

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
FEBRUARY 10, 2011**

- 4. APPLICATION: Z10-021 (10335-00000-00358)**
Location: **1215 WEST MOUND STREET (43223)**, being 47.16± acres generally located on the south side of West Mound Street at the terminus of Glenwood Avenue (425-286326 through 425-286329; Southwest Area Commission).
Existing Zoning: R, Rural District.
Request: CPD, Commercial Planned Development District.
Proposed Use: Commercial development.
Applicant(s): King Holding Corporation; c/o George R. McCue and Michael T. Shannon, Attys.; Crabbe, Brown & James, LLP; 500 South Front Street, Suite 1200; Columbus, OH 43215.
Property Owner(s): Board of Commissioners for Franklin County; c/o COCIC; P.O. Box 6355, Columbus, OH 43206.
Planner: Shannon Pine, 645-2208, spine@columbus.gov.

BACKGROUND:

- The 47.16± acre site is developed with Cooper Stadium and is zoned in the R, Rural District since it's annexation from Franklin Township in 2007. The applicant requests the CPD, Commercial Planned Development District to allow a multi-purpose complex including but not limited to a race track with grand stand (Track Facility), an automotive research/technology facility, offices, hotel/conference center, and restaurants.
- To the north across West Mound Street is mixed commercial and industrial development in the C-4, Commercial District. To the east are a cemetery in Franklin Township and an office/warehouse in the L-M, Limited Manufacturing District. To the south are a cemetery in Franklin Township and an apartment complex in the AR-3, Apartment Residential District. To the west is a tool rental company in Franklin Township and a truck container cleaning/repair garage in the R, Rural District.
- Because the proposed Track Facility would also be used for spectator events, a Special Permit will be required from the Board of Zoning Adjustment (BZA) as an *outdoor amphitheater* use. Section 3307.06, Special Permits, of the Columbus City Code requires a Special Permit for specified uses where it is shown that the use can be granted without substantial detriment to the public good, without substantial impairment of the general purpose and intent of the zoning district in which the use is proposed to be located, and without significant incompatibility with the general character of the neighborhood. The BZA is authorized to impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the board deems necessary to carry out the intent and purpose of the Zoning Code and to otherwise safeguard the public safety and welfare.

- The site is located within the planning area of the *Southwest Plan* (2009), which recommends community commercial uses for the site. The Plan recommends Guiding Principles for redevelopment of the Cooper Stadium site based upon the original parameters established by Franklin County when it decided to pursue redevelopment. It also recommends incorporation of this portion of West Mound Street into the Regional Commercial Overlay (RCO). The Guiding Principles and Staff's interpretation as to how the proposal meets the principles are as follows:

Comprehensive: *Redevelopment proposals should be evaluated for the overall impact on the community including environmental, quality of life and economic considerations.*

The development text includes commitments that limit motor sport event times, require sound walls to be constructed prior to an event being held, and restrict the height of new lighting within 25 feet of residential property. The applicant has also entered into a separate (and private) Good Neighbor Agreement with the Southwest Civic Association which includes commitments that are unable to be enforced within a CPD text and pertains to providing event schedules to the abutting cemeteries, conducting noise monitoring during all facility events resulting in fines and adjustments to programming for violations, and hours of operation.

Immediacy: *Most agree that the presence of a large, vacant site would be a detriment to the community. This commonality should provide an incentive for all parties to work cooperatively when considering redevelopment proposals.*

Cooper Stadium has been vacant for two years. While substantial debate has occurred regarding the proposal and community support has been identified, some parties of interest remain opposed to the proposal. The applicant has met extensively with stakeholders, and the development text and Good Neighbor Agreement contain commitments to reduce the negative impacts of the proposal.

Positive impact: *Located between the Southwest and Franklinton areas, redevelopment of the site must be beneficial for both communities. Examples of positive benefits could be job creation, adding an asset/amenity for the area, providing enhanced retail opportunities or a use that triggers additional private investment.*

The proposal has the potential to provide employment opportunities, entertainment, and retail services for area residents.

Maximize economic development potential. *Previous studies conducted by Franklin County indicated a strong preference for economic growth for the Cooper Stadium site and surrounding area. This includes an increased tax base, job creation and retention of jobs in the surrounding areas.*

No employment benchmarks were provided in the application; however some level of job creation will take place if the proposal comes to fruition. Taking the site into private ownership will generate property taxes (the site is currently owned by Franklin County). Also, a separate (and private) Good Neighbor Agreement commits to employing local residents and taking advantage of local services.

