

**CITY OF SOMERVILLE
ORDINANCE NO. 2021-18**

In City Council August 26, 2021

Be it ordained by the City Council, in session assembled, that the Zoning Map of the City of Somerville is hereby amended to change the zoning district of 92 Properzi Way (MBL 54-G-22) by extending the Small Business Overlay to include the property.

Approved:



President

Approved:



Mayor



CITY OF SOMERVILLE

Office of Strategic Planning & Community Development

ZONING MAP AMENDMENT • APPLICATION FORM

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
1st Floor, City Hall
93 Highland Avenue
Somerville, MA 02143

Property to be changed

Property Address: 92 Properzi Way, Somerville, MA 02143		
Map: 54	Block: G	Lot: 22
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:
Property Address:		
Map:	Block:	Lot:
Property Address:		
Map:	Block:	Lot:



CITY OF SOMERVILLE

Office of Strategic Planning & Community Development

ZONING TEXT AMENDMENT • APPLICATION FORM

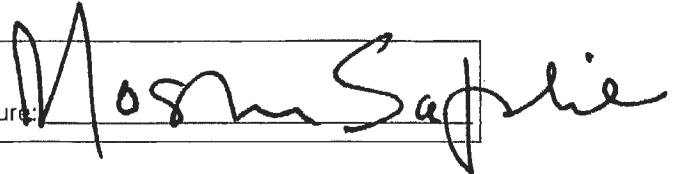
Per Article 15.6.2 of the Somerville Zoning Ordinance (SZO), an individual property owner or ten (10) registered voters of the City of Somerville may petition the Somerville City Council to amend the provisions of the SZO in response to changes in City policy or real-world conditions. To submit a text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

1. A completed Zoning Text Amendment Application Form.
2. The proposed change(s) to the ordinance language. Identify the proper Article and Section number(s) of the ordinance. Text to be removed must be ~~crossed-out-in-red~~ and new text must be underlined in red.
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
1st Floor, City Hall
93 Highland Avenue
Somerville, MA 02143

For an individual property owner:

Name:	Moshe Safdie	Signature: 
Address:	92 Properzi Way, Somerville, MA 02143	

VER: July 13, 2020

John Long

From: Christopher Mulvey <cmulvey@safdiearchitects.com>
Sent: Friday, May 21, 2021 9:25 AM
To: Planning1; City Clerk Contact
Cc: JT Scott
Subject: Submission of Zoning Map Amendment - 92 Properzi Way
Attachments: 210521 Letter to City Council.pdf; Somerville-Zoning-Atlas-Proposed Changes to 92 Properzi Way.pdf; Zoning-Map-Amendment.pdf; Zoning Text Amendment - 92 Properzi Way.pdf; Grant of Restriction.pdf

Importance: High

Dear Somerville Planning Division and the City Clerk,

On behalf of Mr. Moshe Safdie, property owner of 92 and 100 Properzi Way, I am kindly submitting a Zoning Map Amendment. Attached, for your review, consideration and onward use, please find the following documents:

- Letter to City Council supporting our application
- Somerville Zoning Atlas Map with proposed changes (see pages 3 and 4)
- Zoning Map Amendment application
- Zoning Text Amendment application (with signature of property owner)
- Grant of Restriction (as referenced in the Letter to City Council)

Please confirm receipt of this email, kindly advise if any additional documents (and/or revisions to these documents) are needed, and let us know next steps / timeline for the public meeting and approval . Thank you in advance.

Regards,
Chris

Christopher Mulvey

Managing Principal
Safdie Architects

[See terms of use](#)

2021 MAY 21 A 9:58

May 21, 2021

CITY CLERK'S OFFICE
SOMERVILLE, MA

To the City Council of Somerville,

Thank you for your proactive efforts and leadership during these strange and unprecedentedly difficult times that we are collectively facing. The city has been at the forefront of dealing with the Covid-19 situation and we are proud to have called Somerville our home for over 40 years.

