

Rendering - W. Fifth & Gerrard Apartments



S. J. Scott
12-28-22



1 Bldg A South Elevation
1/16" = 1'-0"



2 Bldg A+B East Elevation
1/16" = 1'-0"

Fifth Avenue Apartments

Exterior Elevations
Exhibit 1

S. J. Scott
12.28.22



1 Bldg A+B West Elevation
1/16" = 1'-0"



2 Bldg A North Elevation
1/16" = 1'-0"

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SULLIVAN BRUCK
ARCHITECTS

Fifth Avenue Apartments

Exterior Elevations
Exhibit 2

S. J. Smith
12.28.22

Preferred Living

21012.00
09/08/22
A2-02



2 Bldg B North Elevation
1/8" = 1'-0"



1 Bldg B South Elevation
1/8" = 1'-0"

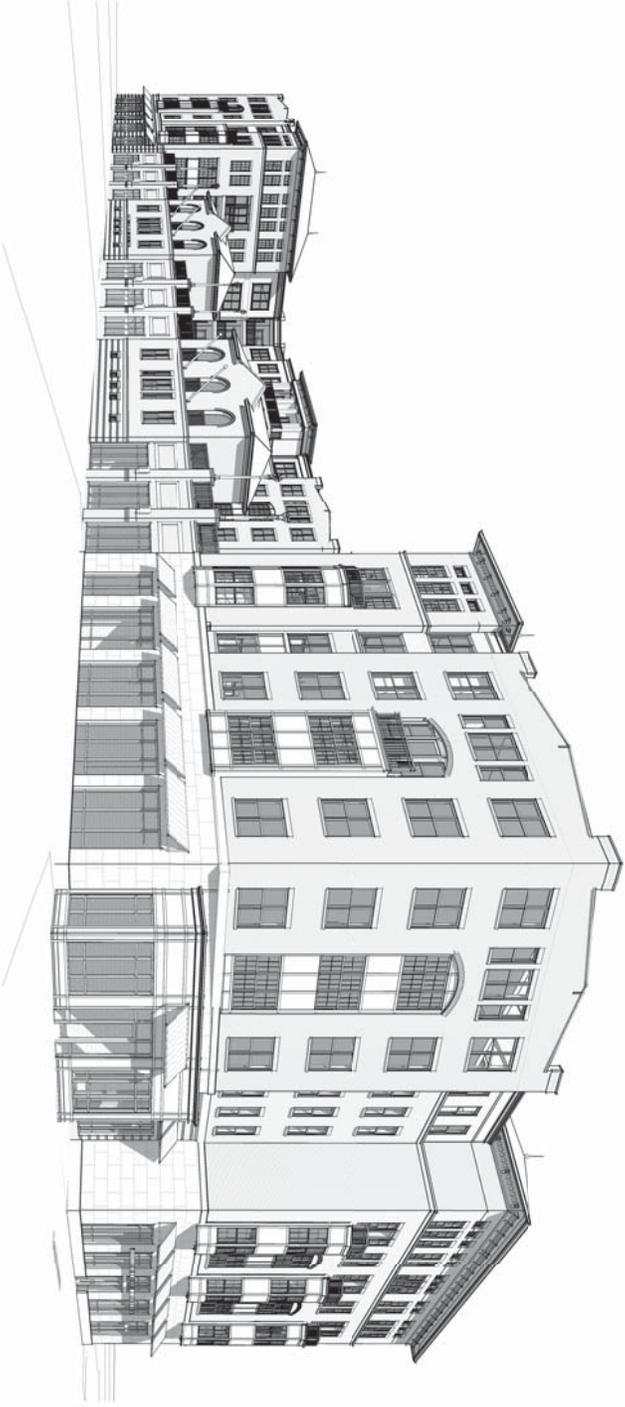
Fifth Avenue Apartments

Exterior Elevations
Exhibit 3

S. J. Scott
12.28.22



2 3D from South



1 3D at Corner

Fifth Avenue Apartments

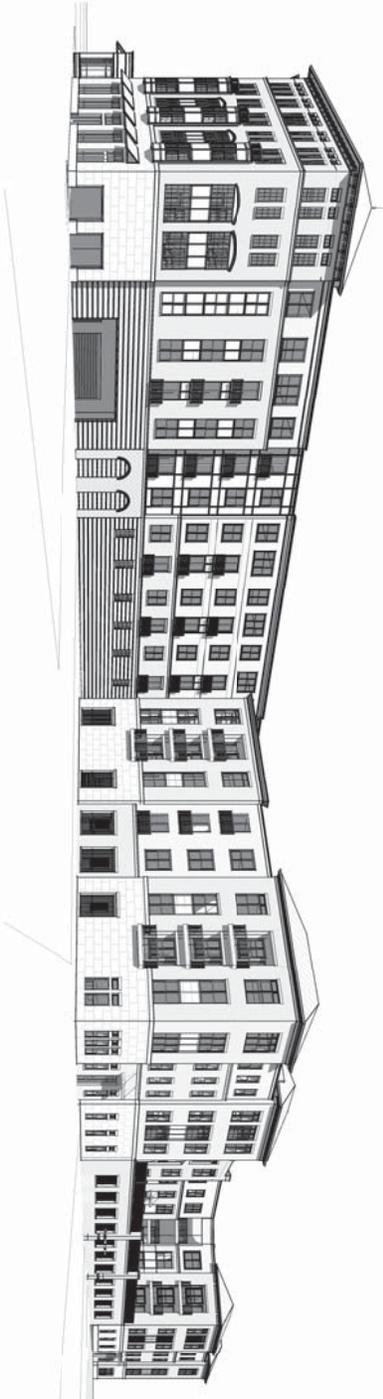
3d Views
Exhibit 4

S. J. Scott
12-28-22

Preferred Living
21012.00
2022-07-18
A2-10



1 3d from NW



2 3d from NE

Fifth Avenue Apartments

3d Views
Exhibit 5

[Handwritten signature]
12-28-12

STATEMENT OF HARDSHIP

Columbus City Code Section 3307.10 - Variances by City Council.

City council may grant the following zoning variances:

- A.** Permit a variation in the yard, height or parking requirements of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.
- B.** Permit a use of the property not permitted by the zoning district established on the property if such use will not adversely affect the surrounding property or surrounding neighborhood and if council is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the comprehensive plan.

