

Planning Board Meeting

February 20, 2018

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**STAMFORD PLANNING BOARD
DRAFT MINUTES - TUESDAY, FEBRUARY 20, 2018
REGULAR MEETING
GOVERNMENT CENTER - 4TH FLOOR CAFETERIA
888 WASHINGTON BLVD., STAMFORD, CT**

Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair; Claire Fishman, Secretary; Jennifer Godzeno (Arrived at 6:40 p.m.) and Michael Totilo. Alternates: Michael Buccino and William Levin. Absent: Jay Tepper, Vice Chair and Roger Quick, Alternate. Present for staff: David W. Woods, PhD, AICP, Deputy Director of Planning.

Ms. Dell called the meeting to order at 6:30 p.m. and introduced the members of the Board and staff present and introduced the first item on the agenda.

CAPITAL BUDGET:

Final approval of the Capital Budget for submittal to the Mayor.

Ms. Dell explained that this would be the final approval of the Capital Budget and the submittal letter to the Mayor. Ms. Dell then asked the Board if there were any questions and/or changes to the letter or any items in the Capital Budget, which there were none. Ms. Dell then stated for the record that the Bond Portion being sent to the Mayor is \$30,763,460.00; the Bonding of the WPCA is \$15,600,000.00; the Bond for Parking is \$250,000.00; State Grants will be \$3,226,500.00 and Federal Grants will be \$4,739,920.00 and with rebates coming in at \$20,000.00 which would make the total Capital Budget of \$54,755,071.00. After a brief discussion, Mr. Totilo made a motion to accept the Capital Budget FY2018-2019 and the Capital Plan FY2019-2024; Mr. Buccino seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Fishman, Levin and Totilo).

ZONING BOARD REFERRALS:

ZB APPLICATION #217-01 - HIGH RIDGE REAL ESTATE OWNER, LLC - 0 TURN OF RIVER ROAD c/o AGENT, LISA FEINBERG OF CARMODY TORRANCE SANDAK & HENNESSEY-
Text Change (Continued from February 6, 2018): Applicant is seeking to amend Section 9 BBB C-D Designed Commercial District by proposing a new subsection for "Adaptive Reuse and/or Redevelopment" following Special Exception approval in conformance with the specific standards and conditions of Section 19.3.2 of the Zoning Regulations. A "Gymnasium or Physical Culture Establishment" has been proposed as a principal Special Exception use within the C-D zone and detailed standards related to same have been provided.

Ms. Dell thanked everyone for attending tonight's meeting. Ms. Dell explained that the Board had received a number of letters requesting to speak including one from the applicant (*Attachment #1*); however, per the advice of the City's Law Department, no one will be speaking at tonight's meeting; neither the applicant nor the public. Since the August meeting, the Planning Board has been supplied with many letters, maps, and emails, etc. on the text amendment. The Board understands the issues, and has directed Dr. Woods to address some revisions and clarifications to the revised text language presented. The Board will then discuss among ourselves and render a decision tonight. All material that has been presented to the Planning Board will be sent to the Zoning Board for their review along with our decision.

Please note: The Zoning Board has tentatively set the Public Hearing on this Text Amendment for Monday, March 26, 2018 at which time **anyone who wishes to speak on the application** will have the opportunity to do so.

Dr. Woods made a presentation (*Attachment #2*) to the Board giving a brief history of this Text Change and explaining how this fits with the Master Plan. After extensive discussion, Ms. Godzeno recommended **DENIAL** of Zoning Board Application #217-01 for the following reasons:

The Planning Board finds that the "Gymnasium & Physical Culture Establishment" use is appropriate in all C-D zoned parcels and consistent with Master Plan Category #8. However, the Planning Board unanimously recommended denial of the Text Change as proposed by the applicant. Specifically, the Planning Board requests the Zoning Board to address the following concerns:

1. In the definition of "Gymnasium & Physical Cultural Establishment," the Planning Board recommends removing the "and/or outdoor uses" in C-D zones;
2. The Planning Board recommends that when developing in residential areas the building setback be at least 100 ft. regardless of the use or the abutting parcel;
3. The Planning Board has concerns about the location of the parking structures, vis-à-vis residential areas and recommends siting standards for parking structures to address this issue.
4. The Planning Board recommends under "Design" the requirement that "these design guidelines need to apply to all other new structures including structured parking."

Ms. Fishman seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Fishman, Godzeno and Totilo)

NOTE: Emails from residents were submitted to Ms. Dell prior to the meeting to be made part of the public record. (*Attachment #3*)

PLANNING BOARD MEETING MINUTES:

Meeting of 02/06/18: After a brief discussion, Mr. Buccino moved to recommend approval of the Planning Board Minutes of February 6, 2018; Mr. Totilo seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Fishman, Godzeno and Totilo).

OLD BUSINESS:

ZB APPLICATION #217-17 - Text Change Article V & Section 19-3.2.e: The applicant has requested additional time to revise and prepare this Text Change application and has been moved to the March 20, 2018 meeting.

NEW BUSINESS:

Upcoming Zoning Board referrals.

Next regularly scheduled Planning Board meetings are:

March 20, 2018

April 10, 2017

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 8:45 p.m.

Respectfully Submitted,

Claire Fishman, Secretary
Stamford Planning Board

NOTE: These proceedings were recorded on video and audio tape and are available for review in the Land Use Bureau located on the 7th Floor of the Government Center, 888 Washington Boulevard, during regular business hours.

ATTACHMENT #1

**PLANNING BOARD - REGULAR MEETING
FEBRUARY 20, 2018**

**ZB APPLICATION #217-01
High Ridge Real Estate Owner, LLC
0 Turn of River Road**

REQUESTS TO SPEAK

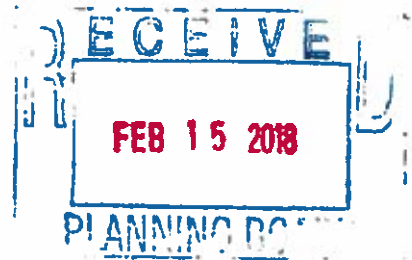
Lisa L. Feinberg
Partner
Direct: 203.252.2677
Fax: 203.325.8608
lfeinberg@carmodylaw.com

707 Summer Street
3rd Floor
Stamford, CT 06901

February 14, 2018

VIA EMAIL DELIVERY: DWoods@StamfordCT.gov

David Woods, PhD, AICP
Principal Planner
City of Stamford
888 Washington Blvd.
Stamford, CT 06901

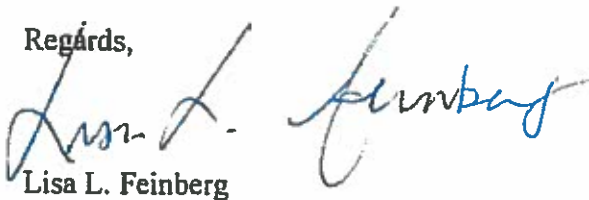


**RE: Application #217-01 – Text Amendment
Request to be heard**

Dear Dr. Woods:

As you know, we represent High Ridge Real Estate Owner, LLC, owner of the High Ridge Park property and the applicant in connection with the above referenced Application for Change of Zoning Regulations. I understand that the Planning Board will be continuing its review of Application #217-01 on Tuesday, February 20, 2018. In connection therewith, I would ask that I, and other members of the development team, kindly be afforded the opportunity to address the Board by making a brief presentation at that time.

Regards,


Lisa L. Feinberg

cc. Ralph Blessing
Vineeta Mathur

ABRAHAM WOFSEY 1915-1944
MICHAEL WOFSEY 1927-1951
DAVID M. ROSEN 1946-1967
JULIUS D. KURIANSKY 1952-1992
SYDNEY C. KWESKIN 1946-1998
MONROE SILVERMAN 1956-2003
SAUL KWARTIN 1951-2008
EMANUEL MARGOLIS 1966-2011

ANTHONY R. LORENZO
HOWARD C. KAPLAN
JUDITH ROSENBERG
EDWARD G. MELICK
OF COUNSEL

EDWARD M. KWESKIN
DAVID M. COHEN
MARSHALL GOLDBERG
STEPHEN A. FINN
STEVEN D. GRUSHKIN
*STEVEN M. FREDERICK
ERIC M. HIGGINS
*JOSEPH M. PANKOWSKI, JR.
*DANIEL M. YOUNG
*WILLIAM M. DAVOREN
*KUROSH L. MARJANI
*ADAM J. BLANK
*WILLIAM M. CARELLO

*EDMUND M. REMONDINO
COUNSEL

*LEONARD M. BRAMAN
GESSI GIARRATANA
SARAH GLEASON
BRIAN KLUBERDANZ
ZACHARY J. PHILLIPPS

*ALSO NEW YORK BAR

NEW CANAAN OFFICE:
70 PINE STREET
NEW CANAAN, CT 06840
TEL 203-972-1700

WOFSEY
ROSEN
KWESKIN &
KURIANSKY, LLP

600 SUMMER STREET • STAMFORD, CT 06901-1490 • www.wrkk.com • 203-327-2300
• FAX 203-957-9273

February 15, 2018

Via First-Class Mail and E-Mail
(TDell@StamfordCT.gov and
LCapp@StamfordCT.gov)

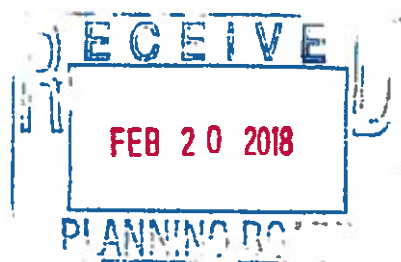
Theresa Dell, Chair
Stamford Planning Board
888 Washington Boulevard
7th Floor
Stamford, CT 06901

Re: Application # 217-01

Dear Ms. Dell:

As you are aware, my office represents Paul and Nan Gordon, who own property adjacent to that affected by the above-referenced proposed text change. This text change is expected to be on the agenda at the Planning Board's (the "Board") February 20, 2018 meeting, which is a continuation of meetings held on August 8, 2017 and February 6, 2018. Yesterday, my firm submitted to you a written request to speak at this meeting on our clients' behalf. Based on the Board's statements at the last meeting, we understand that at or immediately before the upcoming meeting, the applicant will be substantially modifying its application to re-introduce a definition of "gymnasium/physical cultural establishment" as well as to change other crucial aspects of its application in ways that the public has not yet had a chance to review or to be heard on. I write in response to Principal Planner David Woods' February 14, 2018 e-mail to my colleague Leonard Braman in which he states:

Upon speaking with Teri Dell regarding your request, the City Charter states that upon request prior to a decision one has the right to request to speak, but that does not mean that the Planning Board through the Chair needs to approve the request. Since this text change is a referral to the Zoning Board, which by Charter must hold a Public Hearing that will give you ample time to speak, the Chair is not approving any non-applicants to speak at the 2/20 meeting, and personally the Planning Board has heard over six hours of discussion by the public for a referral decision...



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For the following reasons, I respectfully ask that you reconsider your decision to permit only the applicant and not the public to speak at the February 20 meeting.

First, it is unclear on what legal grounds the Board could now cut off public comment at the February 20 meeting, after having permitted it at the original August 8, 2017 meeting, having permitted it at the February 6 meeting to which that meeting was kept open, and then having continued the February 6 meeting to February 20. Mr. Woods states that “the City Charter states that upon request prior to a decision one has the right to request to speak, but that does not mean that the Planning Board through the Chair needs to approve the request.” However, Mr. Woods does not cite a provision of the Charter stating this, nor have we located one. At the February 6 meeting, you described the Charter requirement differently, stating that members of the public “have the right to speak if they submit a letter to us.” The Charter does state that, on a proposed text change that has been referred to the Board, “[u]pon a request to the Planning Board by either the applicant or the opponent, a meeting shall be held by the Planning Board with such applicant and/or opponent before it shall render a decision.” C6-40-10 (emphasis added). Thus, the Charter recognizes the rights of opponents of a proposed text change, as well the applicant, to be heard by the Planning Board, before its decision. Any suggestion that the public should address their comments to the Zoning Board after the Planning Board has already made its decision is thus not consistent with the Charter.¹

Second, it is emphatically not the case that the public has already had the opportunity to say everything they have to say or that further public comment would be cumulative. To the contrary, at the end of the February 6 meeting, the Board requested that the applicant, among other things, present a new definition of “gymnasium/physical cultural establishment.” The question of what a “gymnasium/physical cultural establishment” is (or is not) has been at the heart of the proposed text change, and at the heart of public debate on the text change, since the application was first introduced in February 2017 proposing “gymnasium/physical cultural establishment” as an as-of-right use in the C-D district with an expansive

¹ Nor is it consistent with the First Amendment for the Board to have opened up a meeting to public discussion, thus creating a “designated public forum,” but then to later allow only certain speakers but not others to express their views. Such “content-based” restrictions on speech (*i.e.*, permitting applicants for a proposed text change to speak but not opponents) are subject to “strict scrutiny” under the First Amendment, which the Board’s decision here could not withstand. *See, e.g., Piscottano v. Town of Somers*, 396 F. Supp. 2d 187, 202 (D. Conn. 2005) (“[G]overnment’s regulation of speech activity in a designated public forum is examined under strict scrutiny analysis.”).

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ROSEN
KWESKIN &
KURIANSKY, LLP

definition. That broad definition was heavily criticized at the August 8, 2017 meeting. As the Board is aware, the applicant deleted any definition from its most recent application discussed at the February 6 meeting, also causing criticism. The public has not yet had a chance to see what new definition the applicant plans to devise for the February 20 meeting. Once that changed definition becomes public, along with the other substantive changes the applicant will no doubt make to its application before February 20, the public will have comments on those changes, the Board will benefit from the public's perspective, and the public should be allowed to express that perspective to the Board.

Third, this application is clearly a matter of great public importance and public concern. At both the August 8, 2017 and February 6, 2018 meetings, scores of members of the public were in attendance, sometimes on short notice, and the meetings have also attracted media attention. Members of the public spoke passionately in opposition to the application. Allowing members of the public who submit a request in writing to speak at the February 20 meeting will enhance public confidence in the Board's decision on this important matter, whatever that decision may be. Prematurely cutting off public debate, on the other hand, will diminish public confidence both in the result and in the fairness of the Board's procedures.

For the foregoing reasons, I respectfully request the opportunity for members of my firm to speak on behalf of our clients Paul and Nan Gordon at the February 20 meeting, and would ask that the Board similarly allow other members of the public to speak who have submitted a written request in advance of the meeting. Thank you for your attention to this matter.

Sincerely,
Wofsey, Rosen, Kweskin & Kuriansky, LLP

By: 
Steven D. Grushkin

cc: Paul and Nan Gordon
Leonard M. Braman
David W. Woods
Ralph Blessing
Jim Minor

From: Hank Cuthbertson [mailto:hankcuth@hotmail.com]
Sent: Friday, February 16, 2018 12:17 PM
To: Dell, Theresa; Capp, Lesley
Cc: Steven Grushkin; Leonard Braman
Subject: Feb Planning Board Meeting Request (2/20/18)

Dear Ms. Dell,

I am writing you to formally request that you allow our attorneys to speak at the Feb. 20th Planning Board meeting. We strongly disagree with David Woods' opinion that the proposed Life Time Fitness complex fits into the stated definition of a gymnasium or physical culture establishment.

Under special exception uses they have deleted "adaptive reuse" and now just call it "redevelopment" which obviously means that they are admitting they are not interested in "adaptive reuse".

On setbacks they are now eliminating 100 foot setbacks from single family residents. Now they are only providing a 50 foot setback.

