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ADAM DASH  
MEGAN KEMP  
PAUL METSCHER

VIA HAND DELIVERY

October 7, 2021

Clerk's Office  
1<sup>st</sup> Floor, City Hall  
93 Highland Avenue  
Somerville, MA 02143

ATTN: City Council

RE: 299 Broadway and 15 Temple Street

Dear Sir/Madam:

Enclosed please find the Zoning Map Amendment regarding the above-referenced properties.

Please let me know when this matter will be heard.

If you have any questions, please feel free to contact me.

Thank you.

Very truly yours,



Adam Dash



# CITY OF SOMERVILLE

## Office of Strategic Planning & Community Development

2021 OCT -7 P 1:41

### ZONING MAP AMENDMENT • APPLICATION FORM

CITY CLERK'S OFFICE  
SOMERVILLE, MA

Per Article 15.6.2 of the Somerville Zoning Ordinance (SZO), an individual property owner or ten (10) registered voters of the City of Somerville may petition the Somerville City Council to change the maps of the Somerville Zoning Atlas in response to changes in City policy or real-world conditions. To submit a map amendment petition to the City Council, the following must be provided:

1. A completed Zoning Map Amendment Application Form.
2. A copy of the appropriate Zoning Atlas map(s) with the proposed change(s) clearly noted.
3. A letter addressed to the City Council including a description of the proposed changes and the purpose for the petition.

Submit all required documents to:

City Clerk's Office  
1<sup>st</sup> Floor, City Hall  
93 Highland Avenue  
Somerville, MA 02143

Property to be changed

Property Address:	299 Broadway	
Map: 70	Block: D	Lot: 27
Property Address:	15 Temple Street	
Map: 70	Block: D	Lot: 5
Property Address:		
Map:	Block:	Lot:
Property Address:		
Map:	Block:	Lot:
Property Address:		
Map:	Block:	Lot:
Property Address:		
Map:	Block:	Lot:
Property Address:		
Map:	Block:	Lot:
Property Address:		
Map:	Block:	Lot:

VER: July 13, 2020

1

Property Owner: Comar Real Estate Trust  
Address: 89 Winchester Street, Brookline, MA 02446  
Signature: *Adam Travia*

Property Owner: Second Comar Real Estate Trust  
Address: 89 Winchester Street, Brookline, MA 02446  
Signature: *John Travia*

For ten (10) registered voters:

Name:	Signature: _____
Address:	

Name:	Signature: _____
Address:	

Name:	Signature: _____
Address:	

Name:	Signature: _____
Address:	

Name:	Signature: _____
Address:	

Name:	Signature: _____
Address:	

Name:	Signature: _____
Address:	

Name:	Signature: _____
Address:	

Name:	Signature: _____
Address:	

Name:	Signature: _____
Address:	

## ZONING MAP AMENDMENT APPLICATION

**Properties: 299 Broadway and 15 Temple Street**

**Owners and Applicants: Comar Real Estate Trust and Second Comar Real Estate Trust  
Agent for Mark Development LLC, Purchaser: Adam Dash, Esq.**

**October 7, 2021**

**To: Hon. Jesse Clingan, Ward 4 Councilor  
Hon. Ben Ewen-Campen, Chair of the City Council Land Use Committee  
Kimberly Wells, City Clerk  
Sarah Lewis, Planning Director**

Owner and Applicant, Comar Real Estate Trust owns the property located at 299 Broadway which is Assessors Map 70, Block D, Lot 27, and Owner and Applicant, Second Comar Real Estate Trust owns the property located at 15 Temple Street which is Assessors Map 70, Block D, Lot 5. They are adjoining properties making up the old Broadway Star Market site and the current Broadway Walgreen's site.

The Somerville Zoning Ordinance divides the Properties into the MR5, MR3 and NR zoning districts as can be seen on the "Current Zoning" plan filed herewith.

Mark Development LLC is the purchaser of the Properties which is seeking to redevelop the site for a mixed-use development containing publicly accessible open space. Applicants and Owners support this redevelopment proposal (the "Project").

The Owners/Applicants wish to have the zoning map for the Properties changed so that the Properties will be located in the MR6, MR4 and NR zoning districts as shown on the "Proposed Zoning Change" plan filed herewith. That portion of the private way known as Sewall Court, where the land on both sides of Sewall Court is owned by Applicants and Owners, will also be placed in the MR4 district.

The reason for changing the zoning districts for the Properties is so that the Project can be pursued. The current zoning for the Properties does not allow for enough density for the Project to be developed. Of course, even if this zoning map amendment is approved, the Project will still require zoning relief. This map amendment merely allows Mark Development LLC to file an application for the Project.