Feasibility: *Redevelopment proposals should be achievable. The relative ease or difficulty of reuse scenarios should be evaluated. Environmental impact, community support, freeway access and market conditions are factors to consider.*

The proposal appears feasible as an adaptive reuse with significant new construction. The site has served as an events venue for some time and has good vehicular access. The Southwest Area Commission supports the proposal.

Access: *Currently, highway access is only available from the east. This has implications for the commercial value of the site because customers traveling from the west would not have direct access to the site. While improved highway access is desirable, it seems unlikely due to expense and space requirements. Any redevelopment scenario should take into account access limitations and study the financial impacts on their business. Also, uses that generate significant traffic should study impacts on adjacent neighborhoods due to increased cut-through traffic.*

The site plan and text proposes to use all of the existing access points. The submitted traffic study provides further detail regarding potential impacts and may result in additional traffic-related commitments. The proposed use does not appear likely to present a significant challenge because as with the baseball stadium, much of the traffic will be event based, rather than ongoing.

Sensitivity: *Redevelopment proposals should acknowledge and respect the character of the neighboring cemeteries.*

The development text commits to the installation of sound walls and incorporation of native plant materials in required landscaping as approved by the City Forester. Several studies have been submitted to address noise and environmental impact. A Special Permit from the BZA will ultimately be required for the Track Facility, and the noise-related issues will be further evaluated during that public hearing process.

Mixed Uses: *If the reuse of the existing facility is not feasible, a range of commercial and office uses may be appropriate on the Cooper Stadium site.*

The site plan proposes a mix of uses including racetrack, office/research facility, and retail.

Cemetery Access: *Redevelopment proposals should consider the possibility of improving access to Greenlawn Cemetery. By reorienting the entry the cemetery would have easier access and a ceremonial entrance suitable to the historic cemetery.*

There is no commitment to change access to Greenlawn Cemetery, and it is Staff's understanding that Greenlawn does not desire a change in access at this time.

Adaptive Reuse: *Reuse of the existing structure should be encouraged.*

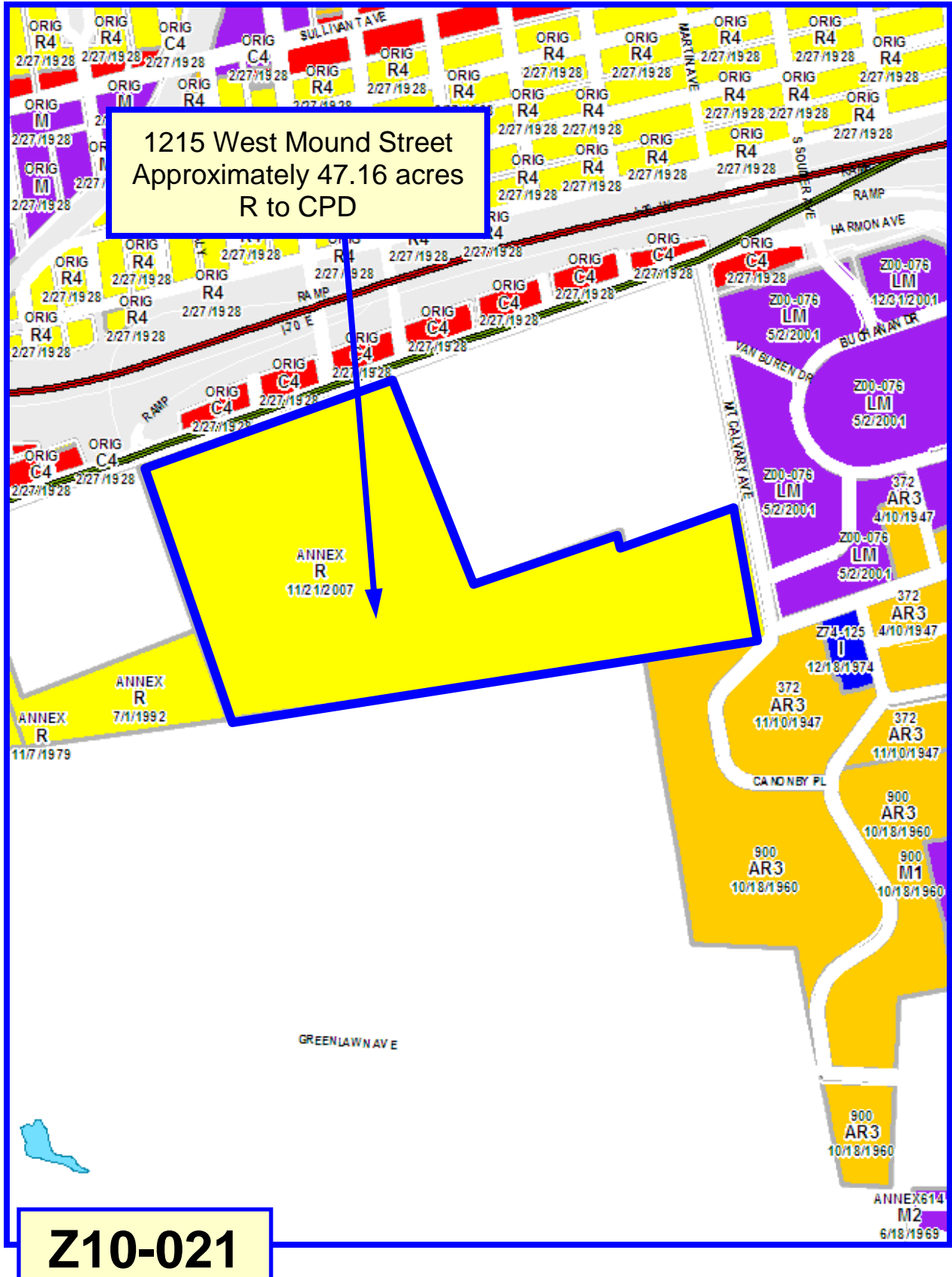
The proposal preserves a portion of the existing structures augmented by new construction.

