

June 19, 2018

Thomas R. Mills
Zoning Board
Stamford Government Center
888 Washington Boulevard, 7th Floor
Stamford, CT 06901

Subject: Soccer Club Text Change

Dear Chairman Mills:

On behalf of our clients, TLRC LLC, we are pleased to present this application for a text change of the Stamford Zoning Regulations creating a new special exception use for a Soccer Club permissible in the RA-2 and RA-3 zones. This application is submitted pursuant to all applicable sections of the City of Stamford Zoning Regulations, including sections 3, 4, 19, 20, and Appendix A, the December 2014 Stamford Master Plan, the Code of the City of Stamford, including chapter 3, subdivision B, and Title 8 of the Connecticut General Statutes.

I. Background and Existing Conditions

The City of Stamford Zoning Regulations (the "Regulations") permit several uses to meet the outdoor recreational needs of very low density single family residential areas. Some of these uses include Camp, Summer Day (19), Camp Ground (20), Clubs - Country Golf Yacht Beach (27), Clubs & Lodges Non-Profit (24), Club – Swim and/or Tennis (99), and Community Center (Undefined). The Applicant wishes to create an outdoor recreational opportunity for very low density single family residential areas that includes both Soccer and Tennis.

II. Proposed Text Change of the Stamford Zoning Regulations

Proposed under this application is a request to amend the text of the Regulations, in the public's best interest, and in keeping with the City's Master Plan, to meet the changing recreational needs of the City's residents. The proposed text change includes defining a new use, Soccer Club, as well as providing for the use under special exception approval, and appropriate site and siting controls to insure Soccer Clubs are located, scaled, and designed to maintain a high quality of life for very low density single family residential areas. The proposed text change, in its entirety, is attached to this application as Schedule A.

Proposed Soccer Club Definition:

94.95 Soccer Club: Any place, area, or tract of land, owned or leased by an IRS approved 501(c)(3) charitable organization promoting health and well-being, used for the purpose of soccer training and contests, the principal facilities of which shall include soccer fields, field houses, and indoor training areas, and which may maintain and operate on the same premises tennis courts and such accessory facilities usually provided by a soccer club. For-Profit entities may lease and sublease the Soccer Club facilities from an IRS approved 501(c)(3) charitable organization.

Special Exception uses are generally considered to be compatible with surrounding uses but require additional regulation to address off-site impacts. *Barberino Realty & Dev. Corp. v. Planning & Zoning Comm'n of Town of Farmington*, 222 Conn. 607, 612 (1992). Zoning regulations enabling special exception uses must contain standards for approval. *Powers v. Common Council of City of Danbury*, 154 Conn. 156, 161 (1966). Special exception regulations must also include conditions necessary to protect the public health and safety. *Conn. Gen Stat. 8-2* (2018). To provide the City's Zoning Board of Appeals with appropriate standards and conditions to evaluate specific sites for use as a Soccer Club, and to provide appropriate conditions to protect the public welfare, the applicant adopts the existing standards section 3.2(a) and proposes additional conditions regulating density and bulk, screening, traffic, lighting, and acoustics. Certain accessory structures and uses have been prohibited in an effort to mitigate impacts and retain the very low density residential character of the RA-2 and RA-3 zones. In addition, the applicant made an extensive public outreach effort in North Stamford to identify neighborhood specific concerns. Finally, the applicant considered comments in regard to quality of life impacts made during recent text change applications to inform these conditions.

Additional text proposed to section 19(3.2):

(f) Soccer Club Use. The Zoning Board of Appeals may by special exception permit the establishment of a Soccer Club use in accordance with APPENDIX A - LAND USE SCHEDULE, applicable standards for special exceptions provided for in these regulations, and the additional standards set forth below:

1. No parcel of land to be used for the above described purposes shall be less than fourteen (14) acres in area.
2. Floor Area Ratio: the total gross floor area of all uses contained within buildings, including residential use and parking structures, divided by the area of the lot shall not exceed the following standards: RA-3 and RA-2 Districts 0.05;
3. Ground Coverage: the total percentage of a lot occupied by buildings, parking areas, driveways, walkways, patios, terraces and other impervious surface areas shall not exceed the following standards: RA-3 and RA-2 Districts 25%;
4. Building Area (Coverage): the total percentage of a lot occupied by buildings shall not exceed the following standards: RA-3 and RA-2 Districts 5%;