There are numerous other modifications. We were told that this meeting was only for further definitions not for new modifications.

The proposed complex greatly expands the current allowed uses within a C-D zoned office park such as the High Ridge Office Park.

What Life Time Fitness plans to build will include such things as outdoor swimming pools, water slides, refreshment areas selling alcohol, summer camps and much much more. Please refer to the list below that we compiled by going through the Life Time Fitness web site.

These are technical points that I am not capable of making before your board. We feel that it is only fair to allow our attorneys to argue these complex matters before you. Life Time Fitness' attorneys will make detailed arguments we feel our attorney should have the ability and standing to dispute.

Respectfully yours,
Hank Cuthbertson
President, Sterling Lake Association

The following are lists of activities and services typical of a Life Time Fitness facility as described in their website:

Services and Programs:

- Kids camps – summer and school breaks
- Kids Sports
- Spa – includes hair, skin, massage, nails
- MediSpa – includes injectables (Botox) for skin treatments, laser services, medical aesthetics (peels, etc.), hormone replacement therapy, testosterone replacement therapy
- Nutritional Coaching
- Pilates
- Weight Loss Programs
- Yoga
- Health Assessments – includes specialty lab testing regarding metabolism, hormone levels, & food sensitivities
- Child Center
- Personal Training
- Physical Therapy and Chiropractic Care
- Social Events
- Kids Academy
- Group Fitness Classes
- Basketball Leagues

Spaces and Facilities:

- Outdoor Pool
- Lap Pool
- Kiddie Pool
- Water Slides
- Indoor Pool
- Indoor Tennis Courts
- Fitness Studio
- Squash and Racquetball Courts
- Rockwall
- Yoga Studio
- Pilates Studio
- Sauna
- Whirlpool
- Steam Room
- Gym
- Basketball Courts
- Cardio & Weights Floor
- Café
- Bar

Capp, Lesley

From: Dell, Theresa
Sent: Monday, February 19, 2018 5:33 PM
To: Capp, Lesley; Woods, David
Subject: Fwd: Submission request - ZB APPLICATION 217-01 - 2.20.2018

FYI...for the file...TD

Sent from my iPad

Begin forwarded message:

From: Marshall Kurland <MKurland@stamfordjcc.org>
Date: February 19, 2018 at 4:29:24 PM EST
To: "TDell@StamfordCT.gov" <TDell@StamfordCT.gov>
Cc: risaraich@gmail <risaraich@gmail.com>
Subject: Submission request - ZB APPLICATION 217-01 - 2.20.2018

Dear Ms. Dell,

Please accept the below statement as a formal request to speak at the Planning Board meeting tomorrow night, February 20, 2018 at 6:30pm.

The Stamford JCC, regarding ZB Application #217-01, High Ridge Real Estate Owner, LLC ("HRREO") - 0 Turn of River Road, will have representatives in attendance at the Planning Board meeting and we formally request that a representative from our organization have the opportunity to speak. Confirmation of receipt of this email is greatly appreciated.

Many thanks,

Marshall Kurland | Chief Executive Officer
Jewish Community Center of Stamford
1035 Newfield Avenue | Stamford, CT 06905 | direct tel 203 4570640 | mkurland@stamfordjcc.org
tel 203 322 5400 | fax 203 328 7548 | www.stamfordjcc.org
We grow individually.
Together we're a community.

ATTACHMENT #2

**PLANNING BOARD - REGULAR MEETING
FEBRUARY 20, 2018**

**ZB APPLICATION #217-01
High Ridge Real Estate Owner, LLC
0 Turn of River Road**

**PRESENTATION TO THE BOARD
MADE BY
DR. DAVID W. WOODS, PhD, AICP
DEPUTY DIRECTOR OF PLANNING
CITY OF STAMFORD**



City of Stamford Land Use Bureau

STAFF PRESENTATION

TO: CITY OF STAMFORD PLANNING BOARD
FROM: DAVID W. WOODS, PhD, AICP, DEPUTY DIRECTOR OF PLANNING
SUBJECT: ZB APPLICATION #217-01 - HIGH RIDGE REAL ESTATE PARK
DATE: **FEBRUARY 20, 2018**

MASTER PLAN: CATEGORY NO. 8: Mixed Use – Campus
ZONE: C-D

Introduction:

Upon hearing additional public comments at the February 6, 2018 Planning Board meeting, as well as reading the Staff Report and the preliminary deliberations by the Board members, the Board tabled their decision and requested that the applicant work with Planning and Zoning staff to clarify and address the following three areas of concern:

1. Provide a clear definition of “Physical Culture Establishment”;
2. Simplify the Text Change language to mirror the existing requirements of the Zoning Code, which allowed the applicant to delete some elements, e.g., Floor Area Ratio, as well as simplify others, e.g., parking impact;
3. Strengthen language for vii. Design.

As is with the best planning practices, the applicant met with staff and proposed revised language that, where possible, mirrored the existing language in the BBB. C-D Designed Commercial District section of the Zoning Code, as well as simplified and clarified standards.

General Comments RE: Master Plan Requirements for C-D Districts:

The Planning Board has been concerned about the “suburban style” office parks going back at least to the 1985 Master Plan Addendum. In the two subsequent Master Plans of 2002 and 2015, the Board got more specific:

- The Board adopted a strategy as part of its 2002 Master Plan calling for the *careful control of potential expansion offices on Long Ridge and High Ridge Road* (Strategy 4D1) raising concerns of the impacts of over 2 million square feet potential for significant office space development under present zoning.

- The Board adopted stronger language as part of the Stamford Master Plan 2015-2025 calling for direct action to amend the current zoning and uses permitted:

Implementation Strategy 3B.1: Concentrate regional office, retail and entertainment uses and high-density residential development Downtown. Regional office, retail development and entertainment uses should be concentrated Downtown near the STC [Stamford Transportation Center] in order to support Downtown's position as a regional center.

Besides reiterating that regional office development should be concentrated in the Downtown:

Implementation Strategy 3B2: Discourage expansion of office development outside of Downtown in areas that do not have direct access to transit. Redevelopment of underutilized office space in suburban-style office parks for mixed-use development should be encouraged. *Significant new office development outside of the Downtown is currently permitted under existing zoning and zoning for these areas should be amended to encourage mixed-use development.*

While the ideal is to "adaptively reuse" existing buildings, the focus of the Master Plan is on the adaptive reuse of the property/campus not just the building. Furthermore, the definition also states that

- "New buildings and structures shall be compatible with the scale, height and character of existing buildings and maintain a landscaped "campus" setting of relatively low development intensity compatible with surrounding residential properties." Further;
- "Mixed-use development, including adaptive reuse of existing buildings, shall be carefully planned and designed..."

In other words, in the discussion of MP Category 8: Mixed-Use Campus, the ideal was to adaptively reuse existing buildings where feasible, and the use of the term adaptive reuse and redevelopment were interchangeable.

PROPOSED REVISED TEXT CHANGE LANGUAGE:

The reality is that the proposed text language has only served to strengthen the manner in which this or any other applicant can apply to develop a Physical Cultural Establishment by Special Exception. It must be noted that there are numerous similar facilities already approved, albeit not in C-D office parks, without providing a definition for a Gymnasium or Physical Culture Establishment (e.g., Chelsea Piers II, LA Fitness, Planet Fitness, etc.). However, the applicant has revised the language to include the definition below that staff has reviewed.

- Note: all revisions have been in the direction of strengthening the standard required to be met by the applicant and would now include the Planning Board in the review process for this new commercial use.

DEFINITION OF PHYSICAL CULTURE ESTABLISHMENT:

45. ~~Golf Course or Club: See Definition 27—COUNTRY CLUB.~~ Gymnasium or Physical Culture Establishment: A health and fitness facility containing equipment and/or indoor and/or outdoor space used by members and/or guests for the purpose of physical fitness, sports and recreational activities.

- The fact is the only place the Zoning Code defines “Physical Culture Establishment” is in the negative, (i.e., Adult Physical Culture Establishments) narrowly allowing certain uses by Connecticut State licenses (e.g., licensed massage therapy, etc.), but not a host of other uses. The Zoning Enforcement Officer places gymnasiums as the multi-purpose space for schools to be used for sports, plays, and concerts; whereas, the proposed definition of a “Physical Cultural Establishment” (unmodified) provides clarity.
- To reemphasize from my revised Staff Report, *a Special Exception allows the reviewing Boards to impose conditions on development, for example hours of operation and screening or performance standards with regard to noise or light impacts.*
- This Text Amendment would apply to all five C-D Districts in MP Category 8 (refer to Map).

Impacts:

- As stated in my Staff Report, the design districts in the Zoning Code were created to balance the property rights of the owners of large properties with potential impacts to the neighboring properties – not allowing the owner to do anything with their property would constitute a “Taking.”
- Reduction of building setbacks next to commercial or institutional uses represents only a small change to the existing C-D regulations, which permit a 50 foot setback from non-residential districts so the implications would remain the same. **Important note: the 100 foot setback from residential districts will be maintained.**
- The new Text requires the number of structured parking spaces constructed to be less than or equal to the number of existing spaces removed (plus handicapped parking, which is mandated by ADA), which promotes the Master Plan goal of reducing parking (400+/- spaces will be removed). Other benefits of this requirement, including helping the City meet its Federally mandated MS4 Stormwater goals, effectively would lessen the actual size of the building and require screening of the parking structure, which is currently not required of the property owner.
- As argued in both of my Staff Reports, this proposed Text Amendment conforms with the Master Plan (and the list of potential uses is small when all of the goals of the Master Plan are taken into account), requiring this new use to follow the standards laid out in Section 19.3. The Special Exception process provides added protection to nearby residential uses. It is clear that the Planning Board has concerns about possible future proposals for active outdoor uses, *if* the Zoning Board approves this Text Change as revised, the Planning Board will scrutinize such uses and may in fact recommend denial.

Economic Impacts

As part of the August 8, 2017 public meeting, Thomas Madden, AICP, Director of Economic Development, submitted a memorandum [attached and slightly revised on February 20, 2018] outlining the City's efforts to market Building 3 of High Ridge Office Park after the previous occupant vacated. At the request of Zoning Staff, the Economic Development Commission has authorized Mr. Madden to develop an economic analysis for this and other parks, which will be included as part of the materials for the public hearing currently set for Monday, March 26, 2018.

To reemphasize from my Staff Report dated February 17, 2018:

Decisions before the Planning Board:

With this Text Change application, the Planning Board has to make the following decisions:

1. Is the proposed use of a "Physical Cultural Establishment" in an office park appropriate based on the parameters laid out in MP Category 8, specifically focusing on:
 - a) Compatibility with adjacent uses and residential areas,
 - b) Superior design including landscape design to buffer this use from adjacent residential uses,
 - c) Superior traffic management,
 - d) Compliance with the goal of directing most commercial development to MP Category 11: Downtown, and
 - e) Compliance with design guidelines.
2. If the use is *generally* appropriate, would the proposed Text Change provide sufficient safeguards that would protect neighbors from potential adverse impacts from specific projects? This does not mean that there would not or could not be any impacts at all, but that proposed impacts overall would not be more adverse than from a currently permitted as-of-right use.
3. Balance the property rights of both the applicant and the neighbors.
4. Weigh the beneficial and adverse impacts for the City as a whole.

The applicant has made their intention clear to develop a certain piece of land. The Planning Board - *at this point* - is *only* making a decision as to whether a "Physical Culture Establishment" is appropriate for that specific site or what specific safeguards need to be taken to insure that neighbors are appropriately protected from potential impacts.

Therefore, from a planning perspective, ZB Application #217-01 - Text Change of adding use “Gymnasium or Physical Culture Establishments” by Special Exception is appropriate for the C-D Commercial Design District and meets the standards of MP Category #8.

Based on the following planning considerations:

1. Office Parks that have been languishing for many years have been evident in the last three Master Plans adopted by the Planning Board. Even without the building proposed to be demolished in High Ridge Park, vacancy rates are 20 or more percent, and have been over the last few years;
2. The proposed text, which incorporates significant concessions from the applicant based on feedback from the public, provides sufficient safeguards to make sure that redevelopment with the proposed new use would not create any additional adverse impacts or hardships for neighbors to what is currently allowed as-of-right;
3. The proposed text allows both the Planning and Zoning Boards to impose conditions to further limit potential site specific impacts;
4. The proposed text would bring up to 200 jobs on the proposed site where there have been none;
5. The Planning Board must carefully consider that excluding uses that meet requirements of the Master Plan and other City policy documents might be illegal.

Importantly, recommending approval to the Zoning Board does not mean approval of the illustrative site plans previously presented by the applicant.

Restate My Staff Recommendations

I recommend approval of this Text Change application, based on the following considerations:

1. The proposed use is not less compatible with adjacent uses and residential areas than as-of-right permitted uses *IF* the development is subject to additional controls
2. The proposed Text Change establishes controls with regard to floor area ratio (FAR), coverage, parking, screening, and design for the proposed new use that is more restrictive than for as-of-right uses
3. Through the Special Exception process established for the proposed use, the Land Use Boards have the ability to add additional conditions to protect neighboring uses, if necessary, as an additional safeguard that is not in place for as-of-right uses.

ATTACHMENT #3

**PLANNING BOARD - REGULAR MEETING
FEBRUARY 20, 2018**

**ZB APPLICATION #217-01
High Ridge Real Estate Owner, LLC
0 Turn of River Road**

PUBLIC COMMENTS

From: Contact form at Stamford CT <vtsdmailer@vt-s.net>

Date: February 13, 2018 at 12:13:40 PM EST

To: <TDell@StamfordCT.gov>

Subject: [Stamford CT] Support for Life Time Athletic in High Ridge Park (Sent by Laura Schultz, laura@schultz.net)

Reply-To: <laura@schultz.net>

Hello TDell,

Laura Schultz (laura@schultz.net) has sent you a message via your contact form (<https://www.stamfordct.gov/users/tdell/contact>) at Stamford CT.

If you don't want to receive such e-mails, you can change your settings at <https://www.stamfordct.gov/user/1666/edit>.

Message:

Dear Ms. Dell:

Based on the last few articles published in The Stamford Advocate, there seems to be a lot of misinformed speculation that a Life Time location in Stamford would be a "bad" thing.

I have been a member of Life Time Athletic for five years. I am also a real estate agent in Stamford, and a North Stamford resident.

As a real estate agent, a Stamford resident, and as a Life Time member, I can unequivocally say that Life Time would be an asset to the Stamford community, and also a draw for potential home buyers considering relocating to the area. Life Time members tend to be very loyal, and when they relocate, they often plan to be within a reasonable driving distance of a Lifetime location. Some real estate agents refer to the increased desirability, and perceived value, of homes within close proximity to a Life Time facility as the "Life Time effect".

Local businesses near Life Time locations often benefit, since business owners can promote discounts to Life Time members, and entice customers. Life Time lists cooperating businesses on its' website, creating a symbiotic relationship that is beneficial for all parties.

The proposed High Ridge Park location, near Merritt Parkway exit 35, is ideally situated in mid-Stamford for ease of access. It is also an excellent solution to repurposing the site of the vacant office building that formerly housed Frontier Communications. Office parks are designed to handle employee traffic flow, making the site easily adaptable to traffic to/from a Life Time Athletic location.

The dynamic of Life Time makes it feel like an indoor/outdoor country club. It is inherently upscale. Location amenities include spas, restaurants, eucalyptus steam rooms, luxurious hot tubs with cascading hot water falls, indoor and outdoor pools with slides for the kids, tennis courts and even poolside waitress service during the summer.

