

ARCHITECTURAL REVIEW BOARD MINUTES
REGULAR MEETING – OCTOBER 3, 2012

The regular meeting of the Bal Harbour Village Architectural Review Board was held on Wednesday, October 3, 2012, in the Bal Harbour Village Hall Council Chambers (655 – 96th Street, Bal Harbour, Florida).

1. CALL TO ORDER/ROLL CALL: The meeting was called to order at 11:03 a.m. by Paul Buzinec, Acting Chair. The following were present:

Paul Buzinec
Christopher Cawley
Jorge D. Mantilla

Also present:

Daniel Nieda, Building Official
Ellisa L. Horvath, MMC, Village Clerk
Johanna M. Lundgren, Village Attorney
Mayor Jean Rosenfield
Councilman Martin Packer

Absent:

James Silvers
Giorgio Balli

As a quorum was determined to be present, the meeting commenced.

2. PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by the Board.

3. APPROVAL OF MINUTES: Mr. Buzinec reported that the September 5, 2012 minutes would be reviewed at the November meeting.

4. HEARINGS: Ms. Lundgren explained the procedures for the quasi-judicial process.

Mr. Cawley disclosed that he had a brief discussion with Mrs. Yammine (the Applicant) regarding the landscaping comments for 236 Bal Bay Drive.

No additional disclosures were made by the Board.

Those planning to speak at the hearings were sworn in by Mrs. Horvath.

BEMC INVESTMENTS LLC – 236 BAL BAY DRIVE: Mr. Nieda reviewed his report, which is summarized as follows: the Applicant resubmitted for approval for a facade renovation to an existing two story residence, which was previously presented at the September Board meeting. The exterior renovations are cosmetic, except for the demolition of the portico entry feature. A Continuance was recommended, since the Applicant did not appropriately respond to the Board's comments at the September meeting.

Martin Litman, Architect - TOMA Design Group, reviewed the project.

Mr. Buzinec questioned if one of the front rooms was a playroom or a library. Mr. Litman responded that it was both. He reviewed the second floor plan. Mr. Buzinec pointed out that one of the second floor bedrooms (on the right) was not labeled on the plans.

Mr. Mantilla questioned if the grand staircase was being replaced. Mr. Litman clarified that there wasn't an existing staircase. Mr. Nieda explained that the house was never occupied and that a grand staircase had been planned, but never installed. He added that a functional wood staircase was installed, in order for the house to receive a Certificate of Occupancy. He explained that the new Owner had plans to install a new staircase. Mr. Litman agreed that a staircase would be provided and that they were still developing the plans for it, but the last design was for a straight staircase.

Kathy O'Leary, Landscape Architect – O'Leary Richards Design, reviewed the landscaping plans.

Mr. Cawley noted that the Board was not provided with landscaping plans ahead of time, but thought that the plans presented looked nice. He questioned if the tall height of the palms at the front of the garage were to bring the project into scale. Ms. O'Leary advised that they were. Mr. Litman explained that the idea was to also accentuate the entrance and sides of the garage, for a more grand feeling. Ms. O'Leary explained that the house was two stories and the neighbors to the south also had the same sized palms.

Mr. Litman distributed pictures of the property and surrounding properties.

Mr. Buzinec questioned if the existing front wall would remain. Mr. Litman explained that it would, but clarified that parts of it would be changed to something more contemporary (such as changing the front gate to dark brown metal). He added that the top molding was also removed, for a cleaner look.

Mr. Buzinec reviewed the windows above the garage. Mr. Litman reported that they were impact windows, with white frames. He noted that some of the windows were fixed and some were swing. Mr. Buzinec thought that there was too much glass above the garage mass and suggested two windows instead of three. Mr. Litman discussed the need for more natural light in that room.

Mr. Mantilla had some difficulties with the project and appreciated the efforts, but noted that he was not comfortable with the project and how it would fit into the community. Mr. Buzinec agreed, but didn't know what should be done with the house. Mr. Nieda explained that the project presented some unique challenges and reported that this was the third owner that had inherited the design and tried to do something with it. He clarified that they were stuck with an expensive home that had massing. He thought that the Board should be sympathetic to the Applicant. Mr. Litman understood the comments and discussed the design issues with the existing home.

Mr. Mantilla questioned why the soffit detail would be removed. Mr. Litman explained that it was not finished well. He thought that the proposed design would look beautiful and more up to date.