Filed herewith are drafts of what Mark Development LLC is proposing for the Project so the City Council and Planning Board can understand what is being proposed. This Project will redevelop the blighted site and improve Winter Hill.

The proposed zoning for the Properties would leave the NR zoned parts of the Properties as NR.

The proposed zoning will step down in height as it approaches Sewall Street, by maintaining a fifty foot (50') wide MR4 district between the MR6 and the NR portions of the Properties. As

the Project will comply with the zoning dimensional requirements for the new zoning districts at the Properties, the upper floors will be set back as well, as can be seen on the "Setbacks" plan filed herewith.

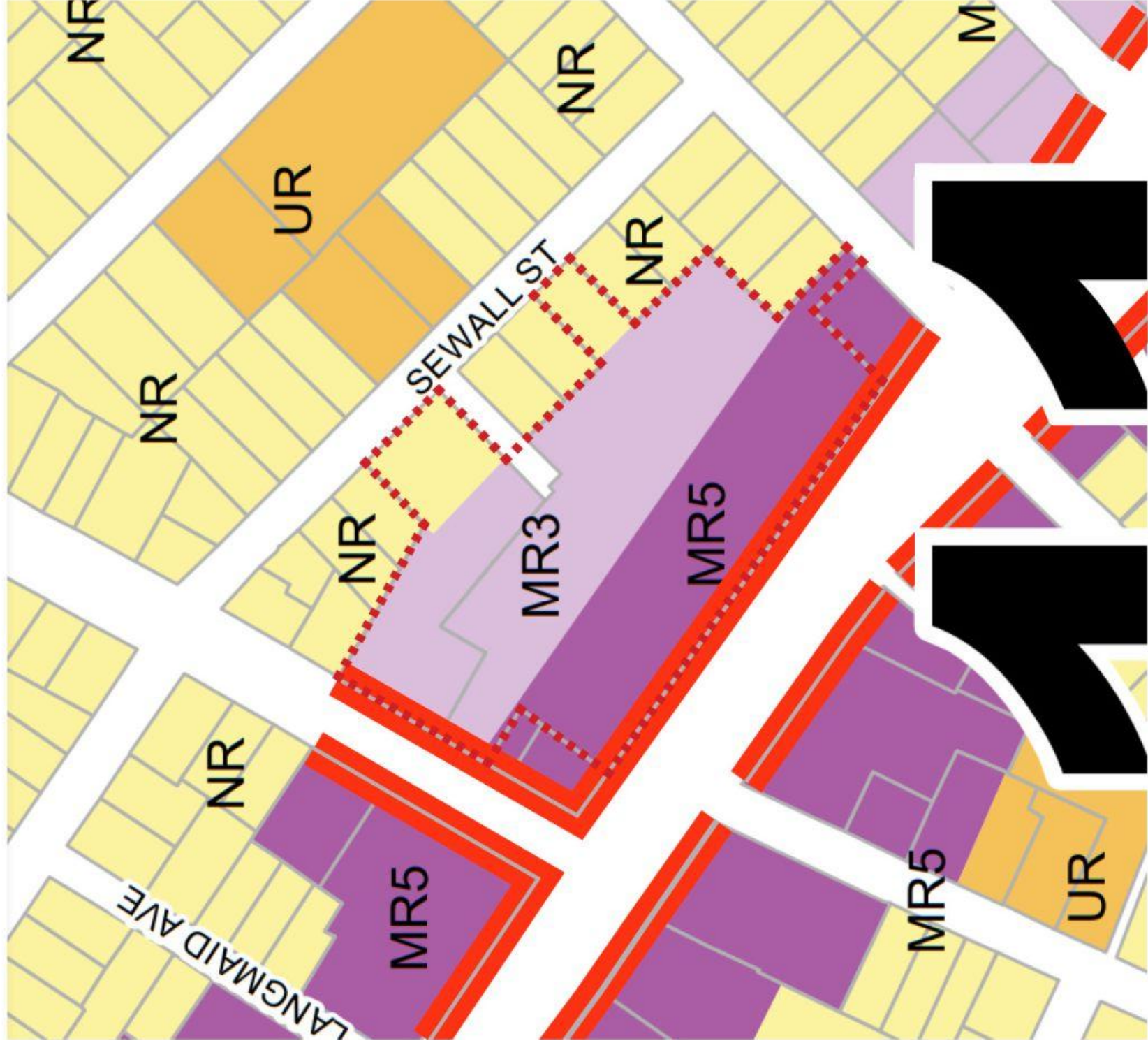
As Temple Street is a Pedestrian Street District along the border of the Properties, the proposed zoning maintains the MR6 portion of the Properties along the Temple Street property line. This will allow for a more active presence along Temple Street, as is encouraged for Pedestrian Street Districts. It should be noted that Broadway is also in the Pedestrian Street District and is being proposed to be MR6 along the Broadway property line for the same reason.

