

ZONING BOARD OF APPEALS APPLICATION: VARIANCE

PARK AVENUE GREEN LIVING - MIXED-USE DEVELOPMENT

487 Park Avenue
Worcester, MA

Prepared for:

Gjinko Realty, LLC
487 Park Avenue
Worcester, MA 01603

Date:

March 27, 2024
Revised: April 11, 2024

Prepared By:



E N G I N E E R I N G, I n c.

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April 11, 2024



Worcester Zoning Board of Appeals
Division of Planning & Regulatory Services
City Hall
455 Main Street, Room 404
Worcester, MA 01608

**Subject: Zoning Board of Appeals Application- REVISED:
Variances
Park Avenue Green Living - Mixed-Use Development
487 Park Avenue, Worcester, MA**

Dear Staff and Members of the Board,

We hereby submit the following items for filing with the Planning Board:

- Bound document entitled "Definitive Site Plan Approval Applications: Definitive Site Plan Approval & Inclusionary Zoning"
- Site Plan drawings entitled "Park Avenue Green Living- Mixed-Use Development", dated March 3, 2025, prepared by Graves Engineering, Inc.
- Architectural drawings dated September 5, 2023, prepared by AA Design Services, LLC.
- Zoning Determination Form
- Certified List of Abutters

We will coordinate with staff to facilitate the submission of the addressed envelopes, the filing fees payable to the City of Worcester, and necessary copies of the above-described items.

Kindly file this Application and schedule it be heard at the Board's next available meeting on May 6, 2024.

The project was presented to the Worcester Interdepartmental Review Team (IRT) on July 13, 2023. The project will also be applying to the Worcester Planning Board seeking Definitive Site Plan and Inclusionary Zoning approvals as well as the Worcester Conservation Commission under the local Stormwater Protection Zone Ordinance.

Project Summary

The project consists of the razing an existing used car dealership and auto service business for the proposed 6-story mixed-use building. The ground floor proposes a café space and a specialized electric vehicle inspection and repair space (lights, tires, safety items only). Floors two through 6 will contain 40 two-bedroom residential apartment (rental) units. Building amenities will include designated electric vehicle parking with charging stations, a gym, and rooftop garden and recreational areas. Other proposed green project features that are contemplated include rooftop solar, geothermal systems for heating and cooling, and a roof runoff collection tank for re-use.

The project is seeking approval from the Zoning Board of Appeals for relief of 5.59 feet of the frontage requirement of 200.0 feet and for relief of 13 parking spaces. Please refer to the Variance Application for more information.

We look forward to discussing this project further with the Board and staff. If you have any questions concerning this application, please feel free to contact our office.

Very Truly Yours,
Graves Engineering, Inc.



Michael Andrade, P.E.
Principal

Enclosures

cc: Client



VARIANCE CHECKLIST

CITY OF WORCESTER ZONING BOARD OF APPEALS
455 Main Street, Room 404, Worcester, MA 01608
Phone 508-799-1400 ext. 31440 - Fax 508-799-1406

STEP 1: PROVIDE DIGITAL COPIES OF THE FOLLOWING ITEMS IN PDF FORMAT VIA EMAIL TO PLANNING@WORCESTERMA.GOV AND CONFIRM WITH DPRS STAFF BEFORE SUBMISSION OF ONE (1) PHYSICAL COPY BY HAND DELIVERY OR MAIL:

- Application with original signatures by all petitioners/owners.**
If you are not the owner of subject property, it is recommended that you provide supporting information such as a lease or a purchase and sale agreement that shows your interest in the property.
- Zoning Determination Form** obtained from the Inspectional Services Division (ISD)
(Email inspections@worcesterma.gov or call 508-799-1198 for more information.)
- A Certified Abutters List(s)** issued within 3 months of this application's filing date which includes all properties affected and includes any contiguous, commonly owned property(s). This can be obtained from the Assessor's Office and includes all abutters and abutters to abutters within 300' of the edge of the landowner's property.
Note: If the property(s) is within 300 ft. of another town, an abutters list from that town may be required.
- If the applicant is NOT the Owner, the **Owner(s) Authorization** for the applicant to apply is attached (page 4)
- Certification of Tax/Revenue Collection Compliance**
All current owners of subject property and applicants must certify that all local taxes, fees, assessments, betterments, or any other municipal charges of any kind are current with the City Treasurer's Office (page 7)
- A Site Plan** showing the full project scope and all elements listed on page 8 of this application, stamped, and signed by all applicable professionals
- Architectural drawings or renderings** showing exterior elevation, height in feet and stories, exterior materials for all structures, and corresponding floor plans stamped and signed by all applicable professionals, if applicable

Note: Any application items not produced electronically, such as hand-drawn plans or schematics, handwritten applications, or other materials created prior to March 2013 that are not available to the applicant in electronic format, are not required to be submitted electronically.