5. Any building whether principal or accessory and any lounging area or other area designed for active use shall be not less than one hundred feet (100') from the nearest property line of abutting residential property, and no part of any parking area shall be less than fifty feet (50') from any such property line.
6. The minimum front yard distance shall be governed by the Regulations applicable to the district or districts wherein such use is to be located.
7. There shall be at least thirty (30) off-street parking spaces for each soccer field, three (3) off-street parking spaces for each tennis court, one (1) off-street parking space for each 300 square-feet of indoor training area, three (3) off-street parking spaces for each 1,000 square-feet of office area, and one (1) off-street parking space for the maximum number of employees proposed at the site at one time.
8. All exterior lighting fixtures shall be fully shielded, and lights shall be so designed and located such that their beams are not directed into residential areas or into the public highway in a manner resulting in an intensity of lighting as measured by a light meter with a cosine corrector exceeding one-tenth (0.1) of a footcandle at all property lines. No exterior flashing, strobe, or search lights are permitted.
9. A Soccer Club shall comply with the City of Stamford Code of Ordinances section 164-5, Noise levels, notwithstanding any exemptions permitted by section 164-5(E)(7).
10. There shall be no loudspeakers, outdoor public-address system, or other outdoor sound amplification devices permitted on the premises.
11. Where a Soccer Club leases to for-profit entities, it shall provide reduced cost access to facilities and programs to residents of the neighborhood designated in the Stamford Master Plan in which the Soccer Club is located to provide for the recreational needs of the neighborhood.
12. There shall be no restaurant, café, or other permanent or temporary concession stand, food-truck, or snack bar permitted on the premises.
13. There shall be no tournaments permitted on the premises.
14. There shall be no temporary or seasonal outdoor field or court enclosures, bubbles, tents or domes permitted on the premises.
15. The Zoning Board of Appeals may impose any other reasonable conditions with regard to the operation of a Soccer Club in keeping with section 3.2(b) of these Regulations.
16. All records necessary to permit checking for compliance with these Regulations shall be made available to the Zoning Enforcement Officer on request.

III. Impact Analysis

During the comprehensive preapplication process land use staff requested the applicant consider the text change in light of the Development Review Guidelines (DRG) and provide information on areas of the City impacted by the text change. In response the applicant prepared comparative use and bulk analyses, a comparative DRG outline, a map of the zones and areas of the City impacted by the proposed text change attached as Schedule B, a preliminary analysis of all properties that could become eligible for Soccer Club use in their current configuration, and a Soccer Club concept plan attached as Schedule C.

a. Comparative Use Analysis

Because Swim or Tennis Club appears to be most analogous to Soccer Club, analysis of Soccer Club use is provided in relation to Swim or Tennis Club.

| Comparative Use Analysis | | |
|---------------------------------|---|---|
| | Swim or Tennis Club | Soccer Club |
| Permitted Zones | R-7.5, R-10, R-20, R-A1, R-A2, RA-3 | RA-2, RA-3 |
| Primary Use: | Membership-Based, Not-for-Profit, Two-Sport Athletic Club | Not-For-Profit, Two-Sport Athletic Club |
| Accessory Use: | - | - |
| Primary Facilities: | Swimming Pools and Tennis Courts | Soccer Fields, Field Houses, Indoor Training Areas |
| Accessory Facilities | Typical Accessory Facilities | Tennis Courts and Typical Accessory Facilities |
| Prohibited Facilities: | Bowling Alleys, Non-Employee Over-Night Accommodations | Food and Drink Concessions, Outdoor Sound Amplification, Seasonal Field Enclosures. |
| Prohibited Uses: | Facility Rental on Term or Event Basis, Sale of Alcoholic Beverages | Tournaments |

b. Comparative Bulk Analysis

Because Swim or Tennis Club appears to be most analogous to Soccer Club, analysis of Soccer Club bulk regulations is provided in relation to Swim or Tennis Club.

| Comparative Bulk Analysis | | |
|--|---|---|
| | Swim or Tennis Club | Soccer Club |
| Lot Area: | The greater of 5.0 acres or twice the minimum lot size of the zone in which the use is located.* | 14.0 acres |
| Front Yard: | The greater of the requirements of the zone or the requirements of the zone plus 6 inches for each foot of building length to a maximum required yard of twice the requirements of the zone.♦ | The greater of the requirements of the zone or the requirements of the zone plus 6 inches for each foot of building length to a maximum required yard of twice the requirements of the zone.♦ |
| Rear Yard: | The requirements of the zone in which the use is located.♦ | The requirements of the zone in which the use is located.♦ |
| Side Yard: | The greater of the requirements of the zone or the requirements of the zone plus 6 inches for each foot of building length to a maximum of 40'.♦ | The greater of the requirements of the zone or the requirements of the zone plus 6 inches for each foot of building length to a maximum of 40'.♦ |
| Building/Use from Residential Lot Line: | 100 ft | 100 ft |