To quote from the SomerVision Strategic Plan, approving the proposed zoning map amendment would "support neighborhood development with a strong relationship to transit", "encourage construction of mixed-use buildings", "protect and promote an interesting mix of small-scale businesses", "facilitate transit-oriented neighborhood in-fill development", "promote job creation", "promote municipal financial self-determination", "make Somerville a regional employment center", "work with property owners and real estate professionals to analyze, improve and market existing commercial spaces", "support a business-friendly environment", channel "entrepreneurial energy into existing commercial districts to grow the City's tax base and create economic opportunity for all Somerville residents, workers and business owners", create a "healthier, more prosperous and more attractive place to live, work, play and raise a family", and "ensure that neighborhood properties can adapt and change to meet the needs of residents.

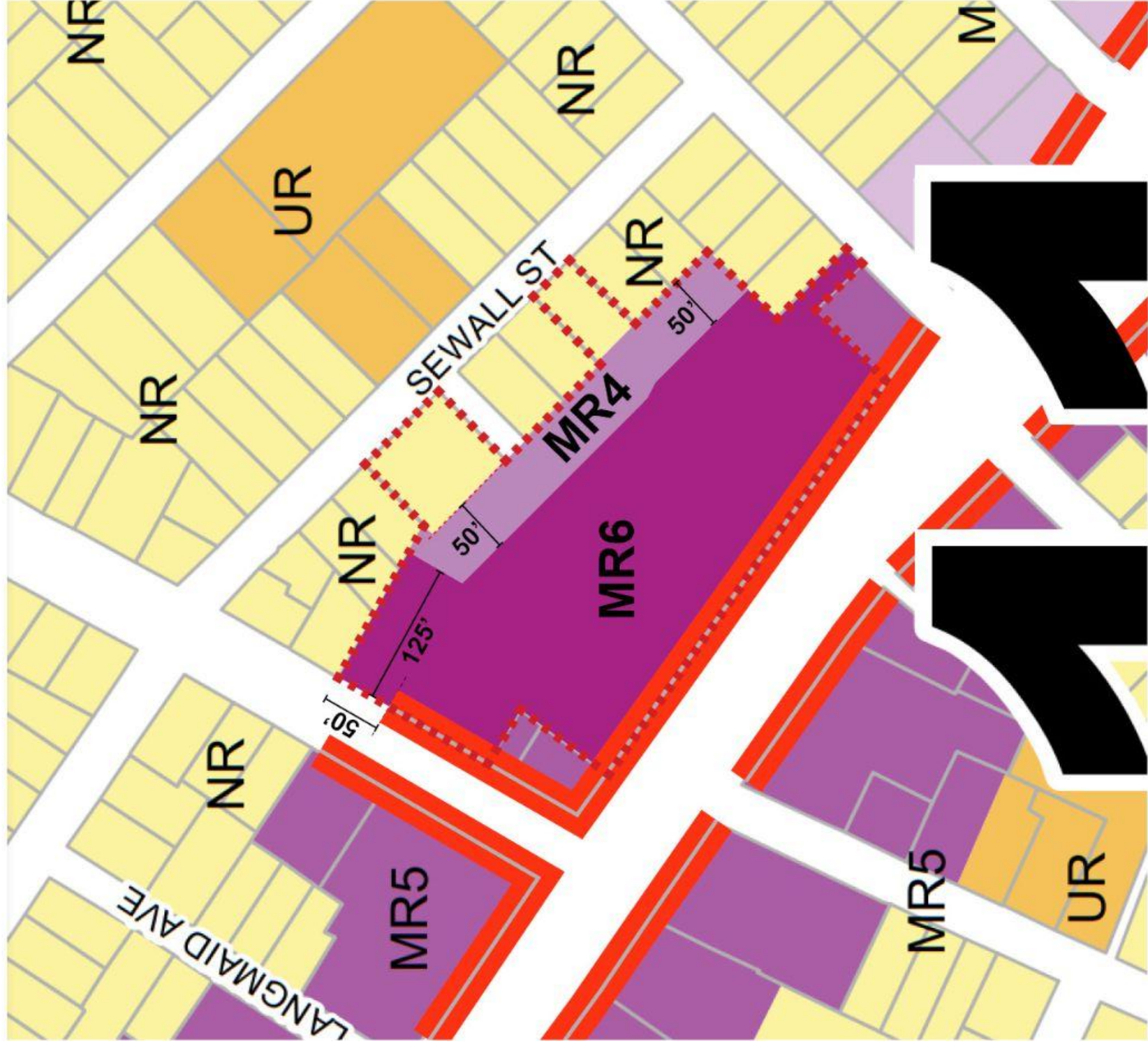
Therefore, the Owners/Applicants request that the zoning map regarding the Properties be amended as shown on the "Proposed Zoning Change" plan filed herewith.

