MARINE ADVISORY BOARD THURSDAY, AUGUST 2, 2007 – 7:00 p.m. CITY COMMISSION CONFERENCE ROOM - EIGHTH FLOOR CITY HALL 100 NORTH ANDREWS AVENUE FORT LAUDERDALE, FLORIDA

BOARD MEMBERS	PRESENT/ <u>ABSENT</u>	CUMULATIVE AT FROM 5/3/	
John Terrill, Chair Barry Flanigan, Vice Chair Rick Schulze Eugene Zorovich Michael Widoff Ryan Campbell David Bernier Alec Anderson Bobby Dubose Norbert McLaughlin Stephen Tilbrook	P P A A P A P P P	P-3 P-3 P-2 P-2 P-2 P-0 P-2 P-2 P-2 P-2 P-1	A-0 A-0 A-1 A-1 A-1 A-1 A-3 A-1 A-1 A-1 A-1 A-2
John Custer Randolph Adams John Baker Bob Ross	P P P P	P-3 P-3 P-1 P-1	A-0 A-0 A-2 A-0

Staff Present

Jamie Hart, Supervisor of Marine Facilities Andrew Cuba, Manager of Marina Facilities Cate McCaffrey, Director of Business Enterprises Alexandra Grant, Recording Clerk, Prototype, Inc.

I. Call to Order/Roll Call

Chair Terrill called the meeting to order at 7:05 p.m. Following roll call, it was determined that a quorum was present.

II. Approval of Minutes – June 7, 2007

Motion made Mr. Adams, seconded by Mr. McLaughlin, to approve the minutes of the June 7, 2007 meeting. In a voice vote, the motion passed unanimously.

III. Waterway Crime & Boating Safety Report

No report was provided.

Chair Terrell welcomed Cate McCaffrey, Director of Business Enterprises.

Ms. McCaffrey introduced herself and spoke of her background and qualifications.

Chair Terrell welcomed New Board member, Bob Ross.

IV. <u>Presentation – Resurrection of Coconut Isle/Broward County Parks</u> and Recreation Department

John Fiore, Liaison to the Broward County Marine Advisory Committee, summarized the history of Coconut Isle, located at the confluence of the Intracoastal Waterway and the New River. He gave a presentation outlining details of the proposal including:

- Marine habitat/nursery for small fish.
- Coastal hardwood hammock trees in the upland area.
- Walking path and 3 picnic area.
- Boat dock.

Mr. Fiore stated community members had voiced concern about the site becoming a spot for partygoers. To address these concerns, he presented an alternate plan for a nature park with the following features:

- Increased mangrove plantings up to 25 feet.
- Nature trail.
- Decreased dock size so fewer people would be attracted.
- Rip rap all around to prevent people from docking there.

Mr. Fiore explained that the island would have ecological benefits with the mangroves and eventually a bird rookery.

It was noted that the Florida Inland Navigation District supported the project and would likely fund fifty percent of the cost. Also, the County's Marine Advisory Committee Broward Boating Improvement Program would fund the additional fifty percent. It was stated that the mangrove plantings would possibly be funded via saltwater wetland mitigation efforts.

Mr. Fiore further noted that Broward County Parks and Recreation, the Broward County Biological Research Division and the Broward Urban River Trails all supported this project.

Mr. Baker asked about the quantity of available slips. In response, Mr. Fiore advised 2-3 slips would be available depending on boat size.

Mr. Schulze asked whether the plan would be expanded if there was excessive fill from the dredging of the Intracoastal Waterway. In response, Mr. Fiore stated that a good amount of fill would go to this site; however much of it would end up in the airport project.

Mr. Campbell spoke in favor of the project.

Mr. Ross asked whether the site could be restricted to non-motorized vessels. In response, Mr. Fiore stated this would diminish funding possibilities. Mr. Ross voiced concern that boaters would take advantage of the island for partying. In response, Mr. Fiore stated that law enforcement would be helpful and added that the island would be cleaned. Also, appropriate signage would be posted designating the site as an environmental park.

Mr. Dubose asked about maintenance plans. In response, Mr. Fiore stated there were no current plans for maintenance but in future, monies would be budgeted for this purpose.

Mr. Tilbrook spoke in favor of the project.

Mr. Anderson was pleased with the mangrove plantings from an environmental perspective. He suggested further consideration of security measures, i.e. cameras, as the heavy mangrove coverage created "the appearance of a site where people could go to do anything."

Mr. Fiore expressed his belief that the site could be redeveloped with a minimum of tax dollars.

Mr. Adams commented that the Board was getting bogged down in operational details and should simply consider the benefits of this project for the City.

Chair Terrill commented that it would be a shame to let concerns about a possible "party island" stop the project from moving forward, and a shame to limit boat access based on trying to control this potential. He spoke in support of the County and encouraged Mr. Fiore to continue with this effort.

Motion made by Mr. Tilbrook, seconded by Mr. Adams, to support the conceptual plan for the resurrection of Coconut Island with enhanced boater access. In a voice vote, the motion passed unanimously.

V. <u>Presentation – Winterfest Boat Parade</u>

Lisa Scott Founds, Executive Director of the Winterfest Committee, spoke of plans to extend the Boat Parade, starting in the New River, and requested the Board's support for the new route.

It was noted that the Coast Guard would stop all traffic at 3 p.m. from water marker 9 to the New River.

Mr. Baker, Mr. Tilbrook, and Chair Terrill spoke in favor of the plans presented.

Motion by Mr. Anderson, seconded by Mr. Tilbrook, to recommend that the City Commission support the change in route and that the City provide any assistance possible for the Boat Parade. In a voice vote, the motion passed unanimously.

VI. <u>Application - Water Taxi License Transfer – Water Transportation</u> <u>Alternatives, Inc.</u>

Mr. Hart introduced Bob Bekoff, who was selling this business to a new operator. Mr. Hart summarized staff's conditions for approval of this application.

