



City of New Bedford

Department of Planning, Housing & Community Development

608 Pleasant St, New Bedford, Massachusetts 02740

Telephone: (508) 979.1500 Facsimile: (508) 979.1575

PATRICK J. SULLIVAN

DIRECTOR

STAFF REPORT

REPORT DATE

December 4, 2018

PLANNING BOARD MEETING

December 12, 2018

Case #18-50: SITE PLAN REVIEW

Case #18-51: SPECIAL PERMIT

101 Belleville Avenue

Map 85 Lots 300

Applicants:

Arris Partners, LLC
300 Baker Avenue, Suite
208
Concord, MA 01742

Weekly Grind II Realty, LLC
c/o Tom Daly
PO Box 51147
New Bedford, MA 02745

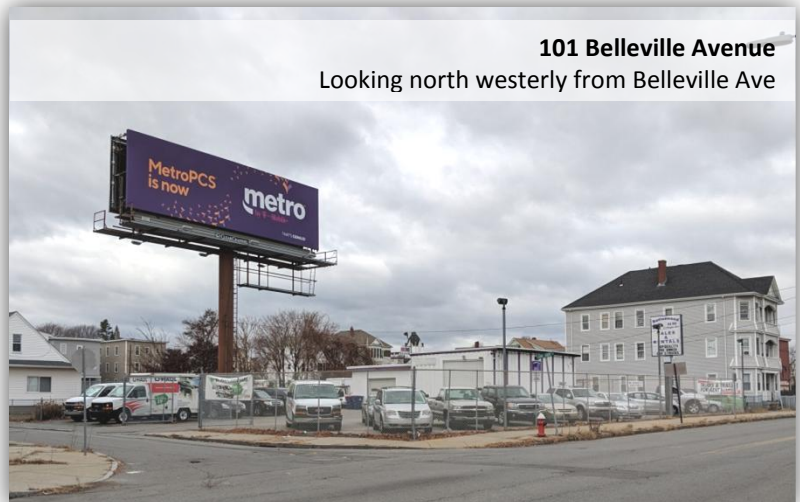
Owner:

John & Carol Sousa
Kevin & Darleen Mendoza
42 Brown Street
Fairhaven, MA 02719

Applicant's

Agent:

Bohler Engineering
352 Turnpike Road
Southborough, MA 01772



101 Belleville Avenue

Looking north westerly from Belleville Ave

Overview

Request by applicant for **Site Plan (Case #18-50)** approval for new construction of a 1,067 SF fast-food restaurant (Dunkin' Donuts) with drive-thru window; located at **101 Belleville Avenue** (Map: 85, Lot: 300) on a 0.46 ± acre site in an **Industrial A [IA]** zoned district.

Additionally, the applicant requests a **Special Permit (Case #18-51)** for a reduction in the number of parking spaces required for a 1,067 SF fast-food restaurant with drive-thru window on this site. **The applicant proposes 15 parking spaces where 25 spaces and 1 loading space are required under ordinance. Therefore the applicant requests a reduction of 10 parking spaces and 1 loading space.**

Note: The proposal also requires a Special Permit from the Zoning Board of Appeals for the fast-food restaurant use. The Special Permit petition before the ZBA is scheduled to be heard December 13, 2018.

Existing Conditions

The project site is a 20,000+ SF, flat, “Z” shaped, corner lot with frontage on three streets. The site has 106'± of frontage on Belleville Avenue, 71'± on Cedar Grove Street, 100'± on Cotter Street. The site has a 1,841 SF, single story, commercial garage building located along the Belleville Avenue frontage with a paved parking lot area. The site is used for the display, sale, and rental of vehicles. U-Haul rental vehicles are parked in the rear of the lot which has a mixture of grass and gravel areas. An 8' chain link fence surrounds the property with gated entrances in the front and rear. Also, unique to this site is an billboard located on the south side of the site. The billboard is intended to be viewed from the elevated highway (I-195) located adjacent to the site.