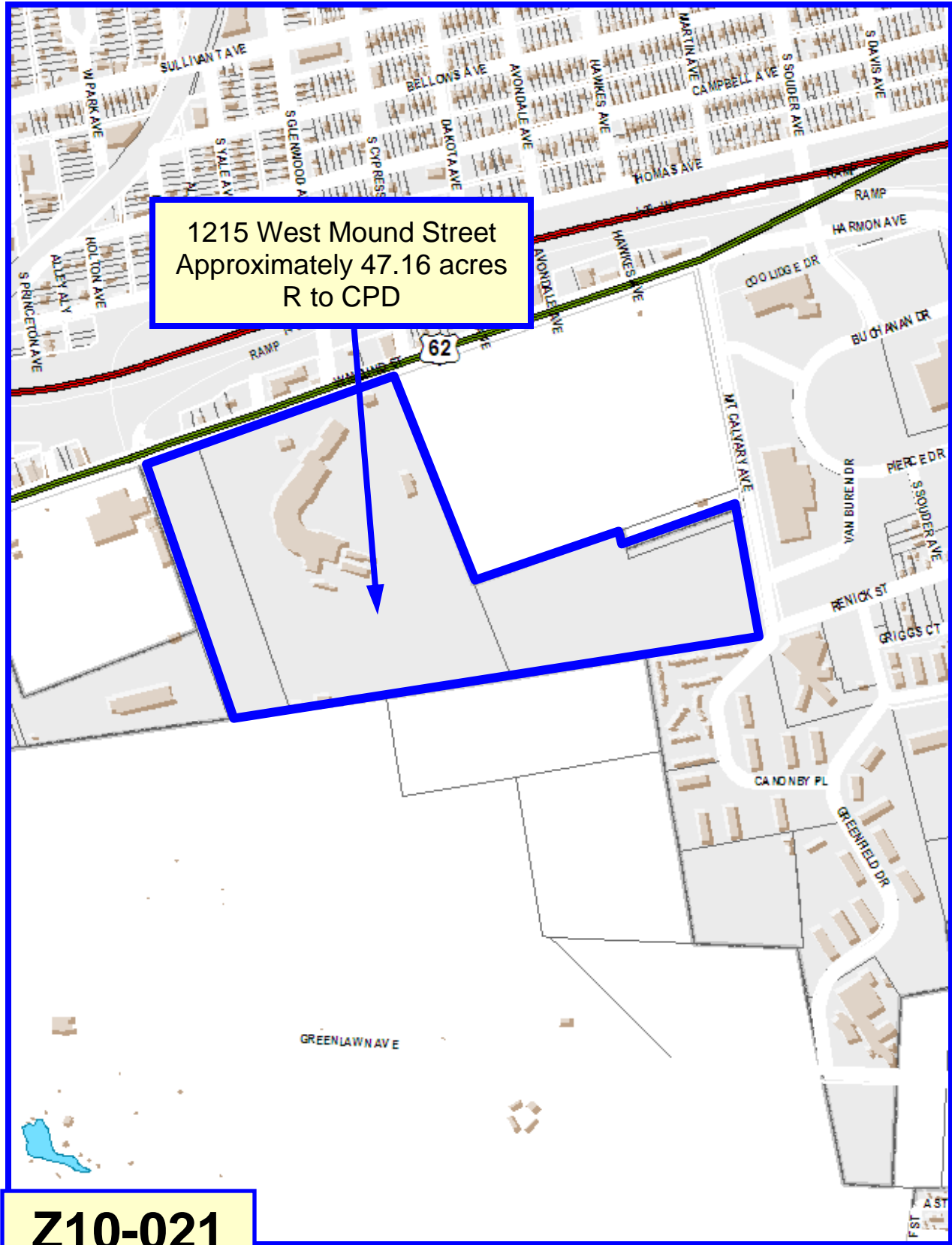
- The site is located within the northern-most boundary of the Southwest Area Commission whose recommendation is for approval of the requested CPD, Commercial Planned Development District. The site is just south of Interstate 70, the southern boundary of the Franklinton Area Commission, and the applicant has been meeting with them to receive input and seek a recommendation on the proposal. The Franklinton Area Commission recommendation had not been received at the time this report was written. Staff has received communications from numerous parties in support and in opposition of the proposal. All of these documents are available at the following web sites: www.cooperparkcomplex.com for the proponents and www.roarcolumbus.com for the opponents.
- The CPD text commits to a site plan and includes setback requirements, use restrictions, and commitments for landscaping, screening, exterior building materials, sound barriers, and lighting controls. Variances for minimum number of parking spaces required, to maintain the height of existing light poles, and to maintain no striping in the overflow parking lot in Site Parcel 3 are included in the request. The applicant has also requested variances to RCO standards when the overlay is in effect for Site Parcels 1, 2, and 3 since they do not directly front on West Mound Street. The CPD Text also contains a provision that redevelopment of the site can occur in accordance with the C-4 Commercial District should the Track Facility not be developed.
- The Traffic Impact Study for the proposed development was submitted to the Public Service Department, Planning and Operations Division, on January 21, 2011. Review of the study has been completed, but traffic-related commitments have not been finalized at this time. Those commitments will be incorporated into the proposal prior to consideration at City Council.*
- The *Columbus Thoroughfare Plan* identifies West Mound Street as a 4-2 arterial requiring a minimum of 50 feet of right-of-way from centerline.