Before authorizing any variance from the Zoning Code in a specific case, city council shall first determine that such variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the city.

In granting a variance pursuant to this section, council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.

List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

PLEASE NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are not included, a new application (and applicable fees) will be required.

I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners, and will comply with the variance(s) requested as detailed below (use separate page if needed or desired):

Please see attached

Signature of Applicant

David Hodge

Date 6.28.22

CV22-059

STATEMENT IN SUPPORT OF VARIANCES

APPLICATION:

ADDRESS: 1010 West 5th Avenue

PARCEL(S): 010-061801 and 10 other parcels

OWNER: 1020 Fifth LLC, et al.

APPLICANT: Preferred Living

ATTORNEY: David Hodge, Underhill and Hodge

DATE: January 19, 2023

This site is located north-west of the intersection of West 5th Avenue and Gerrard Avenue. The site is currently 11 parcels and is approximately 2.52 acres in area. The site is divided by a public alley and is proposed to be developed with two subareas. Most of the site is currently zoned M, however there is one R-4 parcel and one C-1 parcel.

The site is not within a planning overlay nor is it a historic site. The North Subarea is not within a commercial overlay but the South Subarea is within the West Fifth Avenue Urban Commercial Overlay. The site is within the boundary of 5th X Northwest Area Commission and the 5th X Northwest Area Plan. The plan recommends medium density mixed residential for the North Subarea and mixed use for the South Subarea.

