

ARCHITECTURAL REVIEW BOARD MINUTES
REGULAR MEETING – SEPTEMBER 5, 2012

The regular meeting of the Bal Harbour Village Architectural Review Board was held on Wednesday, September 5, 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 10:13 a.m. by Paul Buzinec, Acting Chair. The following were present:

James Silvers¹
Giorgio Balli²
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

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: *A motion was offered by Mr. Cawley and seconded by Mr. Mantilla to approve the minutes from the August 1, 2012 Regular Meeting. The motion carried (3-0).*

4. HEARINGS: Ms. Lundgren explained the procedures for the quasi-judicial process. No disclosures were made by the Board.

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

BAL HARBOUR QUARZO, LLC – 290 BAL BAY DRIVE: Mr. Nieda reviewed his report, which is summarized as follows: The application was for hotel signage located at the third roof level of the Quarzo boutique hotel. The Applicant would like to attach the corporate Quarzo logo on the south facade wall of the building. The Board needs to offer a recommendation to the Village Council regarding the sign, in lieu of providing a Certificate of Appropriateness. A favorable recommendation was suggested to be forwarded to the Village Council for approval, subject to reducing the logo to the maximum permitted height of 30 inches.

¹ Mr. Silvers arrived during the Building Official's recommendation for 200 Bal Bay Drive.

² Mr. Balli arrived during the Building Official's recommendation for 200 Bal Bay Drive.

Luis LaRosa, Architect, agreed to reduce the logo to 30 inches, per the Village Code.

Mr. Mantilla didn't have any issues, as long as the criteria were met. Mr. Cawley agreed that the project was tastefully done and the scale worked well with the facade.

No comments were provided by the public.

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

FLAMINGO WAY ENTERPRISES LLC - 200 BAL BAY DRIVE

(YACHT BASIN): Mr. Nieda reviewed his report, which is summarized as follows: the Applicant resubmitted for a new dock master structure. The Board is limited to issuing a recommendation for the Village Council's consideration, in lieu of the customary Certificate of Appropriateness. A waiver of plat needs to be filed before the application may proceed to the Village Council, to establish the address for the home, at the same area, as 183 Bal Bay Drive. The Code requires that any vehicular use area, such as the proposed 16-foot paved road, be buffered from the right-of-way with a five-foot high hedge, where the planting schedule specified a 2.5-foot high hedge. A favorable recommendation was suggested to be forwarded to the Village Council for approval, pending clarification of: File a waiver of plat before the application can proceed to the Village Council; alternatively, an agreement approved by the Village Attorney may be considered; Village Code requires that any vehicular use area, such as the proposed 16-foot paved road by buffered from the right of way with a 5 foot high hedge, where the planting schedule specified a 2.5 foot high hedge.

Mr. Silvers and Mr. Balli arrived. Mr. Silvers took over as Chair of the meeting.

Eduardo Calil, Architect – Calil Architects, reported that the building was raised up to 12 feet (it was 10 feet before), oak trees were added, the front driveway was buffered, and groundcover was added, in response to the Board's prior comments.

Ree Stoppa, 77 Camden Drive, questioned the necessity to re-plat and noted that there was a restriction on the plat and a reverter clause that went with it. She pointed out that the wrong entity applied for the hearing, since it should have been the Bal Harbour Yacht Club, because it was dedicated by plat to them. She questioned the sale from the Yacht Club to Flamingo Way Enterprises. Ms. Stoppa requested that any issues be reviewed, prior to Council approval. She thought that the issues should have been worked out, before coming to the Board.

Carter McDowell - Bilzin Sumberg Baena Price & Axelrod LLP, Attorney for Flamingo Way Enterprises, explained that the restrictions on the plat and all of the issues were being addressed with the Village Attorney.

Ms. Stoppa requested a legal opinion and clarification that the documents and plat had been reviewed. Ms. Lundgren reported that the application was correctly before the Board for its evaluation and recommendation to the Council. She added that any concerns and issues raised were being reviewed and addressed.