The surrounding neighborhood is a mixture of residential dwellings and commercial businesses. Directly abutting the property are residential properties. Directly across Cedar Grove Street is the elevated I-195 highway. An underpass allows Belleville Avenue to continue under the highway just south of the site. An undeveloped lot abutting the highway is located directly east across Belleville Avenue. Directly across Cedar Grove Street is another vacant lot and multifamily residential properties. The End Zone Sports Pub Restaurant is located on the same block just north of the site. In the same block (in the rear along Cotter Street) is a commercial building with a Honey Dew Donuts and Papa John's Pizza restaurant. Just beyond that on Coggeshall Street is another Dunkin Donuts.

Proposed Conditions

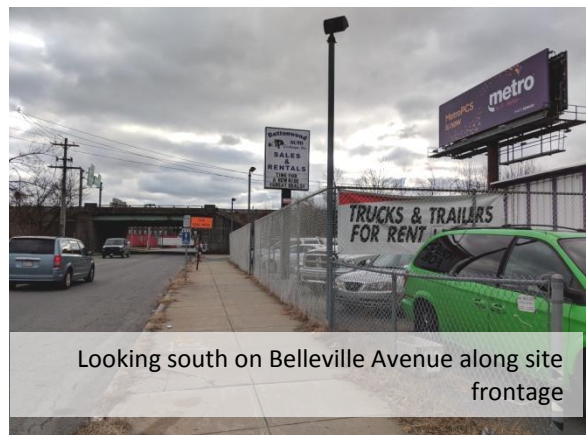
The proposal is for the new construction of a 1,067 SF fast-food restaurant (Dunkin' Donuts) with a drive-thru window. The building is proposed in the middle of the site. The proposal is for a predominantly drive-thru customer focused business. The site will have a small area inside for counter service but no tables or seating for customers. A drive-thru lane and “mobile pick-up” by-pass lane will circle the proposed building. Parking will be provided in front of the building and along the north side.

Demolition & Site Preparation. The applicant proposes to remove everything from the site except the existing billboard. During construction erosion control measures will include straw bales, siltation fencing, and filter sacks.

Parking & Loading. The applicant proposes to provide fifteen (15) off street parking spaces. As shown on plans submitted the applicant proposes nine (9) parking spaces, including one (1) handicapped parking space in front of the proposed building on the southeast portion of the lot; and six (6) additional spaces along the north property line in the rear. A loading space is not proposed. No bicycle parking accommodations are proposed.



Looking north from Cedar Grove Street



Looking south on Belleville Avenue along site frontage



Rear of site
Looking west from Cotter Street

Under zoning ordinance the proposal requires twenty-six (26) parking spaces: twenty-five (25) parking spaces and one (1) loading space; therefore the applicant petitions for a Special Permit request for a parking reduction. The applicant requests a reduction to fifteen (15) parking spaces and one (1) loading space.

Circulation. The site as proposed would have three driveways. Two driveways would be bi-directional (entrance & exit) while the third would be an exit only. Vehicles will therefore access the site via one of the bi-directional entrance drives (either on Belleville Avenue or Cedar Grove Street) and be able to exit via the same or the third exit (onto Cotter Street).

The drive-thru will have two lanes along the north side of the building, wrapping around the rear of the building where they will merge into one lane, and then continue around the south side of the building to the drive-thru window. One lane is a traditional drive-thru lane where customers drive up to a menu board with voice box to place their order. The second lane is a “mobile pick-up” by-pass lane where the customer has pre-ordered via a mobile device.

A truck turning movement exhibit has been submitted with the application showing that large delivery trucks or emergency vehicles would enter the site via the Belleville Avenue entrance and exit via the Cedar Grove Street exit.

Pavement markings are proposed to direct vehicles through the site. Pavement markings include:

- Directional arrows at all driveways,
- The word “Stop” with stop bar at each exit and the drive-thru window,
- The words “Do Not Enter” at the Cotter Street exit,
- Triangular graphics with words “Drive-Thru” and “Mobile Pick-up” to differentiate the lanes
- Painted lines for the drive-thru lanes
- Striped parking spaces
- Marked Handicapped parking space with striped loading zone and striped walkway to the front door.

Standard traffic signage is also proposed on site including:

- “Stop” signs at Belleville Avenue exit and Cedar Grove exit
- “Stop” signs paired with “Do Not Enter” signage at the end of the drive-thru lane and the same at the Cotter Street exit. It is unclear at the Cotter Street exit if the sign pairs shown on plans are two “Do Not Enter” signs or two branded signs. The board may wish to clarify.