CITY DEPARTMENTS RECOMMENDATION: Approval.

The requested CPD, Commercial Planned Development District will allow redevelopment of the former Cooper Stadium site that had previously been used for spectator events prior to annexation from Franklin Township. The development text responds to the Guiding Principles in the *Southwest Plan* by limiting event times, requiring sound walls to be constructed, and containing commitments for use restrictions, landscaping, screening, exterior building materials, and lighting controls. A Special Permit from the BZA will be required to permit spectator events at the Track Facility, and noise-related impact will be further evaluated during that public hearing process. Staff is supportive of establishing a commercial zoning district on this property to initiate the redevelopment process.

*The required traffic commitments as approved by the Public Service Department, Planning and Operations Division, have been incorporated into the final CPD text contained in the ordinance.





Z10-021

Future Land Use Map

The intent of the Southwest Area Plan's future land use map is to preserve open space along

stream channels, reinforce established residential areas, introduce office uses and revitalize Central Point and Southwest Square as the primary commercial nodes for the area.

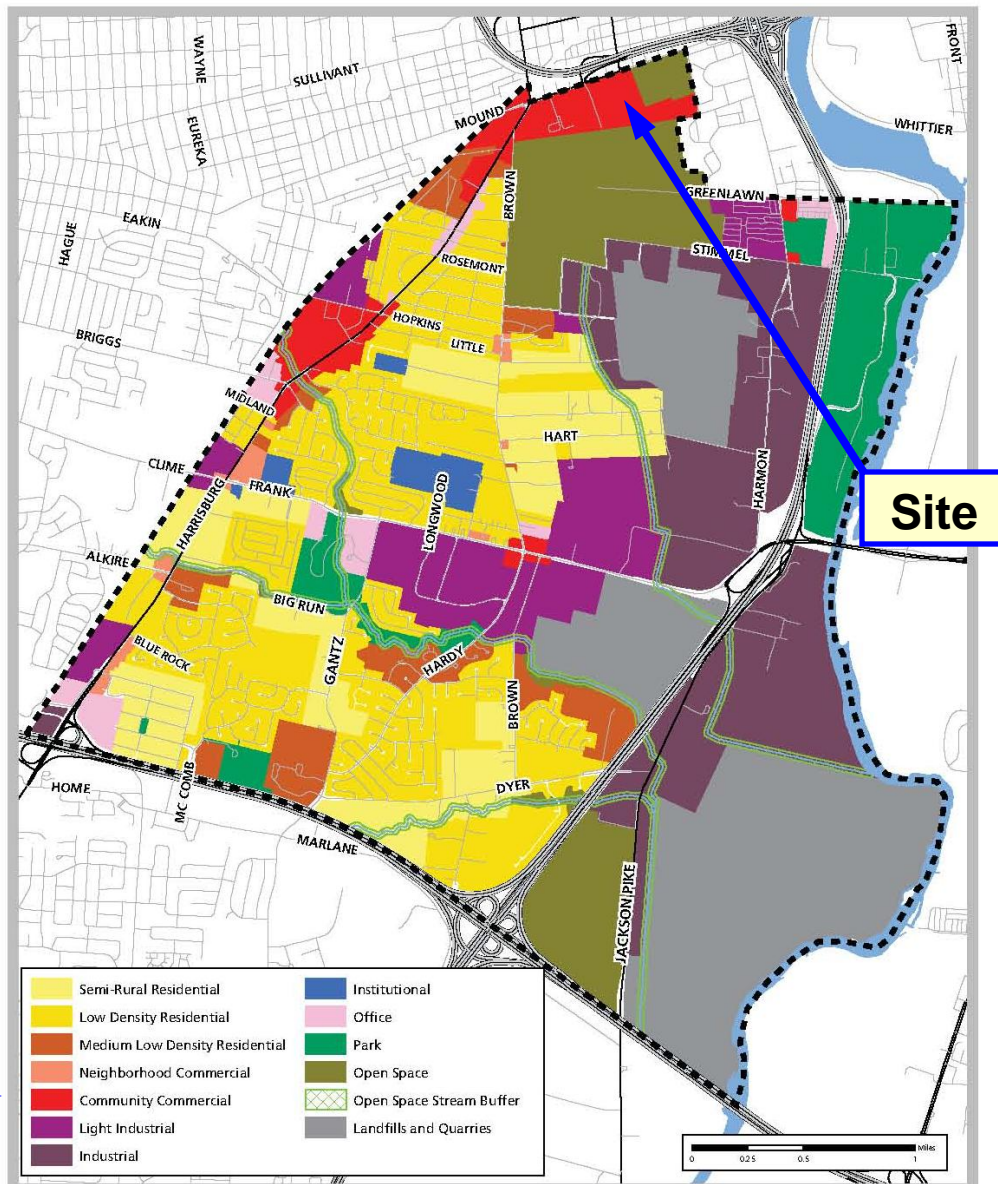


Figure 10: Future Land Use

Z10-021



Cooper Stadium

Cooper Stadium has served as a cultural and entertainment hub for the Southwest Area and the entire metropolitan region since its opening in 1932. The final season of minor league baseball concluded in 2008 and redevelopment of the site is a priority for the community. The main ways the Southwest Area Plan will influence redevelopment are through the plan's land use and urban design recommendations. These are the overall guidelines concerning the future use and form of whatever may be built at this location.

In recognition of the significance and potential impact to the community that redevelopment of Cooper Stadium presents, the plan outlines criteria to keep in mind as redevelopment proposals are shaped and evaluated.

The guiding principles below form that criterion. The principles are adapted from the Cooper Alternative Plan, a study prepared for Franklin County in 2005 that investigated re-use concepts for feasibility and impact. The principles convey the major issues that are important to the community and have received community support. They should serve as a reference for governmental agencies, potential developers and the public.