Mr. Buzinec thought that the ground level seemed to work well, but that the second floor lost something. Mr. Mantilla discussed the proportions of the windows on the garage, facing the street. Mr. Cawley agreed that the windows took away from the front. Mr. Mantilla requested that the windows be studied and suggested that less windows be provided on the second floor. Mr. Buzinec suggested leaving the balcony on the second floor, instead of enclosing it and making that room larger. Mr. Litman noted that the owner wanted a larger room. Mr. Mantilla thought that the front of the house needed to be studied more. He added that the windows and the stone were outside of what was seen in the community. Mr. Cawley discussed the need to address the windows and the organization of them. Mr. Mantilla thought that the design could work, but that the Board needed to see the revised plans. He requested the following areas to be studied: front facade, second floor, garage, slit windows, and how the proportions of the windows in the front worked.

A motion was offered by Mr. Mantilla and seconded by Mr. Cawley to approve a Continuance, to restudy the front facade windows and to try to get the proportions more in line. The motion carried (3-0).

CONSULTATIO BAL HARBOUR, LLC - 10201 COLLINS

AVENUE: Mr. Nieda reported that the application was a Continuance from the September Board meeting. He added that the project was proposed for the former Bal Harbour Club site, located at 10201 Collins Avenue. He clarified that the Board needed to provide a recommendation to the Council, in lieu of providing a Certificate of Appropriateness. He recommended that a positive recommendation be given by the Board to the Council, based on the Applicant addressing the Board's prior comments, as well as Mr. Nieda's prior comments. He noted that the three pending items were the traffic study (recently received and being analyzed), the open space requirements (which needed to be certified), and the school capacity issue. He clarified that those were all items to be addressed by the Council. Mr. Nieda read the 15 recommendations from his report into the record.

Michael Miller, Village Planner, discussed the three pending planning items. He reported that his review of the traffic report found that, based on the expected trips to be generated, the current traffic volume on the road could handle that. He reported that there needed to be some tweaking of the traffic signals and median openings, but it didn't appear to affect the site design. He noted that DOT (Department of Transportation) would be providing a letter regarding that. Mr. Miller reported that the Village Attorney and he were working with the school district staff, which was regarding impact fees and didn't have anything to do with the site plan.

Carter McDowell - Bilzin Sumberg Baena Price & Axelrod LLP, Attorney for Consultatio Bal Harbour LLC, reported that the traffic impact analysis was submitted. He reported that the two intersections they would modify (Harbour Way East and Harbour Way West) would continue to operate at an overall level service "A" and some of the improvements to be made would enhance operation. He added they that needed to provide a queuing analysis, for the valet parking. He reported that DOT preferred not to provide a left turn into the Consultatio driveway (south bound on Collins Avenue), so vehicles would have to make a U-turn to access the property. He discussed the need to modify the pedestrian crossings. Mr. McDowell will work with DOT on those issues, as part of the permitting process for the modification. He explained that draft Development

Agreements had been submitted to the Village Attorney, which included the dedication of the various public elements that were previously discussed.

Bernardo Fort-Brescia, Principal Architect - Arquitectonica, explained how the Board's prior comments were addressed. He displayed a street elevation showing the layers of landscape screening around the tennis courts, so there would not be a green vertical wall. He added that a portion of the tennis courts were sunken, so they wouldn't have to rely on vines growing on the fence and something more elegant could be used. He reported that some seating was provided at the park and a pedestrian walk was added on the west side of the driveway. He discussed the location of the benches, for security reasons. He discussed the addition of flowering trees for the corner park, which provided seasonal color. Mr. Fort-Brescia displayed the plant material, to be provided for the beach access path and semicircular path. He clarified that the undulating path to the water rose slowly. He added that benches were also provided on the beach access path, which was treated more like a linear park.

Mr. McDowell reported that they had suggested that the beach access path be open one hour before sunrise and one hour after sunset, which would remain as a private easement that they would maintain. He clarified that it would provide beach access for Village residents that didn't already have access (for those residents living on the west side of Collins Avenue). He explained that they were working with the Village Attorney to ensure access, without causing a nuisance to anyone.

Mr. Fort-Brescia reviewed the material samples.

Mr. Mantilla requested clarification on the balcony dividers. Mr. Fort-Brescia explained that the balcony dividers were thin laminated glass. Mr. Mantilla voiced concern that if an owner bought two units and removed one of the dividers, it would change the aesthetics of the building.

Marcos Corti Maderna, Consultatio, explained that the dividers were very light and were laminated frosted glass.

Mr. Mantilla wanted them to be aware of the possibility that it could change the aesthetics in the future and that they needed to be prepared with an answer to it. Mr. Nieda suggested one way to solve it would be to leave a portion of the divider, which would allow someone to walk by it, but would still leave the divider in place. He agreed that should be addressed.

