



City of New Bedford Department of City Planning

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PLANNING BOARD

STAFF REPORT

REPORT DATE
August 26, 2019

PLANNING BOARD MEETING
September 4, 2019

Case #19-25: SITE PLAN REVIEW

209 Theodore Rice Blvd
Map: 136 Lot: 322

Applicant: South Coast Development LLC
280 Ayer Road
Harvard, MA 01451

Applicant's Agent: SITEC Engineering, Inc.
448 Faunce Corner Road
Dartmouth, MA 02747

Owners: Beta Realty, LLC
280 Ayer Road
Harvard, MA 01451

Overview

Request by applicant for **Site Plan Modification (Case #19-25)** approval for the construction of an additional parking lot on an existing 212,294 SF corner lot with a convenience store/gas station and drive-thru; located at **209 Theodore Rice Blvd** (Map: 136 Lot: 322) in a Mixed Use Business zoned district. Original site plan was approved by the board on October 18, 2017.



209 Theodore Rice Boulevard Entrance



Site of Proposed Parking Lot North of TRB Entrance

Existing Conditions

The 212,294 SF (4.87 acre) lot is located at the northwest corner of the intersection of Theodore Rice Boulevard and Phillips Road in the city's North End, at the entrance of the New Bedford Business Park. The site is triangularly shaped with 450'+ of frontage on Theodore Rice Boulevard and 846'+ on adjacent Phillips Road. The property consists of a 4,500 SF convenience store/gas station and a Dunkin Donuts with a drive-thru window located on the west elevation of the building. A dedicated drive-thru lane wraps around the building with traffic flow from the east side, around the rear, and to the drive-thru window on the west side. A canopied gas station with five gas pumps is situated in front of the building. Two driveway entrances serve the site – one driveway on Theodore Rice Boulevard near the south west corner; and another on Braley Road/Phillips Road approximately 140' from the intersection of Phillips Road and Theodore Rice Boulevard.

As the site is located at the entrance to the New Bedford Business Park (the New Bedford Business Park is strategically located along a Primary Corridor off Route 140 Exit 7 in north New Bedford), the surrounding area is comprised of industrial style commercial buildings and woodlands. Abutting the property to the west is Nameplates for Industry (NFI) Corporation, a custom print graphics manufacturing business. Directly south across Theodore Rice Boulevard from the site is the Massachusetts Registry of Motor Vehicles and Massachusetts State Lottery Commission.

Directly east across Phillips Road is a cleared site with a retaining wall around the perimeter and a small billboard sign for the Industrial Park. A site plan for this lot was just recently approved by the Planning Board on June 18, 2019 to allow construction of a 2,800 SF single story commercial building with two units. One of the units will have a drive-thru window. There are no identified tenants for either of the units currently. The applicant's agent has indicated the drive-thru unit is intended to have "non-fast food restaurant use with a pick-up window such as a either a traditional sit down restaurant or Subway sandwich shop type of business." The other space is intended for a general retail space.

To the rear (north) of the site are the wooded portions of AFC Cable Systems and Morgan Advance Materials sites. The Route 140 highway on and off ramps are less than 300 feet east of the site. The board should note the area surrounding the site has a mixture of zoning districts. To the south and west is Industrial C zoning while Mixed Use Business and Residential B zoning applies to areas east and northeast of the site.

Although no bus shelter exists, the Southeastern Regional Transit Authority (SRTA) does have service to the Industrial Park with a designated pick-up and drop-off area at the entrance.

Proposed Conditions

The proposed site plan modification is for 16 additional parking spaces to meet demand during peak periods. Applicant states, "frequently potential customers enter the property, are unable to find a parking space, and leave the site without making a purchase." These spaces will exist in their own parking lot delineated with granite curbing. This new lot is proposed west of the existing parking area adjacent to the building and north of the Theodore Rice Boulevard entrance. There will be (8) eight (10) ten foot wide by 20 (twenty) foot long parking spaces on both the western and eastern sides of the parking lot separated by a 22 (twenty two) foot long drive lane. Motorist access to these new parking spaces will be via the main entrance drive from Theodore Rice Boulevard. A walkway extension providing pedestrian access to the new parking lot from the sidewalk along

Theodore Rice Blvd is proposed. A crosswalk across Theodore Rice Boulevard has also been proposed to facilitate pedestrian access from the convenience store to the Massachusetts Registry of Motor Vehicles and other points in the Industrial Park.

Demolition & Site Preparation. The work area currently consists of an open field. On the northeastern edge of the field exists a transformer box that will not be relocated. Sheet 9 of 12 of the engineered plan submission shown as “Proposed Convenience Store/Gas Station 209 Theodore Rice Boulevard, New Bedford, Massachusetts,” dated 8-15-17, revised through 3-29-19, describes the placement of the material stockpiles just southeast of the proposed parking lot area.