| | | |
|---|--|--|
| Parking from Residential Lot Line: | 50 ft | 50 ft |
| Building Area: | RA-3 & RA-2: 10% RA-1 & RA-20: 15% R-10: 20% R-7.5: 25% | 5% |
| Floor Area Ratio: | RA-3 & RA-2: 0.10 RA-1 & RA-20: 0.15 R-10: 0.20 R-7.5: 0.25 | 0.05 |
| Ground Coverage: | RA-3 & RA-2: 25% RA-1 & RA-20: 35% R-10: 45% R-7.5: 60% | 25% |
| Parking: | One (1) off-street parking space for each employee and (1) off-street parking space for every two (2) memberships. | Thirty (30) off-street parking spaces for each soccer field, three (3) off-street parking spaces for each tennis court, one (1) off-street parking space for each 300 square-foot of indoor training area, three (3) off-street parking spaces for each 1,000 square-foot of office area, and one (1) off-street parking space for the maximum number of employees proposed at the site at one time. |

**Note: Section 19(3.2)(d)(1) of the Regulations the minimum permitted lot area for the existing Swim and/or Tennis Club Use or proposed Athletic Club Use is 5.0 acres, 19(3.2)(e)(1) requires twice the minimum lot size for a single family dwelling.*

◆*Note: Section 19(3.2)(d)(2) of the Regulations provide a 100' required yard for any building or area of active use, and 50' required yard for any parking area to an abutting residential property.*

c. DRG Analysis

The proposed text change was considered in light of the City's twelve DRG categories and as with use and bulk analyses, was made in a comparative format to Swim and Tennis Club. The outline-based analysis is included as Schedule D to this application. A summary is provided below.

The proposed text change includes clearly defined parking regulations that have been developed in consultation with Connecticut licensed professional engineers and included a nationwide audit of parking regulations for soccer clubs. Existing and proven site controls will provide for pedestrian access and internal circulation. It does not appear that *Mobility* will be negatively impacted.

Generally, the proposed Soccer Club facility will not consume significant sewerage, water, electrical, or trash and recycling resources. The conditions of approval preclude concessions, reducing water, septic, trash, and recycling requirements, and there is no industrial operation requiring significant electrical power. It is unlikely that there will be a negative impact to *Infrastructure*. Because the primary use of the site is passive recreation to membership-based organizations, the applicant does not anticipate consuming significant public safety resources. However, site plan controls will insure adequate emergency access. No negative impact to *Public Safety* is anticipated.

The proposed Soccer Club use provides significant areas of open spaces with the 100 foot buffers at property lines, as well as providing recreational opportunities to the greater and immediately surrounding community. The Soccer Club use is proposed at relatively low development standards, permitting less impervious development to impact environmentally sensitive areas. It appears *Parks and Open Spaces*, and *Environmentally Sensitive Areas* will be positively impacted by the proposed text change.

Special Exception uses in residential zones can have significant quality of life impacts and must be carefully conditioned in the zoning text to allow mitigation appropriate to site specific development. The proposed text change includes measures to manage the most significant quality of life issues affecting residential development: traffic, light, and noise. Because the text change provides new recreational opportunities, existing standards for siting are adopted, and new conditions on use and development are proposed, it appears the proposed text change will have a positive impact on *Quality of Life*.

The proposed Soccer Club use provides for alternate funding models for a community resource that increase the likelihood that an entity will provide more real estate tax revenue to the City, having a positive *Fiscal Impact*. There are no anticipated impacts to *Housing, Schools and Community Facilities, Conveniences, Urban Design, or Historic Resources*.

d. Soccer Club Impact Analysis

A Geographic Information Systems (GIS) analysis was conducted to identify and evaluate properties that may be impacted by the proposed Soccer Club text change. The GIS analysis identified 32 properties eligible for the new proposed Soccer Club use by lot area. Based on that data, a preliminary topographic and practical analysis was conducted to determine whether a property could be improved with the proposed Soccer Club use.