STEP 2: ONCE STAFF CONFIRMS VIA EMAIL REPLY THAT YOUR APPLICATION IS COMPLETE, SUBMIT THE FOLLOWING TO DPRS:

- A. **Two Sets of Stamped Envelopes with Assessor's Address Labels** for abutters and applicant.
 - Request two (2) sets of Assessor's Address Labels (listing all abutters and abutters to abutters) from the Assessor's Office (2nd floor, City Hall)-prepared for a fee
 - Create two (2) separate sets of stamped envelopes with Assessor's labels.
 - Include two stamped, addressed envelopes for each applicant.
 - The return address on the envelopes should be: City of Worcester, Division of Planning and Regulatory Services; 455 Main Street, Room 404; Worcester, MA 01608
 - These envelopes will be used to send notices of the public hearing and outcome.
- B. **Appropriate fee.** Please make checks payable to the City of Worcester and list your project number on the memo line. Please confirm amount with staff prior to submission.



VARIANCE APPLICATION

CITY OF WORCESTER ZONING BOARD OF APPEALS
455 Main Street, Room 404, Worcester, MA 01608
Phone 508-799-1400 ext. 31440 - Fax 508-799-1406

Fill in information for the Variances (s) you are applying for. Attach additional documentation as necessary.

Address: 487 Park Avenue

Parcel ID or MBL: 08-006-0004A

If more than one structure on the lot, identify relevant structure requiring relief: _____

Lot Area		Front Yard Setback		Rear Yard Setback	
Square footage required:		Setback required:		Setback required:	
Square footage provided:		Setback provided:		Setback provided:	
Relief requested:		Relief requested:		Relief requested:	
Frontage		Side Yard Setback		Exterior Side Yard Setback	
Frontage required:	200.0	Setback required:		Setback required:	
Frontage provided:	194.41	Setback provided:		Setback provided:	
Relief requested:	5.59	Relief requested:		Relief requested:	
Off-street Parking		Height		Accessory Structure 5-foot Setback	
Parking required:	47	Height permitted:		Type of structure:	
Parking provided:	34	Height provided:		Square footage of structure:	
Relief requested:	13	Relief requested:		Relief requested:	
Off-street Loading		Other Variances			
Loading required:		Relief requested:			
Loading provided:		Zoning Ordinance Article & Section:			
Relief requested:		Requirement:			
		Provided:			

If you are requesting Variances for more than one structure or lot, provide this sheet for each structure/lot. Only complete the sections pertaining to the Variances (s) you are applying for.

1. Property Information

- a. 487 Park Avenue
Address(es) – please list all addresses the subject property is known by
- b. 08-006-0004A
Parcel ID or Map-Block-Lot (MBL) Number
- c. Worcester District Registry of Deeds, Book 49590 Page 392
Current Owner(s) Recorded Deed/Title Reference(s)
- d. BG-3.0 (no overlays)
Zoning District and all Zoning Overlay Districts (if any)
- e. Existing auto sales and service.
Describe what is presently located on the property (Use as much detail as possible including all uses and square footage of each use):
- f. Proposed 40 units residential
If residential, describe how many bedrooms are pre-existing and proposed

2. Applicant Information

- a. Olsi Gjinko (Gjinko Realty LLC)
Name(s)
- b. 487 Park Avenue, Worcester, MA 01603
Mailing Address(es)
- c. olsiautosales@gmail.com, 508-579-0789
Email and Phone Number(s)
- d. Owner
Interest in Property (e.g., Lessee, Purchaser, etc.)

I certify that I am requesting the Worcester Zoning Board of Appeals to grant the Variance as described below


(Signature)


3. Owner of Record Information (if different from Applicant)

- a. same
Name(s)
- b. _____
Mailing Address(es)
- c. _____
Email and Phone Number

4. Representative Information

a. Michael Andrade, P.E.

Name(s)

b. 
Signature(s)

c. Graves Engineering, Inc., 100 Grove St. Worcester, MA 01605

Mailing Address(es)

d. mandrade@gravesengineering.com, 508-856-0321 x103

Email and Phone Number

e. Engineer

Relation to Project (Architect/Attorney/Engineer/Contractor, etc.)