Dina Cellini, 211 Bal Cross Drive, spoke against the building being located at the front and center of the site, since it would be seen upon entering the Gated Area. She spoke in favor of the building staying at its current obscure area. She didn't think that the Applicant or Board had considered a more suitable place for the building. Ms. Cellini spoke in favor of the focus being on how the structure would impact the community and guests entering the community, instead of being able to view the palms and the boats. She didn't think that many residents knew about the proposed structure, etc. due to the timing.

Nina Rudolph, 212 Bal Bay Drive, spoke in favor of keeping the building as discreet as possible, but thought that it was in good taste and would be very beautiful.

Leah Anderson, 9800 Collins Avenue, spoke in favor of the structure, which was very pleasing and in a nice location. She thought that the old building was an eyesore. She displayed pictures of the current building, which she didn't think represented the progress of the community.

Joe Imbesi, Owner - Flamingo Way Enterprises, reported that he had previously removed large Ficus hedges on the property to allow the residents to enjoy the marina. He spoke against a five-foot hedge and would prefer it to be 30 inches instead. He explained that the Dock Master building did not have a bathroom facility, thus providing a hardship. He spoke in favor of keeping the building at a 10 foot height, instead of it being raised to 12 feet, but went along with the Board's comments. He felt that the design coincided with the homes in the community.

Dan Holder, 24 Bal Bay Drive, agreed with Ms. Cellini that it would be nicer to have the building to the side and have the front left open. He added that if the building was located in the front, then the requirement for the hedge should be waived, or the hedge should be lowered, since it would block the vista of the basin and detract from the beauty of the area.

Doug Rudolph, 212 Bal Bay Drive, thought that the building was tasteful and spoke in favor of the building blocking the least amount of the view. He questioned the need for the building to be raised two feet (to 12 feet) and the height of the hedge, which would both block the view more. Mr. Buzinec clarified that his suggestion was for the banding to be removed, to make the building look taller, so the Board didn't ask for the actual building height to be increased. Mr. Rudolph requested that the Board look at that again then.

Mr. Cawley questioned if the hedge height was a Code requirement. Mr. Nieda advised that it was, but noted that a recommendation could be included for the use of low plant material for enhancement, instead of a privacy hedge to shield traffic. Mr. Cawley agreed that the hedge could be maintained at 30 inches, but must be trimmed to stay at that height.

Mr. Cawley noted that based on the comments today, he suggested that other options be considered that wouldn't block the vista (coconut palms, etc.). He added that if the oak trees remained, they needed to be careful with the specifications so that the view would not be blocked. He spoke in favor of adding flowering plant material, as well as plant material at the base of the hedge. Mr. Cawley offered to work with the Building Official for any revisions to the plans. He suggested that the hedge be removed along

the roadway, the plant material at the base of the oak trees be removed and replaced with low groundcover, the oak trees be studied to make sure they were not blocking views, and that coconut palms be used if the oak trees were replaced.

Mr. Silvers suggested that pavers be placed in lieu of the asphalt driveway. Mr. Imbesi agreed to install pavers at approximately 100 feet (for the two entrances between the area, to enter through a paver entrance and exit through a paver exit, in order to create more of an entry feature).

Mr. Mantilla discussed concerns about the building being raised two feet, which made it more visible and more of a focal point. Mr. Balli agreed with Mr. Buzinec that the suggestion had been to remove the banding not raise the building. Mr. Buzinec clarified that the recommendation was to remove the banding and leave the building at 10 feet. Mr. Calil thought that the banding helped to define the windows and added more scale to the building. He explained that the area below the banding would be covered with the landscaping. Mr. Silvers suggested that some of the same materials that were used at the entrance guardhouse be considered, such as keystone below the band, to embellish the building itself. Mr. Calil agreed.

A motion was offered by Mr. Cawley and seconded by Mr. Buzinec, to provide the Village Council with a favorable recommendation, subject to the following suggestions: add precast concrete pavers as specified, review the landscape plan with the Building Official, add keystone along the base of the building, modify the height of the building to 10 feet, and delete the hedge in the front. The motion carried (5-0).

BEMC INVESTMENTS LLC – 236 BAL BAY DRIVE: Mr. Nieda reviewed his report, which is summarized as follows: the Applicant requested approval for a facade renovation to an existing two story residence. The exterior renovations are cosmetic, except for the demolition of the portico entry feature. A Certificate of Appropriateness was recommended, subject to the Board's design discretion.