Mr. Bekoff introduced Mike McGurl of Water Transportation Alternatives, and future operator of Water Taxi. Mr. McGurl spoke of his qualifications in the marine industry and distributed literature on his company.

A question was raised about improvements in ADA-accessible features. Mr. McGurl stated he would work toward providing fully ADA-accessible systems.

Mr. Ross asked whether a local contact would be available. In response, Mr. McGurl advised that local management would be in place and that all staff would be retained.

Mr. Tilbrook requested a summary of Water Taxi's current service and routes. In response, Mr. McGurl advised this is a transportation business aimed at getting people out of cars; the current route went from Oakland Park Boulevard to 17th Street, to the Las Olas Riverfront, with 11 stops. Mr. McGurl indicated that he would be looking at opportunities to serve more people via extended hours of operation and possible routing improvements. Mr. Tilbrook commented that it

would be beneficial if residents at the western end of Riverwalk could also be served. Mr. McGurl stated he is willing to work with the Board and other groups to gather support for this.

Vice-Chair Flanigan suggested clarification as to whether this service is a tour or a taxi, because of previous concerns. He also spoke of previous litigation with the City and County regarding ADA accessibility, and asked whether the City had proper indication that these legalities would be addressed.

Motion by Mr. Adams, seconded by Mr. Campbell, to approve. In a voice vote, the motion passed unanimously.

Mr. Tilbrook recognized Mr. Bekoff for establishing this transportation system for the City.

VII. <u>Application - Dock Construction Permit–110/120 S.E. 10th</u> <u>Avenue/Edewaard Development, LLC.</u>

Vice-Chair Flanigan requested that the next two items be addressed together. There were no objections.

Craig and Jonathan Edewaard, developers, presented this application and spoke of work currently being done on their properties. Mr. Craig Edewaard requested the Board's approval to use the property abutting the City's right-of-way.

Vice-Chair Flanigan asked why these docks had not been maintained. In response, Mr. Hart explained that the City would benefit from improvements the developer would make as these would be better than those done by a homeowner.

Mr. Schulze questioned how the straight configuration of the additional dock would work as the seawall is on a C-curve. In response, Mr. Craig Edewaard indicated he would not proceed further out than the maximum 4 feet of space beyond the seawall.

Mr. Hart advised the City Attorney's office had approved this application before.

Motion by Mr. Schulze, seconded by Mr. McLaughlin, to recommend that the City Commission approve the plan as proposed. In a voice vote, the motion passed unanimously.

VIII. <u>Application – Dock Construction Permit – 110 S.E. 11th</u> Avenue/Edewaard Development, LLC.

Motion by Mr. Schulze, seconded by Mr. Adams, to recommend that the City Commission approve the plan as proposed. In a voice vote, the motion passed unanimously.

IX. <u>Application – Dock Construction Permit – 114/116 S.E. 11th</u> <u>Avenue/Riverside Landings at Las Olas, Inc.</u>

Terry Patterson, owner and developer of Riverside Landings at Las Olas, gave a presentation outlining details of this application. He explained that due to pressure from the Neighborhood Association and a communication error on his part, a damaged section of the seawall had been repaired without a permit.

Mr. Ross requested information regarding inspection. In response, Mr. Hart explained that the Code required the City Engineer to rebuild the wall. The contractor really should have known that this type of work should not have been done without a permit.

Chair Terrill commented that the Building Department had a mechanism in place to address construction done without a permit. Mr. Tilbrook advised there is a double penalty mechanism in place.

Motion by Mr. Campbell, seconded by Mr. Dubose, to approve. In a voice vote, the motion passed unanimously.

X. <u>Application – Dock Waiver of Limitations – 808/810 N.E. 20th</u> <u>Avenue/Dixie Southland Corp.</u>

Mr. Tilbrook disclosed a conflict of interest on this item and excused himself from the discussion.

Alex Hecker, representing the applicant, and Tyler Chappell of The Chappell Group, Inc. gave a PowerPoint presentation outlining details of the proposal as follows:

- The application complies with code requirements for being granted a waiver.
- The site is consistent with adjacent facilities.
- The site is on a fairly wide section of the New River.
- The site is appropriately zoned in an existing marine environment.

• The property meets extraordinary requirements that justified City Code.

Mr. Chappell spoke of plans to replace existing docks with floating piers measuring 67×4 feet and ramps of 15×4 feet. It was noted that the northern pier is 46 feet to the 30% threshold line and 125 feet to the center line of the Middle River.

Mr. Chappell stated that the property is currently zoned as residential office district and that the City had received no objections to this project.

Mr. Adams asked about the size of vessels allowed for docking. In response, Mr. Chappell said 67-100 feet vessels would be able to dock.

Mr. Schulze commented that due to the configurations of its buildings, the neighborhood would not be impacted adversely.

Chair Terrill opened the discussion to public comment.

A resident of 2608 Inlet Drive, spoke in favor of this project.

Robert Terrence Reilly, a neighbor, spoke against this project.

Mr. Hart stated that docking is prohibited within the 10-foot setback per the City Attorney's ruling on a previous application.

Mr. Adams raised the question of how boats would fit within the 10-foot setback. In response, Mr. Chappell said the applicant only planned on allowing boats that would fit within the setback.

Mr. Adams commented that the applicant is setting this project up for a violation. Mr. Hecker stated the Board could make the necessary recommendations to ensure appropriate docking within setbacks.

Mr. Hart advised that the City Commission had attached a stipulation to clear any violations within thirty days or lose the waiver.

Mr. Adams asked whether this language could be included in the Board's recommendation.

Mr. Chappell pointed out there were currently no violations on the site. Mr. Hart added that building can be done within the setback, but docking is prohibited.