Life Time creates a community. Instructors get to know members by name, and often host charity fundraising events. The environment is so pleasant and inviting that it's not uncommon for families to spend an entire day there.

Free day passes are available online at <https://www.lifetime.life/join/pass.html>, with the nearest location being the Westchester Life Time Athletic in Harrison, NY. May I suggest that you, as Chair of the Stamford Planning Board, visit this location, to see for yourself what Life Time is truly about? Hopefully, your first-hand experience will help the Planning Board to fully understand the positive impact that Life Time Athletic would have on Stamford residents.

Feel free to call me at any time with any questions you may have.

Yours truly,

Laura Schultz
Real Estate Associate
Cell: 516.320.5824
laura@schultz.net

Weichert | Madison and Post LLC
60 Long Ridge Road, Suite 408
Stamford, CT 06902
CT License # RES.0806887
NY License # 10401312173

February 16, 2018

Dear: Theresa Dell, Chair of the Planning
Board David Woods, Deputy Director of Planning

Re: Lifetime Fitness at High Ridge Park

I am writing to voice my support of the changes to the C-D Zone that will allow for the proposed development of a Lifetime Fitness at High Ridge Park where Frontier Communications formerly housed its headquarters.

The former Frontier building is emblematic of an issue that not only Stamford, but much of the northern suburbs are facing and that is how to deal with obsolete office inventory. The days of large corporations housing their workforces near the CEOs office are long gone. One need only look at the office vacancy rate in Stamford to see that it is exceedingly high, both in the Central Business District and throughout the rest of the city.

Our neighboring county in New York also has this issue but has been addressing it with forward thinking zoning changes across municipalities so that the obsolete office product evolves to uses that are desired by the community while strengthening and diversifying the tax base. Harrison, NY and Life Time were at the forefront of this when Harrison issued a special permit for Life Time to tear down the former Gannett facility and replace it with their own. Now other defunct office buildings are being replaced with residential uses and Wegmans. Please see:

<http://www.westchestermagazine.com/914-1NC/Q1-2018M/estchester-Platinum-Mile-is-Making-a-Serious-Comeback/>

Concerns about traffic seem to be off base as the usage/timing would be complimentary to the office usage on the balance of the campus. Furthermore, High Ridge Park is in a convenient area of Stamford that doesn't require a visitor to traverse various back roads to access it. A gym for many families living both north and south of the Merritt would lead to less overall vehicle miles traveled on our roads.

A high-end health and wellness facility like Life Time would not only make the office parks in northern Stamford more attractive to potential employers, but also to potential residents. As the Stamford and regional millennial population begins family formation they will have many choices where to raise their families. We should be doing everything we can to provide, within reason, the experiential amenities that this cohort has become accustomed to throughout the country. Otherwise we can only expect our tax base to decline over time.

With all the available spaces in downtown and the area another empty office building is not going to further the reputation that our City is a good place to live, work and eventually raise a family. As a result I urge you to move this project forward.

Thank you for your consideration on this matter.



Frank Lovello
8 Mile Ridge Road
Stamford, CT 06903

Dear David Woods, Deputy Director of Planning

Re: Lifetime Fitness at High Ridge Park

I am writing to support the proposed development of a Lifetime Fitness at High Ridge Park.

A high-end facility like Life Time would make the area more appealing to potential residents. We should be doing everything we can to provide, within reason, the amenities that the new home buyers have become accustomed to throughout the country. This project and limited change to zoning certainly seem to be within reason

Let's make sure Stamford continues to evolve as the City that works.

Thank you for your consideration on this matter.

Sincerely

Mary A Sweeney

From: Lisa Athnos <lisaathnos@gmail.com>
Date: February 21, 2018 at 1:23:02 PM EST
To: "tdell@stamfordct.gov" <tdell@stamfordct.gov>
Subject: Fitness center

Dear Chairman Dell,

I know there has been a concerted effort to quash the proposed fitness center off High a Ridge Rd. Our family would love having the facility. Now we drive down to Tully and that's not always convenient. It's so annoying how some people don't want any sort of change in Stamford and foist their beliefs off on others. There are many who would join this Lifetime Fitness club and believe it's needed and wanted.

Respectfully,

Lisa Athnos
Stamford, CT

From: Contact form at Stamford CT <vtsdmailer@vt-s.net>
Date: February 13, 2018 at 5:03:24 PM EST
To: <TDell@StamfordCT.gov>
Subject: [Stamford CT] Lifetime fitness proposed plan to change zoning (Sent by Karen Camporeale , Karen@urbanapparel.com)
Reply-To: <Karen@urbanapparel.com>

Hello T Dell,

Karen Camporeale (Karen@urbanapparel.com) has sent you a message via your contact form (<https://www.stamfordct.gov/users/tdell/contact>) at Stamford CT.

If you don't want to receive such e-mails, you can change your settings at <https://www.stamfordct.gov/user/1666/edit>.

Message:

Hi Theresa

My name is Karen Camporeale. I've been a Stamford resident for nineteen years. I live in Stamford just slightly north of the Merritt.

I'm concerned about the potential rezoning that will allow lifetime fitness to move into the office park that is just slightly south of the Merritt and just a few blocks from my home. I've gathered in just four days a couple of hundred signatures from other concerned citizens. We are nervous not only about unforeseen ways new zoning will affect our future but we also do not think Stamford has adequate roads, water etc. We also think that while we fill this space others will become empty as the surrounding mom and pop gyms, yoga studios, clubs like JCC and the Italian Center lose business.

Thank you for your consideration
Karen Camporeale

https://www.thepetitionsite.com/takeaction/823/401/824/?taf_id=50806140&cid=fb_na#bbfb=843360607

From: Peter Orrico <pete30@optonline.net>

Date: February 13, 2018 at 6:49:19 PM EST

To: 'Claire Fisherman' <cfishman@stamfordct.gov>, 'David Stein' <dstein@stamfordct.gov>, 'Jay Tepper' <jtepper@stamfordct.gov>, "'Jennifer Godzeno'" <jgodzeno@stamfordct.gov>, 'Joanna Gwozdzowski' <jgwozdzowski@stamfordct.gov>, 'Michael Totilo' <mtotilo@stamfordct.gov>, 'Roger Quick' <rquick@stamfordct.gov>, 'Rosanne McManus' <rmcmanus@stamfordct.gov>, 'Sandra Dennies' <sdennies@stamfordct.gov>, 'Theresa Dell' <tdell@stamfordct.gov>, 'Thomas Mills' <tmills@stamfordct.gov>, "'W. Levin'" <wlevin@stamfordct.gov>, "'William Morris'" <wmorris@stamfordct.gov>, 'Zbigniew Naumowicz' <znaumowicz@stamfordct.gov>
Cc: 'Caroline Simmons' <Caroline.Simmons@cga.ct.gov>, "'J.R. McMullen'" <jmcmullen@stamfordct.gov>, 'Jim Caterbone' <jcaterbone@stamfordct.gov>

Subject: RE: HR Office Park Objection to Development proposal by Life Time Fitness

Dear City Board Members,

I have been a Stamford resident living on Talmadge Lane for the past 24 years and have watched the turn of river area grow and become more and more congested with traffic and noise. As you already know the traffic is a major issue on High Ridge and Turn of River road which lead to the HR Office Park. Try going north up High Ridge road in the evening rush hour to the parkway. Turn of river road has become a short cut to avoid backed up traffic on High Ridge road. There have been quite a few proposals by developers in this area to push the envelope and make changes to the planning and zoning laws. I am writing to you all to express my strong objection against the zoning text change and the proposal by Life Time Fitness to construct a large health and fitness center, surrounded by an outdoor pool, tennis and other courts, and a 3.5- or 4-story garage, with 5,000 memberships and remain open 5 a.m. to midnight, 7 days a week. This will significantly add to this traffic congestion and hurt the quality of life in our residential single family zoned neighborhood. This text change will open the door to more applications similar to this in other locations. It is time for the board to be strong with decisive "NO". We need to send a message to the developers that changing the planning zoning laws to suit their needs with total disregard for the residential zoned community surrounding their parcel will not be tolerated.

Thank you,

Peter Orrico
Talmadge Lane

From: Contact form at Stamford CT <vtsdmailer@vt-s.net>
Date: February 14, 2018 at 8:36:43 PM EST
To: <TDell@StamfordCT.gov>
Subject: [Stamford CT] Frontier Building (Sent by Jerrold Blair, Jblair@Globalentman.com)
Reply-To: <Jblair@Globalentman.com>
Hello TDell,

Jerrold Blair (Jblair@Globalentman.com) has sent you a message via your contact form (<https://www.stamfordct.gov/users/tdell/contact>) at Stamford CT.

If you don't want to receive such e-mails, you can change your settings at <https://www.stamfordct.gov/user/1666/edit>.

Message:

There are plenty of Gyms in Stamford. If you allow this, there will be outrage in North Stamford. Enough with the Zoning Nonsense you have been doing in most recent years! Bring it here, there will be a strong push for the City of North Stamford!!

From: Contact form at Stamford CT <vtsdmailer@vt-s.net>

Date: February 15, 2018 at 10:48:29 PM EST

To: <TDell@StamfordCT.gov>

Subject: [Stamford CT] Opposing Change to zoning for LTF (Sent by Karen Camporeale , Karen@urbanapparel.com)

Reply-To: <Karen@urbanapparel.com>

Hello TDell,

Karen Camporeale (Karen@urbanapparel.com) has sent you a message via your contact form (<https://www.stamfordct.gov/users/tdell/contact>) at Stamford CT.

If you don't want to receive such e-mails, you can change your settings at <https://www.stamfordct.gov/user/1666/edit>.

Message:

<https://www.thepetitionsite.com/takeaction/823/401/824/>

Hi I'm not sure if you are getting my emails please confirm. Over 250 residents have signed opposing this change to the zoning.

From: Wendy <wendy.rotante@yahoo.com>

Date: February 19, 2018 at 6:26:35 AM EST

To: <TDell@Stamfordct.gov>

Subject: Fitness center High Ridge Rd and Turn of River Rd

To whom it may concern:

I live on Turn of River Rd and drivers cutting is horrendous and the speeding is unbelievable!!

You must not put this in the park you are ruining our Neighborhood!!!

The Merlucci's

Sent from my iPhone

From: Brenda Kennedy <brendahk@optonline.net>

Date: February 19, 2018 at 9:06:12 AM EST

To: <TDell@Stamfordct.gov>

Subject: Text code

I oppose this action.

Brenda Kennedy
95 Intervale Road #19
Stamford, Ct

Sent from my iPad

From: Marian Freed <marian.freed@gmail.com>

Date: February 19, 2018 at 4:15:57 PM EST

To: <TDell@Stamfordct.gov>

Subject: Text code change application for High Ridge Office Park

Dear Ms. Dell:

I have written in opposition to this text code change request in the past, and I'm registering my continued opposition. I was out of town for the last Planning Board meeting on this issue, but my husband attended and I read the follow up article in the Stamford Advocate. I understand from the Advocate that Mr. Hennessy has been asked to provide a definition of gymnasium or physical culture center at this week's meeting. If that is correct, it seems to me that is asking the fox to define what should be considered edible in the hen house. I'm sure his definition will include all the services which Lifetime Fitness plans to offer.

I also understand that Lifetime has now stated they plan to build a four story garage on the property which they feel will mitigate the neighborhood's parking concerns. A four story parking garage is twice the height of the current two story building and will be a further eyesore for those of us who live in Sterling Lake.

The opposition to this text change comes from many people and organizations and different facets of the community. As far as I know, the only people supporting it are the property owner, Lifetime Fitness and the law firm representing them. The addition of Lifetime Fitness would destroy a way of life for many people. It is an unnecessary and unwanted addition to the area. I hope you and the other Planning Board members will listen to those of us who live here and reject this text change.

Thank you.

Marian Freed

Sent from my iPad

From: Deborah Hirsch <debhirsch@optonline.net>
Date: February 19, 2018 at 6:05:40 PM EST
To: zoning bd teresa dell <tdell@stamfordct.gov>, paul longo <paullongo@optonline.net>
Subject: Life Fitness Center -- text changes
Reply-To: <debhirsch@optonline.net>

Dear Madam Chair,

I am writing to oppose High Ridge Real Estate Owner (HRREO) LLC's Application 217-01 for several text changes to Stamford's Zoning Regulations that would enable the construction of a Life Time Fitness facility in High Ridge Park, as well as allow other such facilities at our six C-D-zoned office parks on High Ridge Road and Long Ridge Road. I understand that this application will be heard by the Planning Board on Tuesday, February 20, 2018.

As you know, the applicant's own attorney went on record against a similar text change only three years ago. Atty. William Hennessey—who represented Stamford Hospital in successfully opposing HRREO's application for a modest six-suite surgical center in High Ridge Park—is now representing HRREO in its application for a gigantic fitness center in the very same location. Here's an excerpt from the January 5, 2015 Advocate article:

In a telephone interview, William Hennessey, an attorney for Stamford Hospital, disputed the charge the hospital was merely out to stifle competition. Under present zoning, he said, there were plenty of areas in the city where outpatient surgical centers can be located.

"The hospital has no problem with any current as-of-right zoning, but thinks it's poor planning and short-sighted to allow surgery centers in the C-D zone without first conducting an in-depth study of the adverse consequences," he said. "Thus far, the applicant has not provided such a study."

For this reason (and many others that were discussed at the 8/8/17 Planning Board meeting), I urge the Planning Board to reject this application.

Sincerely,

Debbie

Deborah Hirsch

debhirsch@optonline.net
<http://hotmedfax.blogspot.com>
@crazychikwriter

From: John DeLelle <john@airtech-hvac.com>
Date: February 20, 2018 at 8:38:36 AM EST
To: <tdell@stamfordct.gov>
Subject: High Ridge Park

Ms. Theresa Dell, Chairwoman
Stamford Planning Board
888 Washington Blvd.
Stamford, CT 06901
Email: tdell@stamfordct.gov

3/20/18

Dear Madam Chair,

I am writing to oppose High Ridge Real Estate Owner (HRREO) LLC's Application 217-01 for several text changes to Stamford's Zoning Regulations that would enable the construction of a Life Time Fitness facility in High Ridge Park, as well as allow other such facilities at our six C-D-zoned office parks on High Ridge Road and Long Ridge Road. I understand that this application will be heard by the Planning Board on Tuesday, February 20, 2018.

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"The hospital has no problem with any current as-of-right zoning, but **thinks its poor planning and short-sighted to allow surgery centers in the C-D zone without first conducting an in-depth study of the adverse consequences,**" he said. **"Thus far, the applicant has not provided such a study."**

For this reason (and many others that were discussed at the 8/8/17 Planning Board meeting), I urge the Planning Board to reject this application.

Sincerely,
Mr & Mrs John DeLelle
159 Sun Dance Rd
Stamford CT 06905

John DeLelle
Airtech of Stamford Inc.
21 Anthony St.
Stamford Ct. 06902
Ph. 203-323-3959
Cell 203-536-7374
Fax 203-323-4605
John@airtech-hvac.com

From: Victor Riccardi <victor_riccardi@conair.com>
Date: February 20, 2018 at 8:15:12 AM EST
To: "tdell@stamfordct.gov" <tdell@stamfordct.gov>
Subject: RE: Text Changes to Stamford's Zoning Regulations

Ms. Theresa Dell, Chairwoman
Stamford Planning Board
888 Washington Blvd.
Stamford, CT 06901
Email: tdell@stamfordct.gov

2/20/2018

Dear Madam Chair,

I am writing to oppose High Ridge Real Estate Owner (HRREO) LLC's Application 217-01 for several text changes to Stamford's Zoning Regulations that would enable the construction of a Life Time Fitness facility in High Ridge Park, as well as allow other such facilities at our six C-D-zoned office parks on High Ridge Road and Long Ridge Road. I understand that this application will be heard by the Planning Board on Tuesday, February 20, 2018.

