



City of New Bedford

Department of Planning, Housing & Community Development

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STAFF REPORT

REPORT DATE

November 22, 2018

PLANNING BOARD MEETING

November 14, 2018

Case #18-43: GROUND SIGN SITE PLAN REVIEW

209 Theodore Rice Blvd.

Map: 136 Lot: 322

Owner: Beta Realty, LLC
c/o Mickey Higgins
280 Ayer Road
Harvard, MA 0145

Applicant: Viewpoint Sign & Awning
35 Lyman Street
Northboro, MA 01532



209 Theodore Rice Boulevard

Looking northeast from Theodore Rice Boulevard

Overview

Request by applicant is for **New Ground Sign(s) Site Plan** approval for three ground signs for the Dunkin' Donuts drive-thru, to be located at 209 Theodore Rice Boulevard, in a Mixed Use Business [MUB] zoned district. The proposal is for two non-illuminated clearance bars and one internally illuminated directional sign. Site Plan Review is required for commercial or industrial ground signs under Chapter 9 Comprehensive Zoning Section 5427.

Background

This site/project has been reviewed by the Planning Board multiple times recently, as follows:

- **Case #33-17 Site Plan Review & Ground Sign Site Plan Review - October 18, 2017**
 - The board granted approval for the overall site development and for a ground sign that was proposed. The ground sign approval was conditioned that it be revised.
- **Case #18-38 Ground Sign Site Plan Review – October 10, 2018**
 - A year later a new revised proposal was presented to the board for the primary site signage. This proposal was for a monument sign on the Theodore Rice Boulevard frontage and a pylon sign along the Braley Road frontage. The signage was approved with conditions relative to the height.
- **Case #18-43 Ground Sign Site Plan Review (current case) – November 14, 2018**
 - This submission is for three additional signs located internally on the site for the drive-thru.

Existing Conditions

The 4.87 acre corner lot is located at the entrance to New Bedford Business Park. The site is triangularly shaped with 450'± of frontage on Theodore Rice and 846'± on adjacent Phillips Road. The site is currently under construction for the site development as approved by this board for Case #33-17 site plan review. This includes the construction of a 4,500 SF retail building with a drive-thru window located on the west elevation of the building. A dedicated drive-thru lane will wrap around the building with traffic flow from the east side, around the rear, and to the window on the west side. A canopied gas station with five gas pump stations is being constructed in front of the proposed building. Two new driveway entrances will serve the site – one driveway on Theodore Rice Boulevard near the south west corner of the site; 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 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. 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.



Please note: Phillips Road turns into Braley Road near this site. References made in this report, plans, or comments submitted are referring to either road should be understood as referring to the same road/location.

Proposed Conditions

The petitioner proposes to install three signs internally on the site for the drive-thru, including two overhead clearance bars and one directional sign.

The overhead clearance bars are intended to warn drivers of the drive-thru clearance of 9' 6". The bars will consist of a painted steel post with a six foot (6') extension bar that will extend over the drive-thru lane. The clearance bars are proposed in two locations: one near the southeast corner of the building and the other near the northwest corner of the building. The clearance bar will have PVC cut out letter graphics with the word

“Drive-Thru” on top of the extension bar. The extension bar will have white stripe reflective adhesive and text stating “Clearance 9’-6””. The signage will have a 9’-6’ clearance (from the ground to the base of the sign) with an overall height of 10’-2” (from the ground to the top of the sign). The total sign area for each clearance bar is 1.1 SF. The signs will be installed on a painted steel post of a height to be determined. The signs will not be illuminated.

One directional sign is proposed near the southeast corner of the building. The proposed flag style directional will be internally illuminated, double sided, in a painted aluminum cabinet, and have white polycarbonate faces with colored vinyl graphics applied. The signage text will read “DD Drive Thru” with a directional arrow. The sign clearance (from the ground to the bottom of the sign) will be 41” (3.4’), have an overall sign height of 58” (4’-10”), and extend 34’-1/2” (2’ -10.5”). The total sign area will be 3.1 SF.

The proposed signage meets all dimensional and setback requirements.

Site Plan Approval

Site Plan Review is required for commercial or industrial ground signs (Ch. 9 Section 5427)

In considering Site Plan Approval for the proposed project, the Board must find the plan to meet 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:**
 - 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;
 - Ensure compliance with the Zoning Ordinance;
 - Minimize damage to existing adjacent public ways;

The proposed signage meets all dimensional and setback requirements. The signage is designed to inform drivers and facilitate internal traffic flow for the drive-thru. It therefore serves a safety and informational purpose for the site.

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.

All development proposals within the New Bedford Business Park also require review by the Greater New Bedford Industrial Foundation (GNBIF). Derek Santos, Executive Director of the New Bedford Economic Development Council on behalf of the GNBIF has confirmed via e-mail that the sign “is within the foundations regulations for the park”.

No other comments were received as of this report. Any additional comments received will be provided to the board at the meeting.

Master Plan Goal

The proposal is consistent with the Master Plan in that the proposed sign would support the active use of a commercial property.

Materials for Consideration

The submittal is shown as Proposed Convenience Store, 209 Theodore Rice Boulevard, New Bedford, Massachusetts, client South Coast Development, LLC, dated August 15, 2017, last revision dated September 25, 2018 date stamped received by City Clerk's Office October 10, 2018. Plans were prepared by SITEC, in Dartmouth, MA; and stamped by Steven Gioiosa. The plan set consists of the following sheets:

- Drawing SL-1 Site Layout

The submittal also included sign specifications shown as Dunkin' Donuts, 209 Theodore Rice Blvd., New Bedford, MA, dated September 9, 2018; date stamped received by City Clerk's Office October 10, 2018. Plans were prepared by View Point Sign & Awning. The plan set consists of the following sheets:

- DD New Bedford 209Trice directional 1a
- DD New Bedford 209Trice clearance bars 1a

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 general conditions 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/>

209 Theodore Rice Boulevard Map: 136, Lot: 322

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