Martin Litman, Architect - TOMA Design Group, reviewed the plans for a contemporary home. He reviewed plans to eliminate the window arches and other items, to have a more contemporary look. He explained that the entrance portico would be eliminated, to generate a larger area for entertainment.

Mr. Buzinec agreed with Mr. Nieda that it was a monotonous and uninspired design scheme. He spoke against approval. Mr. Mantilla thought that the attempt was weak and didn't feel that the new remodeling was appropriate in that it took it too far. He felt that the opportunity to enhance the house existed, but thought that removing the portico was too much.

Nina Rudolph, 212 Bal Bay Drive, spoke in favor of the Board reconsidering the square windows, etc.

Mr. Balli expressed that the house had its own character, which was being deprived. He added that stone veneers should be used on the bottom floor, not on the second floor. He also felt that the simplification of the windows was extreme and the style would decrease the value of the property.

Mr. Cawley noted that it was difficult to tell the proposed landscaping improvements and the existing ones. He requested that the landscaping guidelines be followed, which could be provided by the Building Department. He added that the drawings were difficult to read.

Mr. Litman explained that windows would not be added, but three windows would be converted into one, on the second floor. He expressed the idea to make it look less busy and more contemporary.

Mr. Silvers explained that the Board had always encouraged contemporary design, but that it must be done well. He suggested that the Architect review the contemporary design itself and make it as nice as what was there before. He didn't think that the new design was at the level that it needed to be.

Mr. Cawley added that the landscape architecture drawings needed to be studied. He explained that the plant list referenced items that he hadn't heard of. He clarified that they needed to stipulate the existing and added plant materials.

A motion was offered by Mr. Balli and seconded by Mr. Mantilla to approve a Continuance. The motion carried (5-0).

CONSULTATIO BAL HARBOUR, LLC – 10201 COLLINS

AVENUE: Mr. Nieda explained that the project proposed to change the zoning for the site from OF (Ocean Front) to PD (Planned Development), which had different criteria. He explained that the Board was to provide a recommendation to the Council, not a Certificate of Appropriateness. He explained that the process would include a civil engineer review, traffic review, and planning review.

Michel Miller, Village Planner, reviewed his report (13 pages dated August 27, 2012). He reviewed the pertinent aspects including: the project appeared to fit into the mold for PD zoning, the use was consistent with the Comprehensive Plan, plans included keeping the beach walkway through either a dedication or a public easement, the Collins Avenue roadway has surplus capacity and approval would be needed from DOT (Department of Transportation) for the curb cuts and connection to Collins Avenue, the water/sewer plans would be reviewed by the Village engineers (CAS) but there appeared to be plenty of capacity, the concurrency issue for the public schools needed to be reviewed and due to this project the Village may no longer be exempt from meeting the concurrency requirements due to the residency at the site, there was a capacity problem at Miami Beach High and Nautilus Middle right now so there was a need for mitigation for beach properties, the Village would need to create a public school facilities element and enter into the Interlocal Agreement for school concurrency in Dade County, there was a proposed bond issue coming in November which included improvements that would cure the concurrency issue if it was passed, the Bal Harbour Club property had historically been used by the Village to meet its concurrency requirement and the Village would lose 50 percent of the acreage credit for the parcel (public land is 100% credit and private land is 50% credit), less than an acreage of public land was counted with the majority of open space was counted from private land (linear parks, multi-family tennis courts/swimming pools), and the proposal would provide the Village with an acre surplus of green space.

Mr. Mantilla clarified that the proposal would help the Village to meet or exceed the concurrency requirements. Mr. Miller agreed. He explained that privately owned land would be counted at 50%. He reported that if the project had an agreement with the Village to allow other Village residents to use the facilities (tennis courts, pools, and decks) that would increase the amount that could be counted. Mr. Miller clarified that if the tennis courts or pools were deleted from the project, then the concurrency number would decrease. Ms. Lundgren added that it would then have to be satisfied in a different manner.