As you know, the applicant's own attorney went on record against a similar text change only three years ago. Atty. William Hennessey—who represented Stamford Hospital in successfully opposing HRREO's application for a modest six-suite surgical center in High Ridge Park—is now representing HRREO in its application for a gigantic fitness center in the very same location. Here's an excerpt from the January 5, 2015 Advocate article:

In a telephone interview, William Hennessey, an attorney for Stamford Hospital, disputed the charge the hospital was merely out to stifle competition. Under present zoning, he said, there were plenty of areas in the city where outpatient surgical centers can be located.

"The hospital has no problem with any current as-of-right zoning, but **thinks it's poor planning and short-sighted to allow surgery centers in the C-D zone without first conducting an in-depth study of the adverse consequences,**" he said. **"Thus far, the applicant has not provided such a study."**

For this reason (and many others that were discussed at the 8/8/17 Planning Board meeting), I urge the Planning Board to reject this application.

Sincerely,

Victor Riccardi
251 Knickerbocker Ave
Stamford, CT 06907

From: Donna Gardner <donnamgardner16@gmail.com>

Date: February 19, 2018 at 9:54:07 PM EST

To: <TDell@Stamfordct.gov>

Cc: Adela Coll <edeltrud27@outlook.com>

Subject: Opposition to Lifetime Fitness

To Whom It May Concern,

I live in the beautiful, quiet residential community known as Riverturn on Turn of River Rd. I bought my home because of its convenience, location, safety of environment and quiet, homey community.

I oppose the text change which will, in my opinion, have a negative impact on the traffic flow, noise, safety and general calmness of the area.

The area is already shared with Sunrise, a corporate park and a fire department. To add such a large facility, such as Lifetime Fitness, will definitely add noise and effect traffic patterns due to delivery trucks, buses transporting children to and from camps, cars and future traffic lights that will eventually back up traffic on Turn of River Road.

My major question is why should homeowners, who have selected this residential area in which to live, be subject to a "lifestyle" change not of their choosing? We purchased our homes for many, various reasons, including the residential benefits that it had to offer. We trusted that we would always have this type of community — and that should be honored.

I've lived in the Stamford area for over 35 years. We have more than enough spas, salons, gyms, restaurants, medical facilities, bars, restaurants, swimming pools, etc. Therefore, as a homeowner in the Turn of River Community, I oppose the projected text change and the entire idea of having Lifetime Fitness in our area.

I encourage you to vote against this text change and any future consideration of this Lifetime Fitness facility.

Best Regards,

Donna Gardner
180 Turn of River Rd. 9A
Stamford, CT. 06905
203-561-9777

Sent from my iPhone

From: "Finn, Anita" <Anita.Finn@coldwellbankermoves.com>
Date: February 20, 2018 at 11:31:06 AM EST
To: "tdell@stamfordct.gov" <tdell@stamfordct.gov>
Subject: Zoning Change for High Ridge Park

Ms. Theresa Dell, Chairwoman
Stamford Planning Board
888 Washington Blvd.
Stamford, CT 06901
Email: tdell@stamfordct.gov

Feb. 20, 2018

Dear Madam Chair,

I am writing to oppose High Ridge Real Estate Owner (HRREO) LLC's Application 217-01 for several text changes to Stamford's Zoning Regulations that would enable the construction of a Life Time Fitness facility in High Ridge Park, as well as allow other such facilities at our six C-D-zoned office parks on High Ridge Road and Long Ridge Road. I understand that this application will be heard by the Planning Board on Tuesday, February 20, 2018.

As you know, the applicant's own attorney went on record against a similar text change only three years ago. Atty. William Hennessey—who represented Stamford Hospital in successfully opposing HRREO's application for a modest six-suite surgical center in High Ridge Park—is now representing HRREO in its application for a gigantic fitness center in the very same location. Here's an excerpt from the January 5, 2015 Advocate article:

In a telephone interview, William Hennessey, an attorney for Stamford Hospital, disputed the charge the hospital was merely out to stifle competition. Under present zoning, he said, there were plenty of areas in the city where outpatient surgical centers can be located.

"The hospital has no problem with any current as-of-right zoning, but **thinks its poor planning and short-sighted to allow surgery centers in the C-D zone without first conducting an in-depth study of the adverse consequences,**" he said. **"Thus far, the applicant has not provided such a study."**

I would also note that since the development on High Ridge Road with Trader Joe's and CVS, the traffic is horrible, and you cannot go anywhere where you are not stopping for 5 traffic lights before you get to the Merritt Parkway from Vine Rd. For this reason (and many others that were discussed at the 8/8/17 Planning Board meeting), I urge the Planning Board to reject this application.

Sincerely,
Anita Finn
76 Wood Ridge Drive
Stamford, CT 06905

From: Mary Russo <auntim49@optonline.net>
Date: February 20, 2018 at 11:27:37 AM EST
To: <tdell@stamfordct.gov>
Subject: Zoning Text Changes

Ms. Theresa Dell, Chairwoman
Stamford Planning Board
888 Washington Blvd.
Stamford, CT 06901
Email: tdell@stamfordct.gov

Dear Madam Chair,

I am writing to oppose High Ridge Real Estate Owner (HRREO) LLC's Application 217-01 for several text changes to Stamford's Zoning Regulations that would enable the construction of a Life Time Fitness facility in High Ridge Park, as well as allow other such facilities at our six C-D-zoned office parks on High Ridge Road and Long Ridge Road. I understand that this application will be heard by the Planning Board on Tuesday, February 20, 2018.

As you know, the applicant's own attorney went on record against a similar text change only three years ago. Atty. William Hennessey—who represented Stamford Hospital in successfully opposing HRREO's application for a modest six-suite surgical center in High Ridge Park—is now representing HRREO in its application for a gigantic fitness center in the very same location. Here's an excerpt from the January 5, 2015 Advocate article:

In a telephone interview, William Hennessey, an attorney for Stamford Hospital, disputed the charge the hospital was merely out to stifle competition. Under present zoning, he said, there were plenty of areas in the city where outpatient surgical centers can be located.

"The hospital has no problem with any current as-of-right zoning, but **thinks its poor planning and short-sighted to allow surgery centers in the C-D zone without first conducting an in-depth study of the adverse consequences,**" he said. **"Thus far, the applicant has not provided such a study."**

For this reason (and many others that were discussed at the 8/8/17 Planning Board meeting), I urge the Planning Board to reject this application.

Sincerely,

Mary Russo
28 Island Heights Drive
Stamford, Ct 06902

Mary M. Russo, SFR
Keller Williams Prestige Properties
2777 Summer Street, Suite 700
Stamford, CT 06905
Cell 203.979.2951
Office 203.327.6700
mary.m.russo@kw.com
maryrusso.kwrealty.com

From: "Siegel, Maury" <MaurySiegel2@bhhsne.com>
Date: February 20, 2018 at 11:19:35 AM EST
To: "tdell@stamfordct.gov" <tdell@stamfordct.gov>
Subject: Oppose Text Changes

Dear Madam Chair,

I am writing to oppose High Ridge Real Estate Owner (HRREO) LLC's Application 217-01 for several text changes to Stamford's Zoning Regulations that would enable the construction of a Life Time Fitness facility in High Ridge Park, as well as allow other such facilities at our six C-D-zoned office parks on High Ridge Road and Long Ridge Road. I understand that this application will be heard by the Planning Board tonight.

As you know, the applicant's own attorney went on record against a similar text change only three years ago. Atty. William Hennessey—who represented Stamford Hospital in successfully opposing HRREO's application for a modest six-suite surgical center in High Ridge Park—is now representing HRREO in its application for a gigantic fitness center in the very same location. Here's an excerpt from the January 5, 2015 Advocate article:

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"The hospital has no problem with any current as-of-right zoning, but **thinks its poor planning and short-sighted to allow surgery centers in the C-D zone without first conducting an in-depth study of the adverse consequences,**" he said. **"Thus far, the applicant has not provided such a study."**

For this reason (and many others that were discussed at the 8/8/17 Planning Board meeting), I urge the Planning Board to reject this application. **Please think of the impact on existing residences not developer desires. Government for the people.**

Sincerely,

Maury Siegel, Licensed in Connecticut
Representing Sellers and Buyers 203-249-9036
Fmr. Director: Stamford Bd. of Realtors 2011-2013
1200 High Ridge Road (just below the Merritt Pkwy) 06905
Email: <mailto:msiegel@bhhsne.com> or <mailto:maurysiegelhomesales@gmail.com>
Professional Website: www.maurysiegel.bhhsneproperties.com or www.maurysiegelhomesales.com
My success is a result of your referrals. Keep 'em coming. I appreciate your confidence. Team Work Makes The Dream Work.
I'm not only an award winning agent, I'm also your neighbor Search available properties -
homesnap.com/maury-siegel
[What's Your Home Worth? Get three automated Estimates - Instantly. No cost. and no obligation.](#)

From: Laura Martin <lauramartinct@aol.com>
Date: February 20, 2018 at 11:18:38 AM EST
To: <tdell@stamfordct.gov>
Subject: Letter opposing text change (HRREO) LLC's Application 217-01

Ms. Theresa Dell, Chairwoman
Stamford Planning Board
888 Washington Blvd.
Stamford, CT 06901
Email: tdell@stamfordct.gov

February 20, 2018

Dear Madam Chair,

I am writing to oppose High Ridge Real Estate Owner (HRREO) LLC's Application 217-01 for several text changes to Stamford's Zoning Regulations that would enable the construction of a Life Time Fitness facility in High Ridge Park, as well as allow other such facilities at our six C-D-zoned office parks on High Ridge Road and Long Ridge Road. I understand that this application will be heard by the Planning Board on Tuesday, February 20, 2018.

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For this reason (and many others that were discussed at the 8/8/17 Planning Board meeting), I urge the Planning Board to reject this application.

Sincerely,
Laura Martin
30 Pellom Place
Stamford, CT 06905

Sent from my iPhone

Begin forwarded message:

From: Gina Barroso <barroso.gina@gmail.com>
Date: February 20, 2018 at 11:10:06 AM EST
To: Theresa Dell <TDell@stamfordct.gov>
Subject: **Opposition to text change at High Ridge Office Park**

Hello Ms, Dell.

I am writing in opposition to the text change at High Ridge Office Park. This will greatly affect my RESIDENTIAL neighborhood.

Life Time Fitness does not belong here. There are other locations in Stamford that are less residential and have the roads to support. Traffic on Turn of River Road and High Ridge is already enough. One Lane on TOR Road.

Thank you.
Best,
Gina Barroso
18 Talmadge Lane
Stamford, CT06905

From: "Conte, Selma" <sconte@firstcountybank.com>
Date: February 20, 2018 at 11:08:07 AM EST
To: "tdell@stamfordct.gov" <tdell@stamfordct.gov>
Subject: Attempts by Developers to Change Current Zoning Laws
Ms. Theresa Dell, Chairwoman
Stamford Planning Board
888 Washington Blvd.
Stamford, CT 06901
Email: tdell@stamfordct.gov

Feb 20, 2018

Dear Madam Chair,

I am writing to oppose High Ridge Real Estate Owner (HRREO) LLC's Application 217-01 for several text changes to Stamford's Zoning Regulations that would enable the construction of a Life Time Fitness facility in High Ridge Park, as well as allow other such facilities at our six C-D-zoned office parks on High Ridge Road and Long Ridge Road. I understand that this application will be heard by the Planning Board on Tuesday, February 20, 2018.

As you know, the applicant's own attorney went on record against a similar text change only three years ago. Atty. William Hennessey—who represented Stamford Hospital in successfully opposing HRREO's application for a modest six-suite surgical center in High Ridge Park—is now representing HRREO in its application for a gigantic fitness center in the very same location. Here's an excerpt from the January 5, 2015 Advocate article:

In a telephone interview, William Hennessey, an attorney for Stamford Hospital, disputed the charge the hospital was merely out to stifle competition. Under present zoning, he said, there were plenty of areas in the city where outpatient surgical centers can be located.

"The hospital has no problem with any current as-of-right zoning, but **thinks its poor planning and short-sighted to allow surgery centers in the C-D zone without first conducting an in-depth study of the adverse consequences,**" he said. **"Thus far, the applicant has not provided such a study."**

For this reason (and many others that were discussed at the 8/8/17 Planning Board meeting), I urge the Planning Board to reject this application.

Sincerely,
Mario Conte
728 Den Road
Stamford, CT 06903

From: "Conte, Selma" <sconte@firstcountybank.com>
Date: February 20, 2018 at 11:07:23 AM EST
To: "tdell@stamfordct.gov" <tdell@stamfordct.gov>
Subject: Attempts by Developers to Change Current Zoning Laws

Ms. Theresa Dell, Chairwoman
Stamford Planning Board
888 Washington Blvd.
Stamford, CT 06901
Email: tdell@stamfordct.gov

Feb 20, 2018

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"The hospital has no problem with any current as-of-right zoning, but **thinks its poor planning and short-sighted to allow surgery centers in the C-D zone without first conducting an in-depth study of the adverse consequences,**" he said. **"Thus far, the applicant has not provided such a study."**

For this reason (and many others that were discussed at the 8/8/17 Planning Board meeting), I urge the Planning Board to reject this application.

Sincerely,
Selma Conte
728 Den Road
Stamford, CT 06903

From: Rob Luther <rluther@optonline.net>
Date: February 20, 2018 at 11:01:08 AM EST
To: <TDell@Stamfordct.gov>
Cc: Luther Dana <danaluther@optonline.net>
Subject: Proposed Text Change to Article V & Section 19-3.2.e

Dear Madam Chairperson,

As residents of the community at 180 Turn of River Road, we respectfully urge you to reject the proposed changes to Article V & Section 19-3.2.e, as included in ZB APPLICATION #217-17.

The infrastructure of Buxton Farms and Turn of River Roads are already taxed and negatively impacted by the current traffic loads, and we fail to see how a development as proposed by Lifetime Fitness would not exacerbate the situation. While we understand that the proposed text change does not directly allow for this development to proceed, it does enable the concept to remain under consideration.

We already pay more than our fair share of real estate taxes, and vigorously oppose any development that will negatively impact the quality of life in our neighborhood.
We would appreciate the Board's defense of our interests in this matter.

Thank you.

Sincerely,

Robert J. and Dana L. Luther
180 Turn of River Rd. - #18A
Stamford, CT 06905

From: Joyce Cebo <joycecebosellshomes@gmail.com>

Date: February 20, 2018 at 11:35:31 AM EST

To: <tdell@stamfordct.gov>

Subject: Planning Board Meeting

Ms. Theresa Dell, Chairwoman
Stamford Planning Board
888 Washington Blvd.
Stamford, CT 06901
Email: tdell@stamfordct.gov

February 20, 2018

Dear Madam Chair,

I am writing to oppose High Ridge Real Estate Owner (HRREO) LLC's Application 217-01 for several text changes to Stamford's Zoning Regulations that would enable the construction of a Life Time Fitness facility in High Ridge Park, as well as allow other such facilities at our six C-D-zoned office parks on High Ridge Road and Long Ridge Road. I understand that this application will be heard by the Planning Board on Tuesday, February 20, 2018.