In the past few months, pursuant to the City's guidelines, we have begun a phased and measured return to our office at 100 Properzi Way. We started with project teams that were in the early stages of design that benefit from small in-person work sessions and interactions with physical models and large sets of drawings. In consideration of the eventual return of our entire team, we have been actively re-planning our current space to allow for social distancing and other means of ensuring a safe workplace, however space is becoming a premium.

Fortunately, I own the adjacent property, at 92 Properzi Way. In 2016 we completed a major renovation – we dutifully and faithfully restored the old cottage house that fronts Properzi Way to maintain the character of the neighborhood and added a two-floor addition to the rear. The addition consists of an open studio apartment on the first floor and an apartment on the second floor, where one of my daughters currently resides.

We are proposing a Zoning Map Amendment to extend the "Small Business Overlay" to 92 Properzi Way such that we can use the first-floor open studio as an expansion space for our architectural practice (located next door at 100 Properzi Way).

This would be a tremendous benefit to our team as it allows for further dedensification – i.e., spacing out of workstations and workspaces. We anticipate having a team of 6-8 architects and designers working within the open studio space. We believe this would have no adverse impact to the neighborhood as the general population of our office would remain relatively consistent, meaning there would be no increased foot or vehicular traffic. In fact, using the first floor as an architectural workspace might in fact be less impactful to our neighbors than using it as a residence, as we'd be primarily using the space during normal business hours.

With the support of Alderman J.T. Scott we held a Zoom meeting with our neighbors and interested parties regarding the proposed amendment such that we could explain our intentions and solicit their feedback. Upon my offer to apply a Grant of Restriction to the Deed to limit the types of uses which would be allowed on the premises, as delineated in the attached draft, the neighbors agreed to support our application.

As such, we kindly submit the attached application for review and consideration.

We look forward to the opportunity to present our application to the City Council.

Warm regards,

Moshe Safdie

Founder, Safdie Architects

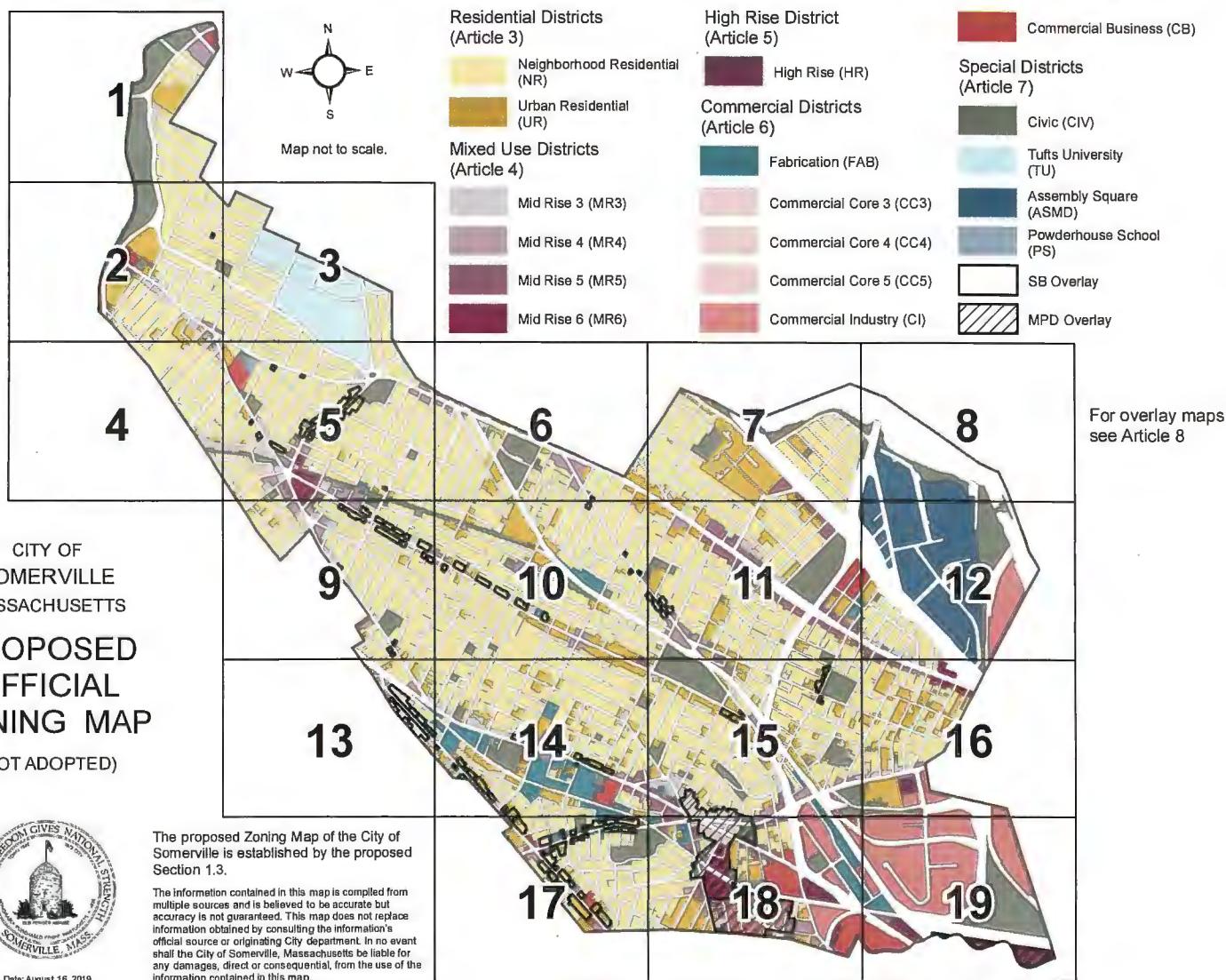
CITY OF
SOMERVILLE
MASSACHUSETTS
**PROPOSED
OFFICIAL
ZONING MAP**
(NOT ADOPTED)