Mr. Nieda reviewed his report (10 pages dated September 5, 2012). He highlighted that the Applicant would be providing several concessions including the beach access with improvements, increasing water/sewer lines, and a public park area in front of the project. He reported that the parking, landscaping, and tower were substantially compliant with the Comprehensive Plan. Mr. Nieda pointed out that the tower was set back 312 feet from the right-of-way, where only a 100-foot setback was required. He noted that the project was generally well received by Village staff.

Mr. Nieda summarized that the project was a 28 story tower with 26 habitable levels (one lobby level and one roof top use with mechanical equipment), a subterranean two level parking garage, 100 percent valet parking, a restaurant and spa facility, and was substantially in compliance with the setbacks. He read the 15 recommended items in the report. A Continuance was recommended, to address the 15 items noted in the report.

Carter McDowell - Bilzin Sumberg Baena Price & Axelrod LLP, Attorney for Consultatio Bal Harbour LLC, explained that the traffic report would be presented soon (they didn't think that it was appropriate to do one before Labor Day), they would meet with DOT (Department of Transportation) regarding Collins Avenue, they would meet with the School Board regarding the concurrency, the residential density was capped at 262 units (134 to 262 units would be built depending on market demand) where the OF allowed 304 units, the proposal was 120,000 square feet less intense than the other two buildings with PD zoning (ONE Bal Harbour and St. Regis Bal Harbour), easements for Village resident access would be provided for the walkway to the beach and a semi-circular open space in the front along Collins Avenue (those easements exceed an acre of land and the value of the easements were approximately \$30 million), including the private recreational space the project would provide over 60,000 square feet of recreational space to address concurrency issues and would improve the Village's concurrency, an underground parking structure was proposed with the top at base flood elevation which was a huge public benefit, open vistas to the ocean would be provided, and the project would be a residential tower with two mixed use elements (restaurant facilities open to the public and a spa/club open to membership from the public, with access to the amenities on site).

Bernardo Fort-Brescia, Principal Architect - Arquitectonica, explained the project. He discussed the transparency being the essence of the project. He discussed the semi-circular park to complete the symmetry of the park on the other side of Collins Avenue, to provide a queuing area for the building, and to provide a gentle slope up to the flood plain almost unnoticeably. He reported that the Code required side setbacks of 25 feet from the property line to the building and 50 feet side setbacks were provided for the project. He discussed the two separate vehicular drop-offs on two sides, for concealment and to avoid internal congestion. Mr. Fort-Brescia reported that the garage

would be below grade and wouldn't extend into the 100-foot middle zone or disrupt the vista. He reported that the two buildings were slightly curved and concaved connected by a suspended bridge, which created a breezeway to the ocean. He noted that all of the vegetation in the 100-foot area would be planted on grade, which allowed for more plant material and quicker planting. He explained that the tennis courts on both sides would be surrounded by plantings. Mr. Fort-Brescia confirmed that two pools were proposed (one for exercising and the larger one for recreation and visual). He reported that shade trees would be provided for the walkway to the ocean. He reviewed the lobby floor plan and the different floor types. He noted that the project complied with the new Fire Code, which was developed after 9/11. He clarified that two levels of roof terraces were provided for the penthouses. He added that the mechanical equipment on the roof terrace would be concealed with landscaping. He discussed the large beam that received the weight of the bridge in lieu of using columns, which would be clad in glass and appear clear. He noted that the building was placed 77 feet behind the prescribed waterfront setback of where they could have built. He summarized that the building was set back 212 feet instead of 100 feet in the front, which created a large recess compared to the other buildings along Collins Avenue.

Mr. McDowell reported that the technical issues raised by Mr. Nieda in his staff report had been corrected. He discussed the gentle raise from the sidewalk (4.6 NGVD) to the building (flood level of 8 NGVD).