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"The hospital has no problem with any current as-of-right zoning, but **thinks its poor planning and short-sighted to allow surgery centers in the C-D zone without first conducting an in-depth study of the adverse consequences,**" he said. **"Thus far, the applicant has not provided such a study."**

For this reason (and many others that were discussed at the 8/8/17 Planning Board meeting), I urge the Planning Board to reject this application.

Sincerely,
Joyce Cebo
1870 Newfield Avenue
Stamford, CT 06903

From: ERNDEN123 <ernden@att.net>
Date: February 20, 2018 at 11:48:17 AM EST
To: <tdell@stamfordct.gov>
Subject: High Ridge Park mega gym

Dear Madam Chair,

As a resident of Rivertown Condominiums I am writing to express my concerns about the proposed mega gym facility in High Ridge Park.

I wonder if anyone from Town Hall has ever attempted to navigate Intervale Road, Turn of River Road, Buxton Farm Road, exiting from the Merritt going north at Exit 35 or High Ridge Road during rush hour or school start/end hours. Sometimes it takes me an inordinate period of time to get onto Buxton Farm Road from the condo complex in the morning. The traffic is backed up all the way to the exit ramp from Exit 35, and at times in the morning, up to and onto the Merritt. On Turn of River Road traffic is backed up from Buxton Farm Road to Intervale Road and then up Intervale Road.

This project would further inhibit movement in the area, which is already negatively impacted by traffic.

There are many other negatives to this proposed project, too many to list here, but another major impact would be property values in the neighborhood, which would be severely impacted by additional traffic being forced onto roads not equipped to handle the traffic using these roads.

I thank you for taking the time to read my email and trust the board will do the right thing for current property owners and families and not big business who only sees \$\$\$\$ as their motivation.

Sincerely,

Dennis Costin
180 Turn of River Road 19B
Stamford, CT 06905

From: Dan Mena <djmena001@gmail.com>
Date: February 20, 2018 at 11:57:20 AM EST
To: <tdell@stamfordct.gov>
Subject: High Ridge Road Development

Attached is my letter describing my opposition to the project.
We live close to the proposed development and feel traffic will harm the environment and our way of life.
Thank you.

Dan Mena, BME, MBA, Ed.D, CHP
Licensed Professional Realtor in CT, NY and MA
Keller Williams Real Estate
Stamford, CT 06903
djmena001@gmail.com
203-253-9451

**Dr. Dan Mena
46 Skymeadow Drive
Stamford, CT 06903
203-253-9451
djmena001@gmail**

February 20, 2018

Ms. Theresa Dell, Chairwoman
Stamford Planning Board
888 Washington Blvd.
Stamford, CT 06901

Dear Madam Chair,

I am writing to oppose High Ridge Real Estate Owner (HRREO) LLC's Application 217-01 for several text changes to Stamford's Zoning Regulations that would enable the construction of a Life Time Fitness facility in High Ridge Park, as well as allow other such facilities at our six C-D-zoned office parks on High Ridge Road and Long Ridge Road. I understand that this application will be heard by the Planning Board on Tuesday, February 20, 2018.

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"The hospital has no problem with any current as-of-right zoning, but **thinks its poor planning and short-sighted to allow surgery centers in the C-D zone without first conducting an in-depth study of the adverse consequences,**" he said. **"Thus far, the applicant has not provided such a study."**

For this reason (and many others that were discussed at the 8/8/17 Planning Board meeting), I urge the Planning Board to reject this application.

Sincerely,

Dan Mena

Dan Mena, Ed.D

From: Marty Levine <mlevineabc@aol.com>
Date: February 20, 2018 at 12:22:17 PM EST
To: <dwoods@stamfordct.gov>, <tdell@stamfordct.gov>
Cc: <sandyg@stamford-downtown.com>, <moore@stamford-downtown.com>
Subject: Zoning Application #217-01

Date: February 20, 2018

To: Stamford Planning Board,
Theresa Dell, Chair

From: Stamford Downtown Special Services District
Sandra Goldstein, President

Subject: Zoning Board Referral - ZB Application #217-01

Dear Ms. Dell,

In order to clarify any questions that may arise regarding DSSD's position on this application, we ask that this letter be made available to all members of the Planning Board, and included as part of the record for the application:

During the drafting process of the 2014 Master Plan, DSSD expressed concerns that "entertainment" uses were included as acceptable uses in Category 8 (Mixed-Use - Campus). DSSD has consistently taken a position that "entertainment" uses such as theaters; as well as hotels, should be concentrated in the Downtown and not spread through other parts of the City. DSSD has taken no position on "sports" complexes, or on other gymnasium, health and fitness or physical culture uses.

Thank you for allowing us the opportunity to comment.

Sandra Goldstein
President, Stamford Downtown Special Services District

From: Fbatemanjr <fbatemanjr@aol.com>
Date: February 20, 2018 at 12:58:28 PM EST
To: <tdell@stamfordct.gov>
Subject: Zoning Regulation Change

Ms. Theresa Dell, Chairwoman
Stamford Planning Board
888 Washington Blvd.
Stamford, CT 06901
Email: tdell@stamfordct.gov

February, 20, 2018

Dear Madam Chair,

I am writing to oppose High Ridge Real Estate Owner (HRREO) LLC's Application 217-01 for several text changes to Stamford's Zoning Regulations that would enable the construction of a Life Time Fitness facility in High Ridge Park, as well as allow other such facilities at our six C-D-zoned office parks on High Ridge Road and Long Ridge Road. I understand that this application will be heard by the Planning Board on Tuesday, February 20, 2018.

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"The hospital has no problem with any current as-of-right zoning, but **thinks its poor planning and short-sighted to allow surgery centers in the C-D zone without first conducting an in-depth study of the adverse consequences,**" he said. **"Thus far, the applicant has not provided such a study."**

For this reason (and many others that were discussed at the 8/8/17 Planning Board meeting), I urge the Planning Board to reject this application.

Sincerely,
Frank Bateman Jr.
950 Cove Rd, Unit C8
Stamford, CT 06902

From: Fbatemanjr <fbatemanjr@aol.com>
Date: February 20, 2018 at 12:58:28 PM EST
To: <tdell@stamfordct.gov>
Subject: Zoning Regulation Change

Ms. Theresa Dell, Chairwoman
Stamford Planning Board
888 Washington Blvd.
Stamford, CT 06901
Email: tdell@stamfordct.gov

February, 20, 2018

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For this reason (and many others that were discussed at the 8/8/17 Planning Board meeting), I urge the Planning Board to reject this application.

Sincerely,
Frank Bateman Jr.
950 Cove Rd, Unit C8
Stamford, CT 06902

From: Midas <mmsearch@midasmgt.com>

Date: February 20, 2018 at 3:03:39 PM EST

To: <tdell@stamfordct.gov>

Subject: **OPPOSING High Ridge Real Estate Owner LLC's Application 217-01**

Ms. Theresa Dell, Chairwoman
Stamford Planning Board
888 Washington Blvd.
Stamford, CT 06901
Email: tdell@stamfordct.gov

February 20, 2018

Dear Madam Chair,

I am writing to oppose High Ridge Real Estate Owner (HRREO) LLC's Application 217-01 for several text changes to Stamford's Zoning Regulations that would enable the construction of a Life Time Fitness facility in High Ridge Park, as well as allow other such facilities at our six C-D-zoned office parks on High Ridge Road and Long Ridge Road. I understand that this application will be heard by the Planning Board on Tuesday, February 20, 2018.

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For this reason (and many others that were discussed at the 8/8/17 Planning Board meeting), I urge the Planning Board to reject this application.

Sincerely,
Joel and Elaine Berger
95 Intervale Road
Stamford, CT

From: "Jeffrey A. Wu" <jeffrey.a.wu@gmail.com>
Date: February 20, 2018 at 3:00:20 PM EST
To: <TDell@Stamfordct.gov>
Subject: ZB #217-01 Text Amendment

Dear Ms. Dell,

I am writing to voice my firm opposition to text changes that will allow fitness and similar facilities on High Ridge and Long Ridge Roads.

There are already significant traffic delays as well as many near accidents on both of these roads that are a result of the large number of people in the office buildings and adjacent businesses. Fitness and similar facilities will not only bring additional traffic, it will extend the hours where traffic and noise are issues. This directly impacts residents and is in direct conflict with the vision of the planning board to protect the character of such neighborhoods.

I would be more than pleased to amplify my comments or elucidate anything that was not clearly stated. My mobile phone number is 203-816-7345.

Thank you for your consideration of my concern.

Jeffrey Wu
180 Turn of River Road
Unit 15B
Stamford, CT 06905

From: Peter Callahan <pmandm1@aol.com>
Date: February 20, 2018 at 3:49:21 PM EST
To: <tdell@stamfordct.gov>
Cc: Pete Licopantis <pglydl3@optonline.net>
Subject: Text Change Application

Ms. Theresa Dell, Chairwoman
Stamford Planning Board
888 Washington Blvd.
Stamford, CT 06901
Email: tdell@stamfordct.gov

2/20/2018

Dear Madam Chair,

I am writing to oppose High Ridge Real Estate Owner (HRREO) LLC's Application 217-01 for several text changes to Stamford's Zoning Regulations that would enable the construction of a Life Time Fitness facility in High Ridge Park, as well as allow other such facilities at our six C-D-zoned office parks on High Ridge Road and Long Ridge Road. I understand that this application will be heard by the Planning Board on Tuesday, February 20, 2018.

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For this reason (and many others that were discussed at the 8/8/17 Planning Board meeting), I urge the Planning Board to reject this application.

Sincerely,
Peter Callahan
180 Turn of River Rd
Unit 13A
Stamford, Ct

From: Roberto Ucer0 <roucero@optonline.net>

Date: February 20, 2018 at 3:56:19 PM EST

To: <tdell@stamfordct.gov>

Subject: one more 06905 resident with opposition application 217-01 for zoning changes.....

February 20, 2018

Dear Ms. Theresa Dell (Madam Chair)

I am writing to oppose High Ridge Real Estate Owner (HRREO) LLC's Application 217-01 for several text changes to Stamford's Zoning Regulations that would enable the construction of a Life Time Fitness facility in High Ridge Park, as well as allow other such facilities at our six C-D-zoned office parks on High Ridge Road and Long Ridge Road. I understand that this application will be heard by the Planning Board on Tuesday, February 20, 2018.

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For this reason (and many others that were discussed at the 8/8/17 Planning Board meeting), I urge the Planning Board to reject this application.

Sincerely,
Roberto Ucer0
18 Geriak Rd
Stamford, CT 06905

From: Margarita Ucero <mucero@optonline.net>

Date: February 20, 2018 at 4:05:57 PM EST

To: <tdell@stamfordct.gov>

Subject: one more 06905 resident with opposition application 217-01 for zoning changes.....

February 20, 2018

Dear Ms. Theresa Dell (Madam Chair)

I am writing to oppose High Ridge Real Estate Owner (HRREO) LLC's Application 217-01 for several text changes to Stamford's Zoning Regulations that would enable the construction of a Life Time Fitness facility in High Ridge Park, as well as allow other such facilities at our six C-D-zoned office parks on High Ridge Road and Long Ridge Road. I understand that this application will be heard by the Planning Board on Tuesday, February 20, 2018.

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For this reason (and many others that were discussed at the 8/8/17 Planning Board meeting), I urge the Planning Board to reject this application.

Sincerely,
Margarita Ucero
18 Geriak Rd
Stamford, CT 06905

From: Robert Rothenberg <hacken3448@aol.com>

Date: February 20, 2018 at 4:19:05 PM EST

To: <tdell@stamfordct.gov>

Subject: Lifetime fitness

I spent 1 million dollars for a home at sterling lake knowing that the zoning at high ridge office park permitted business offices. I made the purchase with the belief that the quality of life north Stamford provides would be honored and maintained. Permitting lifetime fitness to locate at high ridge park with hours from 5 a.m. til 11 pm would drastically change the nature and environment of this residential area of Stamford. I implore the planning and zoning board to reject text changes and the application of lifetime fitness. I have been a resident of Stamford since 1972 and will put my house up for sale and move out of Stamford if this change occurs.

Bob Rothenberg

181 Turn of River Rd #12

Sent from my iPhone

Bob Rothenberg

From: Shari Weisz <sfweisz@gmail.com>
Date: February 20, 2018 at 4:19:48 PM EST
To: <tdell@stamfordct.gov>
Subject: Against zoning change
Ms. Theresa Dell, Chairwoman
Stamford Planning Board
888 Washington Blvd.
Stamford, CT 06901
Email: tdell@stamfordct.gov

February 20, 2018

Dear Madam Chair,

I am writing to oppose High Ridge Real Estate Owner (HRREO) LLC's Application 217-01 for several text changes to Stamford's Zoning Regulations that would enable the construction of a Life Time Fitness facility in High Ridge Park, as well as allow other such facilities at our six C-D-zoned office parks on High Ridge Road and Long Ridge Road. I understand that this application will be heard by the Planning Board on Tuesday, February 20, 2018.

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For this reason (and many others that were discussed at the 8/8/17 Planning Board meeting), I urge the Planning Board to reject this application.

Sincerely,

Shari Weisz
316 Westover Road
Stamford, CT 06902
shari@sfweisz.org
home: 203-348-2841
cell: 203-273-0491

From: Joel Berger <joelaine@live.com>

Date: February 20, 2018 at 4:53:35 PM EST

To: Dell Theresa <tdell@stamfordct.gov>

Subject: High Ridge Real Estate Owner (HRREO) LLC's Application 217-01

Ms. Theresa Dell, Chairwoman
Stamford Planning Board
888 Washington Blvd.
Stamford, CT 06901

February 20, 2018

Dear Madam Chair,

I am writing to oppose High Ridge Real Estate Owner (HRREO) LLC's Application 217-01 for several text changes to Stamford's Zoning Regulations that would enable the construction of a Life Time Fitness facility in High Ridge Park, as well as allow other such facilities at our six C-D-zoned office parks on High Ridge Road and Long Ridge Road. I understand that this application will be heard by the Planning Board on Tuesday, February 20, 2018.

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For this reason (and many others that were discussed at the 8/8/17 Planning Board meeting), I urge the Planning Board to reject this application.

Sincerely,

Joel Berger
95 Intervale Road #44
Stamford, CT 06905

Sent from [Mail](#) for Windows 10

From: Howard Malis <projectdoc@aol.com>

Date: February 20, 2018 at 5:09:36 PM EST

To: <tdell@stamfordct.gov>

Subject: Lifetirme Fitness

As a resident of Talmadge Lane just off Turn of River Road I feel that approval of the Life Time Fitness project will be extremely detrimental to the quality of life in the area.

Specifically, the traffic on Turn of River Road. I am already taking my life in my hands each time I pass the intersection of Interval and Turn of River. The 4-way stop is a joke, cars coming from the High Ridge Office Park use Turn of River as a speedway simply ignoring the stop signs. And if you honestly believe that there won't be an impact to the neighborhood you should look at the area around Chelsea Piers. I work in the area and when their classes let out on the hour at 4, 5, 6, 7 the traffic is lined up on Blachley Road all the way back into the Chelsea complex and that too is on a residential street of sorts.

I have seen nothing but a traffic report that says the traffic will be minimal and I can't believe it to be true. I think you are being lied to just so something can be passed by your board and you are allowing it by letting these owners come back at you with minor modifications. A bad idea is a bad idea...