**299 Broadway**  
Updated Scheme: 21-10-06

# Proposed Zoning & PSD Change



Existing



Proposed

# Setbacks





# New Scheme



# New Scheme



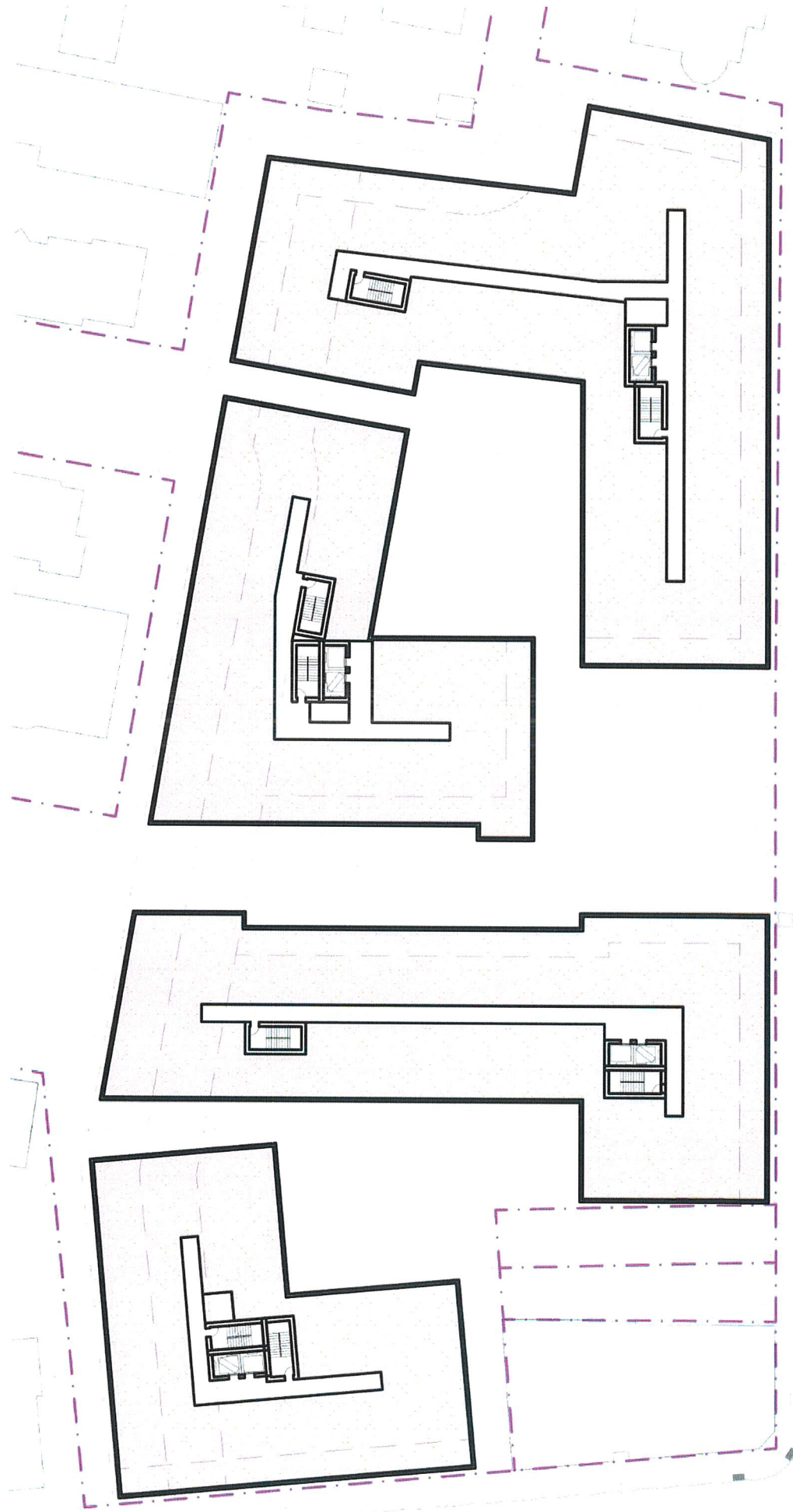
# Ground Floor



# Floor 1



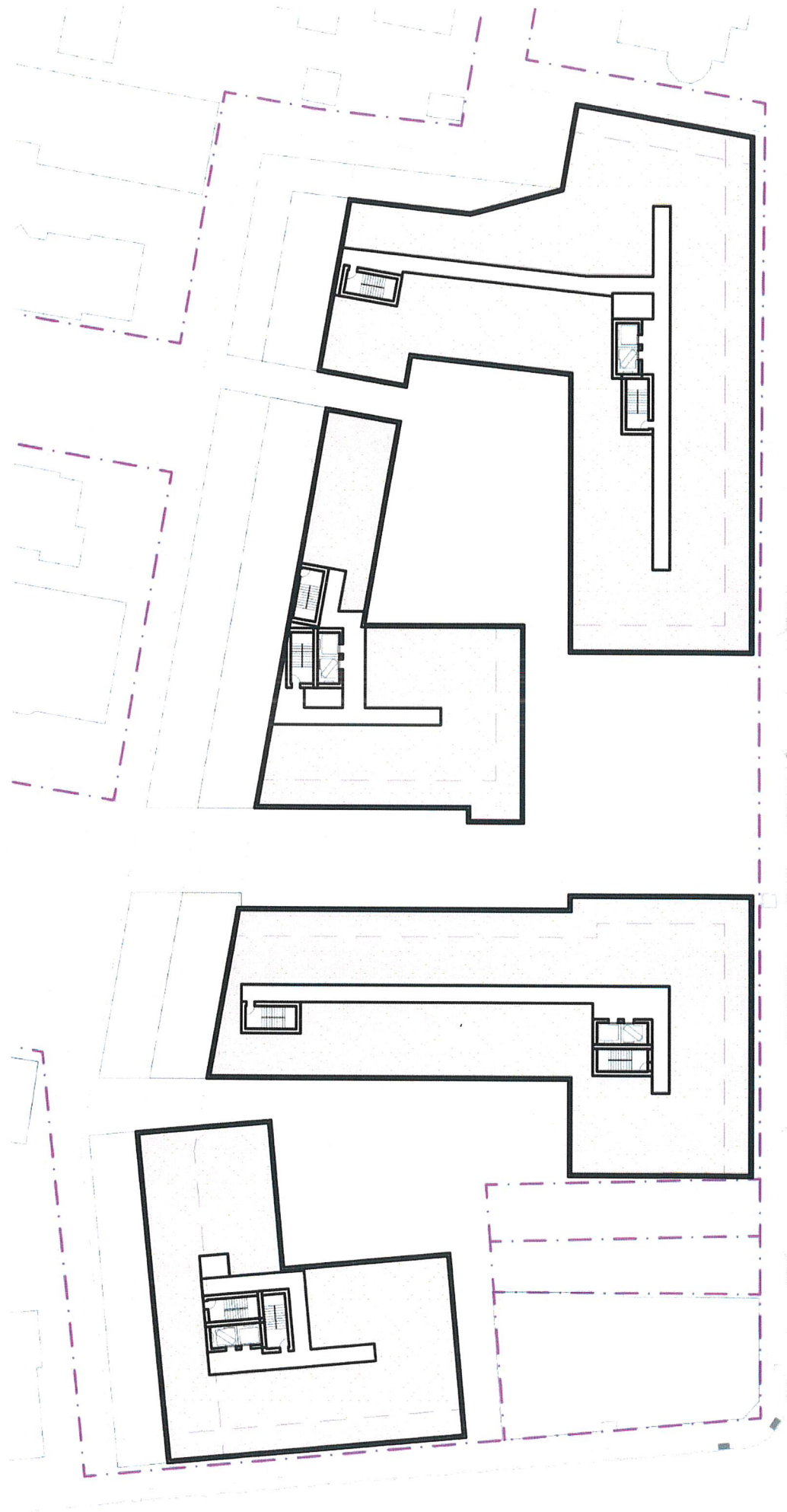
# Floor 2-3



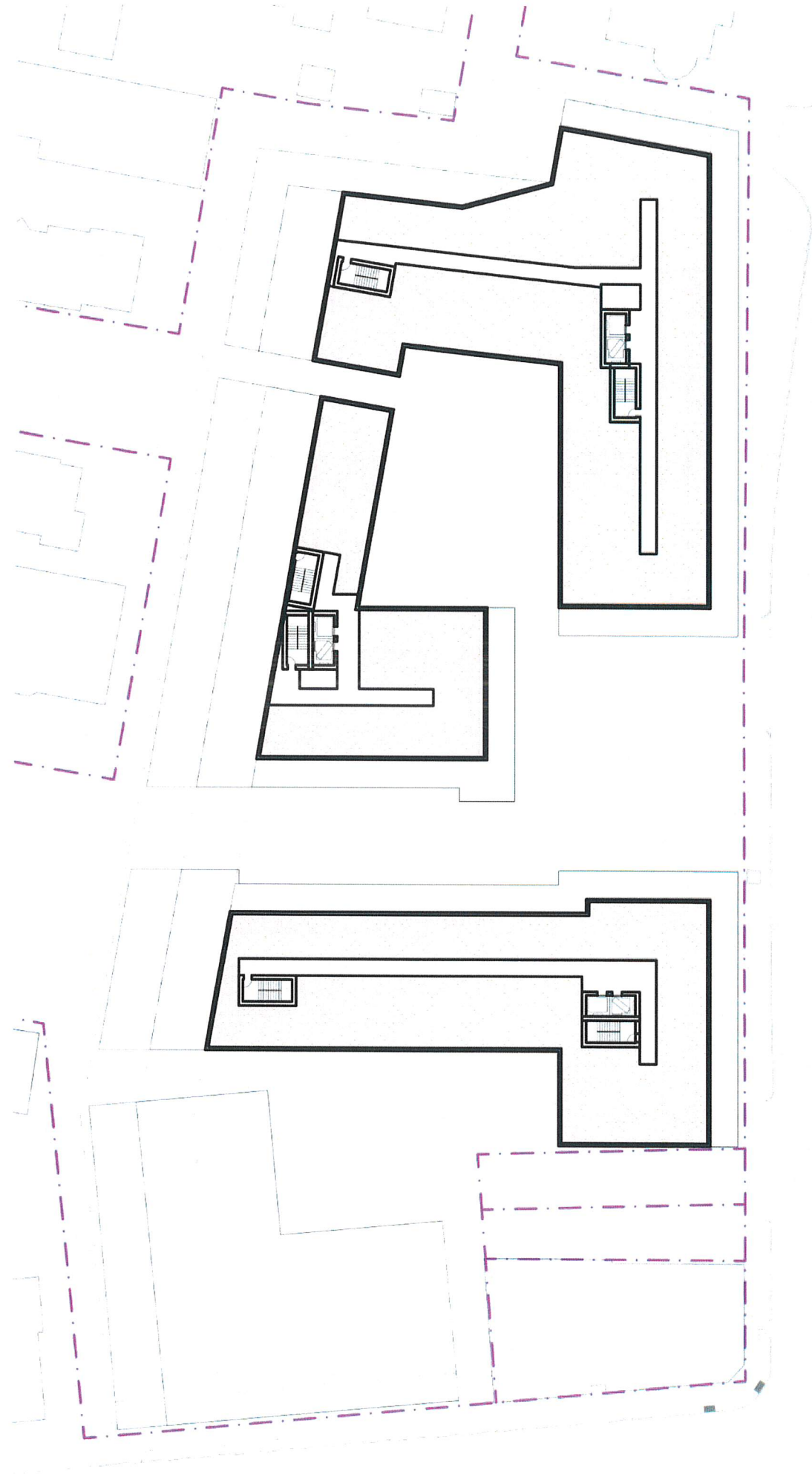
# Floor 4



# Floor 5



# Floor 6





# MR6 Zoning: “General Building”

Lot Dimensions	
<b>A</b> Lot WIDTH (min)	30 ft

Lot Development	
Lot Coverage (max)	100%
GREEN SCORE	–
Minimum	0.20
Ideal	0.25
<b>B</b> OPEN SPACE (min)	15%