The Applicant proposes a mixed use development which provides approximately 7,400 square feet of commercial use and 208 multifamily residential dwelling units. The proposed development will promote the Plan Recommendation Principles by contributing to a vibrant mix of uses and increase the range of housing options for the neighborhood. Applicant is committing to the Site Plan submitted with this Council Variance Application.

To permit the development as proposed, the Applicant requests the following use and area variances:

North Subarea

1. 3333.03 – Permitted uses. The Applicant requests a use variance to allow commercial parking in an apartment residential district.
2. 3309.14 – Height district. The Applicant requests a variance to increase the maximum building height from 60 feet to 70 feet.
3. 3312.21(A) – Interior parking landscaping. The Applicant requests a variance to reduce the minimum number of interior parking lot trees from 4 to zero. The Applicant proposes providing an equivalent number of trees in proximity of the parking lot.
4. 3312.25 – Maneuvering. The Applicant requests a variance to allow maneuvering through stacked parking spaces.
5. 3312.29 – Parking space. The Applicant requests a variance to allow stacked parking spaces in an apartment residential district and to allow those spaces to count toward the minimum number of provided parking spaces. The pair of stacked spaces shall be assigned to the same residential unit.

6. 3321.07(B) – Landscaping. The Applicant requests a variance to waive the landscaping requirement for one on-lot tree for every 10 dwelling units.
7. 3333.15(c) – Building coverage. The Applicant requests a variance to increase the maximum permitted building coverage from 50 percent of the total lot area to 60 percent of the total lot area.
8. 3333.18 – Building lines. The Applicant requests a variance to reduce the minimum building line from 25 feet to 1 foot from West 6th Avenue.
9. 3333.24 – Rear yard. The Applicant requests a variance to reduce the minimum permitted rear yard from 25 percent of the total lot area to 5 percent of the total lot area.

South Subarea

1. 3333.03 – Permitted uses. The Applicant requests a use variance to allow commercial use in an apartment residential district.
2. 3309.14 – Height district. The Applicant requests a variance to increase the maximum building height from 60 feet to 70 feet.
3. 3312.25 – Maneuvering. The Applicant requests a variance to allow maneuvering through stacked parking spaces.
4. 3312.29 – Parking space. The Applicant requests a variance to allow stacked parking spaces in an apartment residential district and to allow those spaces to count toward the minimum number of provided parking spaces. The pair of stacked spaces shall be assigned to the same residential unit.
5. 3312.49(C) – Minimum number of vehicle parking spaces. The Applicant requests a variance to reduce the minimum number of required vehicle parking spaces from 275 to 250. This parking deficiency is mitigated by the North Subarea’s parking surplus.
6. 3321.05(B)(2) – Vision clearance. The Applicant requests a variance to reduce the minimum vision clearance triangle in a residential district at street intersections from 30 feet to 9 feet.
7. 3321.07(B) – Landscaping. The Applicant requests a variance to waive the landscaping requirement for one on-lot tree for every 10 dwelling units.
8. 3333.15(c) – Building coverage. The Applicant requests a variance to increase the maximum permitted building coverage from 50 percent of the total lot area to 82 percent of the total lot area.
9. 3333.24 – Rear yard. The Applicant requests a variance to reduce the minimum permitted rear yard from 25 percent of the total lot area to 5 percent of the total lot area.

The Applicant’s goal is to redevelop the site with a high-quality product and in a manner which will contribute to a vibrant mix of uses and increase the range of housing options for the neighborhood.

The Applicant requests a use variance to allow a commercial use in the proposed apartment residential district. City Council may permit a use of the property not permitted by the zoning district established on the property if such use will not adversely affect the surrounding property or surrounding neighborhood and if it is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the comprehensive plan.

The proposed commercial use will not adversely affect the surrounding property or surrounding neighborhood. This portion of West 5th Avenue is a mixed-use corridor and the plan recommends mixed uses for this property. There are surrounding residential, office, retail, restaurant, and light

manufacturing uses in the neighborhood. Indeed, part of the site is currently zoned under the manufacturing district. The inclusion of a commercial use within the residential development will help integrate the property within the mixed use neighborhood and contribute to the vitality of the corridor. The proposed commercial use will not adversely affect surrounding properties or the surrounding neighborhood and granting of the variance will alleviate the difficulty experienced by the Application.