Howard Malis

Editor

Turn of River Films / Diversity Films

To live in hearts we leave behind, is not to die.

Thomas Campbell

From: Paul Longo <paullongo@optonline.net>

Date: February 20, 2018 at 5:31:55 PM EST

To: Theresa Dell <tdell@stamfordct.gov>

Cc: Peter Martin <pmartins@optonline.net>

Subject: High Ridge office park

Dear Chair Dell,

I received the email below from Peter Martin at 4:20 PM today (2/20/18). He indicated that it was apparently refused by your email address. Please add it to the record for HRREO text-change application 217-01. Thank you for your consideration.

Paul Longo

cc: Peter Martin

-----Original Message-----

From: Peter Martin [<mailto:pmartins@optonline.net>]

Sent: Tuesday, February 20, 2018 4:20 PM

To: paullongo@optonline.net

Subject: High Ridge office park

Hi Paul attempted to send this e mail to Ms. Dell but was refused by her e-mail address.

Peter

Dear Ms. Dell,

Please urge your committee to turn the application down for Life Time Fitness in our not near-by High Ridge office Park. I live on Intervale Rd. And the traffic and speeding cars is now overwhelming. It would appear that the developers will not stop with just that gym but look to future exponential development to the Ridges.

The infrastructure of our roads and systems are already under great duress any more development would lead to more tax burden to Stamford tax payers. We are primarily a residential area we want our neighborhood kept that way. If this application goes forward by builders it will be dumped on the taxpayer, those buildings never are assessed their fair share.

Please, no I am begging the Board not to turn North Stamford into another BLT. Harbor Point, while that project was justified by a blighted area and is an improvement to Stamford, High Ridge and Long Ridge is not by any means in that category.

Thank You for you and the Board and your endless time and service to our City.

Peter & Suzanne Martin

95 Intervale Rd.

Stamford, CT. 06905

pmartins@optonline.net

203 940 2507

Sent from my iPad

From: <lisabankson@optonline.net>
Date: February 20, 2018 at 5:34:44 PM EST
To: <tdell@stamfordct.gov>
Subject: Lifetime Fitness Zoning Text Changes

Ms. Theresa Dell, Chairwoman
Stamford Planning Board
888 Washington Blvd.
Stamford, CT 06901
Email: tdell@stamfordct.gov

Tuesday, February 20, 2018

Dear Madam Chair,

I am writing to oppose High Ridge Real Estate Owner (HRREO) LLC's Application 217-01 for several text changes to Stamford's Zoning Regulations that would enable the construction of a Life Time Fitness facility in High Ridge Park, as well as allow other such facilities at our six C-D-zoned office parks on High Ridge Road and Long Ridge Road. I understand that this application will be heard by the Planning Board on Tuesday, February 20, 2018.

As you know, the applicant's own attorney went on record against a similar text change only three years ago. Atty. William Hennessey—who represented Stamford Hospital in successfully opposing HRREO's application for a modest six-suite surgical center in High Ridge Park—is now representing HRREO in its application for a gigantic fitness center in the very same location. Here's an excerpt from the January 5, 2015 Advocate article:

In a telephone interview, William Hennessey, an attorney for Stamford Hospital, disputed the charge the hospital was merely out to stifle competition. Under present zoning, he said, there were plenty of areas in the city where outpatient surgical centers can be located.

"The hospital has no problem with any current as-of-right zoning, but thinks it's poor planning and short-sighted to allow surgery centers in the C-D zone without first conducting an in-depth study of the adverse consequences," he said. "Thus far, the applicant has not provided such a study."

For this reason (and many others that were discussed at the 8/8/17 Planning Board meeting), I urge the Planning Board to reject this application.

Sincerely,
Lisa Bankson
180 Turn of River Road, Unit 2A
Stamford, CT 06902

From: Annie Selkovits Taylor <selky@optonline.net>

Date: February 20, 2018 at 6:53:03 PM EST

To: <tdell@stamfordct.gov>

Cc: <StamfordLandUse@StamfordCT.gov>

Subject: Please say NO to High Ridge Real Estate Owner (HRREO) LLC's Application 217-01 for text changes

Dear Chairwoman Dell and members of the Planning Board,

As a long time Stamford resident, and former member of the Board of Representatives in District 19, I am writing to ask that you oppose the text changes sought in the above referenced application.

The continued and frequent use of text changes as a way for developers to move into areas with commercial businesses, that were never envisioned or intended for the impacted neighborhoods, must stop.

If it does not, the city will no longer be able to count on North Stamford to provide the tax revenues so vital to our city. Once you allow the environs to be commandeered by developers, you will certainly destroy what makes North Stamford special. It will drive out residents and drive down property values. It's a lose-lose for everyone but the developers.

Respectfully submitted,
~Annie S. Taylor

From: angela giannitti <angelagiannitti@optonline.net>
Date: February 20, 2018 at 6:52:48 PM EST
To: <tdell@stamfordct.gov>
Subject: Life Time Fitness Facility in High Ridge Park

Ms. Theresa Dell, Chairwoman
Stamford Planning Board
888 Washington Blvd.
Stamford, CT 06901
Email: tdell@stamfordct.gov

[Date]

Dear Madam Chair,

I am writing to oppose High Ridge Real Estate Owner (HRREO) LLC's Application 217-01 for several text changes to Stamford's Zoning Regulations that would enable the construction of a Life Time Fitness facility in High Ridge Park, as well as allow other such facilities at our six C-D-zoned office parks on High Ridge Road and Long Ridge Road. I understand that this application will be heard by the Planning Board on Tuesday, February 20, 2018.

As you know, the applicant's own attorney went on record against a similar text change only three years ago. Atty. William Hennessey—who represented Stamford Hospital in successfully opposing HRREO's application for a modest six-suite surgical center in High Ridge Park—is now representing HRREO in its application for a gigantic fitness center in the very same location. Here's an excerpt from the January 5, 2015 Advocate article:

In a telephone interview, William Hennessey, an attorney for Stamford Hospital, disputed the charge the hospital was merely out to stifle competition. Under present zoning, he said, there were plenty of areas in the city where outpatient surgical centers can be located.

"The hospital has no problem with any current as-of-right zoning, but thinks its poor planning and short-sighted to allow surgery centers in the C-D zone without first conducting an in-depth study of the adverse consequences," he said. "Thus far, the applicant has not provided such a study."

For this reason (and many others that were discussed at the 8/8/17 Planning Board meeting), I urge the Planning Board to reject this application.

Sincerely,

Angela and Alessio Giannitti
14 Geriak Rd
Stamford, CT 06905



STAFF REPORT

TO: CITY OF STAMFORD PLANNING BOARD
FROM: DAVID W. WOODS, PhD, AICP, DEPUTY DIRECTOR OF PLANNING &
RALPH BLESSING, PhD, LAND USE BUREAU CHIEF
SUBJECT: ZB APPLICATION #217-01 - HIGH RIDGE REAL ESTATE OWNER, LLC
ADDRESS: 0 TURN OF RIVER ROAD
DATE: FEBRUARY 17, 2018

MASTER PLAN: CATEGORY NO. 8: Mixed Use – Campus
ZONE: C-D

Highlights

The applicant, High Ridge Real Estate Owner, LLC (HRREO) is seeking a *Text Change* to add a sub-section to the Commercial Design (C-D) District Regulations to allow redevelopment of existing office parks with Gymnasium or Physical Culture Establishments subject to the requirements and standards outlined in Section 19.3 Special Exceptions of the Zoning Code. If approved, this Text Change would *only allow* the applicant to *apply, by Special Exception*, to develop a health and fitness center for any of the five office parks in the MP Category 8: Mixed-Use Campus that are zoned Commercial Design (C-D) Design. As a reminder, for all Special Exception applications the applicant will be required to return to request approval for Site and Architectural Plans *and* Special Exception approval in a separate application that requires *review by the* Planning Board and *approval by the* Zoning Board. Section 19.3.b specifies that at the “discretion of the reviewing Board... [provides the mechanism for the Boards to include] conditions imposed by the Zoning Board [and could be recommended by the Planning Board].” Without a Special Exception review requirement, the High Ridge Office Park owners have a number of potential options they could use to redevelop this property without Planning Board review and recommendations to the Zoning Board as well as the safeguards offered by Special Exception designed “*to minimize any adverse impact on the neighborhood.*”

Scope of the Proposed Changes:

As noted previously in my Staff Report dated February 6, 2018, this proposed Text Change application potentially applies to all six C-D zoned properties in Stamford. One of these properties is fully developed with residences (Palmer Hill off of Havemeyer Lane) and is in residential Master Plan Category 3, and therefore, would not be affected by the proposed Text Change. The remaining five sites are located either on Long Ridge Road (3 properties) or High Ridge Road (2 properties), including the one owned by the applicant. All of these districts are located south of the Merritt Parkway and north of Bulls Head. [Note: Map of the five properties will be provided to you on Monday, February 19, 2018 separately]

What is Currently Allowed in Commercial Design Districts (C-D):

Currently, C-D districts allow mainly for office and related uses (see Section 9 BBB of the Stamford Zoning Regulations for details) as-of-right, meaning no special authorization by the Zoning or Planning Boards are required for establishing this kind of use. The Stamford Master Plan 2015-2025 envisions the majority of these uses to be located in MP Category 11: Downtown. New development in C-D Districts, including parking lots, cannot cover more than 40% of the parcel and buildings alone cannot cover more than 12%. Building height, including garages, is limited to 3.5 stories on parcels smaller than 30 acres and four stories on larger parcels. Buildings with 3.5 stories or less must setback at least 100 ft. from a property line if the neighboring property is in a residential district and 50 ft. from any other zoning district. Four story buildings must be set back at least 400 ft. from the front street line (but not property lines). The floor area ratio, which determines how many square feet of building can be built on any given parcel, is 0.4, meaning that for every 1,000 sq. ft. of parcel 400 sq. ft. of building can be built. Parking needs to be provided at a ratio of one space per three employees or one space per 1,000 sq. ft. of floor area, as determined by the Zoning Board, and parking must be at least 50 ft. from the boundary line of any other zoning district.

Per Section 9.M. of the Zoning Regulations, all development in C-D Districts, including alterations, need to only undergo site plan review for as-of-right office uses by the Zoning Board, but are not subject to review by the Planning or any other Boards.

Proposed Changes to the C-D Regulations:

The proposed changes would modify the current C-D regulations as follows:

1. **Use.** The use of a Gymnasium or Physical Culture Establishment would be allowed by Special Exception only. This provision would require the reviewing Boards, in their approval findings outlined in Section 19.3 of the Zoning Regulations, to include traffic impacts and impacts on surrounding areas. This is not only a significantly higher standard for review than for as-of-right office development, but it also requires referral to the Planning Board, and *not just a vote by the Zoning Board*. The proposed Text Change would also introduce a definition of "Physical Culture Establishment" that currently does not exist. In addition, a Special Exception allows the reviewing Boards to impose conditions on development, for example hours of operation and screening or performance standards with regard to noise or light impacts.
2. **Yard Requirements and Screening.** The proposed Text Change would strengthen the overall yard requirements for the proposed new use, the Physical Culture Establishment. The 100 ft. setback from residential uses (although not residential zones) would be maintained, and better buffers than for office uses would be required. For example, in an office setting, a driveway could be located within the 50 ft. buffer, but not if the proposed use is a Physical Culture Establishment. In conjunction with the tools that are available to the Boards through a Special Exception, the Boards could, on a case-by-case basis pursuant to Section 19.3, establish even stricter screening and buffer requirements than proposed and that are required for an office use.

3. **Building Height.** The proposed Text Change would not relax the current standards for building heights in C-D districts, but rather potentially strengthen them. Current Zoning allows a four-story office building or accessory garages to be constructed 100 ft. from residential properties on sites larger than 30 acres, with minimal ability of the Boards to require additional setbacks or screening. The Special Exception process would allow the Boards to establish additional safeguards such as deeper setbacks or screening for Physical Culture Establishments. If an applicant wants to take advantage of proposed regulation BBB.4.iv, which would allow the applicant to not count the building footprint of a garage a floor area, they would effectively give up the ability to build a four-story garage.
4. **Lot Coverage.** For legally conforming lots, an applicant would not be allowed to exceed the 40% permitted lot coverage for new or redevelopment. For legally non-conforming parcels, the proposed regulations would force the applicant to at least reduce the non-conformity if redevelopment as a Physical Cultural Establishment is proposed. An office use in an existing structure **would be allowed to operate** at the same level of non-conformity. While the goal of Zoning should be to achieve full conformity the proposal would at least improve the status quo, aligned with the City's goals of reducing surface water run-off.
5. **Parking.** The proposed regulation would not allow for a net increase in parking compared to what is currently on site. This limitation on parking has two effects. First, it limits the size of development to what is currently existing on site as the parking for Physical Cultural Establishments is the same as for office uses (3 spaces per 1,000 sq. ft. of building area). Second, it effectively prohibits new additional development of Physical Cultural Establishments in office parks where there are unused development rights left, as it limits the amount of parking to what is currently on site.
6. **Traffic.** Although the analogy is not perfect, parking is often used as a proxy for traffic generation. Since the parking requirements for this use are the same as for as-of-right permitted office use, a net increase in overall traffic is unlikely, although it needs to be studied for each individual proposed site. While an office use has pronounced peaks in the morning and evening weekday rush hours as people arrive and leave from work, it is to be expected that for a Physical Culture Establishment the peaks are less pronounced, but traffic overall more distributed (e.g., people arriving and leaving for a workout before or after work, weekend use).
7. **Signage.** Sign regulations in C-D Districts are already some of the most restrictive in any commercial district. The proposed regulation would allow more flexibility as to where signage is located with the important caveat that residential neighbors would be shielded from illuminated signs. It would also slightly relax regulations for ground or pole signs, which would most likely not impact neighbors as they would mainly serve for orienting users of the facility internal to the site.
8. **Design.** The Text Change establishes design guidelines for Physical Culture Establishments that would provide Boards with guidelines to evaluate specific development proposals for this use. These guidelines are specific to this use and add an additional layer of protection as compared to as-of-right office development.

Decisions before the Planning Board:

With this Text Change application, the Planning Board has to make the following decisions:

1. Is the proposed use of a physical cultural establishment in an office park appropriate based on the parameters laid out in Master Plan Category 8, specifically focusing on:
 - a) Compatibility with adjacent uses and residential areas,
 - b) Superior design including landscape design to buffer this use from adjacent residential uses,
 - c) Superior traffic management,
 - d) Compliance with the goal of directing most commercial development to MP Category 11: Downtown, and
 - e) Compliance with design guidelines.
2. If the use is *generally* appropriate, would the proposed Text Change provide sufficient safeguards that would protect neighbors from potential adverse impacts from specific projects? This does not mean that there would not or could not be any impacts at all, but that proposed impacts overall would not be more adverse than from a currently permitted as-of-right use.
3. Balance the property rights of both the applicant and the neighbors.
4. Weigh the beneficial and adverse impacts for the City as a whole.

The applicant has made their intention clear to develop a certain piece of land the Planning Board - *at this point* - *is only making a decision if a Physical Culture Establishment is appropriate for that specific site or what specific safeguards need to be taken to insure that neighbors are appropriately protected from potential impacts.*

Staff Recommendations:

Staff recommends approval of this Text Change application, based on the following considerations:


1. The proposed use is not less compatible with adjacent uses and residential areas than as-of-right permitted uses *IF* the development is subject to additional controls
2. The proposed Text Change establishes controls with regard to floor area ratio (FAR), coverage, parking, screening, and design for the proposed new use that is more restrictive than for as-of-right uses
3. Through the Special Exception process established for the proposed use, the Land Use Boards have the ability to add additional conditions to protect neighboring uses, if necessary, as an additional safeguard that is not in place for as-of-right uses.