## Open Space:

A ground level or upper story outdoor landscaped area including, but not limited to, natural woodlands, yards, forecourts, courtyards, green roofs and civic spaces.

Step-Back, 5th - 6th Story (min)	10 ft
Building Height, Feet (max)	80 ft
Roof Type	Flat

Building Setbacks			
<b>A</b> Primary Front SETBACK (min/max)	2 ft	15 ft	
<b>B</b> Secondary Front SETBACK (min/max)	2 ft	15 ft	
<b>C</b> Side SETBACK (min)	0 ft		
Abutting an Alley or R-ROW	0 ft		
Abutting any non-NR or -LHD	0 ft		
1st - 3rd Story abutting NR or LHD	10 ft		
4th - 6th Story abutting NR or LHD	30 ft		
<b>D</b> Rear Setback (min)	–		
Abutting an Alley or R-ROW	0 ft		
Abutting any non-NR or -LHD	10 ft		
1st - 3rd Story abutting NR or LHD	20 ft		
4th - 6th Story abutting NR or LHD	30 ft		

Parking Setbacks		
<b>E</b> Primary Front Setback (min)	30 ft	
<b>F</b> Secondary Front Setback (min)	30 ft	

# MR4 Zoning: “General Building”

Lot Dimensions	
<b>A</b> LOT WIDTH (min)	30 ft

Lot Development	
LOT Coverage (max)	90%
GREEN SCORE	--
Minimum	0.25
Ideal	0.30
<b>B</b> OPEN SPACE (min)	15%

### Open Space:

A ground level or upper story outdoor landscaped area including, but not limited to, natural woodlands, yards, forecourts, courtyards, green roofs and civic spaces.