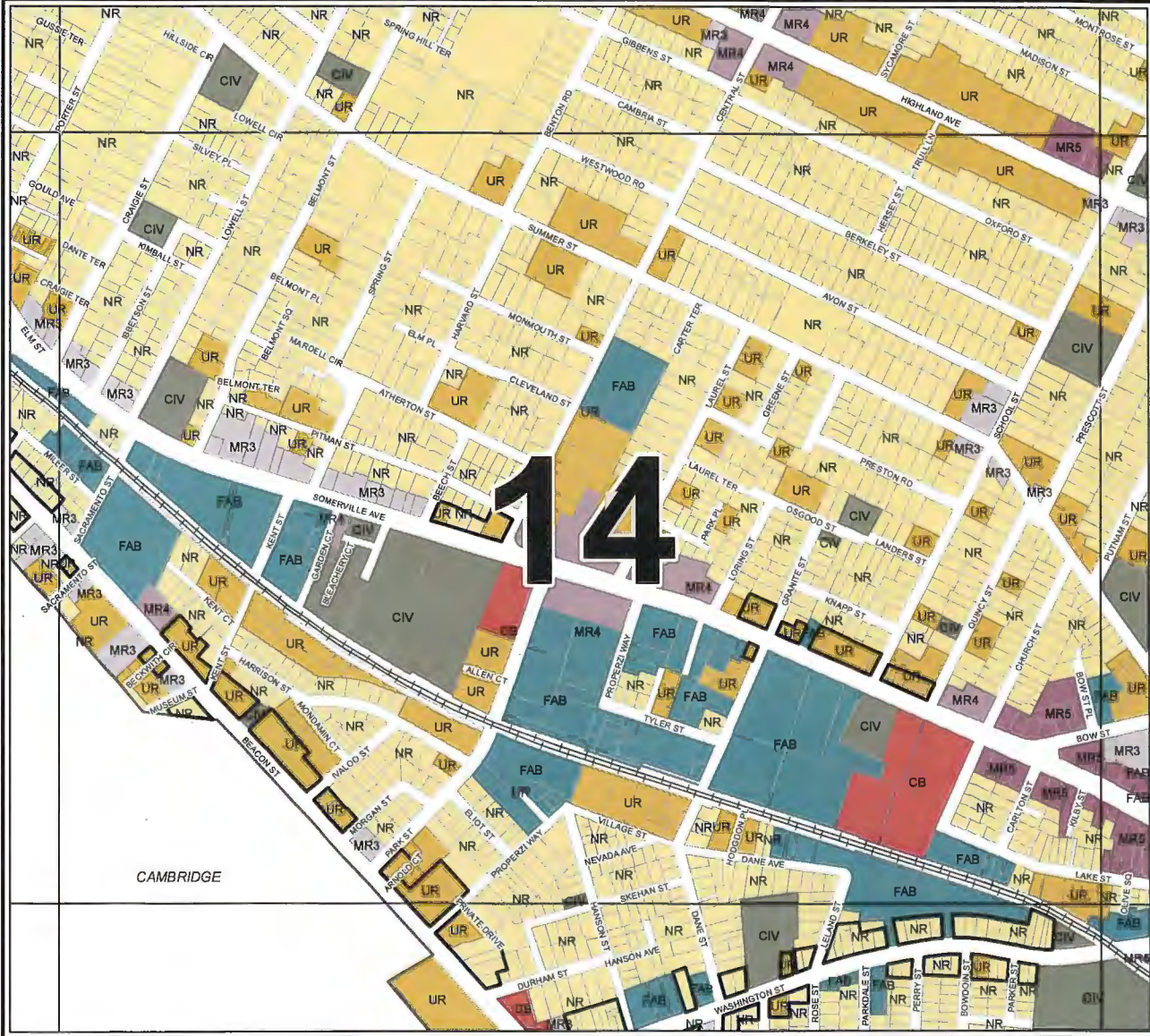


Date: August 16, 2019

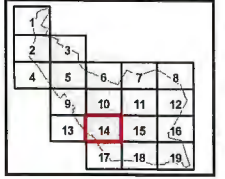
The proposed Zoning Map of the City of Somerville is established by the proposed Section 1.3.

The information contained in this map is compiled from multiple sources and is believed to be accurate but accuracy is not guaranteed. This map does not replace information obtained by consulting the information's official source or originating City department. In no event shall the City of Somerville, Massachusetts be liable for any damages, direct or consequential, from the use of the information contained in this map.

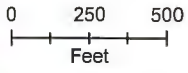




CITY OF
SOMERVILLE, MA
OFFICIAL PROPOSED
ZONING
(UNADOPTED)

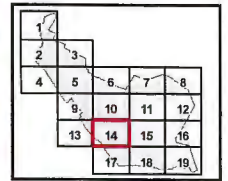


- SB Overlay
- NR
- UR
- MR3
- MR4
- MR5
- CIV
- FAB
- CB



Date: August 16, 2019

CITY OF
SOMERVILLE, MA
OFFICIAL PROPOSED
ZONING
(UNADOPTED)