LUB

City of Stamford Land Use Bureau

STAFF REPORT

TO: CITY OF STAMFORD PLANNING BOARD
FROM: DAVID W. WOODS, PhD, AICP, DEPUTY DIRECTOR OF PLANNING 
SUBJECT: ZB APPLICATION #217-01 - HIGH RIDGE REAL ESTATE OWNER, LLC
ADDRESS: 0 HIGH RIDGE PARK ROAD
DATE: FEBRUARY 6, 2018

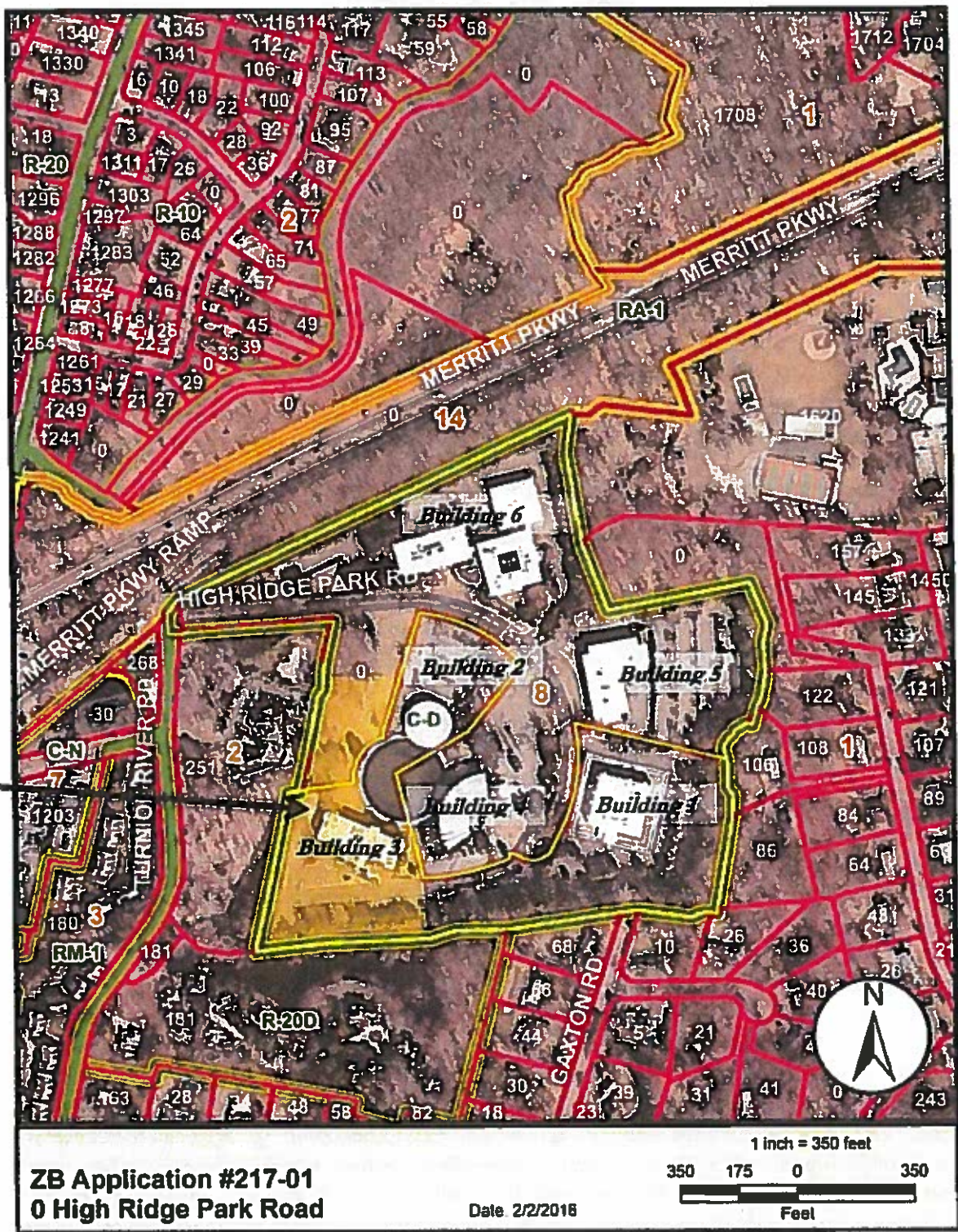
MASTER PLAN: CATEGORY NO. 8: Mixed Use – Campus
ZONE: C-D

Highlights

The applicant, High Ridge Real Estate Owner, LLC (HRREO) is seeking to add a sub-section to the Commercial Design (C-D) District Regulations to allow Adaptive Reuse and Redevelopment of existing office parks with Gymnasium or Physical Culture Establishments subject to Special Exception. This would allow the applicant to apply to develop a health and fitness center within High Ridge Office Park, after demolishing an existing, approximately 86,500 square feet vacant office building. **Please note:** Currently, the applicant is seeking a *text change* only. The plans presented for this application are illustrative. Per the existing Zoning Regulations and proposed text amendment, the applicant will be required to return to request approval for site and architectural plans and special exception approval in a separate application that requires review and by both the Planning and Zoning Boards.

Existing conditions

The proposed text change application applies to all C-D zoned properties. One of these properties is owned by the applicant and known as High Ridge Office Park (the "Property"). It is comprised of two (2) legal parcels totaling approximately 38.8 acres, located just south of the Merritt Parkway between High Ridge Road and Newfield Avenue. The site has one entrance, which can be accessed through Turn of River Road and Buxton Farm Road, the latter connecting to High Ridge Road just south of Exit 35 of the Merritt Parkway. The area to the west of the office park is occupied by 'Sunrise of Stamford' assisted living facility. The area south of the site contains a cluster of single family residences named 'Sterling Lake' located in the R-20 designed district. The area to the north east of High Ridge Park is occupied by the Italian Center and single family homes on Newfield Avenue in the RA-1 zoning district. HRREO is the current owner of the office park, which was originally built in the 1960s and consists of six office buildings. A circular reflecting pool is located at the center of the office park. HRREO is now engaged in lease negotiations with Life Time Fitness to facilitate a new Life Time Fitness facility on the Property that would replace Building 3.



Approximate
project area

Text Amendments

The applicant appeared before the Planning Board for a public meeting at its August 8, 2017 meeting. The Planning Board tabled making a decision upon hearing from the public, the applicant and staff regarding issues that the Planning Board found needed to be addressed prior to its decision. The issues included the size of the proposed development, the proposed reduction of the existing setback requirement for parking from 100 feet to 50 feet from the lot line adjacent to single family residents, and increase in the impervious service by the addition of surface parking. Since the Planning Board's public meeting, the applicant, their attorneys, planning consultants and traffic engineers have been working with City staff to address these issues, and more importantly, to revise draft text amendment language that could have implications for the four remaining Commercial Design (C-D) Districts in Master Plan Category 8 (there are 5 C-D districts in Master Plan Category 8; however, Havemeier is fully built out and another is mostly built out).

Thus, the applicant has revised the text amendment, which I will address in three elements that provide for enhanced review by the Planning Board and Zoning Board.

Element 1 – adding definition for:

Adaptive Reuse and/or Redevelopment – Notwithstanding the above, additional uses may be authorized by Special Exception approval of the Zoning Board, where a determination is made that the proposed use(s) encourages adaptive reuse or redevelopment of underutilized office space in furtherance of the policies and objectives in the Master Plan subject to the standards below. Unless specifically modified below, the standards of Section 9-BBB-3 shall apply.

Staff Discussion: When Norman Cole and I discussed what was needed to guide the Board's in addressing adaptive reuse and redevelopment for the large scale office parks along the two Ridge Roads, we focused on the existing Special Exception requirements found in Section 19.3.2., and decided to include the five Special Exception findings in Master Plan Category 8. By adding the requirement for all adaptive reuse and/or redevelopment to be authorized by Special Exception approval by the Zoning Board, this in effect assures that the proposed reuse or new use would be in conformity with the Master Plan, as well as ensuring that the Planning Board is included in the review process.

Note: Besides the five parcels along the Ridge Roads in Master Plan Category 8, there are two other parcels that are placed in Master Plan Category 8 both south of I-95: 1) Chelsea Piers/NBC Sports, and 2) Sound View Farms. Chelsea Piers is relevant to Life Time Fitness in that it is a use similar to Life Time Fitness. However Chelsea Piers, albeit is considerably larger, and more importantly, zoned M-D Designed Industrial Park District, which meant that Chelsea Piers was an "As of Right" development, which is why the Planning Board did not review it in 2014 when the Site Plan was approved by the Zoning Board. Sound View Farms is a fully built out site housing Point 72 and Gardner financial services, and is zoned IP-D Designed Industrial Park District (a specific zoning district designed solely for Sound View Farms).

Element 2 – Text Amendment for Gymnasium or Physical Culture Establishments

Adding “Gymnasium or Physical Culture Establishments” as a Special Exception Use in these Districts to allow adaptive reuse and/or of office parks with this use under certain conditions, as presented below:

- i.) **Coverage:** Total non-porous surface area coverage shall not exceed the greater of forty percent (40%) of the lot area or the existing legally nonconforming non-porous surface area coverage, whichever is greater. See subsections v and ix below for building coverage standards.

Staff Comment: *This building is currently legally non-compliant with the impervious coverage regulation; however, what is being proposed would slightly lower the overall non-porous surface area.*

- ii.) **Floor Area Ratio (F.A.R.):** The F.A.R. of all buildings shall not exceed 0.4. See subsection viii below for limitations.

Staff Comment: *This represents no change to the overall F.A.R. limitation compared to the current conditions. Further, the proposed limitation on the F.A.R. based on traffic impact adds an additional safeguard.*

- iii.) **Yard Requirements:** No building shall be located at a distance less than one hundred feet (100') from the boundary line of a property used as a single family residence and fifty feet (50') from the boundary line of any property used as a non-single family residence.

Staff Comment: *This represents no change from the current requirement; however, it needs to be pointed out that the previous Text Amendment application included a request to amend the yard requirements to 50 feet from the boundary line of a property used as a single family residence.*

- iv.) **Structured Parking:** In order to reduce surface parking and preserve the campus-like setting associated with properties in the C-D District, structured parking garages shall be encouraged and may be excluded from building coverage and Floor Area Ratio calculations provided:

- a. The footprint of the parking garage shall not exceed half of the square footage of the surface parking area removed.
- b. A landscape buffer of at least 50 feet deep and the length of the parking garage facade is provided between the parking garage and any residential zone boundary. Said buffer may include a combination of dense plantings, berms and/or fencing to ensure appropriate screening of the parking garage from residential zones.

Staff Comment: *This would provide a major improvement to the existing aesthetics of the office park, lowering the amount of impervious surface parking, greatly increasing the landscape buffer to the adjacent residents, and meet decision guideline number 2: "superior design including landscaping design to buffer this use from adjacent residential uses."*

- v.) **Parking:** A minimum of one (1) parking space for every 300 square feet of gross floor area shall be required for a Gymnasium or Physical Culture Establishment. Section 12 shall apply to all other Special Exception uses. The shared use of parking shall be encouraged where a finding is made by the Zoning Board that individual uses will experience peak parking demand at different times. Any application proposing the shared use of parking shall include a parking utilization study supporting any proposed shared use.

Staff Comment: *Even though staff is proposing to simplify this condition (see below), note that the Zoning Enforcement Officer uses the standard listed above for all other Gymnasium or Physical Culture Establishments in the City, e.g., LA Fitness.*

- vi.) **Signage:** In addition to the rights available in accordance with Section 9-BBB-2-e, the total area of signs placed on all walls shall not exceed one (1) square foot per lineal foot of total building façade. One (1) additional ground sign or pole sign may be displayed on any plot not to exceed fifty (50) square feet in area nor shall such sign exceed ten (10) feet in height.

Staff Comment: *This would allow flexibility in the size of wall signs and allow an additional wall sign to facilitate the adaptive reuse and redevelopment within office parks. The size limitation of one square foot per linear foot of building frontage is one of the lowest permitted in a commercial district.*

- vii.) **Traffic Impact:** In furtherance of the Master Plan objectives, any adaptive reuse of, addition to or redevelopment of existing office space shall result in no net increase in traffic impact compared with permitted office development. In order to ensure same, the Zoning Board may limit remaining unused F.A.R. on the lot or require other onsite or offsite traffic mitigation. A traffic impact and access study shall be prepared and submitted by a State of Connecticut Registered Professional Engineer confirming the proposed use conforms with this requirement.

Staff Comment: *The limitation of F.A.R. based on the traffic impact will directly support decision guideline #3: "superior traffic management."*

- viii.) **Design:** Any new construction on a property with other buildings considered historically or culturally significant shall be designed in a manner which is compatible with the color palette and general massing of the remaining architecture within the property. For purposes of this requirement, a structure listed or eligible for listing on the National Register of Historic Places or the State Register of Historic Places either as an individual

building or as a contributing building in a district shall be deemed historically or culturally significant. To encourage preservation of existing structures, architectural features and overhangs on historically or culturally significant structures shall be exempt from building coverage.

Staff Comment: *Currently there are no design guidelines; this new requirement would require any future proposal to meet decision guideline #5: "compliance with design guidelines."*

Staff Discussion: Adding "Gymnasium or Physical Culture Establishments" by Special Exception enhances the review process by including the Planning Board, as well as the Zoning Board in the approval process. The applicant is proposing to encourage any adaptive reuse and/or redevelopment to provide structured parking that will reduce surface parking and reduce the impervious services, both of which staff affirms. However, the one standard proposed above I argue should be simplified greatly is v.) Parking; *my issue is that the parking demand in large scale existing office parks should be based on a parking needs assessment.* Therefore, I suggest that the Planning Board recommend (if the Planning Board recommends approval) that the Zoning Board simplify and state: "Section 12 shall apply to all Special Exception uses, based on a parking needs assessment supporting the amount of parking proposed and required." Finally, by containing the requirement that "No building shall be located at a distance less than one hundred feet (100') from the boundary line of a property used as a single family residence," provides the buffer for single family residences, in fact, as the preliminary proposal shows, the pool is over 600 feet away (over two football fields) from the nearest neighboring house and additionally buffered by the parking structure and the building, which is a good thing, but will require further refinement once the applicant submits their final proposed site plan, architectural plans, and Special Exception application.

Issue for Consideration: Impacts of outside uses for "Gymnasium or Physical Culture Establishments" by Special Exception, such as outdoor pools, tennis courts, soccer fields, and the like on the neighboring single family houses must be mitigated. From a staff perspective outdoor uses should not negatively impact the neighboring residences; therefore, it would be appropriate for the Planning Board to recommend that the Zoning Board at time of Special Exception application (upon reflection of the Planning Board's referral) that the impacts for all outdoor activities be mitigated by measures including, but not limited to: controlling the hours of operation, extra buffering like landscaping, berms, retaining walls, requiring extra distance from the nearest houses, etc. Given that the four office parks located in the C-D zoning districts in MP Category 8 are uniquely different, it will be important to allow the Zoning Board the discretion on how to mitigate potential impacts on a location-specific basis.

