

## Town of South Kingstown, Rhode Island

### BUILDING AND ZONING DEPARTMENT

180 High Street  
Wakefield, RI 02879  
Tel (401) 789-9331 x1224  
Fax (401) 789-9792

October 9, 2020

Bahij Boutros  
394 Woodbine Street  
Cranston, RI 02910

At a meeting of the Zoning Board of Review held September 16, 2020, your petition for a special use permit was granted for premises located at 600-C Kingstown Road, South Kingstown, RI, Assessor's Map 57-1, Lot 90.

Please be further advised that there is a ***One-year Expiration***. Any variance or special use permit shall expire one year after the date of the filing of the decision in the office of the Town Clerk, unless the applicant shall, within one year, obtain a legal building permit and proceed with the construction, or obtain a certificate of occupancy when no legal building permit is required. If application is made prior to the expiration of the initial one-year period, the Board may, upon written request and for cause shown, renew the variance or special use permit for a second one-year period. Said request for an extension need not be advertised nor noticed. Per South Kingstown Zoning Ordinance Section 910.

If you have to apply for a building permit, this Decision must be presented to the Building Official's office at the time you make application for your building permit.

Regards,

James Gorman,  
Interim Building Official & Zoning Clerk  
Town of South Kingstown



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Date October 9, 2020

### NOTICE OF DECISION SOUTH KINGSTOWN ZONING BOARD OF REVIEW

The following motion, made by Mr. Jurczak and duly seconded by Mr. Rosen  
Passed unanimously 5-0  
(R. Jurczak-Aye, W. Rosen-Aye, W. Mark-Aye, T. Daniels-Aye, R. Cagnetta-Aye)

At a meeting held on September 16, 2020 the Petition of Bahij Boutros, 394 Woodbine Street, Cranston, RI, 02910 for a Special Use Permit under the Zoning Ordinance as follows: The applicant is seeking to establish a new restaurant (Baja's Taqueria & Grill) in place of an existing restaurant. They are requesting a special use permit to also allow for alcohol service with the restaurant. Lot size is 5.03 Acres. A Special Use Permit is required per Zoning Ordinance Section 301 (Schedule of Use Regulations Table) and Section 907 (Standards of Relief). Owner of the property is Belmont Shopper's Park Inc. for premises located at 600-C Kingstown Road, South Kingstown, RI, Assessor's Map 57-1, Lot 90 and is zoned CH (Commercial Highway). The Use Code is 56-1-Restaurant with Alcohol.

**The following individuals spoke as representatives of the applicant:**

- Bahij (David) Boutros, applicant

**No one present spoke in support of or opposition to the petition.**

**The following materials were entered into the record:**

- Application signed and dated August 13, 2020; Signed and Notarized Owner Authorization Form dated August 11, 2020; Floor Seating Plan dated August 13, 2020
- 200' Radius Map and Abutter's List; Legal Notice, Certified Mail Receipts and Notarized Affidavit of Mailing

**Findings of Fact:**

1. The Board finds that the special use is specifically authorized by this Ordinance, because a Special Use Permit is required per Zoning Ordinance Section 301 (Schedule of Use Regulations Table) and Section 907 (Standards of Relief) and Use Code 56-1 (Restaurant with Alcohol).
2. The Board finds that the special use meets all of the criteria set forth in the subsection of this Ordinance authorizing such special use, because there are no specific requirements set forth in the Ordinance for use code 56-1, restaurant with alcohol, however the applicant has met all of the general criteria of Section 907.
3. The Board finds that granting of the special use permit will not alter the general character of the surrounding area or impair the intent or purpose of this Ordinance or the Comprehensive Plan of the Town. In so doing, the Board has considered whether or not satisfactory provisions and arrangements have been or will be made concerning, but not limited to the following matters, where applicable:

(i) Ingress and egress to the lot and to existing or proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire, emergency or catastrophe; the site location has an established parking lot, Belmont Plaza, with multiple ingress and egress access points.

(ii) Off-street parking and loading areas where required, with particular attention to the items in subsection A.1., above, and the noise, glare or odor effects of the special use permit on adjoining lots; there is ample parking located on site within Belmont Plaza.

(iii) Trash, storage and delivery areas with a particular reference to the items in (i) and (ii) above; all supplied on-site; all trash, storage and delivery area is pre-existing and established by Belmont Plaza.

(iv) Utilities, with reference to locations, availability and compatibility; there are adequate utilities already in place on site.

(v) Screening and buffering with reference to type, dimensions and character; not applicable; Belmont Plaza has long established screening and buffering in place.

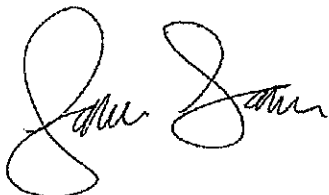
(vi) Signs, if any, and exterior lighting with reference to glare, traffic safety, and compatibility and harmony with lots in the zoning district; all signs and lighting will be in compliance with the Ordinance.

(vii) Required yards and other open space; not applicable.

(viii) General compatibility with lots in the same or abutting zoning districts, because the proposed business is compatible with all other area businesses located within the designated Commercial Highway zone.

**Approval is subject to the following conditions:** There are no conditions of approval.

Respectfully,



James Gorman,  
Interim Building Official & Zoning Clerk  
Town of South Kingstown