Building Setbacks			
<b>A</b>	Primary Front SETBACK (min/max)	2 ft	15 ft
<b>B</b>	Secondary Front SETBACK (min/max)	2 ft	15 ft
<b>C</b>	Side SETBACK (min)	--	
	Abutting an Alley or R-ROW	0 ft	
	Abutting any non-NR or -LHD	0 ft	
	1st - 3rd Story abutting NR or LHD	10 ft	
	4th Story abutting NR or LHD	30 ft	
<b>D</b>	Rear Setback (min)	--	
	Abutting an Alley or R-ROW	0 ft	
	Abutting any non-NR or -LHD	10 ft	
	1st - 3rd Story abutting NR or LHD	20 ft	
	4th Story abutting NR or LHD	30 ft	

Parking Setbacks		
<b>E</b>	Primary Front SETBACK (min)	--
	SURFACE PARKING	30 ft
	STRUCTURED PARKING	30 ft

# 299 BROADWAY

Location 299 BROADWAY

Mblu 70/ D/ 27/ 1

Acct# 03133022

Owner COHEN JAMES ET AL  
TRUSTEES

Assessment \$2,009,600

PID 1022

Building Count 1

## Current Value

Assessment			
Valuation Year	Improvements	Land	Total
2021	\$194,500	\$1,815,100	\$2,009,600

## Owner of Record

Owner COHEN JAMES ET AL TRUSTEES  
Co-Owner COMAR REAL ESTATE TRUST  
Address 89 WINCHESTER STREET  
BROOKLINE, MA 02446

Sale Price \$100  
Certificate  
Book & Page 73069/ 78  
Sale Date 08/07/2019  
Instrument 1F

## Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
COHEN JAMES ET AL TRUSTEES	\$100		73069/ 78	1F	08/07/2019
COHEN H A TRUSTEE C/O SHAWS	\$0		12995/ 653		

## Building Information

### Building 1 : Section 1

Year Built: 1967  
Living Area: 27,132  
Replacement Cost: \$3,689,106  
Building Percent Good: 44  
Replacement Cost  
Less Depreciation: \$88,100

Building Attributes	
Field	Description

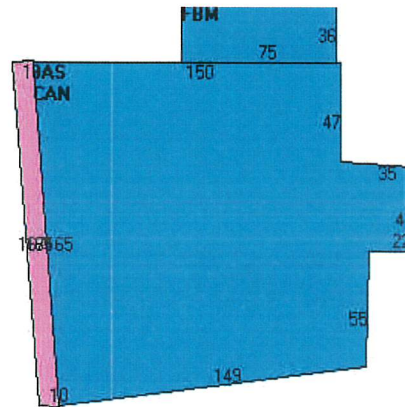
STYLE	Store
MODEL	Commercial
Grade	Below Average
Stories:	1
Occupancy	1
Exterior Wall 1	Brick/Masonry
Exterior Wall 2	Concr/Cinder
Roof Structure	Flat
Roof Cover	T&G/Rubber
Interior Wall 1	Plastered
Interior Wall 2	
Interior Floor 1	Vinyl/Asphalt
Interior Floor 2	Ceram Clay Til
Heating Fuel	Electric
Heating Type	Forced Air-Duc
AC Type	Central
Bldg Use	SUPERMKT MDL-94
Total Rooms	
Total Bedrms	00
Total Baths	0
Extra Kitch'	
1st Floor Use:	3240
Heat/AC	HEAT/AC PKGS
Frame Type	MASONRY
Baths/Plumbing	AVERAGE
Ceiling/Wall	SUS-CEIL & WL
Rooms/Prtns	AVERAGE
Wall Height	20
% Comn Wall	0

### Building Photo



(<http://images.vgsi.com/photos/SomervilleMAPotos/A01104\27\70.jpg>)

### Building Layout



([http://images.vgsi.com/photos/SomervilleMAPotos/Sketches/1022\\_1209](http://images.vgsi.com/photos/SomervilleMAPotos/Sketches/1022_1209))

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	27,132	27,132
CAN	Canopy	1,650	0
FBM	Basement, Finished	2,700	0
		31,482	27,132

### Extra Features

Extra Features	Legend
No Data for Extra Features	

### Land

### Land Use

### Land Line Valuation

**Use Code** 3240  
**Description** SUPERMKT MDL-94  
**Zone** MR5  
**Neighborhood** 5003  
**Alt Land Appr** No  
**Category**

**Size (Acres)** 2.05  
**Frontage** 0  
**Depth** 0  
**Assessed Value** \$1,815,100

**Outbuildings**

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
PAV1	PAVING-ASPHALT			60000 S.F.	\$102,000	1
LT1	LIGHTS-IN W/PL			2 UNITS	\$1,700	1
LT2	W/DOUBLE LIGHT			2 UNITS	\$2,700	1

