurst | At Large Councilor | Late | 5:12 PM |
| 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 | |

## II. Zoning Ordinances

### 1. Zoning Ordinance 2015-11

For the Addition of the Casino Overlay District to the Springfield Zoning Map at the Properties Generally Bounded by State Street, Main Street, Union Street and East Columbus Avenue.

**PETITIONER:** Blue Tarp reDevelopment, LLC

**ADDRESS:** See Above

**CHANGE REQUESTED:** Casino Overlay District

December 17, 2015

I HEREBY CERTIFY THAT I have this date notified the members of the City Council of the City of Springfield of a **SPECIAL MEETING** to be held on **Monday, December 21, 2015 at 5:00 P.M.** in the City Council Chambers by First Class Mail of said notice to the last and usual place of abode to: COUNCILORS Timothy C. Allen, Thomas M. Ashe, Clodo Concepcion, Melvin A. Edwards, Michael A. Fenton, Justin Hurst, Zaida Luna, Orlando Ramos, Timothy J.

Rooke, Kenneth E. Shea, E. Henry Twiggs, Kateri B. Walsh, Bud L. Williams, a notice of said meeting duly signed by the Council President and I further certify that I have duly notified said City Councilors in the manner aforesaid in accordance with the law.

Subscribed and sworn to before me, this 17th day of December, 2015.

*Wayman Lee, Esq., City Clerk*

**HISTORY:**

**12/14/15 City Council RECEIVED 1ST STEP**
**Next: 12/21/15**

**COMMENTS - Current Meeting:**

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

**Read and hearing held in which Attorney Frank Fitzgerald appeared on behalf of the Petitioner Blue Tarp reDevelopment, LLC and spoke requesting a zone change for the addition of a Casino Overlay District to the Springfield Zoning Map at the properties generally bounded by State Street, Main Street, Union Street and East Columbus Avenue for the purpose to facilitate the location of MGM's Springfield Casino and casino' complexes within the boundaries established by the District for a licensed casino gaming activities and does not deal with the sitting of the casino or changes to the proposed by MGM to the Host Agreement.**

**City Solicitor Edward Pikula also spoke stating that the City Council is only setting the boundaries for the Casino Complex development and the vote does not have anything to do with traffic, the Host Agreement amendments, or any proposed changes to design of the hotel or any other changes that have been proposed by MGM.**

**Attorneys Jay Michelman and Jeff Burstein, co-owners of an adjacent property at 1317-1343 East Columbus Avenue said they strongly opposed the zone change, believing it will be harmful to their property. Michelman said that the proposed design changes would result in a "low life casino" and not the "world class" casino that MGM had promised and "don't let them get away with it". Burstein said that proposed development would cause land use issues, easement rights issuess, traffic congestion along East Columbus Avenue and cause public safety access issues for their property.**

**In rebuttal Attorney Fitzgerald said the Petitioner has and will continue to meet and work with all abutters to address their concerns around parking and traffic and any other concerns. Councilor Allen asked if conditions could be added to the zone change and Phil Dromey, Deputy Director of Planning and City Solicitor Pikula said that a zone change cannot be conditioned but when the Site Plan comes before the Council conditions could be added at that time. Councilor Twiggs asked "where is the map of the boundaries" and Mr.**

**Dromey said he thought the map was attached and seeing that it was not attached he provide the Council with a copy of the proposed boundary map and the map was added to the file and the hearing was closed.**

**The Committee on Enrollment met on December 21, 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 for the Casino Overly District by the following roll called vote.**

**ATTACHMENTS:**

- 3168_Casino_Overlay_Dec_2015 (PDF)
- 3168_Casino_Overlay_Distrcit_Dec_2015_CC (PDF)

| | |
|---|---|
| **RESULT:** | **ADOPTED [11 TO 0]** |
| **MOVER:** | Kenneth E. Shea, Ward 6 Councilor |
| **SECONDER:** | Timothy C. Allen, Ward 7 Councilor |
| **AYES:** | Ashe, Allen, Concepcion, Shea, Ramos, Rooke, Twiggs, Hurst, Edwards, Walsh, Fenton |
| **ABSTAIN:** | Bud L. Williams |
| **ABSENT:** | Zaida Luna |

# 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 mapping the **Casino Overlay District** on **Plot #3168, 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 December 16, 2015 regarding the above Ordinance amendment.