Shawn Wax, 10205 Collins Avenue #1501 (President of the Kenilworth Condominium – next to the project), thought that the building was beautiful, but was gigantic compared to the other buildings in the Village. He voiced concern with the north side loading dock, which was closest to the Kenilworth. He requested the winter shadow study for the Kenilworth pool deck, which he felt would show that the Kenilworth pool and beach site would be diminished. He discussed the tremendous effect that the building would have on the Kenilworth and its value. Mr. Wax noted that the Kenilworth was concerned with the traffic and the restaurant. He was concerned with the Village turning into Sunny Isles Beach, with all of the large buildings. He clarified that the biggest concern for the Kenilworth was the sun for the pool and blocking the view to the ocean.

Beth Berkowitz, 10160 Collins Avenue, voiced concerned about the green space issue and reviewed points that she brought up with the Miami-Dade County Parks and Recreation Department. She questioned the amount of acreage that the Village needed for green space. She thanked the project for the beach access, but pointed out that 50% of the green space would be disappearing, due to the loss of the Bal Harbour Club and none of the land on the new property would be able to be used by the residents. Ms. Berkowitz noted that the project's private pool and decking were being used toward the green space count, which wasn't any value to the Village residents. She discussed the increased amount of children in the community and spoke against giving up the little amount of green space that the Village had.

Anamarie Stoppa, 77 Camden Drive, noted that the residents didn't like huge buildings, but pointed out that Arquitectonica had an outstanding reputation and the Developer should be credited for their selection. She felt that gave the residents hope that this would be a spectacular project. She noted that a \$30 million gift created a red flag and questioned the motivation behind it. She discussed green space and noted that the plat stated that the property was dedicated for the use and enjoyment for the

residents of the residential section of Bal Harbour. She suggested that the Club continue to exist by establishing a small site on the side, which would give the residents the dedicated area to have their Club and allow the perpetual use of it and create a waiver of the green space.

David Kwiat, 10185 Collins Avenue, agreed with Mr. Wax's comments, which were similar to the Plaza's comments. He discussed the tennis courts and the entrance access to the beach, which created a hardship to the Plaza. He suggested that the beach access be private, by providing keys to only Village residents. He discussed the hardship due to construction hours and noise pollution. He questioned the purpose of the public parking.

Mr. McDowell clarified that the parking was not public and that it was valet parking. He added that they exceed the parking requirements, since they would be providing 500 plus places and the Code required about 400 spaces. He noted that they were still working with the Village Attorney, but the beach access would be secured and only open to Village residents, not the public.

Dan Holder, 24 Bal Bay Drive, voiced concern that the traffic study hadn't been provided but understood the reason why, since 500 spaces would be added, which would be on top of the additional 700 spaces that the Shops was proposing. He reported that the traffic on Collins Avenue and Harding Avenue was horrible. He questioned if the height of the building met the current zoning Code. Mr. McDowell explained that it would meet the PD (Planned Development) requirements. Mr. Nieda reported that the height was compliant and that was a technical error that had been addressed. Mr. Holder discussed concern with the extreme height and its affect on shadows on the beach, which was one of the Village's greatest assets. Mr. Nieda reviewed the shadow study and noted one adverse condition which was at 6:00 p.m. on September 21st. Mr. Holder questioned if the building would create shadow on the beach sooner than the other buildings. Mr. Nieda reviewed the study. Mr. Holder thanked the project for including the beach access on the site.

Mitra Raheb, 10205 Collins Avenue #501, agreed with Mr. Wax regarding the Village being small and not like Sunny Isles Beach. She voiced concern with the concurrency issue and Ruth K. Broad K-8, which was already overcrowded. She also pointed out a security concern, due to buildings renting out to anyone when units were empty. She noted that more children and more families would not help with the issue with the school system.

Dina Cellini, 211 Bal Cross Drive, questioned if the front curvilinear park area would be dedicated to the community and if it would be for active or passive recreation. Mr. McDowell clarified that the area would not be dedicated, but an easement would be provided, and was intended as a passive recreational open space area not an active recreational area.

Mr. Buzinec questioned the use for the north and south sides with the trees. Mr. McDowell reported that the areas were a landscape buffer for the tennis courts. He clarified that the park area would just be grass, without equipment, and was intended as a view corridor and green space.