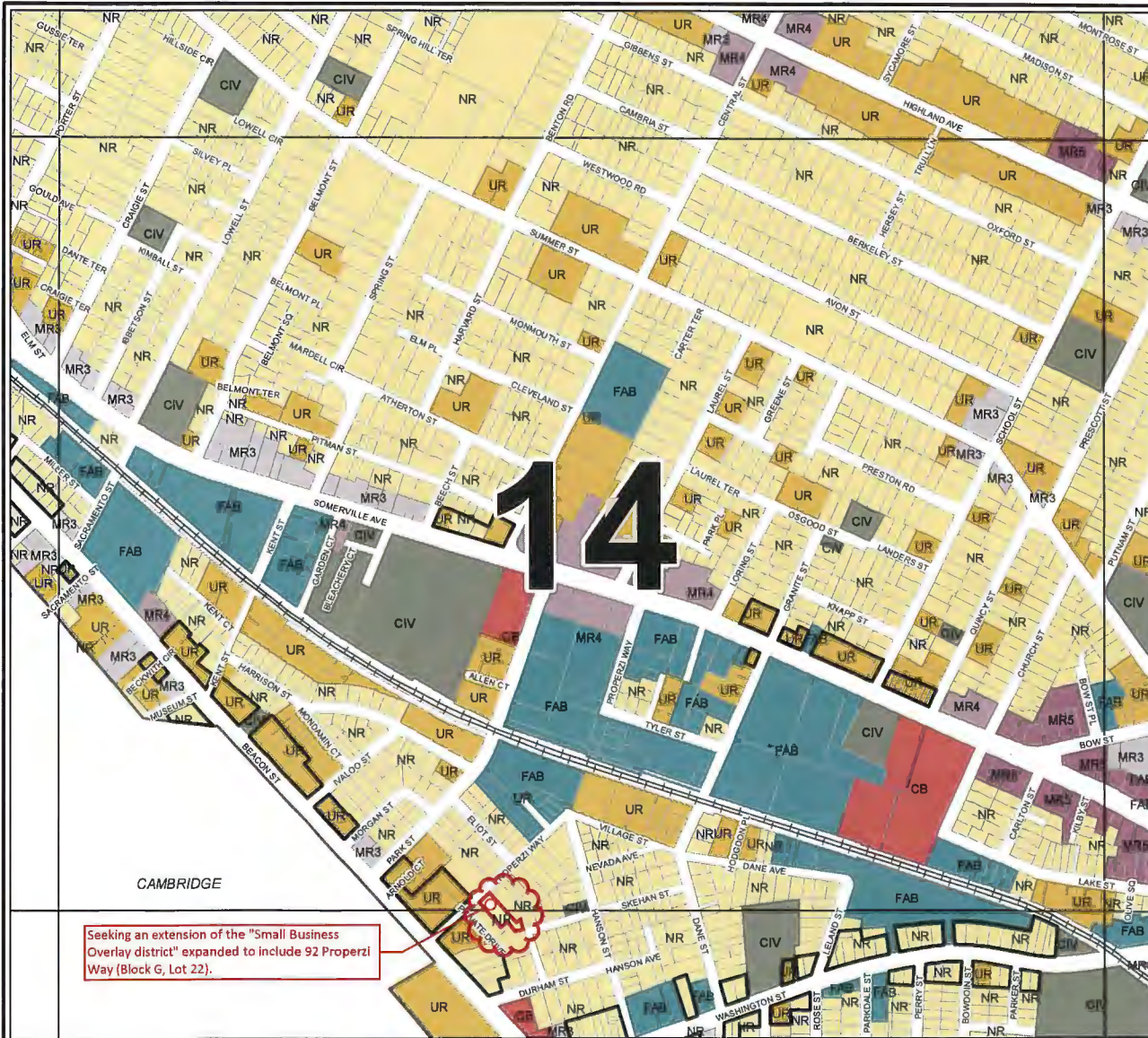
- SB Overlay
- NR
- UR
- MR3
- MR4
- MR5
- CIV
- FAB
- CB

