

William J. Hennessey, Jr.
Partner
Phone: 203.425.4200
Fax: 203.325.8608
WHennessey@carmodylaw.com

707 Summer Street
3rd Floor
Stamford, CT 06901

July 19, 2018

VIA EMAIL: VRosenson@StamfordCT.gov

Virgil de la Cruz and Charles Pia, Jr.
Co-Chairs
c/o Valerie T. Rosenson
Land Use-Urban Redevelopment Committee
Stamford Board of Representatives
888 Washington Boulevard, 4th Floor
Stamford, CT 06901

**Re: Agenda Item LU30.015
Clarification of Sports & Entertainment Complex Prohibition**

Dear Co-Chairs de la Cruz and Pia:

As you know, my firm represents High Ridge Real Estate Owner, LLC, in connection with Zoning Board Appl. #217-01 and LU30.015. This afternoon, we received a copy of materials from Attorney Braman related to the Planning Board's adoption of Master Plan Category #8 (Mixed-Use Campus). Specifically, he included a letter from a resident with a corresponding draft copy of a preliminary version of the Master Plan category. While he did not provide any accompanying explanation, we can only surmise that the materials were intended to imply that the Planning Board intended that recreational facilities and health clubs should not be permitted in Category #8. I am writing you now to explain why that is a twisted interpretation of the facts.

Upon a closer reading of the changes made to the Category #8 language, it is clear that the Planning Board simply forfeited a laundry list of permitted uses for a specific prohibition on the size and scale of common uses that they found problematic. Thus, "recreation and health club" uses and "limited retail and service uses" were replaced with a prohibition against "sports and entertainment complex" and "large format retail uses and shopping centers." If the Planning Board meant to prohibit health and fitness clubs, they would have included that language in the prohibition section – all they had to do was "cut and paste."

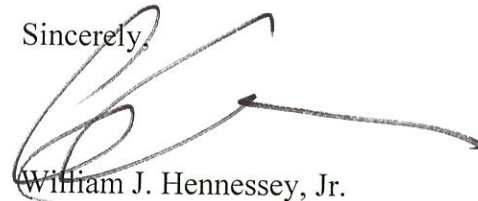
In fact, the Applicant confirmed with Land Use Bureau staff that the proposed "Gymnasium or Physical Culture Establishment" use was not a "Sports & Entertainment Complex" before this application was ever filed.¹ This interpretation is further supported by the

¹ See attached letter from David Woods, Deputy Director of Planning, dated January 30, 2017.

Downtown Special Services District (DSSD), which spent considerable time with the Planning Board in the drafting of this language.² Most importantly, if the Planning Board meant to prohibit health and fitness clubs, it would not have unanimously found that “the ‘Gymnasium or Physical Culture Establishment’ use is appropriate in all C-D zoned parcels and consistent with Master Plan Category #8.” As Representative Lee noted last night, there is nothing ambiguous about this statement.

We look forward to continuing the public hearing tonight and are happy to answer any questions you may have at that time.

Sincerely,



Cc: Ralph Blessing
James Minor, Esq.
John Cannavino, Esq.
Steven Grushkin, Esq.
Leonard Braman, Esq.
Edward P. McCreery, Esq.

² See attached letter from Sandra Goldstein, President of the DSSD.

MAYOR
DAVID R. MARTIN



CITY OF STAMFORD
PLANNING BOARD
LAND USE BUREAU
888 WASHINGTON BOULEVARD
P.O. BOX 10152
STAMFORD, CT 06904 - 2152

LAND USE BUREAU CHIEF
RALPH BLESSING

Tel: (203) 977-4714
Fax: (203) 977-4100
Email: rblessing@stamfordct.gov

PRINCIPAL PLANNER
DAVID WOODS

Tel: (203) 977-4718
Fax: (203) 977-4100
Email: dwoods@stamfordct.gov

January 30, 2017

Lisa Feinberg
Carmody Torrance Sandak & Hennessey
707 Summer Street
Stamford, CT 06901

RE: Life Time Fitness

Dear Ms. Feinberg:

Thank you for your letter dated January 27, 2017 related to the proposed Life Time Fitness use and related Text Amendment. As you mentioned, I will be unable to attend the Planning Board meeting where this matter will be reviewed. Therefore, I appreciate the opportunity to evaluate this proposal in advance.

