

Motion to disapprove application for a proposed 7/11 at 6315 Baltimore Avenue.

Section 27-107.01

(105) **Gross Floor Area:** The total number of square feet of floor area in a "Building," excluding those portions of a "Basement" used exclusively for storage or other areas used exclusively for the mechanical elements of a "Building," and uncovered steps and porches, but including the total floor area of "Accessory Buildings" on the same "Lot." All horizontal measurements shall be made between the exterior faces of walls, columns, foundations, or other means of support or enclosure. It includes walkways or plazas within "Wholly Enclosed" shopping malls but does not include covered walkways or plazas in other shopping centers, or other areas covered solely by "Canopies." (Abbreviated as "GFA.") (CB-6-2011)

Applicant has not provided, although requested by the M-U-TC committee, an existing site plan showing existing buildings and additionally states in General Notes #2 that property lines are approximate and recommends a full survey. From site visits and included pictures from the Staff Report it is clear that the front building line is not contiguous and there is a clear setback from the garage structure from the office structure.

The proposed enclosure and build out of a contiguous front and rear building lines have not been addressed but this clearly adds GFA not disclosed as part of the application that only gives 'approximate square footage.' General Note #2 specifically calls out this issue in that property lines are approximate and recommends "a complete Alta survey of the property be performed to verify property lines, right-of-way, and easements." The current proposed cooler adds 275.6 sq. ft. which brings the 'approximate' GFA increase to 14.7%. The non-disclosure of the difference in the setbacks is clearly over and above .3%. The site tabulations of Existing (1912) and Proposed (2344) suggests at least an 18.5% increase in square footage.

We believe with all evidence available that there is a GFA increase over 15% triggering a full site review and compliance of the property for the proposed use. Regardless of that interpretation, the proposed site continues to have substantial non-compliance issues outlined separately.

**The following deficiencies exist based upon the 15% trigger:**

- Build to line Pages 31-33 Standards 1, 2
- Building placement/streetscape Page 34 Standards 1, 2, 4, 6, 7

**The following deficiencies exist with or without the full site review since they are part of a suggested improvement site build out:**

- Fencing/screening/buffering is not in compliance with Page 35-36, Standards 1a, 1b, 2, 4, 5, 7
- Services, utilities, and stormwater management is not in compliance with Page 38, Standards 1, 3
- Parking and loading provisions as proposed is not in compliance with Page 39, Standard 1

- Parking and loading design as proposed is not in compliance with Page 40, Standards 1, 2, 5, 6
- Signage as proposed is not in compliance with Page 42, Standard 2
- Lighting as proposed is not in compliance with Page 43, Standards 1, 2, 3, 4,
- Buffer/landscape strip as proposed is not in compliance with Page 44, Standards 1, 3
- Building height as proposed is not in compliance with Page 45 Standards 1, 3
- Architecture as proposed is not in compliance with Page 47-48, Standards 1, 2, 3, 4, 5
- Noise mitigation as proposed lacks details and/or is not in compliance with Page 53, Standard 2
- Building openings as proposed lacks details to approve although Page 55 Standards 6, 7, 9, 10, 11 do not appear to have been met
- Signage as proposed is not in compliance with Pages 56-57 Standards 2, 4, 6, 8
- Streetscape as proposed is not in compliance with Page 58 Standards 1, 2
- Landscaping and pedestrian amenity zone as proposed is not in compliance with Page 59 Sidewalk Standards 1, 2, 3, and Page 59-61 Landscaping and Pedestrian Zone Standards 1,3, 5, 6, 7, 8, 9, 11, 12, 14