Parking & Loading. The existing parking area currently consists of 27 parking spaces and 5 pump islands. The proposal seeks to expand the parking facilities to create 16 additional parking spaces to the west of the parking area adjacent to the existing building and north of the Theodore Rice Boulevard entrance.

No bicycle parking facilities are proposed.

Traffic Impact & Access Study. Applicant is seeking to expand the parking area because of an increase in customers making their way to the establishment. Any possible change to the traffic patterns in the area are likely to have already taken place. A traffic impact and access study has not been submitted with the application. A traffic impact and access study is not required unless requested by the board.

Circulation. Vehicles will continue to have direct access to the site via, two bi-directional driveways – one driveway on Theodore Rice Boulevard near the south west corner; and another on Braley Road/Phillips Road approximately 140’ from the intersection of Phillips Road and Theodore Rice Boulevard. The proposed parking lot will be constructed just west of the existing parking lot and directly north of the Theodore Rice Blvd driveway. Upon entering this driveway motorists will now have the option to continue north after a slight bend in the road to enter the new parking lot or complete the right turn onto the existing parking lot.

The access to these new parking spaces will be via the main entrance drive from Theodore Rice Boulevard. The plan proposes 8 (eight) consecutive parking spaces on the western side of the new parking lot followed by a striped no parking space in the northwestern corner. On the eastern side there will be 7 (seven) consecutive parking spaces followed by a striped no parking area directly in front of a transformer currently in use. The plan calls for the transformer to be protected by bollards. On the other side of the transformer, will be the last remaining parking space in the northeastern corner of the lot. The center of the northern edge of the lot will have a bump out to facilitate cars backing out of their spaces to exit the parking lot.

A walkway extension providing pedestrian access to the new parking lot from the sidewalk along Theodore Rice Blvd is proposed. It will bisect the property between the existing parking lot adjacent to the building and the new parking lot to the west.

A crosswalk across Theodore Rice Boulevard has been proposed to facilitate pedestrian access between 209 Theodore Rice Boulevard and the Massachusetts Registry of Motor Vehicles and other points in the Industrial Park. The plan calls for the placement of the crosswalk just west of the bus pick-up/drop-off zone at the entrance to Industrial Park. Staff notes that the applicant would need DPI approval to construct such crosswalk in the public ROW.



Landscaping. The proposal will maintain all existing landscaped areas as is and add new plantings along the northern, northeastern and southern edge of the proposed parking lot where the entrance is located.

Along the southern edge, plantings include: (D) 5 Siberian Carpet Cypress on the west side of the proposed parking lot entrance and 3 on the east side along with (A) 1 Bloodgood Sycamore tree. On the east side of the entrance, a walkway connects via a crosswalk to the existing walkway along the front entrance of the building. Here plantings will include (D) 3 Siberian Carpet Cypress and (B) 1 Red Sunset Red Maple. At the northeastern corner of the lot plantings will include (D) 4 Siberian Carpet Cypress and (C) 4 Common Juniper. Along the northern edge plantings will include (A) 2 Bloodgood Sycamore trees. Along the western edges of the Theodore Rice Blvd driveway (A) 3 Bloodgood Sycamore trees will be planted.



A) BLOODGOOD SYCAMORE



B) RED SUNSET MAPLE



C) GNOM COMMON JUNIPER



D) SIBERIAN CARPET CYPRESS

Another (A) Bloodgood Sycamore tree will be planted in the middle of the island adjacent to the Theodore Rice Boulevard entrance and one along the street frontage.

Snow Storage & Waste Receptacles. Modification to the site plan does not call for any changes to the dumpster in the northwest corner of the original site plan area. Planning staff has confirmed with applicant that snow storage is envisioned on the north and west side of the new parking lot as well as the southeast side of the property. If approved applicant will address the board and clarify a final plan.

Stormwater. Modification to the site plan does not call for any changes to stormwater drainage. Planning staff has confirmed with applicant that the grades at the new parking lot will direct all surface runoff to an underutilized Stormceptor water treatment unit prior to leaving the site on the south side (Sheet #3 of 12: Site Grading). This was

reviewed at a Conservation Committee meeting held on July 26, 2019 where the site plan modification was approved unanimously without the need for a formal application filing with the Commission.

Signage. Modification to the site plan calls for a standard 12" x 18" "No Parking" sign in a striped area in the northwestern corner of the proposed additional parking lot. Sign will be an aluminum sign, white background black letter "P", with the remaining sign graphics and lettering in red.

Wall signage. Modification to the site plan does not call for any additional wall signage or any changes to existing wall signage.

