



City of Waltham

COMMONWEALTH OF MASSACHUSETTS

ZONING BOARD OF APPEALS

LEGAL NOTICE

DATE FILED: February 1, 2019

THE ZONING BOARD OF APPEALS OF THE CITY OF WALTHAM WILL HOLD A PUBLIC HEARING IN THE GOVERNMENT CENTER, 119 SCHOOL STREET, WALTHAM, MA ON March 26, 2019 AT 7:00 P.M. ON THE FOLLOWING:

Case #: 2019-06. **Petitioner:** Boston Properties Limited Partnership. **Owner:** BP Third Avenue LLC. **Nature of Appeal:** Application for Dimensional Variance. **Subject Matter:** The Petitioner seeks a variance from section 5.21 of the Zoning Ordinance, which sets forth the required number of parking spaces for an office building, and from section 5.41, which sets forth parking space design standards. A variance is necessary because of the tremendous amount of bedrock on and steep slope of the property. Constructing parking in compliance with the Zoning Ordinance requires extensive blasting and costly retaining walls, whose cost may be mitigated while still providing ample parking for the proposed use. **Location and Zoning District:** 180 Third Avenue, also known as 214 Third Avenue, Commercial Zoning District. **Provisions of Zoning Ordinance Involved:** Section 5.21 sets forth the required number of parking spaces for an office building. Section 5.41 sets forth the applicable parking space design standards. **Specific Relief Sought:** The Petitioner seeks a variance from Section 5.21 of the Waltham Zoning Ordinance to reduce the minimum number of required parking spaces for the Project from 900 spaces to a minimum of 765 spaces and from Section 5.41 for the design of spaces if valet services are provided. The Petitioner proposes that the reduction in parking it seeks is to a minimum, and thus if it is capable of building more parking spaces, for example, as shown in the filed plans which depict 778 striped parking spaces, the Petitioner would have the flexibility to do so. The Petitioner proposes to construct 270,000 square feet of office space. Section 5.21 of the Zoning Ordinance requires 1 space per 300 square feet of gross floor area for office uses, thus requiring 900 parking spaces for the Project's 270,000 square feet of gross floor area. The Petitioner seeks a variance from Section 5.21 to construct a minimum of 765 parking spaces and from Section 5.41 to allow the Petitioner to valet park cars as demand requires. In addition to modifying the overall number of spaces, the Petitioner proposes to adjust the handicap and compact space ratios accordingly. A variance from the required number of parking spaces in the Zoning Ordinance is necessary because of the extraordinarily steep slope and substantial amount of rock ledge on the Project site. Constructing the proposed garage in accordance with the approved special permit plans will require substantial blasting with single bedrock cuts on the order of 35 feet in height and the construction of retaining walls up to 50 feet high along the uphill-side of the building. The Petitioner proposed to eliminate up to 135 parking spaces, reducing the footprint of the garage that sits outside of the office building footprint and reconfiguring

the Fourth Avenue entry to be a ramp. This design approach reduces the overall cost of the garage and mitigates the disproportionate cost burden of the parking spaces constructed into the hillside. Further information and plans concerning this case may be viewed at the Zoning Board of Appeals' Office, 119 School Street, Waltham, Massachusetts 02451; Hours: Monday - Friday 8:30-4:30. **MEMBERS:** Chair Barbara Rando, Michael Cotton, Mark Hickernell, John Sergi, Glenna Gelineau. **ASSOCIATE MEMBERS:** Edward McCarthy, Oscar LeBlanc, Marc Rudnick, Michael Squillante, Sarah Hankins.