Mr. Hecker commented that based on legal interpretation, the setback stipulation did not apply as there are no residences adjacent to the property. It was stated that the applicant would comply with any stipulations set forth by the Board.

Mr. Hart commented that the City Attorney would likely include a stipulation prohibiting docking within the setback.

Mr. Baker questioned the statement that there were no residential properties adjacent to the site. Mr. Chappell again referred to the diagram and pointed out that the property did not have a residence on either side.

Chair Terrill asked Ms. McCaffrey if the City Attorney had determined whether a setback is being violated on the property. In response, Ms. McCaffrey advised that any violations would be cited by Code Enforcement.

Motion by Mr. Campbell, seconded by Mr. Schulze, to approve with staff's recommendations.

Mr. Anderson voiced concern about approving a project that might result in a possible Code violation.

Mr. McLaughlin explained that the City Attorney would determine whether the property is still under residential zoning or under new commercial zoning which would eliminate the setback requirement.

In a roll call vote, the motion passed (9-2).

XI. <u>Application – Commercial Application – Pier 17 Yacht Club/DRC</u> <u>Case No. 93-R-06</u>

Brad Tate, General Manager of the Pier 17 Marina and Yacht Club, 1500 SW 17 Street, gave a presentation outlining details of this application.

It was noted that Phase 1 of this project had been permitted by the City. Plans for Phase 2 included:

- Excavating a portion of the upland to extend the marina.
- Dredging a portion off the New River.
- Constructing new sea walls.
- Dredging the basin being excavated, minus 8 feet.
- Constructing new finger piers.
- Reconfiguring submerged land areas.

Various renderings of the site and surrounding areas were presented.

Mr. Schulze raised the issue of appropriate permitting as construction and dredging had already begun. In response, Mr. Tate advised that all work done during Phase 1 had been appropriately permitted.

Motion by Mr. Ross, seconded by Mr. McLaughlin, to approve. In a voice vote, the motion passed unanimously.

XII. Marine Facilities – Dockage Overview

Mr. Cuba reported that staff had provided three parameters as an introduction for this concept including:

- 1. The basics for replacement of commercial vessels on New River.
- 2. An explanation of submerged land leases as they related to vessel types.
- 3. A snapshot of occupancy percentages at three facilities.

Mr. Adams asked how this summer's marina usage compared to last year's. Mr. Cuba stated that usage at the Las Olas Marina is about even, while Cooley's and the New River Marinas have slightly reduced occupancy.

Chair Terrill asked whether electrical problems at the Las Olas Marina affected the current numbers. In response, Mr. Cuba spoke of the loss of 3-phase business and added that the City intended to provide 3-phase power in a short time if the budget allowed.

Chair Terrill requested that staff provide a report identifying how much 3-phase business revenue has been lost. Mr. Cuba responded affirmatively and suggested that the Board encourage Engineering to solve this problem.

Vice-Chair Flanigan commented that current occupancy is commendable and spoke in favor of all efforts to support the Las Olas Marina, as it produced cash revenue for the City.

It was suggested that additional pedestals be placed at inner docks to allow 3phase power to be provided to the inner marinas.

Mr. Baker suggested that the City consider presenting more downtown events to target more transient dockage. Mr. Cuba agreed this seemed reasonable and indicated staff would bring this suggestion before Parks and Recreation.

Chair Terrill commented that the Board needed to address the problem of bridging the gap between marine facilities and the parks and recreation department.

XIII. Report – Broward County Marine Advisory Committee

Mr. Adams reported that the Committee had primarily discussed the Coconut Island proposal.

XIV. Commercial Dockage Lease Renewals

Mr. Cuba reported that eight commercial leases would expire October 1, 2007. It was stated that a CPI increase of 2.7% is proposed because over the past four years, dockage had increased 29%.

Mr. Tilbrook asked how the City decided who got different dock slips. In response, Mr. Cuba said this is handled on a first come, first serve basis.

Mr. Tilbrook commented on the Code requirement regarding signage for commercial vessels, such as the Carib B, along the City docks. Mr. Hart agreed to locate the permit for the Carib B.

Motion by Vice-Chair Flanigan, seconded by Mr. Schulze, to approve. In a voice vote, the motion passed unanimously.

Discussion followed regarding usage designations and zoning with regard to placement of commercial vessels.

Chair Terrill advised that City Planning is addressing usage designations and types of vessel activities in the Riverwalk area and would present the relevant master plan addressing these issues at the next meeting.

XV. Old/New Business

Mr. Hart reported the City would receive a \$500,000 grant from the Florida Boating Improvement Program.

Mr. Hart indicated staff is waiting for grant agreements to be signed.

Mr. Adams asked about the status of the mooring of vessels at Las Olas. In response, Mr. Hart spoke of design problems that would hopefully be resolved

before the next season. It was also stated that monies were in place for the moorings.

Chair Terrill requested that monthly reports include any events that would significantly impact revenue. Mr. Hart agreed to this request.

XVI. Adjournment

There being no further business before the Board, the meeting was adjourned at 9:50 p.m.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAMEFIRST NAMEMIDDLE NAM Tilbrook, Stephen Ketne		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Marine Advisory Board
MAILING ADDRESS 200 E. Broward Boulevan	d, Suite 2100	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY	COUNTY	CITY COUNTY CONTY CONTER LOCAL AGENCY
Fort Lauderdale, FL	Broward	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED		Fort Lauderdale
August 2, 2007		

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

• You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- · A copy of the form must be provided immediately to the other members of the agency.
- · The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- · You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