3 Person(s) appeared in favor, and 2 Person(s) appeared in opposition.

Ben Swan Jr., Chairperson

Attachment: 3168_Casino_Overlay_Dec_2015 (Z-2015-11 : State Street, Main Street, Union Street, East Columbus Avenue)

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REPORT TO CITY COUNCIL
ZONE CHANGE HEARING

PETITION: #3168
SECTION: 47

DATE: December 17, 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:** Blue Tarp reDevelopment, LLC

**ADDRESS:** Land generally bounded by State Street, Main Street, Union Street and East Columbus Avenue

**CHANGE REQUESTED:** Proposed mapping of the Casino Overlay District

**PETITIONER'S PURPOSE STATEMENT:** The Casino Overlay District's purpose is to facilitate the location of licensed casinos and casino complexes within the boundaries established by the City of Springfield for casino gaming activities.

**DATE OF PUBLIC HEARING:** December 16, 2015

**DATE OF FINAL DECISION:** December 16, 2015

**BOARD MEMBERS PRESENT and COUNT:** eight (8): Ms. Morin, Mr. Daniele, Ms. DeFillipo, Mr. Swan, Mr. Florian, Ms. McQuade, Mr. Cignoli and Mr. Cuningham

**FINAL MOTION:** APPROVE

**IN FAVOR:** eight (8): Ms. Morin, Mr. Daniele, Ms. DeFillipo, Mr. Swan, Mr, Florian, Ms. McQuade, Mr. Cignoli and Mr. Cuningham

**OPPOSED:** zero (0)

**ABSTAINED:** N/A

**RECOMMENDATION: APPROVE**

**Respectfully submitted,**

**Ben Swan Jr., Chairperson**

Attachment: 3168_Casino_Overlay_Dec_2015 (Z-2015-11 : State Street, Main Street, Union Street, East Columbus Avenue)

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

## CASINO OVERLAY DISTRICT

### GENERAL INFORMATION

| | |
|---|---|
| **Petitioner:** | Blue Tarp reDevelopment, LLC |
| **Request:** | Proposed zone change for the addition of the Casino Overlay District of the Springfield Zoning Map. |
| **Location:** | Properties generally bounded by State Street, Main Street, Union Street and East Columbus Avenue |
| **Parcel Size:** | Approximately 14.5 acres. |
| **Purpose:** | The Casino Overlay District's purpose is to facilitate the location of licensed casinos and casino complexes within the boundaries established by the City of Springfield for casino gaming activities. |
| **Surrounding Land Use and Zoning:** | N/A |
| **Comprehensive/ Neighborhood Plan:** | N/A |
| **Planning Board Hearing:** | 12-16-15 |

### SPECIAL INFORMATION

| | |
|---|---|
| **Traffic & Parking:** | n/a |
| **Physical Characteristics:** | n/a |
| **Other Notes:** | n/a |

### ANALYSIS

The petitioner has requested to amend the existing Springfield Zoning Map by the addition of the Casino Overlay District. The proposed district will be generally bounded by State Street, Main Street, Union Street and East Columbus Avenue. The Casino Overlay District regulations were adopted by the City Council in May 2013.

As noted above, the Casino Overlay District's purpose is to facilitate the location of a licensed casino and casino complex within the boundaries established by the City of Springfield and the State of Massachusetts for casino gaming activities. The Casino Overlay District will focus on urban entertainment and recreational activities that will enhance the area as a desirable location for tourists, conventions, and urban life. The provisions of the district encourage pedestrian and transit-oriented linkages between the casino and casino complex and other activities and venues within the City. The Casino Overlay District regulations are designed to ensure that the casino and casino complex contributes positively to the built environment, that the operation of the casino and casino complex will help to enhance, expand, and stabilize employment and the

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local economy while simultaneously ensuring effective public services and a high quality of life for nearby businesses, institutions and residents.

As noted in the Casino Overlay District regulations, the proposed development is subject to the provisions of a Host Community Agreement (HCA) which was approved by the City Council in May 2014. The HCA established a baseline site plan, design elevations, uses, program, signage concept, lighting concept, landscaping and streetscape plan and related information for the development. However, it should be noted that once the Casino Overlay District has been approved, a detailed Site Plan Review will be required. This Site Plan Review will be completed by the City Council as per the standards outlined within the Casino Overlay District regulations.

It is important to note that the Casino Overlay District and its provisions will only apply to the specific properties so designated by the City Council as allowing a casino and related uses with a valid and current gaming license issued by the Commonwealth. Should a property so designated lose its gaming license at any point, the City Council may revoke the overlay designation and revert the property to its underlying zoning.