Ms. Cellini discussed the concurrency issues and read Mr. Miller's report (dated August 27, 2012). She discussed page 9, regarding the creditable green space that was being used as part of the Village's inventory for concurrency purposes. She was surprised that Mr. Miller expanded that inventory in a new direction that the residents hadn't heard of (in addition to the .96 at 100% credit that the Village owned and the 19.61 acres of privately owned property at 50% credit, he has now included privately owned multi-family recreational facilities of 4.16 acres at 50% credit, for a total of 2.08 acres), which now showed an overall total of 12.48 acres, which put the Village over the level that it needed to satisfy the County concurrency ordinance. She was troubled that the open space and concurrency inventory had been shifted from what the staff had indicated to residents over the years and thought that it was inappropriate that it was being added all of a sudden. She questioned why the 2.08 acres was added, who had requested Mr. Miller to create those areas as creditable lands, and why they hadn't been included in the prior reports, as well as the Comprehensive Plan and the Evaluation and Appraisal Report (EAR). Ms. Cellini questioned why items were being included now that weren't included before, in order for this development to be realized. She directed the Board to page 49 of the EAR, with the list of inventory that the Village Planner included, which didn't include the 4.16 acres.

Mr. Miller agreed that the land had not been included before, but explained that when the concurrency analysis was previously done they looked at what was needed for the residents and what the Village had. He noted that the Village adopted the County Administrative Order, which set forth criteria on what could and couldn't be counted. He clarified that the Village could have counted more land in the past, but didn't need to, because it always met the concurrency. He explained that it was looked at again recently and the staff was instructed to look broader at what was allowed to be credited. He reported that after doing so, additional acreage was included from the existing multi-family developments, with pools and other private facilities.

Councilman Martin Packer questioned if the green space along Collins Avenue would be deeded to the Village. Mr. McDowell clarified that it wouldn't be deeded and that an easement would be granted to the Village. He explained that security and other issues would arise, if it was publicly owned.

Susan Packer, 10205 Collins Avenue, suggested that the Board consider the lack of facilities for children in Bal Harbour. She spoke in favor of providing exercise equipment for children on the beach and requested that the Council revisit that issue.

Mayor Rosenfield agreed with the suggestion and thought that tourism was addressing exercise equipment on the beach. She noted that Pilates and exercise was provided for adults on the beach and a camp was provided for children, but agreed that could be expanded on.

Doug Rudolph, 212 Bal Bay Drive, spoke in favor of the design and the project. He understood the concerns, but clarified that the Developer was entitled to build under the OF (Ocean Front) and could do a lot more things under the OF, but was preserving the vista instead. He pointed out that the Bal Harbour Club had been private and wasn't dedicated to the use of the residents, unless they were members. He understood the green space issues, but implored them to find a way to make the project a part of the community, because it was extremely special.

Mr. McDowell pointed out that the buildings in Sunny Isles Beach were 55-60 stories and the proposed building would be 27 stories.

Mr. Balli discussed the simplicity of the building, giving back the pedestrians the view of the water, placing the parking underneath at a higher cost, giving back the Village the view, etc. He thought that the project was magnificent and the design was remarkable. He pointed out that the monumental space was the focal point of the project. He congratulated the Architect and thought that the project would be a tremendous asset to the community.

Mr. Buzinec agreed with Mr. Balli and Mr. Rudolph that the project left him speechless. He noted that his concerns regarding the green space were resolved after the presentations. He questioned if the park in the middle and the areas to the north and south could be used as park areas. Mr. Miller advised that they could be.

Mr. Cawley questioned if they considered adding items to the park area that wouldn't take away from the view or the architectural intent of the project (benches, walkways, etc.).

Mr. Nieda discussed the below grade parking structure, which was 25 feet from the side lot lines and 100 feet from the front property line (which is landscaping on grade with nothing below it).

Mr. Silvers suggested that additional seating be provided on the south side, next to beach access. Mr. McDowell reported that the Applicant was discussing many items with the Village and that suggestion could be considered. He explained that their concern was to maintain the view corridor. *It was the consensus of the Board that should be considered.*

Mr. Silvers discussed water features, etc. for the Village residents. Mr. Nieda suggested that benches be incorporated on the beach access, similar to the north access path (with room for fire access). Mr. Mantilla confirmed that the fire access requirement was 20 feet and the path was 25 feet, so there was room. Mr. Silvers agreed that the area should be enhanced. Mr. Mantilla suggested that some detailing be done to appease the residents. He discussed the restaurants and spa.