The Applicant requests a number of area variances to allow construction of the development as proposed. City Council may permit a variation in the yard, height or parking requirements of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.

There are unusual difficulties carrying out the underlying development standards due to the shape of the lot and other conditions such as a lack of a rear alley. This is an area with limited off-site parking options, so it was very important that the development provided sufficient onsite parking and many of the requested area variance are requested to accommodate that goal. The development proposes two levels of parking garage and this increased the height of the building. Accordingly, the Applicant requests a variance to increase the maximum building height by 5 feet.

All of the proposed parking spaces are within the structure. This allows the development to maximize the levels of internal garage parking. Consequently, this also increased the building's footprint. As a result, the Applicant requests a variance to allow reduced building line, increased building coverage percentage, and reduced rear yard percentage. However, these area variances will not seriously affect any adjoining property or the general welfare of the neighborhood.

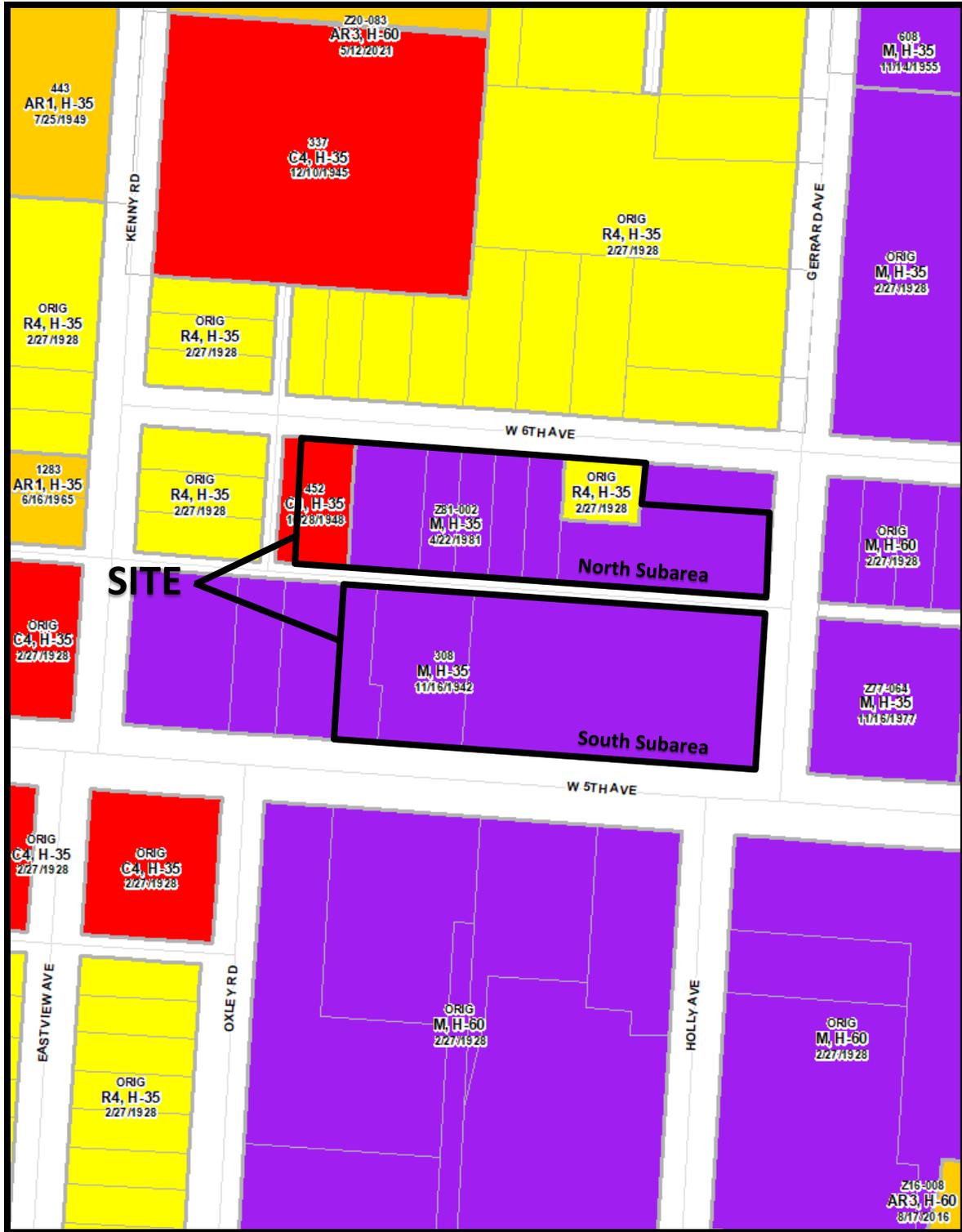
The requested area variances are not substantial and they will not substantially alter the essential character of the neighborhood. West 5th Avenue is a uniquely mixed corridor. The proposed development will promote the Plan Recommendation Principles by contributing to a vibrant mix of uses and increase the range of housing options for the neighborhood. The proposed development will both complement existing developments and promote activity with the neighborhood commercial uses. The requested variances are not substantial but they will allow the property to be developed as proposed and contribute to the vibrancy of the neighborhood.