**Valuation History**

Assessment			
Valuation Year	Improvements	Land	Total
2020	\$194,500	\$1,815,100	\$2,009,600
2019	\$194,500	\$1,728,600	\$1,923,100
2018	\$194,500	\$1,728,600	\$1,923,100

**15 TEMPLE ST**

**Location** 15 TEMPLE ST

**Mblu** 70/ D/ 5/ 1

**Acct#** 03133021

**Owner** COHEN H A TRUSTEE

**Assessment** \$2,520,300

**PID** 1017

**Building Count** 1

**Current Value**

Assessment			
Valuation Year	Improvements	Land	Total
2021	\$1,689,700	\$830,600	\$2,520,300

**Owner of Record**

**Owner** COHEN H A TRUSTEE  
**Co-Owner** C/O WALGREEN CO.  
**Address** PO BOX 1159  
 DEERFIELD, IL 60015

**Sale Price** \$0  
**Certificate**  
**Book & Page**  
**Sale Date**

**Ownership History**

Ownership History				
Owner	Sale Price	Certificate	Book & Page	Sale Date
COHEN H A TRUSTEE	\$0			

**Building Information**

**Building 1 : Section 1**

**Year Built:** 1970  
**Living Area:** 12,576  
**Replacement Cost:** \$2,125,759  
**Building Percent Good:** 76  
**Replacement Cost**  
**Less Depreciation:** \$1,615,600

Building Attributes	
Field	Description
STYLE	Store
MODEL	Commercial

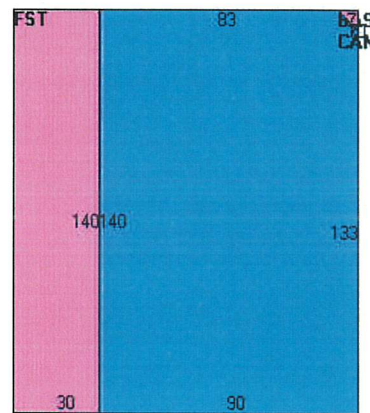
Grade	Average +10
Stories:	1
Occupancy	1
Exterior Wall 1	Brick/Masonry
Exterior Wall 2	Concr/Cinder
Roof Structure	Flat
Roof Cover	T&G/Rubber
Interior Wall 1	Drywall/Sheet
Interior Wall 2	
Interior Floor 1	Vinyl/Asphalt
Interior Floor 2	
Heating Fuel	Electric
Heating Type	Forced Air-Duc
AC Type	Heat Pump
Bldg Use	STORE/SHOP MDL-94
Total Rooms	
Total Bedrms	00
Total Baths	0
Extra Kitch'	
1st Floor Use:	3220
Heat/AC	HEAT/AC PKGS
Frame Type	MASONRY
Baths/Plumbing	AVERAGE
Ceiling/Wall	SUS-CEIL & WL
Rooms/Prtns	AVERAGE
Wall Height	16
% Comn Wall	0

### Building Photo



(<http://images.vgsi.com/photos/SomervilleMAPhotos/A0110264/87.jpg>)

### Building Layout



([http://images.vgsi.com/photos/SomervilleMAPhotos/Sketches/1017\\_1203](http://images.vgsi.com/photos/SomervilleMAPhotos/Sketches/1017_1203))

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	12,576	12,576
CAN	Canopy	24	0
FST	Utility, Finished	4,200	0
		16,800	12,576

### Extra Features

Extra Features				Legend
Code	Description	Size	Value	Bldg #
MEZ3	FINISH W/EXTRAS	240 S.F.	\$8,800	1

### Land

### Land Use

### Land Line Valuation

**Use Code** 3220  
**Description** STORE/SHOP MDL-94  
**Zone** NR  
**Neighborhood** 5003  
**Alt Land Appr** No  
**Category**

**Size (Acres)** 0.59  
**Frontage** 0  
**Depth** 0  
**Assessed Value** \$830,600

**Outbuildings**

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
PAV1	PAVING-ASPHALT			12000 S.F.	\$40,800	1
LT1	LIGHTS-IN W/PL			1 UNITS	\$900	1
LT2	W/DOUBLE LIGHT			1 UNITS	\$1,300	1
SGN1	SIGN 1 SIDE NO LIGHTS			348 S.F.&HGT	\$22,300	1

**Valuation History**

Assessment			
Valuation Year	Improvements	Land	Total
2020	\$1,689,700	\$830,600	\$2,520,300
2019	\$1,466,000	\$791,000	\$2,257,000
2018	\$1,403,900	\$791,000	\$2,194,900