Guiding Principles

- **Comprehensive.** Redevelopment proposals should be evaluated for the overall impact on the community including environmental, quality of life and economic considerations.
- **Immediacy.** Most agree that the presence of a large, vacant site would be a detriment to the community. This commonality should provide an incentive for all parties to work cooperatively when considering redevelopment proposals.
- **Positive impact.** Located between the Southwest and Franklin areas, redevelopment of the site must be beneficial for both communities. Examples of positive benefits could be job creation, adding an asset/amenity for the area, providing enhanced retail opportunities or a use that triggers additional private investment.
- **Maximize economic development potential.** Previous studies conducted by Franklin County indicated a strong preference for economic growth for the Cooper Stadium site and surrounding area. This includes an increased tax base, job creation and retention of jobs in the surrounding areas.
- **Feasibility.** Redevelopment proposals should be achievable. The relative ease or difficulty of reuse scenarios should be evaluated. Environmental impact, community support, freeway access and market conditions are factors to consider.
- **Access.** Currently, highway access is only available from the east. This has implications for the commercial value of the site because customers traveling from the west would not have direct access to the site. While improved highway access is desirable, it seems unlikely due to expense and space requirements. Any redevelopment scenario should take into account access limitations and study the financial impacts on their business. Also, uses that generate significant traffic should study impacts on adjacent neighborhoods due to increased cut-through traffic.
- **Sensitivity.** Redevelopment proposals should acknowledge and respect the character of the neighboring cemeteries.
- **Mixed Uses.** If the reuse of the existing facility is not feasible, a range of commercial and office uses may be appropriate on the Cooper Stadium site.
- **Cemetery Access.** Redevelopment proposals should consider the possibility of improving access to Greenlawn Cemetery. By reorienting the entry the cemetery would have easier access and a ceremonial entrance suitable to the historic cemetery.
- **Adaptive Reuse.** Reuse of the existing structure should be encouraged.

Z10-021

December 20, 2010

Shannon Pine
757 Carolyn Avenue
Columbus, Ohio 43224

Re: Z10-021 (Cooper Stadium Rezoning)

Dear Ms. Pine;

As you are aware the Southwest Area Commission has been investigating and working diligently to understand and analyze the issues surrounding the proposed redevelopment of the Cooper Stadium site. After over two years of due diligence we unanimously voted on December 15, 2010 to support the rezoning request filed by the developer. Below is a copy of the motion that was passed.

"I move that the SWAC support zoning application Z10-021 filed by King Holding Company regarding the former Cooper Stadium site with conditions;

Over the last two plus years the SWAC has spent a significant amount of time investigating the issues surrounding the proposed redevelopment of the Cooper Stadium site. We participated in the selection process of an acoustical expert to conduct a noise study, we hosted two community forums to review the results of the noise study conducted by HMMH as well as the noise study conducted by ROAR (Redevelop Our Area Responsibly), we have listened to comments from citizens of the Southwest Area and Franklinton, We have listened to comments from business owners in the Southwest Area and Franklinton, listened to the concerns of Green Lawn Cemetery Board Members, evaluated the economic impact on the area, reviewed the Southwest Area Plan, provided feedback to the developer and participated in a demonstration of the potential noise hosted by Green Lawn Cemetery.

It is our responsibility to indicate a recommendation to the Columbus Development Commission and Columbus City Council that we believe is in the best interest of the community as a whole. We recognize that some members of the community are opposed to the project and object to the potential noise and its impact on the community.

Members of the Southwest Area Commission and citizens who live in our community are proud to call the Southwest Area home and are working to be leaders for positive change in our area.

We believe that the proposed redevelopment of the Cooper Stadium site will be the catalyst for positive potential growth. Our area, in particular the area surrounding this site, has not seen much positive activity in recent years. Members of our community are desperate for job opportunities and local businesses are ready and able to provide services and products to this project.

We condition our support for this zoning request on the following additions to the CPD text:

- 1) Sound walls will be made of material with a noise reduction coefficient of 0.75 or greater as indicated by HMMH.

- 2) No events will be conducted in the projects track facility involving motorized vehicles until the completion of all the sound barrier walls.
- 3) No events will be conducted in the projects track facility involving motorized vehicles until the completion of the research and technology center with a minimum of 20,000 square footage devoted to interior office space.
- 4) All events in the projects track facility involving motorized vehicles will end before 10pm and will not begin until after 7am.
- 5) A parkland fee in the amount of \$18,864 (\$400/acre) will be included.
- 6) A traffic impact study will be completed regarding traffic and recommendations will be included.
- 7) Sidewalks and crosswalks will be included based on the recommendations of the Columbus Health Department.