Overall, the staff believes that the mapping of the Casino Overlay District will provide the City with a much needed tool for the efficient development of this extremely important economic development project.

## RECOMMENDATION

Approve.

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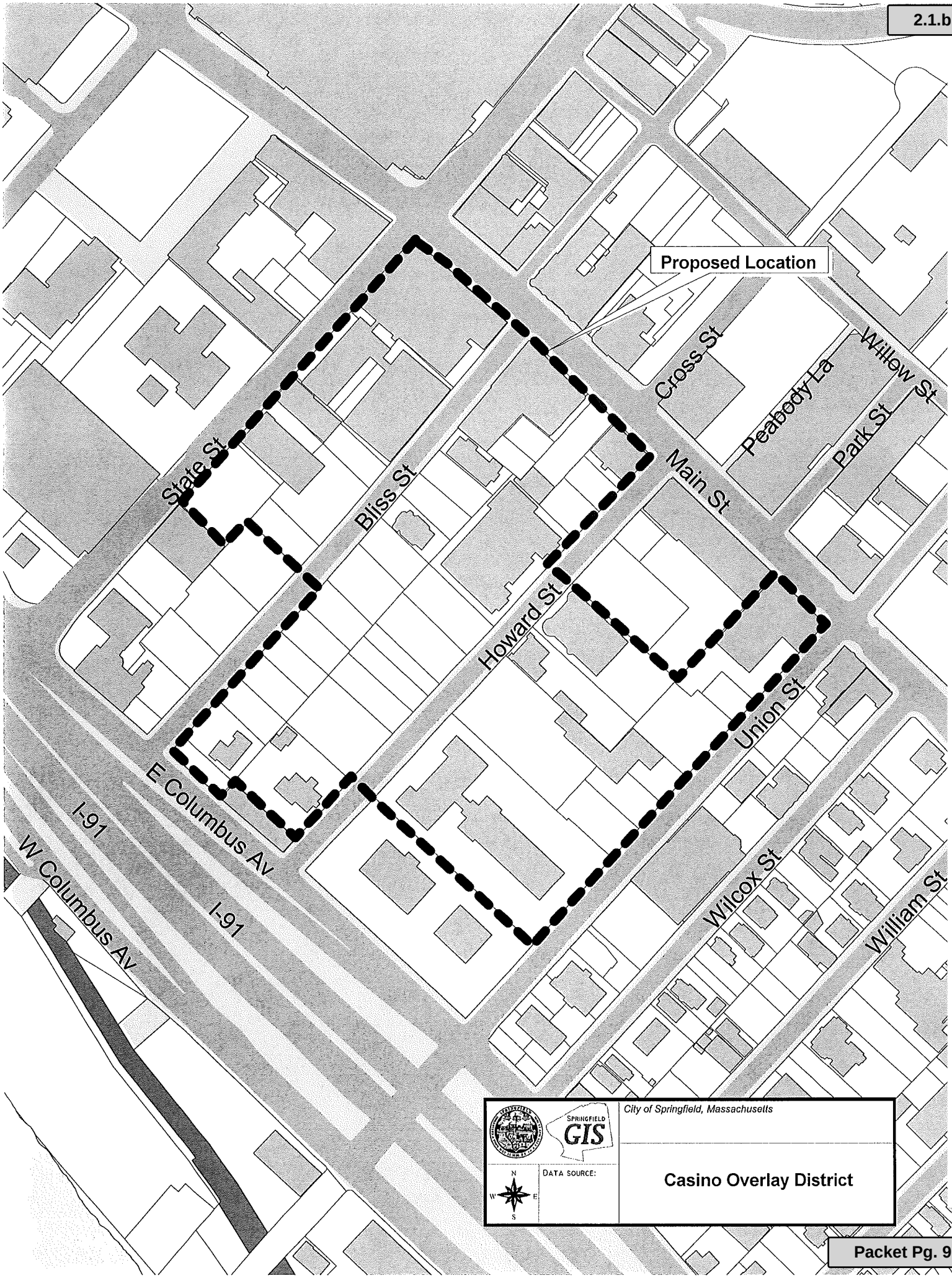


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CITY CLERK'S OFFICE
SPRINGFIELD, MA

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**OPPOSED:** zero (0)

**ABSTAINED:** N/A

**RECOMMENDATION: APPROVE**

**Respectfully submitted,**

**Ben Swan Jr., Chairperson**

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