When reviewing applications on referral from the Zoning Board, the Planning Board is charged with ensuring that the proposal conforms to the Master Plan. The proposed text amendment relates to properties located within the C-D zoning district. Aside from one location, all of these C-D zoned properties are also located in Master Plan Category #8 (Mixed-Use-Campus). Thus, it is necessary to consider whether the proposed text satisfies the requirements of Master Plan Category #8.

As you know, Category #8 includes the following language:

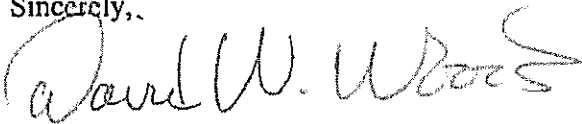
This category is intended to provide for and protect low-density office parks and commercial (non-retail) centers in locations outside of the Downtown, by allowing limited expansion and adaptive reuse of compatible office, research and development, residential, government, educational and medical uses. Principal large-format retail uses, shopping centers, sports and entertainment complexes and similar uses shall be prohibited.... Mixed-use development including adaptive reuse of existing buildings shall be carefully planned and designed and shall result in no net increase in traffic impact compared with office buildings....

Having helped author the current Master Plan and been in attendance at the many meetings where this language was discussed by the Planning Board, I can confirm that the reference to "sports and entertainment complexes" relates to sports and entertainment venues or convention centers used to host sporting events, concerts and other performances. In other words, sports and entertainment uses that are primarily non-participatory. It is not meant to prohibit a fitness and recreational facility like Life Time. Moreover, the language prohibiting a net increase in traffic impact assumes that the base traffic, against which traffic from a new use is measured, are the *peak* traffic times attributable to office use. To interpret this provision otherwise would prohibit any use which has a traffic impact not coinciding with office traffic or which produces more traffic than an office use at times other than peak office traffic times. This would effectively prohibit any adaptive reuse in Master Plan Category #8 and was certainly not the intention.

The Planning Board will be the ultimate decision maker regarding this proposal's compliance with the Master Plan; however, it is my opinion that the proposed Life Time Fitness use, as described in your letter, conforms to Master Plan Category #8 and is an appropriate use in an office park location.

I hope this information is helpful. Please feel free to reach out to me with any questions you may have as you move forward with this project.

Sincerely,

A handwritten signature in dark ink, appearing to read "David W. Woods", with a stylized flourish at the end.

David W. Woods, PhD, AICP
Principal Planner

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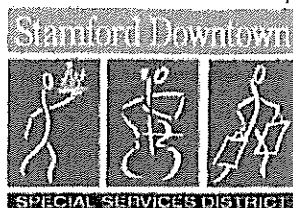
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Five Landmark Square, Suite 110, Stamford, CT 06901

Tel (203)348-5285 Fax (203)348-6857

dssd@stamford-downtown.com stamford-downtown.com

Representative Charles Pia

Representative Virgil de la Cruz

Co-Chairs, Land Use Committee, Board of Representatives, Stamford, CT

888 Washington Blvd.

Stamford, CT

July 19, 2018

Representatives de la Cruz and Pia,

I am given to understand that at last night's public hearing before your committee reference was made to the Downtown Special Service Districts (DSSD) "involvement" in the 2015 Master Plan. In fact, the DSSD invested substantial time and effort attempting to ensure that the Planning Board drafted the Master Plan in a manner that would ensure that uses which, in our opinion, should only be allowed in the Central Business District were prohibited in other areas, including so-called "suburban office parks" in Category 8 of the Master Plan.

We are pleased with the work of the Planning Board and that uses, such as large format retail, shopping centers, and sports and entertainment complexes are prohibited within Category 8. In our view, and based on our discussions with the Planning Board during the drafting process, the term "sports and entertainment complexes" is meant to include live performance venues, multi-screen movie complexes, stadiums and arenas, and similar such facilities. It was not meant to include – and the DSSD certainly has no objection to – health and fitness centers, which may be defined in the zoning regulations as "Gymnasium and Physical Culture Establishments," being located in Category 8.

I hope this clarifies the position and understanding of the DSSD.

Sincerely,

Sandra Goldstein, President