Beth Berkowitz, 10160 Collins Avenue, was sworn in by Mrs. Horvath. Ms. Berkowitz noted that the property appeared to be going up to the erosion control line. She questioned how the project would affect the green space, since the Village had used the Bal Harbour Club's recreational space (50% credit) toward its green space inventory.

Mr. McDowell noted that they owned the property to the erosion control line, but clarified that the existing fence line would remain, with improvements to be made to that area. He added that the project would be providing easements for more open space than what was needed for the green space requirements.

Dr. Abraham Gotman, 9601 Collins Avenue, was sworn in by Mrs. Horvath. He voiced concern regarding the traffic, since the project's restaurant and spa would be

open to the public. He also didn't know how the beach access would work and how they would determine who was a Village resident.

Mr. McDowell reported that the beach access would be secured and users would need to have an entry code or a key card to access it, which would only be provided to Village residents. He explained that the traffic study took the restaurant (2500 square feet) and spa (4500 square feet) into consideration and addressed that. He added that the majority of use for those facilities would be internal. He explained that valet parking would be provided and the project had 100 more parking spaces than the Code required. Mr. McDowell clarified that the PD (Planned Development) zoning required that a mixed-use open project be provided.

No additional public comments were provided.

Mr. Buzinec questioned details for the security booth. Mr. McDowell noted that it was shown on the perspective, but was small. Mr. Fort-Brescia agreed that it would be small and very transparent (white roof and glass).

Mr. Mantilla spoke in favor of the screening used for the tennis courts. He questioned the fencing and other screening to be used for it. Mr. Fort-Brescia explained that semi-translucent fabric or other material would be used inside the court, which would be more contemporary, held by clean steel posts. Mr. Mantilla spoke in favor of that, since the courts would be exposed for the first six to eight months, until the landscaping filled in.

Mr. Mantilla questioned if the lighting complied with the turtle law. Mr. Nieda explained that was a State issue. Mr. McDowell reported that they would need to meet the lighting standards imposed by DEP (Department of Environmental Protection) permitting standards.

Mr. Cawley hoped to see something in the front (Collins Avenue) park area that tied into the architecture of the building. He questioned how they intended to deal with the project's identity (sign etc.). He also questioned how the environment fit into the community. He thought that the benches should match the ones that the Village had and noted that it would be awkward to have someone's back to Collins Avenue (as shown in two of the benches). Mr. Fort-Brescia explained that they considered a linear seat wall, but that there was a concern for crowd and security issues, etc. He thought that conversations and views were enhanced, by the placement of the benches. He explained that they hadn't prepared the signage package yet, but thought that instead of a rectangular sign that they may have free standing letters raised from the ground, to be more of an art statement. He discussed the intent for the park to have the appearance of a public space and that that the sign would probably be placed on the small area, between the walkways, on the south west corner. He added that they would also provide an address for the building. Mr. Nieda noted that the signage would need to come before the Board first for a recommendation and then go to the Council. He suggested that a conceptual location be shown for the sign, since the Village had standard signage. Mr. Nieda added that the conceptual model building and signage (shown on sheet A1.106) would also come before the Board and then to the Council.

Mr. Cawley reviewed the landscaping plans. He suggested that limited planting be provided along the walkway, between the date palms, that was low and colorful, to enhance the park space. He reviewed the park areas on either side of the project in

front of the tennis courts. He suggested that some areas of sod be provided, to make the spaces more open. He suggested a hedge or shrub along the property line, for screening. Mr. Cawley discussed the large oak tree canopy on the deck and suggested the use of palm canopies, to enhance the building. He added that some of the plants on the plant list were difficult to find. He clarified that his comments were not intended to criticize, but were intended to help from his experience in the Village. Mr. Fort-Brescia agreed to look at those items.

Mr. Mantilla discussed the beach access path and questioned where the entrance and control point was.

Jeremy Calleros Gauger, Landscape Designer - Architectonica GEO, pointed out the entrance and clarified that there was an existing wall on the side that they intended to tie into. He explained that the aluminum picket fence would be heavily landscaped on both sides.

Mr. McDowell noted that there was ample opportunity during the process, to add some of the features discussed.

A motion was offered by Mr. Mantilla and seconded by Mr. Cawley to provide a favorable recommendation to the Village Council. The motion carried (3-0).

Mr. Cawley requested to review the final landscaping plans.

5. OTHER BUSINESS: None.

6. ADJOURN: There being no further business, *a motion was offered by Mr. Cawley and seconded by Mr. Mantilla to adjourn. The motion carried (3-0), and the meeting adjourned at 12:55 p.m.*

Attest:


Ellisa L. Horvath, MMC, Village Clerk


James Silvers, Chair