

Docket 3602 - Allowable Floor Area

Throughout the hearing process, the applicant has been slow to provide specific calculations of the Gross Floor Area. In the most recent submission, the applicant's lawyer claims **22,845** sf.

This is directly contradicted by the architect's plans which show the following:

1st Floor - 5416
2nd Floor - 6457
3rd Floor - 6457
4th Floor - 4805
Total - **23,135** sf

Buried within a footnote is the interesting qualification that the applicant considers the front and rear facades of the hotel to be 'bay windows' and that they are not being included in the calculations.

This is inaccurate for several reasons.

They are not bay windows.

Gross Floor Area is calculated from exterior wall to exterior wall (Section 2 Definitions). The reference to bay windows in the Bylaw is for a different calculation, that of building cross-sectional area.

The architects have continued to ignore the below grade floor area. The parking area is exempt but the other 1817 sf is included in Gross Floor Area. (5.3.22)

The correct summation of Gross Floor Area is **26,052** sf.

For a 14,030 sf lot, the maximum GFA is 21,045 sf.

The applicant is seeking a 10% 'bonus' provision, or 23,150 sf

The basis of the claim for a bonus is a suggested deeded easement of a 675 sf area for public performances and art display in the front of the hotel. Aside from the dubious value of such an area (has any resident of the neighborhood asked for it?), such a bonus is specifically excluded for lots under 20,000 sf where the principal use is residential. Furthermore, the bonus can only apply to the B4 portion of the building; bonus exceptions are not allowed in B2 districts.

Even if it were allowed, the applicant's lawyer has miscalculated the benefit provided. The creation of a 675 sf easement reduces the basis for lot size by an equal amount, reducing it to 13,355 sf, or an allowable GFA of 20,033 sf. With a 10% bonus, the maximum GFA is 22,036 sf, well below any of the claimed Gross Floor Areas cited above.

The proposed building is simply too large for the lot it is on.