Lighting. The engineering plan set includes a site lighting plan on Sheet #6 of 12 which is original to the initial site plan proposal. This site plan modification does not indicate any lighting for the proposed parking lot. Planning staff has confirmed with the applicant that the new parking lot is intended to meet client peak demand at lunch time and so additional pole lights were not deemed necessary. Board may choose to inquire further.

Review Comments

As required under city ordinance, the case submittal documents were distributed to City Clerk, City Solicitor, Health Department, Inspectional Services, Engineering, Public Infrastructure, Conservation Commission, Fire Department and School Department.

No comments were received as of the publication of this report; any comments received will be made available at the public meeting.

Master Plan Goal

The proposal is consistent with the master plan's goal to expand workforce opportunities and communicates a positive message for business development.

Materials for Consideration

The engineered plan submission is shown as "Proposed Convenience Store/Gas Station 209 Theodore Rice Boulevard, New Bedford, Massachusetts," dated 8-15-17 as revised through 3-29-19. Plans were prepared by Sitec Engineering of Dartmouth, MA and stamped by Steven Gioiosa, PE. They were received and stamped by the Clerk's office on **7/10/19**. The plan set consists of the following sheets:

- Cover Sheet
- Sheet #1 of 12 Site Layout
- Sheet #2 of 12 Locus Map
- Sheet #3 of 12 Site Grading
- Sheet #4 of 12 Landscaping Plan
- Sheet #5 of 12 Site Utilities
- Sheet #6 of 12 Site Lighting
- Sheet #7 of 12 Existing Conditions

- Sheet #8 of 12 Demolition Plan
- Sheet #9 of 12 Erosion Control Plan
- Sheet #10 of 12 Wetland Delineation
- Sheet #11 of 12 Detail Sheet #1
- Sheet #12 of 12 Detail Sheet #2

Site Plan Approval

In considering Site Plan Approval for the proposed project, the Board must find that the plan meets a number of objectives identified in Section 5470 of the City’s (c.9) Zoning Ordinance including:

- **Adequate access to each structure for fire and service equipment;**
- **Adequate provision for utilities and stormwater drainage;**
- **Site alteration shall be designed after considering the qualities of the specific location, proposed land use, the design of building form, grading, egress points and other aspects of the development so as to:**
 - Minimize cut/fill volumes, removal of 6” caliper trees and larger, removal of stone walls , displacement of wetland vegetation, extent of stormwater flow increase from the site, soil erosion and the threat of air/water pollution;
 - Maximize pedestrian/vehicular safety to/from the site;
 - Minimize the obstruction of scenic views from publicly accessible locations;
 - Minimize visual intrusion by controlling layout/visibility of parking, storage and outdoor service areas viewed from public ways and residential areas;
 - Minimize glare from vehicle headlights and lighting fixtures;
 - Minimize unreasonable departure from the character, materials and scale of buildings in the vicinity;
 - Minimize contamination of groundwater from on-site wastewater disposal systems or operations on the premises

Staff Recommendations



Site Plan Approval. Having reviewed the submitted materials, planning staff offers the following recommendations for conditions to the Planning Board should it act favorably on the requested site plan approval for the project:

- That the following specific conditions be applied to this decision:
 1. Crosswalk design shall be approved administratively by DPI.
- That the following general conditions also be applied to this decision:
 1. The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.

2. The project shall be undertaken in a manner consistent with the Memorandum from the Department of Public Infrastructure received and placed on file and the Planning Board incorporates the DPI memo as part of these conditions.
3. The applicant shall submit final plan revisions to the Planning Division in the following formats: one (1) -11" x 17" Plan Set and one (1) CD or USB with Plan Set in PDF format and shall ensure that these same plans are properly submitted to the Department of Inspectional Services.
4. The applicant shall ensure that a copy of the Notice of Decision, bearing the certification of the New Bedford City Clerk signifying no appeal has been made against the project's approval, be provided for the Planning Division Case file folder.
5. That the applicant shall ensure a copy of the Notice of Decision bearing the certification of the city of New Bedford City Clerk, signifying no appeal has been made against the project's approval, be recorded at the Registry of Deeds.
6. The applicant shall ensure that a copy recorded decision be provided for the Planning Division Case file folder.
7. The applicant shall present any proposed modification from the approved plans for consideration to the City Planner for determination as to whether the modified plan must return before this Board for further review.
8. The rights authorized by the granted approval must be exercised by issuance of a Building Permit by the Department of Inspectional Services and acted upon within one year from the date the decision was granted, or they will lapse.
9. The developer and site contractor must schedule a pre-construction meeting with the Department of Public Infrastructure prior to the start of construction.

Materials Provided by the Applicant are available at: <https://www.newbedford-ma.gov/planning/planning-board-agenda-info-2019/>

209 Theodore Rice Boulevard Map: 136 Lots: 322

NOTE: Property line is approximate; for discussion purposes, only. Aerial map is oriented north.