The requested variances will not adversely affect the delivery of governmental services. The Applicant submits that the spirit and intent behind the zoning requirements would be observed and substantial justice done by granting the requested variances.

Respectfully submitted,

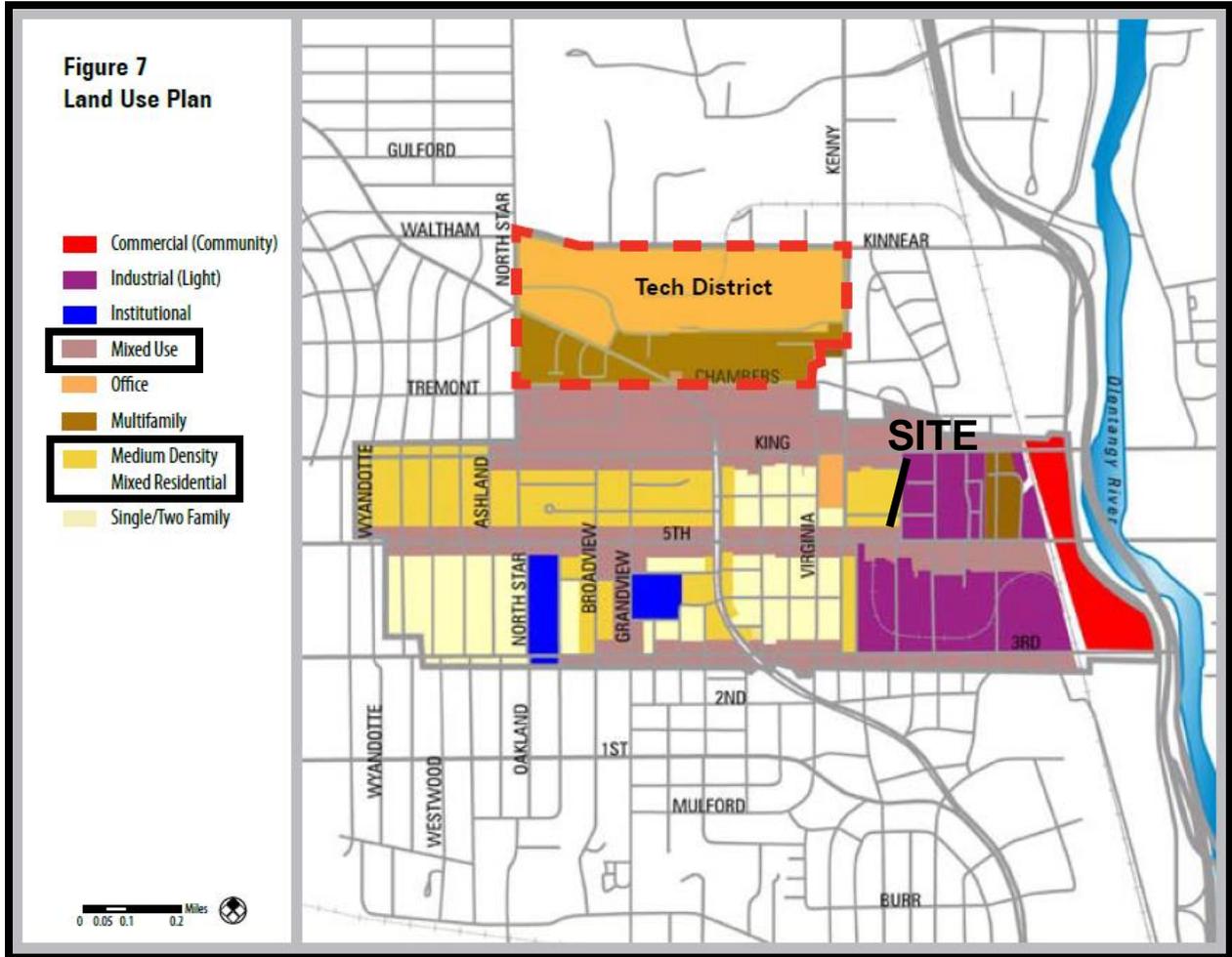


David Hodge
Attorney for the Applicant

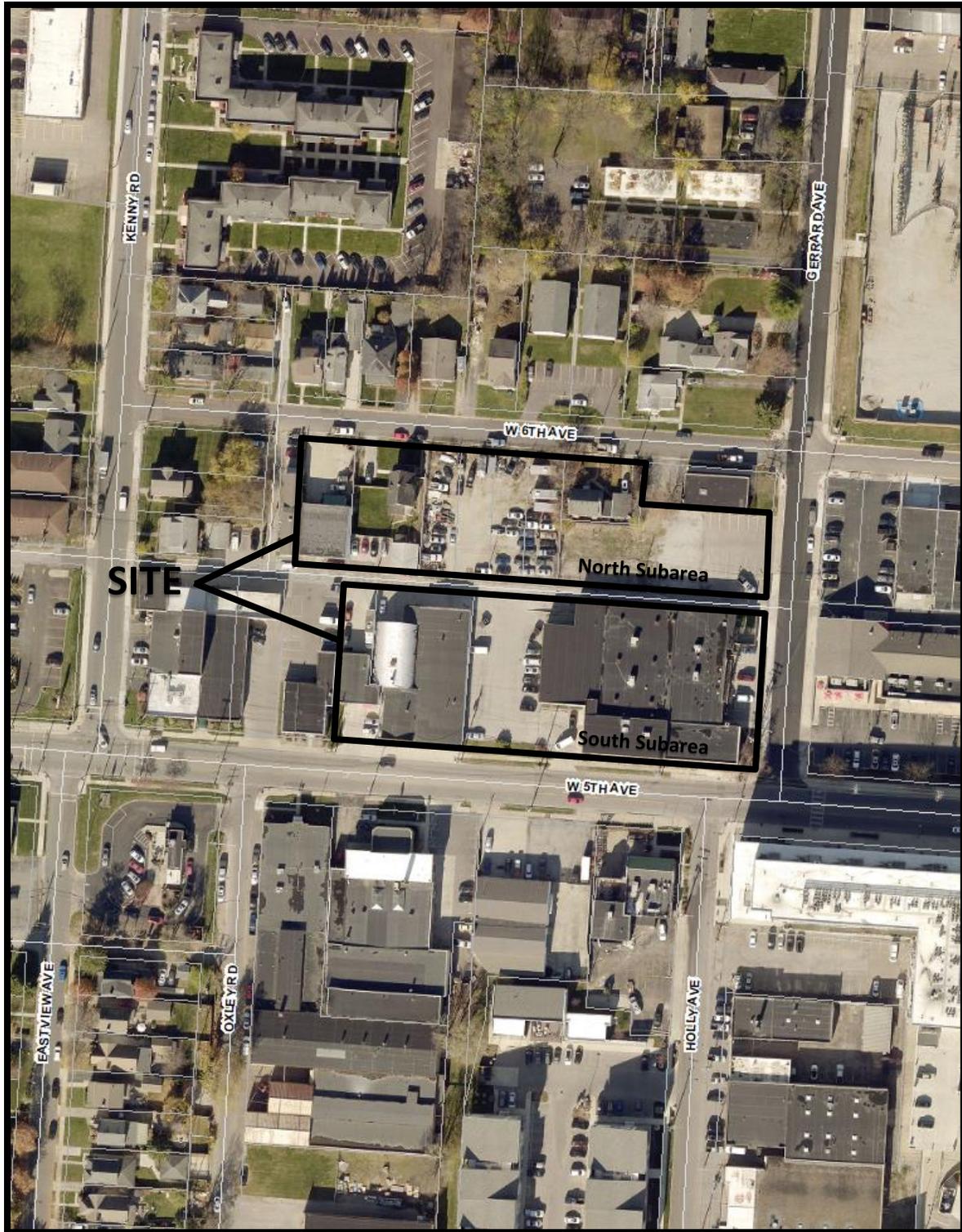


CV22-059
1010 W. 5th Ave.
Approximately 2.52 acres

5th by Northwest Area Plan (2009)



CV22-059
1010 W. 5th Ave.
Approximately 2.52 acres



CV22-059
1010 W. 5th Ave.
Approximately 2.52 acres

Standardized Recommendation Form

DEPARTMENT OF BUILDING
AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

FOR USE BY: AREA COMMISSION / NEIGHBORHOOD GROUP
(PLEASE PRINT)

Case Number Z22-049 / CV22-059

Address 1010 W. 5th Avenue