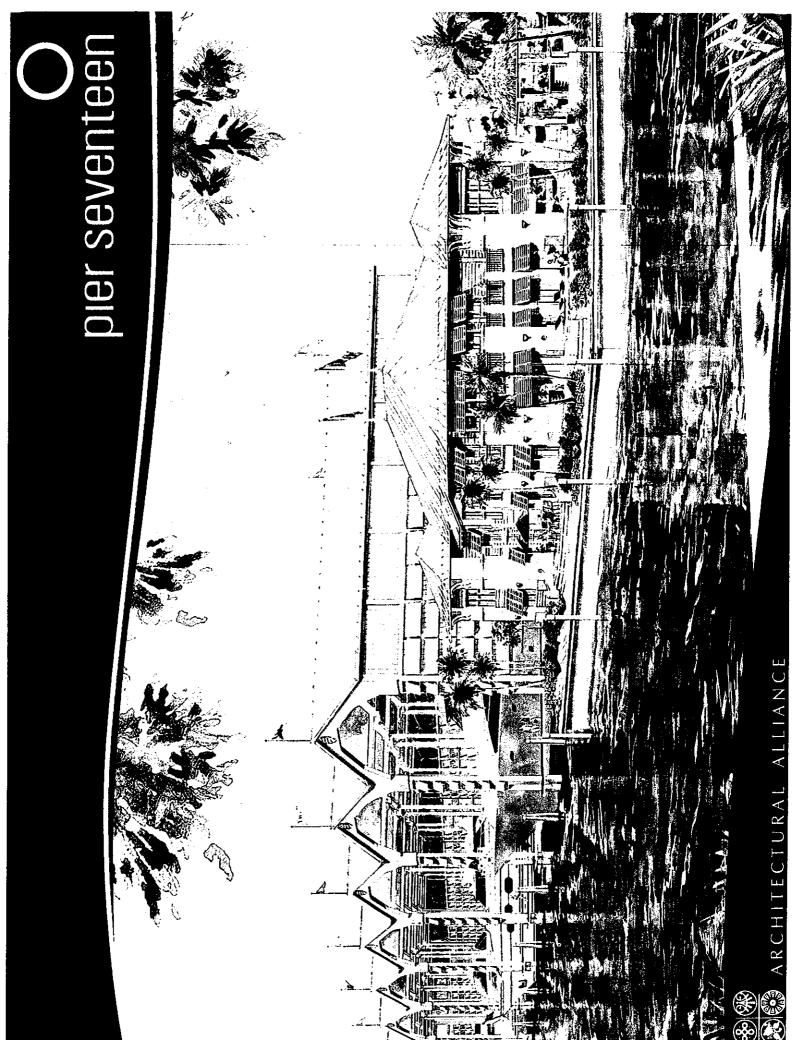
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I, <u>Stephen K. Tilbrook</u>	, hereby disclose that on <u>August 2</u> , 2	0 <u>07 </u> :
(a) A measure came or will come before my ag	ency which (check one)	
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inured to the special gain or loss of my t	business associate,	
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whom I am retained; or		
X inured to the special gain or loss of	Dixie Southland Corporation	, which
is the parent organization or subsidiary	of a principal which has retained meShutts & Bowen, LLP.	
(b) The measure before my agency and the na	ture of my conflicting interest in the measure is as follows:	
	nd Corporation, has engaged Shutts & Bowen LLP (a firm artner) for representation on a matter pending before	n
August 2, 2007	tof the	
Date Filed	Signature	

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

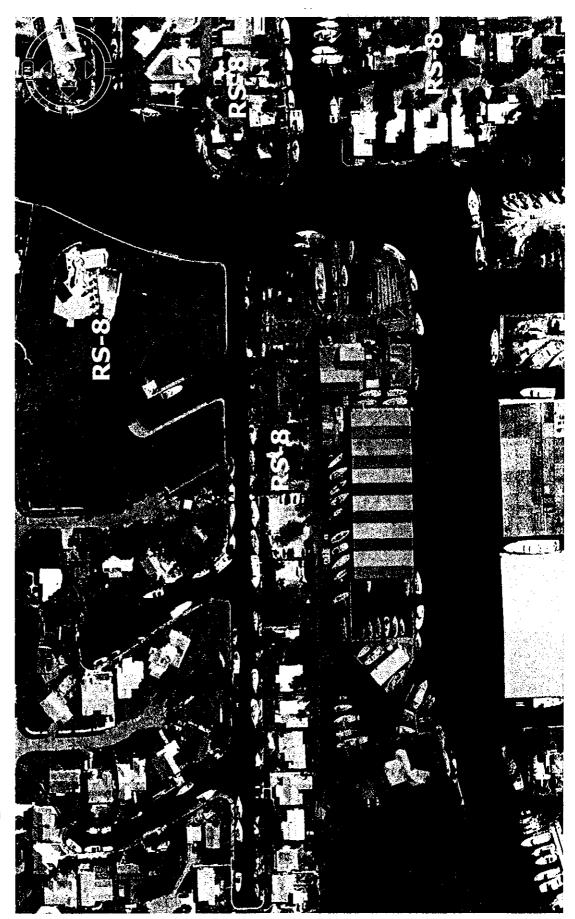
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AUGUST 2, 2007 MARINE ADVISORY BOARD MEETING POWERPOINT PRESENTATION

APPLICATION – PIER 17 YACHT CLUB DRC CASE NO. 93-R-06



Aerial View Existing Conditions



Scope of Project

Phase 1

Existing Boat Basin Area

- Demolish Existing Roof Structures
 - Repair & Replace Seawall
- Dredge Basin to (-) 8.00 MLW
- Reconfigure & Construct Finger Piers I

Scope of Project

Phase 2

New Boat Basin Area

- Excavate +/- 52,200 SF of Upland Area to (-) 8.00 MLW
 - Dredge Portion of New River to (-) 10.00 MLW
 - Construct New Seawalls
- Dredge Basin to (-) 8.00 MLW
 - Construct New Finger Piers
- Reconstruct Marginal Docks
- Reconfigure Submerged Land Lease Areas