Jeremy Calleros Gauger, Landscape Designer - Arquitectonica GEO, reviewed the plans for the beach access path with landscaping and fire truck access. Mr. Mantilla questioned the grade elevation from Collins Avenue to the center of the site. Mr. Gauger explained that there was a 2% slope up, but varied. He reported that in a certain area the parking garage would meet the path, but would be screened with landscaping. Mr. Mantilla discussed ventilation of the garage underground. Mr. Gauger reported that the details were being looked at to solve the discharge for the ventilation, but exhaust fumes would not be blasted on the path. Mr. Mantilla requested that be addressed.

Mr. Gauger agreed that they would look into adding benches on the path, as well as at the north and south areas. Mr. Mantilla requested that they also address where the gate was going to be, how it would look, etc. Mr. Gauger explained that they hadn't detailed all of that yet, but that at a minimum it would be an aluminum picket fence. Mr. Cawley agreed that benches should be included.

Mr. Fort-Brescia reported that the street elevation was 4.5 and the elevation at the dune line and the deck was 9 feet, so the pedestrian walk would be gently raised from 4.5 to 9 to match the walkway at the beach (the retaining wall varied from 0 to 4.5). He noted that it could be bermed or planted, so the landscaping would cover that differential. He welcomed the addition of benches on the pathway. He explained that they had considered a linear water reflecting pond in the semi-circle park, but had concern with maintenance and longevity. He welcomed the idea of benches in the front park area, between the palms. He agreed to discuss that with the Village.

Mr. Cawley spoke in favor of the simplicity of the design and the plan. He suggested that the form of the tear drop shape be reinforced. He clarified that the tennis courts needed to be properly screened. He suggested that the landscaping be looked at to articulate the use of the spaces with the proper landscaping. He clarified that some of the specified trees would break up in a storm or only blossom during certain times of the year. Mr. Cawley wasn't able to see landscaping on the pool deck. Mr. Fort-Brescia clarified that they wanted the drama from the trees changing throughout the year. He noted that the pool side pavilion buildings had green roofs. He reported that their intent was to make it a LEED certified building.

Councilman Packer questioned if the tennis courts would be shielded with a huge green wall. Mr. Mantilla agreed that it would have a negative impact if it was screened. He didn't think that the tennis courts fit. Mr. Gauger reported that the courts would be screened 15 feet, but would be an additional element framing the building. He explained that it would be a grove of trees in front of the courts, so there would be a layer of plantings. Mr. Cawley requested some basic section drawings to show those areas, to determine how it would be treated. Mr. Gauger explained the use of Buttonwood. Mr. Mantilla reported that would take three years to grow. Mr. Gauger clarified that they would be started at eight feet and would take three years to grow to 15 feet. He agreed to provide clarification on those items.

Councilman Packer spoke against seeing green material hanging. Mr. Gauger clarified that they would only see the fence green screen from inside the tennis courts.

Mr. Nieda clarified that the Applicant had 15 comments from him and 11 comments from the Village Planner to address. He suggested a continuance and for the Applicant to come to the October 3, 2012 meeting.

Mr. Mantilla requested clarification on the center piece being referred to as a bridge between two towers, but noted that it was really one tower. Mr. Silvers questioned why the center piece was concealed in glass. Mr. Fort-Brescia agreed that it was one structure and that it looked lighter in glass. He explained that the bridge area would be a slightly darker colored glass and the balcony rails would be transparent glass.

A motion was offered by Mr. Balli and seconded by Mr. Buzinec to approve a Continuance, to address the comments by Mr. Nieda, Mr. Miller, and the landscape notations. The motion carried (5-0).

5. OTHER BUSINESS: None.

6. ADJOURN: There being no further business, a motion was offered by Mr. Buzinec and seconded by Mr. Cawley to adjourn. The motion carried (5-0), and the meeting adjourned at 1:47 p.m.



Attest:


Ellisa L. Horvath, MMC, Village Clerk


James Silvers, Chair