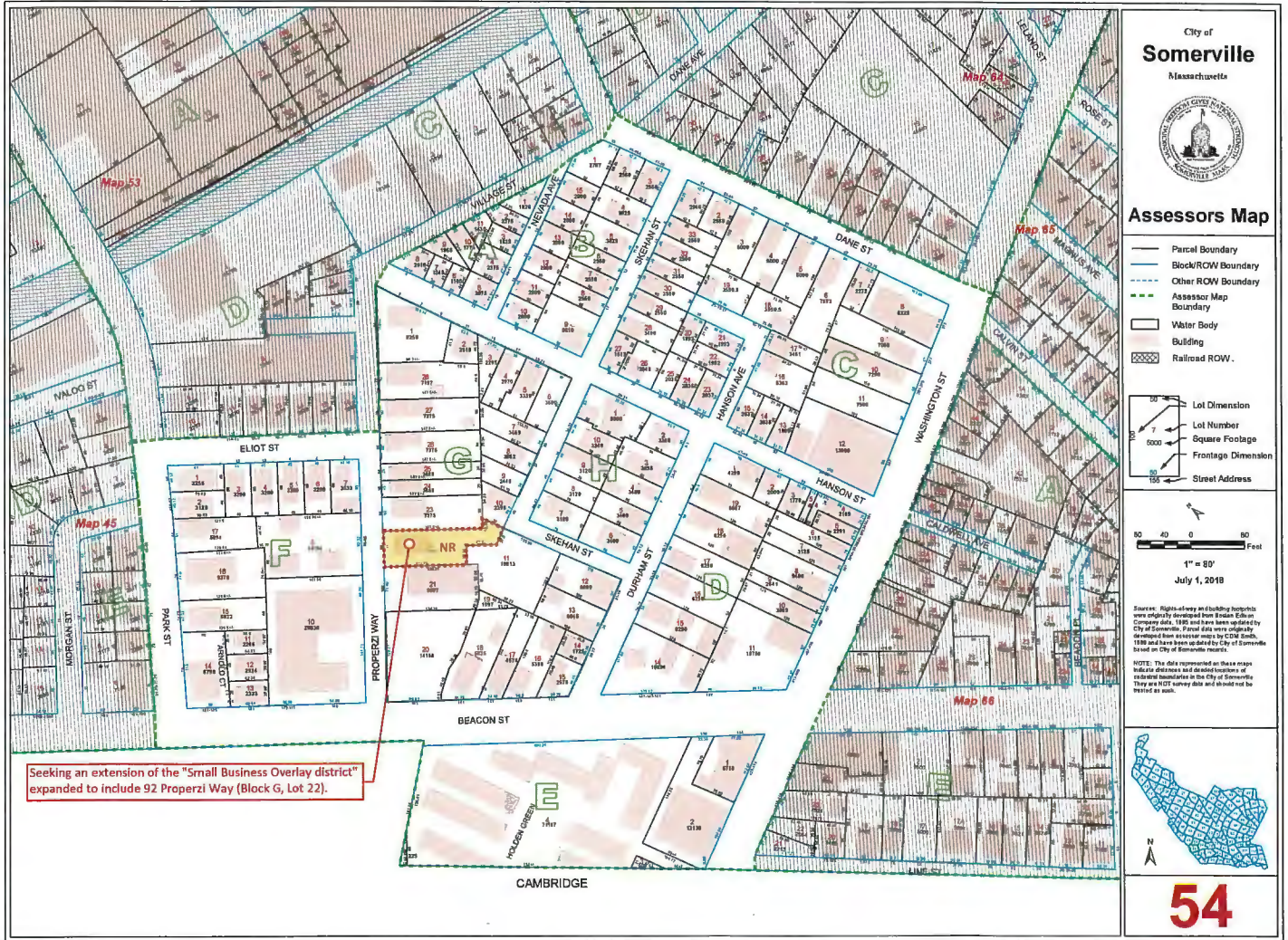


0 250 500
Feet



Date: August 16, 2019





Grant of Restriction
92 Properzi Way
Somerville, Massachusetts

This Grant of Restriction is made as of this _____ day of _____, 2021, by Moshe Safdie and Michal Ronnen Safdie (hereinafter the "Grantors"), with a mailing address of 92 Properzi Way, Somerville, Middlesex County, Massachusetts.

WHEREAS, the Grantors are all of the current owners in fee simple of that certain parcel of land, together with the buildings and improvements thereon, now known as and numbered 92 Properzi Way, Somerville, Middlesex County, Massachusetts, being more particularly described in that certain deed to the Grantors from John MacGillivray, Trustee of the 92 Properzi Way Nominee Trust, u/d/t dated March 9, 1990, and recorded in Middlesex County Southern District Registry of Deeds Book 20420, Page 55, said deed dated April 27, 1990, and recorded in Middlesex County Southern District Registry of Deeds Book 20509, Page 123 (the "Premises"); and

WHEREAS, the Premises are currently located within the neighborhood residential (NR) zoning district; and

WHEREAS, the Premises abut the property located at 100 Properzi Way, Somerville, Middlesex County, Massachusetts, which currently contain the offices of Safdie Architects; and