Operations.

The proposed business is expected to have 25 employees, with 6 employees working per shift. The proposed hours of operation are from 4am-9pm, seven days a week. Deliveries are anticipated between 9am-5pm, with daily deliveries via a “small truck” and weekly deliveries via a “larger truck” according to the application.

The business anticipates serving 650 customers per day.

Traffic Generation Analysis. A trip generation report has been submitted with the application. The report by McMahon Transportation Engineers and Planners utilizes the Institute of Transportation Engineers Institute (ITE) standards for trip generation calculations. Compared to the existing site use they predict a total of 1,540 new additional site trips per day. The board should note trips are counted as both entering and exiting the site. They note a caveat that much of the site traffic will come from existing traffic that passes by the site versus new users being added to the existing roadway network. Therefore, the assessment also includes an adjusted measurement, which deducts a percentage of “pass-by” trips. With the adjustment they predict the site will generate a total of

168 “new” trips per day impacting the surrounding roadway network. The peak traffic is anticipated during the morning hours.

Parking and Loading Requirements

USE	PARKING REQUIREMENTS	LOADING REQUIREMENTS
Fast-food drive-in, carry-out restaurants	One (1) space per each employee per shift for a minimum of five (5) spaces plus one (1) space per 100 sq. ft. of gross floor area with a minimum of twenty (20) spaces	One (1) loading space for each building
<div>Parking Calculations</div> <div><div>5 parking spaces (1 per employee/max. 5)</div><div>20 parking spaces (1 per 100 SF / min. 20)</div><div>25 Total parking spaces required</div></div> <div><div>1 Loading space (1 per building)</div><div>1 Loading space required</div></div>		

Landscaping. Grass areas and mulched landscaped beds are proposed along the perimeter of the site and abutting the rear and south side of the proposed building. The proposal includes: a.) one thornless honey locust as a shade tree at northeast corner of the site; b.) two ornamental kousa dogwood trees as bookends to the parking area on the north side of the site. Mulched beds are proposed around the site with a variety of shrubs and flowering plants, including: c.) thirteen "little princess" spirea shrubs, d.) twenty-five winter green boxwood shrubs, e.) fourteen sea green juniper shrubs, f.) twenty-four magenta azaleas, g.) twenty-six lilyturf, and h.) forty-five "happy return" daylilies.

Snow Storage & Waste Receptacles. A snow storage area is proposed in the northwest corner of the site. Trash and recycling dumpsters are proposed on a reinforced concrete slab on the southeast rear corner of the site. The trash and recycling will be enclosed by a six foot tall vinyl fence with gates.

Stormwater. The applicant proposes a new stormwater management system on-site to include: deep sump hooded catch basins which will drain to two proposed underground infiltration systems. According to the Stormwater Report, the system is designed to provide at least 80% removal of Total Suspended Solids in accordance with the MassDEP Stormwater regulations. The proposed stormwater management system also results in a reduction in peak runoff rates from the site when compared to the existing conditions for the 2-, 10-, 25-, and 100-year storm frequencies.



Signage. The applicant has included signage with the site plan application. Signage plans include both wall signage and ground signage.

In regards to ground signs the applicant proposes a pylon sign, directional signage, menu board, and a clearance bar for the drive-thru.