Scope of Project

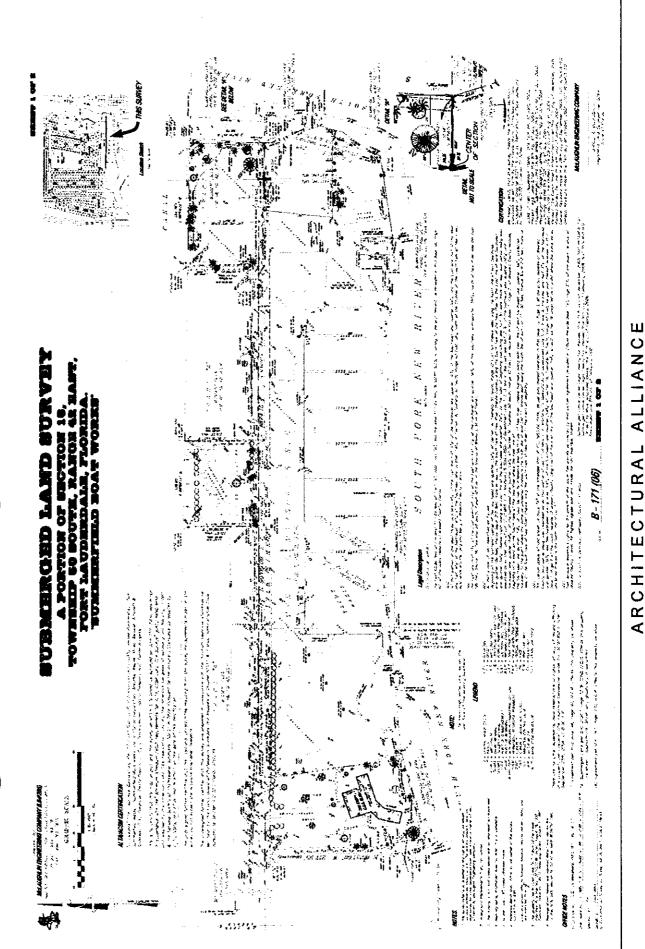
Phase 3

Upland Redevelopment

- Construct New Roof Structures over Boat Slips
 - Construct Garage/Storage Units
 - Construct Crew Club Building
- Install Sewage Pump out System
 - Install Fire Protection System

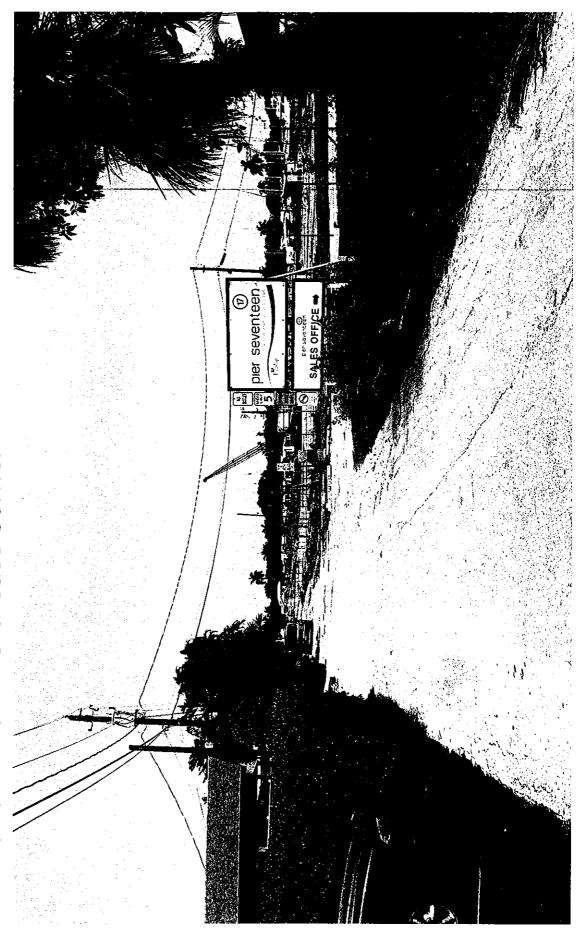


Submerged Land Survey



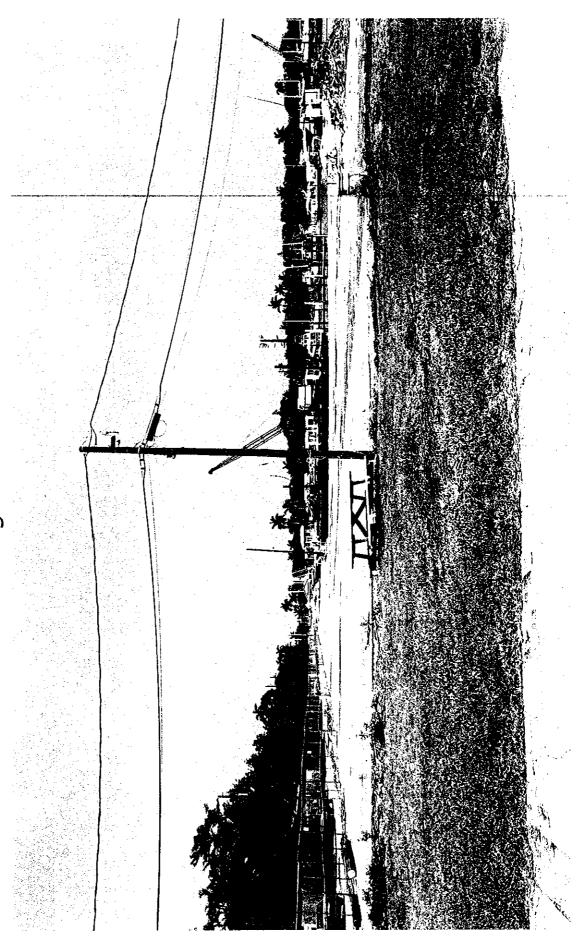
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Site Photos View of Site from Northeast Corner