We also condition our support on the execution of a Good Neighbor Agreement with a civic association in the Southwest Area that will include:

- 1) First consideration to hire local residents of the Southwest Area and Franklinton.
- 2) First consideration to purchase materials and supplies from local companies.
- 3) Voluntary noise monitoring and data reported to the community to hold the developer accountable; including contractual agreements to make facility and event modifications.
- 4) Advance notice of events will be provided to Green Lawn Cemetery and Mt. Calvary Cemetery.
- 5) The exterior of the facility, including parking lots, will be maintained in a clean and neat condition, free of litter and graffiti.
- 6) Adequate security will be provided to monitor the activity of facility patrons and discourage unsafe and illegal behavior, including hiring special duty police officers as necessary.”

As a group of volunteers we have made a public stand to support this project which we believe is critical to the future redevelopment of our area. We ask for your support of this project as well.

If you have any questions or would like to discuss further please contact me at 614.519.0436 or by email at stefaniecoe@hotmail.com.

Sincerely,

Stefanie Lynn Coe
Secretary, Southwest Area Commission



The Southwest Area Commission recommendation included approval of a Good Neighbor Agreement which cannot be included as part of the rezoning ordinance.



"Anti" input: 35 min
"Pro" input:

COLUMBUS DEVELOPMENT COMMISSION

Basis for Recommendation

Date: February 10, 2011

AREA
COMM'S:
SPLIT
VOTE

Application #: Z10-021	Requested: CPD	Address: 1215 WEST MOUND STREET (43223)						
# Hearings:	Length of Testimony: 2 hours 6:17 → 8:17	Staff: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Disapproval						
		Position: <input type="checkbox"/> Conditional Approval						
# Speakers: 9	Development Commission Vote: 5 Yes ___ No ___ Abstain ___	Area Comm/ Civic Assoc: <input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Disapproval						
Support: 9	Opposition: 5	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Disapproval						
Position Y=Yes N=No (write out ABSENT or ABSTAIN)		Y	Y	Y	Y	Y	Y	
		Fitzpatrick	Ingwersen	Anderson	Cooley	Conroy	Onwukwe	ABSENT Coe
+ = Positive or Proper - = Negative or Improper		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
* Land Use (EMPHATIC ISSUE)		+ ✓						
Use Controls		+						
Density or Number of Units								
Lot Size								
Scale (INTENSITY)			GOOD NEIGHBORHOOD RESPONSE					
Environmental Considerations								
Emissions								
Landscaping or Site Plans								
Buffering or Setbacks								
Traffic Related Commitments								
Other Infrastructure Commitments			SOUND WITH COMMITMENT					
Compliance with City Plans								
Timeliness of Text Submission								
Area or Civic Assoc. Recommendation			SPLIT					
Governmental or Public Input								
MEMBER COMMENTS:								
FITZPATRICK: THIS IS APPROPRIATE AND NEEDED IMPROVEMENT TO THE AREA THE APPLICANT HAS SIGNED A BINDING CONTRACT TO GUARANTEE ACCEPTABLE LEVEL OF INTENSITY.								
INGWERSEN:								
ANDERSON:								
COOLEY:								
CONROY:								
ONWUKWE:								
COE:								

**REZONING APPLICATION**

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION # Z10-021

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) George R. McCue, Esq.
of (COMPLETE ADDRESS) 500 S. Front St., Suite 1200, Columbus, OH 43215
deposes and states that (he/she) is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

Name of business or individual
Business or individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

1.	Board of Commissioners for Franklin County c/o Central Ohio Community Improvement Corp. Post Office Box 6355, Columbus OH 43206	2.	
3.	King Holding Corporation 107 S. High Street Columbus, Ohio 43215 Columbus Based Employees: 0 Contact: William Schottenstein (614.463.9730)	4.	

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

George R. McCue

Subscribed to me in my presence and before me this 3rd day of May, in the year 2011

SIGNATURE OF NOTARY PUBLIC

Carol A. Stewart



CAROL A. STEWART

NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 06/29/2014

This Project Disclosure Statement expires six months after date of notarization.

PLEASE NOTE: incomplete information will result in the rejection of this submittal.
For all questions regarding this form and fees please call: 614-645-4522
Please make all checks payable to the Columbus City Treasurer

Revised 02/06/11