- An internally illuminated **pylon sign** is proposed at the southeast corner of the site. The overall sign area as proposed is 84.75 SF, with an overall height of 11'-4", width of 7'-6", and depth of 1'. The sign face would be polycarbonate with vinyl graphics applied. The sign face as proposed is a light gray, the base and accents a darker gray, and lettering to be magenta and orange. The sign wording is to include "DD", "Dunkin'", and "Drive Thru".
- **Six branded directional signs** are proposed; two at each the Belleville Avenue and the Cedar Grove Street driveways, one at the Cotter Street exit, and one at the end of the drive-thru lane. The overall sign area of the directional signs as proposed will be 11.5 SF, with an overall height of 4'-10", width of 2' 5", and depth of 4". The sign faces would be polycarbonate with vinyl graphics applied. The sign face as proposed is a light gray, the base and accents a darker gray, and lettering to be magenta and orange. The sign wording is to include "DD", and "Dunkin'" with additional words depending on the sign location to include "Do not enter", "See you soon", "Welcome Back", and "Drive Thru" with arrows.
- An internally illuminated, **menu board** is proposed in the rear (west side) of the building. The overall sign area as proposed is 36.8 SF, with an overall height of 7'-4", width of 8'-6", and depth of 8". The menu board as proposed would be an aluminum cabinet with plexiglass doors. The aluminum cabinet is proposed to be a dark brown, with orange and magenta door frames.
- The overhead **clearance bar** is intended to warn drivers of the drive-thru awning clearance of 9'. The clearance bar is proposed on the north side of the building over the drive-thru order lane. As proposed the sign will have an overall height of 11'-2.5" with an extended arm 10' over the drive-thru lane. The clearance bar is proposed to be charcoal gray colored aluminum. A hanging reflective orange and white striped crash tube with the warning words "Clearance 9FT" will hang down from the extended arm. An internally illuminated sign will be installed on top of the extended arm. The internally illuminated sign will have the words "Order Lane" with orange lettering.
- As noted previously, **standard traffic signs** are also proposed on site including a "Stop" sign at Belleville Avenue exit and Cedar Grove, a "Stop" sign paired with "Do Not Enter" signage at the end of the drive-thru lane and the same at the Cotter Street exit.
- **Wall signage** includes internally illuminated channel lettering in multiple locations. On the front (east) elevation of the building is a 12'-6' width x 2' height channel letter sign with the word "DUNKIN'". The lettering colors are orange and magenta. On the north elevation is a 6'-9" width x 3'-6" height channel letter sign with the word "DD" in orange and magenta. The same sign is proposed on the south elevation. Also, on the north elevation and south elevations additional channel letter signs with the wording "New Bedford Runs on Dunkin'" and "Something Fresh is Always Brewing", respectively, white in color, are shown without specifications as to sizing. No wall signage is shown on the rear (west) elevation. The board should condition any approval that all sign specifications be submitted for review and for the case file.

- The board should note the **billboard sign** will remain on site. No specifications have been provided as to updates to the billboard. The board may wish to confirm it will remain a commercial billboard sign.

Lighting. The applicant has provided a lighting plan and cut sheets for the proposed site lighting. The proposed site lighting includes:

- A. 2 – 20’ tall Cree Edge Series LED Flood lights, unshielded; one at the Cedar Grove Street driveway and one at the Belleville Avenue driveway;
- B. 2 – 20’ tall Cree Edge Series LED Flood lights, shielded; one over the parking area on the north side of the building and one in the rear of the site over the drive-thru lane.
- C. 3 – WAC Lighting wallpacks installed at 12’ on the west (rear) elevation, and one on the north elevation in the rear.
- D. 4 – MaxLite recessed down lights are to be installed under the drive-thru canopy; and
- E. 3 – Hi-Lite gooseneck decorative lighting on the south elevation in the rear over the channel letters

Staff notes the elevation plans show 3 additional Hi-Lite gooseneck decorative light fixtures on the north elevation, which are not shown on the lighting plan.

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.

Comments were not 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 “Site Development Plans for Proposed: Dunkin’ Donuts with Drive-Thru Location: 101 Belleville Avenue, City of New Bedford Bristol County, Massachusetts” dated 9/17/18 as revised through 10/18/18, date stamped received by City Clerks’ Office October 19, 2018. Plans were prepared by Bohler Engineering, Southborough, MA, and stamped by James A. Bernardino, PE. The plan set consists of the following sheets:

- Sheet 1 Cover Sheet
- Sheet 2 General Notes Sheet
- Sheet 3 Demolition Plan
- Sheet 4 Site Plan
- Sheet 5 Grading & Drainage Plan
- Sheet 6 Utility Plan
- Sheet 7 Soil Erosion & Sediment Control Plan
- Sheet 8 Soil Erosion Control Notes & Details Sheet
- Sheet 9 Landscape Plan
- Sheet 10 Landscape Plan Notes & Details Sheet
- Sheet 11 Lighting Plan
- Sheet 12 Construction Detail Sheet
- Sheet 13 Construction Detail Sheet
- Sheet 14 Construction Detail Sheet

- Sheet 15 Construction Detail Sheet

The following additional plan materials were also submitted:

- ALTA/NSPS Land Title Survey “Dunkin’ Donuts 101 Belleville Avenue Lot 300 Map 85, City of New Bedford Bristol County, Commonwealth of Massachusetts”, dated 7/10/18. Plans were prepared by Control Point Associates, Inc, in Southborough, MA, and stamped by Gerry L. Hodright, PLS.
- Drawing K1.1 Proposed Floor Plan, “Dunkin’ Brands 101 Belleville Avenue, New Bedford, MA”, dated Aug. 30, 2018. Plans were prepared by AHaronian & Associates Inc., in Smithfield, RI, unstamped.
- Elevations - “Dunkin’ Donuts 101 Belleville Avenue New Bedford, MA”, dated October 16, 2018. Plans were prepared by AHaronian & Associates Inc., unstamped.
- Cut/Fill Exhibit, “101 Belleville Avenue New Bedford, Massachusetts”, dated 10/18/2018, prepared by Bohler Engineering.
- Truck Turn Exhibit, “101 Belleville Avenue New Bedford, Massachusetts”, dated 10/18/2018, prepared by Bohler Engineering.
- Proposed Wall Signs - “Dunkin’ Donuts 101 Belleville Avenue New Bedford, MA”, dated October 16, 2018. Plans were prepared by AHaronian & Associates Inc., unstamped.
- Drawing DD-SS-03 Plyon Sign – Fabrication / Install Details, drawn by P.Charboneau, dated 3/16/2018
- Drawing DD-SS-01A Plyon Sign – Fabrication / Install Details, drawn by P.Charboneau, dated 3/16/2018
- Drawing DT-1 – “2 Panel DD Menu Board No Speaker”, prepared by Hilton Displays, dated 10/16/14 with revisions through 7/22/15, consisting of 4 sheets.
- Clearance Bar, prepared by Uni-Structures, Inc., dated 5/17/2018.

In addition to the foregoing submitted materials, the Planning Board may also wish to consider:

- **Waivers**

The applicant submitted a number of waiver petitions for consideration by the Planning Board in the Development Impact Statement letter. The requests are to waive a strict adherence to the application checklist requirements and directions for plan sheet contents. As the information is simply provided elsewhere than where strictly required, staff recommend acceptance of the waiver requests.

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 involving the use, storage, handling or containment of solid/liquid wastes and hazardous substances;
 - Ensure compliance with the Zoning Ordinance;
 - Minimize damage to existing adjacent public ways;
 - Promote orderly and reasonable internal circulation within the site so as to protect public safety.

Special Permit

Per zoning ordinance section 3120 the board may reduce any parking or loading requirement if, the Board finds that the reduction is not inconsistent with public health and safety, or that the reduction promotes a public benefit. Such cases might include:

- Use of a common parking lot for separate uses having peak demands occurring at different times;
- Age or other characteristics of occupants of the facility requiring parking which reduces auto usage;
- Peculiarities of the use which make usual measures of demand invalid;
- Availability of on-street parking or parking at nearby municipally owned facilities.
- Where a special permit is granted, a reserve area, to be maintained indefinitely as landscaped open space, may be required sufficient to accommodate the difference between the spaces otherwise required and the spaces reduced by special permit. The parking/site plan shall show (in dotted outline) how the reserve area would be laid out in to provide the otherwise required number of spaces.

Additionally, under section 5300 of the zoning ordinance the Board must take into account the characteristics of the site and of the proposal in relation to that site, the determination shall include consideration of each of the following:

- **Social, economic, or community needs which are served by the proposal.**
- **Traffic flow and safety, including parking and loading.**
- **Adequacy of utilities and other public services.**
- **Neighborhood character and social structures.**
- **Impacts on the natural environment**
- **Potential fiscal impact, including impact on City services, tax base, and employment**

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:
 - Bicycle racks be installed on site [*in location specified by board*].
- That the following general conditions also be applied to this decision:
 - The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.
 - 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.
 - 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.
 - 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.
 - The applicant shall ensure that a copy recorded decision be provided for the Planning Division Case file folder.
 - 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.
 - 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.

Materials Provided by the Applicant are available at: <http://www.newbedford-ma.gov/planning/planning-board/planning-board-agenda-info-2018/>).

101 Belleville Avenue Map: 85 Lot: 300

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