5. Owner Authorization

Authorization I, Olsi Gjinko, Owner of Record of the property listed with the Assessing Division of the City of Worcester, Massachusetts as Map 08 Block 006 Lot(s) 0004A, do hereby authorize Graves Engineering, Inc. to file this application with the Division of Planning & Regulatory Services of the City of Worcester on this the 11 day of April, 2024.

6. Proposal Description

a. The project would be reduced to only 4 units to remain compliant with the current available frontage of 194.41 feet and requirement of 40 feet per unit (which is capped at 200 feet). The project is not economically feasible with that unit count. The requested parking variance similarly allows the development as proposed.

The applicant seeks to (Describe what you want to do on the property in as much detail as possible)

b. No.

Are you aware if this property has been previously granted approvals from any City Board or Commission? If so, please list (Provide dates of previous approvals, book and page numbers and/or certificate numbers of any recorded decisions and/or recorded/registered land. Also, please provide copies of previous recorded decisions)

d. No.

Have you applied for or are you aware if other applicants have applied for a Building Permit for this site and been refused for non-compliance with the Zoning Ordinance (e.g., a cease-and-desist order has been issued)?

e. None.

List any additional information relevant to the Variance (s)

VARIANCE - FINDINGS OF FACT

In the spaces below, please explain how the adverse effects of the proposed use will not outweigh its beneficial impacts to the City with respect to each of the following considerations per Article II, Section 6(A)(3) of the Zoning Ordinance. Attach additional supporting documentation as necessary.

1. Describe how a literal enforcement of the provisions of the City of Worcester Zoning Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant:

The project would be reduced to only 4 units to remain compliant with the current available frontage of 194.41 feet and requirement of 40 feet per unit (which is capped at 200 feet). The project is not economically feasible with that unit count. The requested parking variance similarly allows the development as proposed.

2. Describe how the hardship is owing to circumstances relating to the soil conditions, shape, and/or topography of the land or structures and how the hardship especially affects said land or structures, but does not affect generally the zoning district in which it is located:

The shape of the lot provides limited frontage on Park Avenue and lot area for off-street parking and greatly limits the potential for proposed multifamily residential, an allowed use.

3. Describe how desirable relief may be granted without detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the City of Worcester Zoning Ordinance:

The requested frontage relief is minimal and the lot is otherwise dimensionally compliant. The requested parking variance will still provide adequate off-street parking for the project in a location that is very well served by public transportation. The project will create needed residential housing with affordable units and a unique EV-focused development thus furthering the public good.

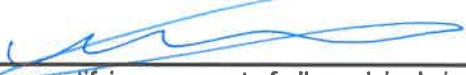
4. Describe how the dimensional variance as it relates to floor space, bulk, number of occupants, or other relevant measures, if granted, shall be no greater than the minimum necessary to provide relief from the statutory hardship:

With the minimal frontage and parking relief granted, the full potential of the land will be utilized. The variance is the minimum necessary to provide relief from the hardship affecting this property and will facilitate the productive use of this property.

TAX CERTIFICATION

This certification must be completed by all applicants and owners of the property, certifying payment of all local taxes, fees, assessments, betterments, or any other municipal charges of any kind. Failure to include a completed certification shall result in the application being deemed incomplete.

If a Single Owner or Proprietorship:

- a. Olsi Gjinko (Gjinko Realty LLC)
Name
- b. 
Signature certifying payment of all municipal charges
- c. 487 Park Avenue, Worcester, MA 01603
Mailing Address
- d. olsiautosales@gmail.com, 508-579-0789
Email and Phone Number

If a Partnership or Multiple Owners:

- e. _____
Names
- f. _____
Signatures certifying payment of all municipal charges
- g. _____
Mailing Address
- h. _____
Email and Phone Number

Applicant, if different from owner:

- i. _____
Printed Name & Signature of Applicant, certifying payment of all municipal charges

If a Corporation or Trust:

- j. _____
Full Legal Name
- k. _____ _____
State of Incorporation Principal Place of Business
- l. _____
Mailing Address or Place of Business in Massachusetts
- m. _____
Printed Name & Signature of Owner or Trustee, certifying payment of all municipal charges
- n. _____
Printed Name & Signature of Owner or Trustee, certifying payment of all municipal charges
- o. _____
Printed Name & Signature of Owner or Trustee, certifying payment of all municipal charges
- p. _____
Printed Name & Signature of Owner or Trustee, certifying payment of all municipal charges