The GIS analysis was conducted with ArcGIS, Version 10.1 software. The projected coordinated system used was Connecticut State Plane Coordinate System and the unit used was NAD83. Data was sourced from the City of Stamford including vector data, numeric data, aerial photography from 2011, and 2018 tax assessor information. All calculations are approximate and were generated by GIS and data has not been field verified. This analysis is for demonstrative purposes only, and is not offered as an opinion, legal or otherwise, on the viability of development or legal title of any specific property considered.

Methodology:

1. Identify parcels with areas of 14 acres or more located in zones RA-2 and RA-3.
2. Three GIS maps of each property were made to display site-specific data useful for practical analysis:
 - a. Aerial Photo Map
 - b. Topographical Map
 - c. Surrounding Uses Map
3. Topographical analysis was conducted on each parcel, including:
 - a. Lot Shape
 - b. Frontage
 - c. Contours
 - d. Contiguous Developable Area (not otherwise impacted by environmentally sensitive features such as watercourses or inland wetlands)
4. Practical analysis was conducted on each parcel, including:
 - a. Existing deed restrictions
 - b. Existing land use
5. A conclusion was drawn from the bulk, topographical, and practical analyses of each property.
6. An information sheet was generated for each parcel and provided along with the GIS maps. The information sheet provides an overview of the property's location, features, and conclusion.

7. Three GIS maps of the City of Stamford were made to display the results of the analyses:
 - a. Zoning District Eligible for Soccer Club Use
 - b. Properties Eligible for Soccer Club Use
 - c. Properties Satisfying Preliminary Analyses for Soccer Club Use

Conclusion:

The GIS bulk analysis identified 32 properties in the RA-2 and RA-3 zones comprising 14 acres or more. Of these properties, one was determined ineligible due to a bulk zoning requirement deficiency, 14 properties were determined ineligible due to practical development concerns such as significant environmental features or existing uses, and seven properties were determined ineligible due to deed restrictions. A total of 12 properties satisfied this GIS and practical analysis and appear appropriate for Soccer Club use under the existing standards and proposed conditions of section 19 of the Regulations. These and their surrounding properties represent a unique mix of permitted, special exception, and non-conforming uses. In addition, each lot contains or is located near varying environmentally sensitive resources. Finally, the 12 properties are located in a variety of locations throughout North Stamford.

Because private sports and other community clubs are currently permitted in very low density residential zones and the existing bulk dimensions of lots can accommodate the proposed Soccer Club use, the proposed text change does not appear to represent a land use change to North Stamford. The proposed text amendment includes conditions to protect neighboring properties by limiting the intensity of development, noise, and light. For these reasons, the proposed Soccer Club use appears to have utility and value to the City of Stamford and will provide a positive impact. The Soccer Club Text Change Impact Analysis is attached as Schedule E.

IV. Conformance with the 2014 City of Stamford Master Plan

The Master Plan considers the City's role as Connecticut's leading city as "vital to its economy and the quality-of-life of its residents." The Master Plan goes on to state, "[m]aintaining and enhancing its place as a vibrant regional destination for jobs, shopping, dining and entertainment is central to its vitality." The proposed text change maintains a key feature of the quality-of-life and character of the City by adding to the recreational options available to the City's very low density single family residents with express conditions mitigating off-site impacts. The result is maintaining the strong residential character and quality of life the City's North Stamford residents. The proposed text change maintains existing residential zoning districts and does not result in a land use change to North Stamford.

V. Conclusion

The proposed text change contributes to the Master Plan's call to maintain a high quality-of-life for residents, keeping the City vibrant and most importantly maintaining existing very low-density character of North Stamford. The Soccer Club use offers a stronger variety of outdoor recreational opportunities in keeping with the public welfare of the City. The adopted existing standards, and proposed conditions provide a use that will not create adverse traffic impacts, light

and noise pollution, will maintain and improve environmental quality by allowing for low density development revolving around recreation with broad open space. For these reasons, the Zoning Board should vote to approve the text change proposed in this application.

VI. Application Documents

Accompanying this narrative letter, please find included with the application the following items:

- Twelve (12) copies, Narrative Letter
- Twelve (12) copies, Text Change Amendment Application

We look forward to responding to staff requests and making a presentation to the Zoning Board at a public hearing. Please do not hesitate to contact me with any questions regarding these materials at (203) 661-1611 or caseyo@odonlaw.com.

Sincerely,



Casey M. O'Donnell

Encl: Schedule A – Proposed Text Change
Schedule B – Text Change Impact Map
Schedule C – Soccer Club Concept Plan
Schedule D – DRG Analysis Outline
Schedule E – Soccer Club Impact Analysis