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Site Photos View of Site from West looking East



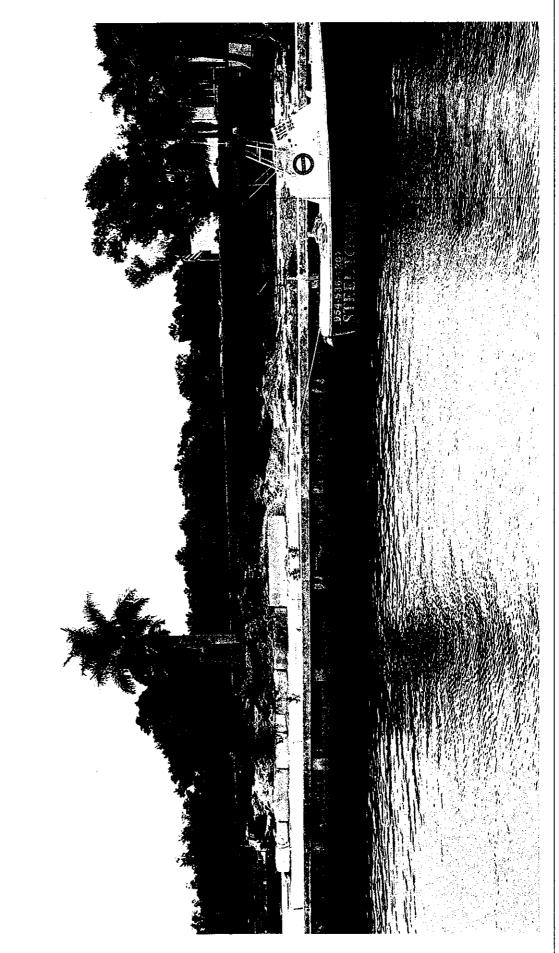


Site Photos View of Site from East looking West



Site Photos

View of Northeast Corner of Site



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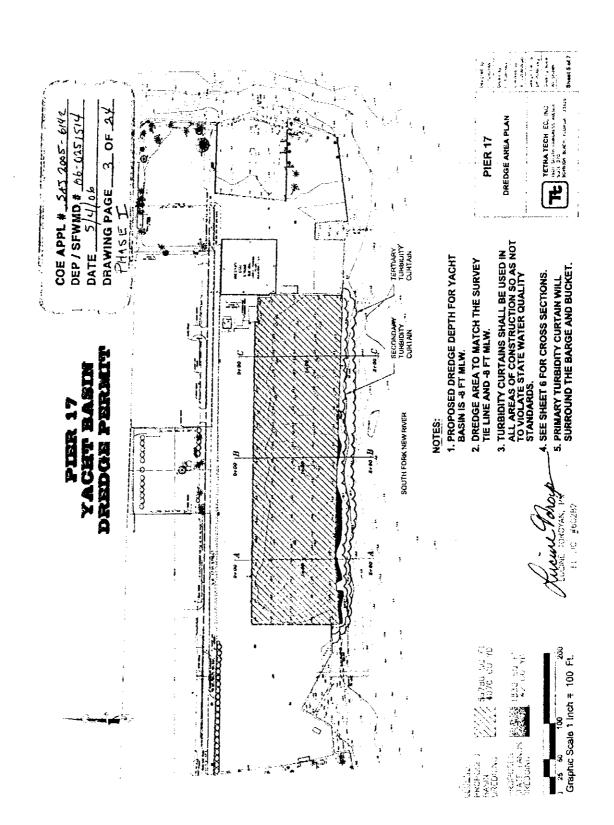