Element 3:

Add: Any application requesting Special Exception approval shall demonstrate how the proposal is in accord with the public convenience and welfare taking into account, where appropriate, the specific standards and conditions of Section 19.3.2 of these Regulations.

Staff Discussion: As stated above, this clarification would enhance the Board's ability to decide based on actual standards, which would be consistent with the standards addressed in Master Plan Category 8 definition.

Other Issues for consideration

A. Compatibility with the Stamford Master Plan (Master Plan Category 8, Mixed Use – Campus). The proposed text amendment would facilitate reuse and/or redevelopment within an office park in accordance with the Master Plan. Office parks have remained stagnant and underutilized. The Master Plan recommends the redevelopment of these sites with a low intensity mix of uses if they retain a landscaped 'campus' setting, in tune with existing buildings on the site and the surrounding area.

The Master Plan establishes the following four criteria for the adaptive reuse of existing office parks that need to be considered by the Board:

(1) Compatibility with adjacent uses and residential areas

The proposed health and fitness facility is compatible, both with the office uses on the site and with the surrounding residential uses. Per Article II Section AA 1.3 h, clubs, including swim, tennis and other clubs allowing for physical activity are, by Special Exception, permitted even in the lowest density districts, as they provide an amenity to residents. However, appropriate measures must be taken, e.g., by requiring buffers, location of outdoor facilities away from neighbors, hours of operation, berms, and enclosure of uses to ensure residential neighbors are properly protected.

(2) Superior design including landscape design to buffer this use from adjacent residential uses

The text changes proposed would allow adaptive reuse and/or redevelopment if the impervious coverage does not exceed either 40% or the existing legally non-conforming porous area coverage. The current impervious surface on the HRREO site is legally nonconforming today at approximately 53%. Per the conceptual plan, the applicant is proposing to limit the impervious coverage to the Efforts should be made to limit impervious surfaces more aggressively than proposed to best protect open space and the campus-like setting and to implement Low Impact Development principles (LID), as required by State and Federal regulations. Upon submittal of the site and architectural plans, staff recommends that the applicant provide a breakdown of the impervious coverage between the amount that currently exists and what is proposed. Other sustainability measures which improve the overall drainage, water quality and landscape design that will provide a 50 foot buffer between the parking garage and the property line closest to the residents, which the site should be utilized to maintain the pervious surface, as well as by building a parking garage on site.

(3) Superior traffic management

The applicant has produced a *Traffic Access and Impact Study* by Frederick P. Clark Associates, which indicates an actual decrease in traffic during weekday peak periods with the proposed health and fitness use when compared to a viable office use. In addition, the applicant has worked with the City's Transportation Bureau to develop improvements to the intersection at Turn of River Road and Buxton Farm Road, which if implemented would greatly enhance the functionality of the intersection.

The consultant used as an alternative the potential reuse of the existing building for medical office, one of the few viable as-of-right uses, and found that the permitted medical office use would have a greater traffic impact during peak hours than the Life Time use. The reduction in the floor area of the proposed use to under 100,000 square feet as proposed by the applicant reduced the traffic generation when compared to the previous proposal. The revised text amendment application limits the allowed F.A.R. to ensure that there is no net increase in traffic impact compared to office use. Thus, this application meets the requirement that the new use *results in "no net increase in traffic impact compared with office buildings."*

(4) Compliance with the goal of directing most commercial development to Downtown,

The proposed "Gymnasium or Physical Culture Establishment" use is a service-based use meant to complement other residential and commercial uses. Allowing this use to replace existing office space within the C-D zone would actually result in a net decrease in commercial development outside of the Downtown.

(5) Compliance with design guidelines.

The current application only requests text change approval. A detailed design review will be warranted at the time site and architectural plan and special exception applications are made. The proposed text amendment should better facilitate good design standards by incorporating site and architectural design criteria including compatibility with the suburban context and development of a cohesive relationship among buildings. Entrances should be designed to facilitating pedestrian and vehicular connections within the park; the buildings should be designed to create an attractive environment at the pedestrian scale. All new parking structures should be enclosed and integrated into the development behind active uses. Loading and service areas should be required to be screened from pedestrian views by landscaping.

B. Sustainable development

In order to achieve the superior design the Master Plan requires for the adaptive reuse and/or redevelopment of office parks, staff recommends that the applicant incorporate sustainability measures within the proposed text to enhance the natural features of the site, to the maximum extent possible. Staff recommends that these measures should include consolidation of parking areas to minimize the impervious coverage on site and encouragement of bike and transit use through provision of visible and easily accessible bike racks and shuttle service. The proposed

buildings should be built to high sustainability standards in terms of energy efficiency, green infrastructure (green roofs, water harvesting) and use of sustainable building and landscaping materials.

Development of Stamford's Office Parks has been languishing and they are an underutilized asset for both their owners and the City. This is why the Campus Mixed-Use category was included in the Master Plan. However, because of their context in low density areas and the potential significant impacts, redevelopment of this site needs to be carefully planned.

STAFF RECOMMENDATION:

Staff recommends approval of ZB 217-01 Text Amendment to:

- 1. Require a Special Exception approval by the Zoning Board for all adaptive reuse and/or redevelopment proposals**
- 2. That the "Gymnasium or Physical Culture Establishments" use by Special Exception is appropriate for the C-D Commercial Design District and meets the standards of Master Plan Category #8.**
- 3. Revise the parking standard to state only: : "Section 12 shall apply to all Special Exception uses, based on a parking needs assessment supporting the amount of parking proposed and required."**
- 4. The Special Exception standards will allow the Planning Board to focus all elements of proposed development once filed in particular the outdoor pool.**

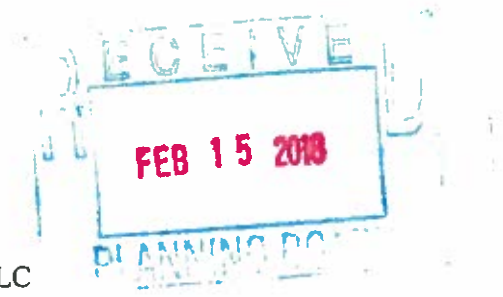
Lisa L. Feinberg
Partner
Direct: 203.252.2677
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lfeinberg@carmodylaw.com

707 Summer Street
3rd Floor
Stamford, CT 06901

February 15, 2018

VIA HAND DELIVERY

David Woods, PhD, AICP
~~Principal Planner~~ *Deputy Director of Planning*
City of Stamford
888 Washington Blvd.
Stamford, CT 06901



RE: Appl. #217-01 – High Ridge Real Estate Owner, LLC

Dear Dr. Woods:

Enclosed please find nine (9) copies of the following materials to assist the Planning Board in its continued review of the above referenced application:

1. Response to Planning Board comments dated February 15, 2018;
2. Letter from MKDA, LLC related to the capital needs and market desirability of Building 3;
3. Updated C-D Zone Exhibit prepared by Redniss & Mead dated February 9, 2018.

Should you have any questions or require additional copies, please let me know. We look forward to continuing our discussion with the Planning Board on February 20th.

Sincerely,


Lisa L. Feinberg

Enc.

SUPPORT

1. Considerable support in the community – particularly N. Stamford – see enclosed petition.
2. Appeared to be consensus on the Board that the use is appropriate.

OPPOSITION

3. Statement by opposing counsel equating Special Exception review to Site Plan review is misleading and false. Connecticut law is clear that a reviewing Board has considerable discretion when reviewing a Special Exception application to protect public health, safety, convenience and property values.
4. The Connecticut Supreme Court has held that it is an “incorrect statement of the law with regard to special permits” to conclude that “[s]ince the special permit is an administrative device, ... the granting agency cannot exercise any discretion in deciding whether to approve an application . . . [and] [i]f the standards for issuance of the special permit have been met by the application, a permit must be issued.”¹ Rather, “[t]he exercise of that discretion is inherently fact-specific, requiring an examination of the particular circumstances of the precise site for which the special permit is sought and the characteristics of the specific neighborhood in which the proposed [use] would [be made].”²
5. The Planning Board does not have Site Plan review jurisdiction. A Special Exception gives the Planning Board authority to review and influence the Zoning Board’s vote.

ADAPTIVE REUSE VS. REDEVELOPMENT

6. *The Master Plan contemplated adaptive reuse AND redevelopment in these parks. In fact, Policy 3B.2 of the Master Plan (Chapter 3, page 69) provides: “....Redevelopment of underutilized office space in suburban-style office parks for mixed-use development should be encouraged. Significant new office development outside of Downtown is currently permitted under existing zoning; zoning for these areas should be amended to encourage mixed-use development.”*
7. *The focus should be on adaptive reuse of the property/campus, not just the building.*
8. *There are C-D lots that have no buildings and others that have significant infill potential floor area. Different uses need to be able to go in new buildings to meet the Master Plan objectives.*
9. *In certain circumstances it may make sense to reuse the building, but this is not always true. For example, senior housing, which seems to be regarded as an appropriate use, would be unlikely to be located within a dated commercial office building. In fact, there is a senior housing development currently under consideration which would require the removal of office space on another property in the C-D zone.*

¹ *Irvin v. Planning & Zoning Comm'n of Town of Litchfield*, 244 Conn. 619, 626 (1998)

² *St. Joseph's High Sch., Inc. v. Planning & Zoning Comm'n of Town of Trumbull*, 176 Conn. App. 570, 599–600 (2017)

IMPACT ON OTHER C-D ZONES

10. *Reduced 50' building setback next to commercial or institutional uses. The existing C-D regulation permits a 50 foot setback from non-residential districts so the practical application of the new setback is the same. 100 foot setback from residential districts is maintained.*
11. *Sunrise Senior Housing has provided a letter of support. Other properties impacted by setback reduction not sensitive (i.e. medical office, Eden Farms, West Hill High School, Italian Center). See exhibit.*
12. *Parking garage exemption from building coverage encourages environmentally friendly Best Management Practices.*
13. *New text requires number of structured parking spaces constructed to be less than or equal to the number existing spaces removed (plus HC spaces) which promotes Master Plan goal of reducing parking (400± surface spaces removed).*
14. *New text balances exemption of parking garage from building coverage with:*
 - *Inclusion of the parking garage in the FAR which is a traffic reducer;*
 - *Parking garage height limited to 3 stories (new text);*
 - *100 foot parking garage setback; and*
 - *50 foot landscape buffer.*
15. *Special Exception approval instead of Site Plan = more Board discretion. In fact, PB isn't even involved in Site Plan approval which is the only approval required today.*

APPROVING THE TEXT IS RUBBER STAMPING THE LIFE TIME

16. *Approving the text change would not allow a specific project.*
17. *Allows property owner to come back and ask for approval for a specific project. The Planning Board and Zoning Board will both have an opportunity to review, question, opine and influence the outcome of the application.*
18. *Current application asks if the use is appropriate for the zone & if the standards proposed balance the need to repurpose these parks with adequate protection for the neighboring residential properties.*

PARKING GARAGE CANNOT BE EFFECTIVELY SCREENED

19. *4 story parking garage could be constructed 100 feet from Sterling Lakes today – without the Planning Board's review since only Site Plan approval is required under the current regulation.*

Response to Planning Board Comments

Appl. #217-01

2.15.18

20. Today, if you sit in a Sterling Lakes neighbor's backyard, Building 3 in High Ridge Park is clearly visible, particularly in winter. (see attached)
21. Significantly easier to screen 3 story garage than a 4 story office building (minimal need for natural light, etc.)
22. Trees are mature and the canopies are high allowing an unobstructed view of the park.
23. New text requires a 50 foot landscape buffer, and a combination of measures could be employed to ensure the screening is vastly improved from today.
24. Planning Board and Zoning Board would need to be convinced of this before they recommend approval or approve, respectively, a site plan or special exception application. The Boards would be the decider of whether the screening was adequate.

THERE ARE PLENTY OF OTHER USES THAT COULD GO IN THE EXISTING BUILDING

25. Master Plan prohibits any use which would create a greater traffic impact during peak hours than the existing office and the Zoning Regulations cannot be changed in a manner that is contrary to the Master Plan.
26. List of potential uses is small when all of the goals of the Master Plan are taken into account.

PLANNING BOARD HAS MADE SIGNIFICANT IMPROVEMENTS TO THE PROPOSAL

STANDARD	PRIOR PROPOSAL	CURRENT PROPOSAL	NOTES
USE	Gymnasium or PCE	Gymnasium or PCE	All members seemed to support the use
FAR	0.4 leasable	0.3 leasable	Garage FAR counts; reduces potential traffic 25%
PARKING SPACES	100% surface parking	Parking garage	No net new parking other than HC spaces*
PARKING SETBACK	25 Feet	50 Feet	
PARKING GARAGE	N/A	Now Proposed**	No net new parking other than HC spaces*
BUILDING COVERAGE	12%	12%	Parking garage and architectural features exempt
IMPERVIOUS	60%	< Existing	+/-51%
BUILDING HEIGHT	4 stories	Parking garages 3 stories max	
BUILDING SETBACK	25 Feet	50 Feet	
LANDSCAPE BUFFER	15 Feet	50 Feet	

*See Text Amendment dated 2.14.18

**More easily screened & environmentally friendly but significantly more expensive.



STAMFORD, CT

EXISTING PERSPECTIVE 2
JUNE 2017



LIFETIME
HEALTHY WAY OF LIFE



STAMFORD, CT

EXISTING PERSPECTIVE 3
JUNE 2017



LIFE TIME
HEALTHY WAY OF LIFE



February 9, 2018

Peter Duncan
George Comfort & Sons
200 Madison Avenue
New York, NY 10016

Re: 3 High Ridge Park
Stamford, CT

Dear Peter,

Thank you for enlisting MKDA to assess 3 High Ridge Park. With MKDA's 60 years of corporate interiors experience and my 30 years of architectural experience, primarily focusing on commercial buildings, we are qualified to provide this assessment and recommendation.

The 6 building park was designed by Victor Bisharat and each building has its own unique design aesthetic with no relation to each other. Unfortunately they were designed almost 50 years ago and the workplace of today is vastly different than the workplace of the 1970's.

Below is a synopsis of our preliminary findings.

- The approximately 85,000 sf building is located in the rear of the park and does not provide meaningful presence for corporations nor is it proximate to amenities.
- The building exterior façade is tired, windows need to be replaced and both are not representative of what larger enterprises desire when designing a space that will appeal to existing and new hires.
- The floor plates lend themselves to smaller tenants, however, the capital required to open and run the building for smaller tenants is prohibitive. Part of the rentable area is below grade.
- Single tenants today want open collaborative space which is not possible with a center core building.
- The ceiling heights are challenging. The first floor features a maximum of 8'4" finished ceiling heights with balance of the floors up to 8'6" which is below the competitive set.
- The mechanicals are past their useful life.
- The generator will need to be replaced and is presently only covers life safety.
- The elevator is hydraulic therefore slow and only one exists for passenger and freight service.
- ADA accessibility and status throughout the building will need to be further evaluated.
- The site only offers exterior parking, with the exception of 260 Long Ridge Road, which is medical, all the buildings in the competitive market offer structured parking.

Based on our preliminary review it is our recommendation that building 3, located at High Ridge Park, Stamford CT would be better demolished than to repurpose for any use including office space as originally intended. Please let us know if you would like us to continue our investigation of 3 High Ridge Park.

Sincerely,

A handwritten signature in black ink that reads 'Julia Lindh'. The signature is fluid and cursive, with a long horizontal line extending from the end.

Julia Lindh, RA
MKDA CT
Executive Managing Director