WHEREAS, the Grantors seek to allow Safdie Architects to utilize the first-floor open studio apartment located in the Premises as additional office space for their existing architectural business; and

WHEREAS, to have the Small Business Overlay district expanded to include the Premises: and

WHEREAS, the Grantors have filed an application/petition with the City of Somerville requesting an expansion of the Small Business Overlay district to include the Premises so as to allow for the above-referenced architectural office space use on the Premises (the "Proposed Use"); and

WHEREAS, the residents of Somerville have worked tirelessly to advance their common goals for the future growth and development of the city as fully expressed in the document SomerVision, the city's official comprehensive plan duly adopted by its Planning Board and endorsed by its Board of Aldermen in April 2012, through which the City aspires to promote the

common good and improve the quality of life of all residents by enhancing and expanding job creation, open space, housing development, and transportation; and

WHEREAS, the proposed Small Business Overlay expansion to include the Premises and allow the Proposed Use will align with the above-referenced goals of the City of Somerville; and

WHEREAS, the Grantors, and each of them, are willing to restrict the current and future use of the Premises to align with the above-referenced goals of the City of Somerville; and

WHEREAS, on _____, 2021, the City of Somerville granted the request to expand the Small Business Overlay to include the Premises and allow the Proposed Use.

NOW, THEREFORE, in consideration of the foregoing expansion of the Small Business Overlay district to include the Premises and allow for the Proposed Use, the Grantors do hereby grant to the City of Somerville, as a gift, with quitclaim covenants, a restriction on the current and future use of the Premises upon the following terms and conditions:

1. Grantors covenant and agree that he/she/they shall restrict the use of the Premises to only those uses defined as Arts and Creative Enterprises by the City of Somerville, as may be redefined from time to time by the City of Somerville, but which shall always include the Proposed Use as an architectural office work space.
2. This restriction establishes certain rights, restrictions, obligations and agreements which are intended to and shall run with the Premises and shall be binding on the Grantors, his/her/their successors, heirs, and/or assigns in title in perpetuity. It being the intention of the Grantors that the Grantors and his/her/their successors, heirs, and/or assigns in title in perpetuity be bound by the provisions of this Grant and that this Grant be fully enforceable by a court of competent jurisdiction in accordance with its terms.
3. Any change in the allowed use of the Premises or in the terms of this Grant by the Grantors, or their heirs, successors and/or assigns in title, must be first approved by the City of Somerville in an instrument acknowledged by the City and recorded with Middlesex County Southern District Registry of Deeds.

No Massachusetts deed excise tax stamp is affixed hereto as the consideration for this Grant is such that none is required by law.

Executed as an instrument under seal this _____ day of _____, 2021.

Moshe Safdie

Michal Ronnen Safdie

COMMONWEALTH OF MASSACHUSETTS

Middlesex County, ss

On this _____ day of _____, 2021, before me, the undersigned notary public, Moshe Safdie and Michal Ronnen Safdie personally appeared, proved to me through satisfactory evidence of identification, which were _____, to be the persons whose(s) name(s) is/are signed on the preceding or attached document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose.

Notary Public

My Commission Expires: _____

(Official Seal)



CITY OF SOMERVILLE, MASSACHUSETTS
CITY COUNCIL

Docket # 211988

Public Communication
Zoning Ordinance

Regular Meeting, August 26, 2021
Item ID 24876

SUMMARY: Moshe Safdie proposing a zoning amendment to extend the Small Business Overlay to his property at 92 Properzi Way.

COMPLETE TEXT:

See attachment.

RESULT: ORDINANCE ORDAINED. [UNANIMOUS]

AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen,
Clingan, Niedergang, Davis, Ballantyne

ORDINANCE ORDAINED. BY THE CITY COUNCIL OF THE CITY OF SOMERVILLE,
MA, AT A REGULAR MEETING ON THE 26th DAY OF AUGUST, 2021.

APPROVED BY THE MAYOR OF THE CITY OF SOMERVILLE, MA, ON THE 1st DAY
OF SEPTEMBER, 2021.

ATTEST:

Kimberly M. Wells, City Clerk