Site Photos View of Existing Yacht Basin



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Dredge Area Plan



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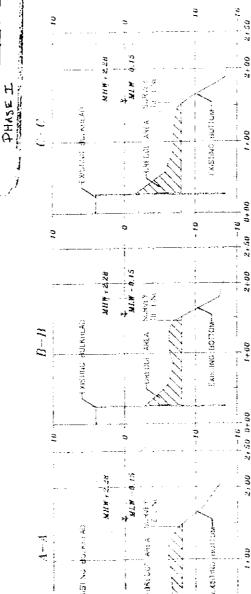
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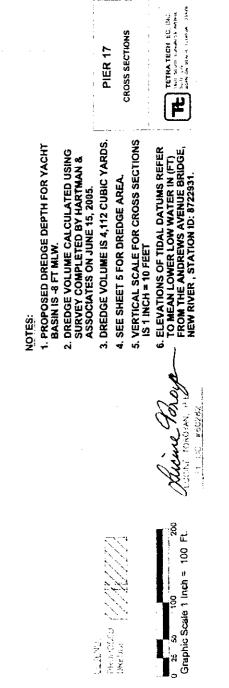
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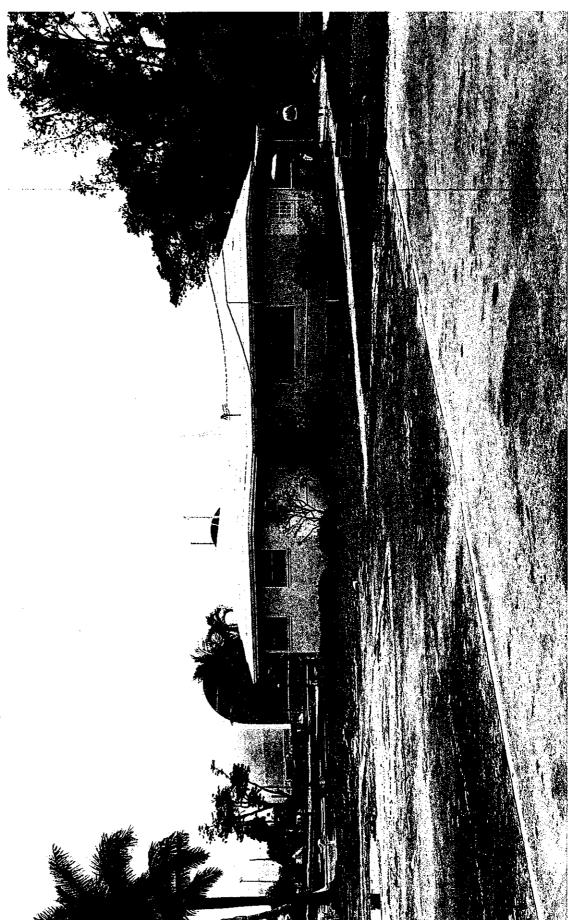
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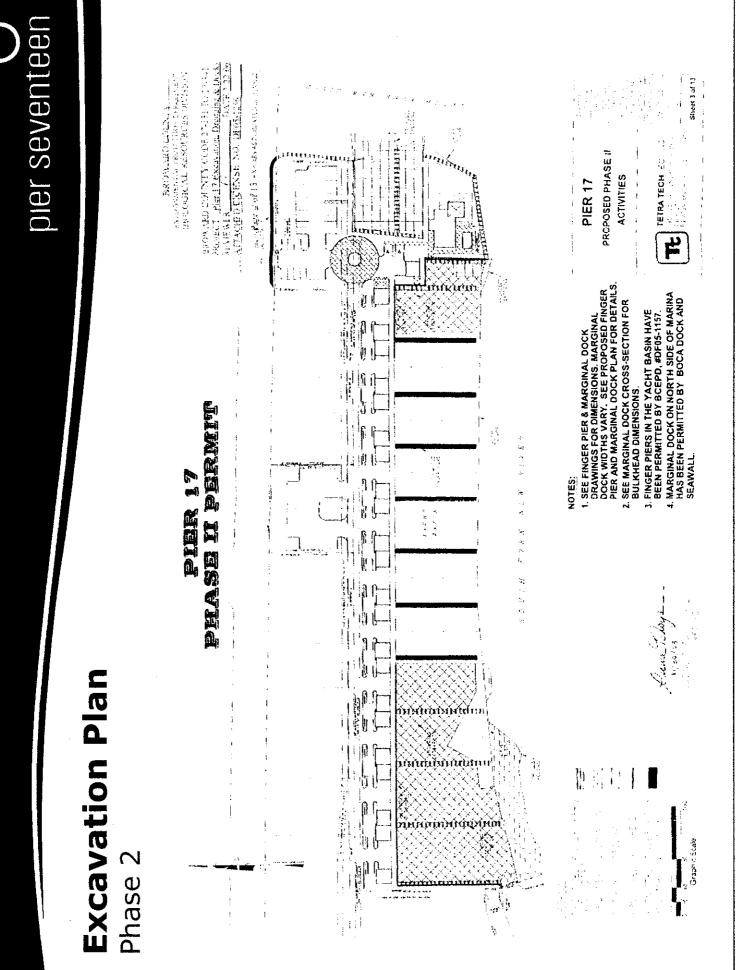
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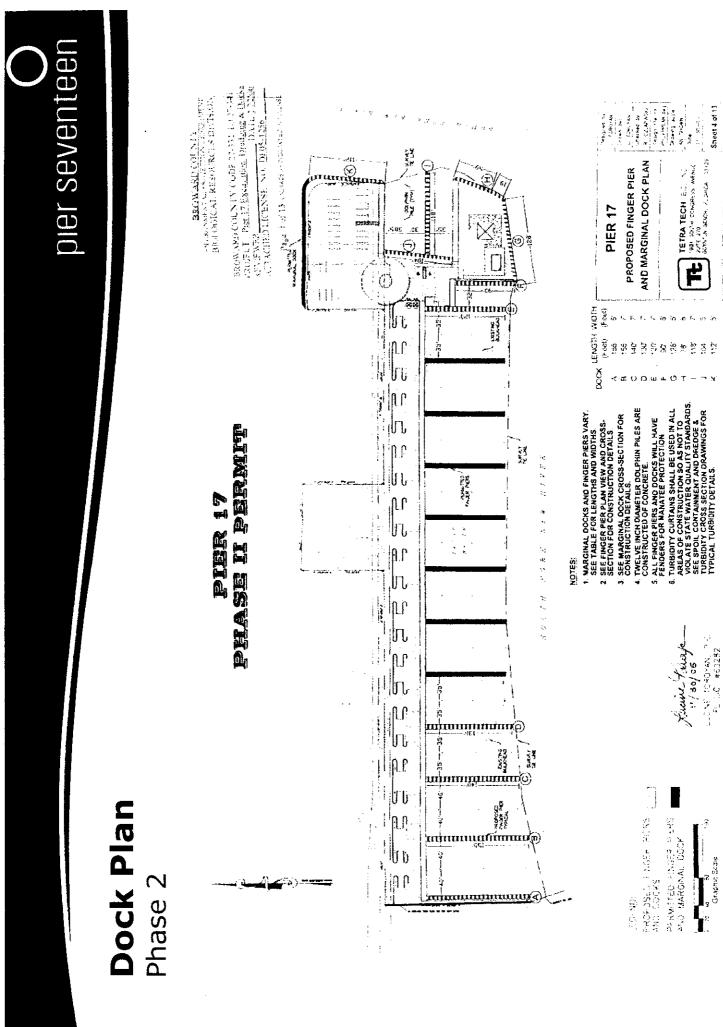
Site Photos

View of Existing Marina Office (to be Demolished)





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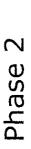
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Sea Wall Plan