Group Name 5th X Northwest Area Commission

Meeting Date 12/6/2022

Specify Case Type

- BZA Variance / Special Permit
- Council Variance
- Rezoning
- Graphics Variance / Plan / Special Permit

Recommendation (Check only one)

- Approval
- Disapproval

LIST BASIS FOR RECOMMENDATION:

Vote 2-3

Signature of Authorized Representative 

Recommending Group Title Fifth by Northwest AC

Daytime Phone Number 215-740-2835

Please e-mail this form to the assigned planner within 48 hours of meeting day; OR FAX to Zoning at (614) 645-2463; OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV22-059

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.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Eric Zartman
of (COMPLETE ADDRESS) 8000 Walton Parkway, Suite, 260, New Albany, Ohio 43054
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 (including contact name and number)
Business or individual's address; City, State, Zip Code
Number of Columbus-based employees
(Limited to 3 lines per box)

<p>1. 1020 Fifth LLC 1480 Dublin Road Columbus, OH 43215</p>	<p>2. Katelyn Hansen 1027 West 6th Avenue Columbus, Ohio 43212</p>
<p>3. Brian and Neva Hoover 1058 W. 5th Avenue Columbus, OH 43212</p>	<p>4. Preferred Living 750 Communications Parkway, Suite 200 Columbus, Ohio 43214</p>

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT [Signature]

Sworn to before me and signed in my presence this 19th day of January in the year 2023

SIGNATURE OF NOTARY PUBLIC [Signature]

My Commission Expires 1-11-2026

Notary Seal Here



KIMBERLY R. GRAYSON
Notary Public, State of Ohio
My Commission Expires
01-11-2026

This Project Disclosure Statement expires six (6) months after date of notarization.