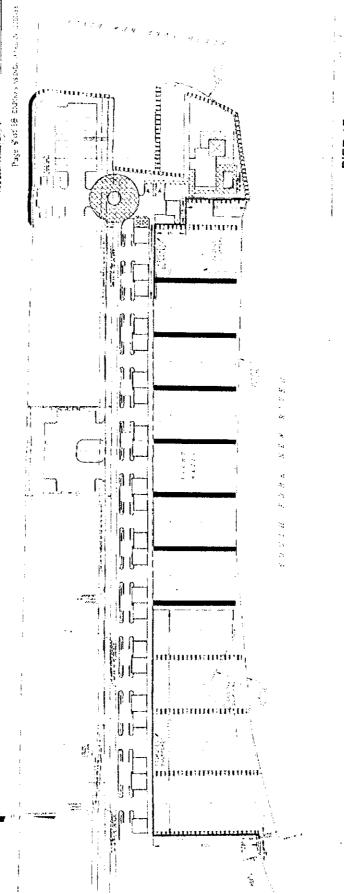


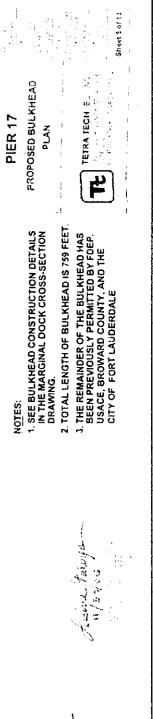


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STATES OF CARDINE



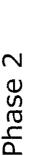


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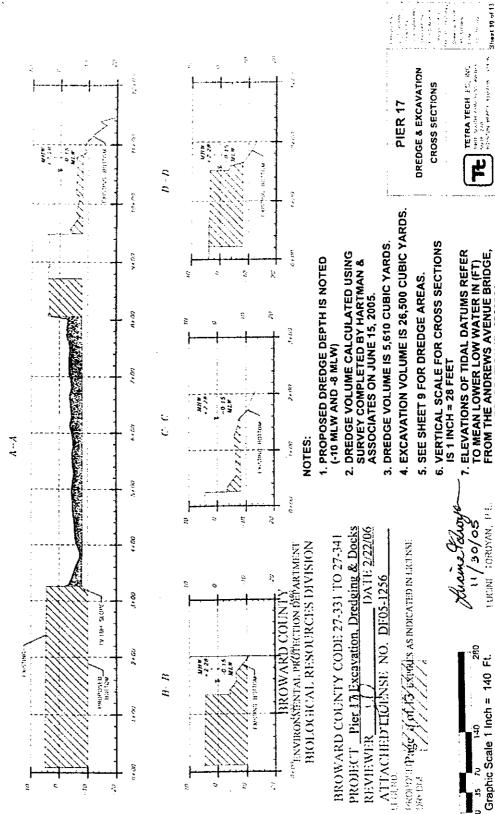
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Cross Section



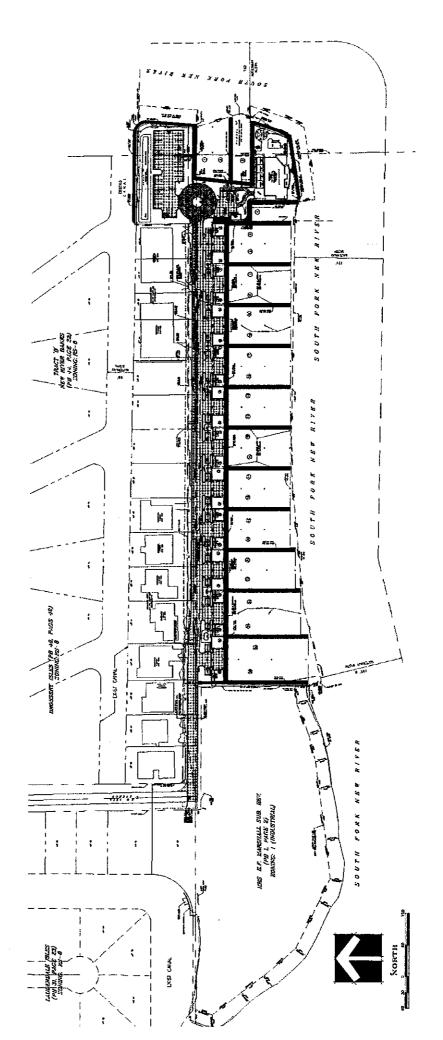
Pier 17 Phase II Permit



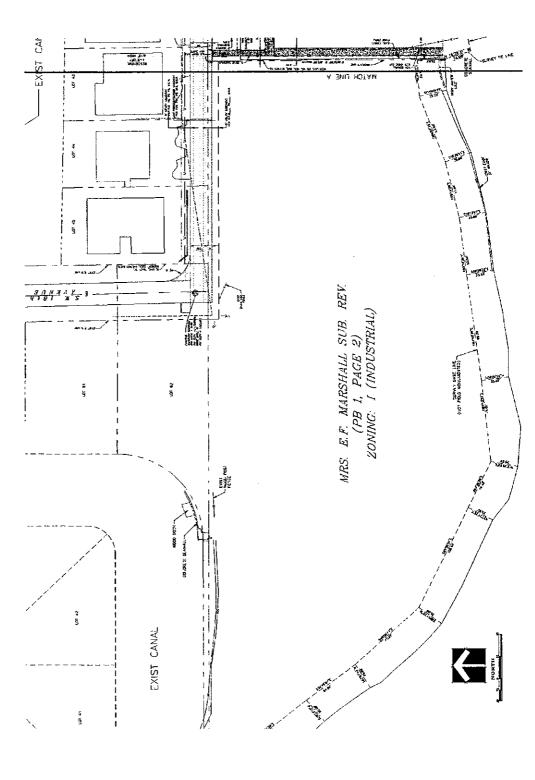
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Master Site Plan

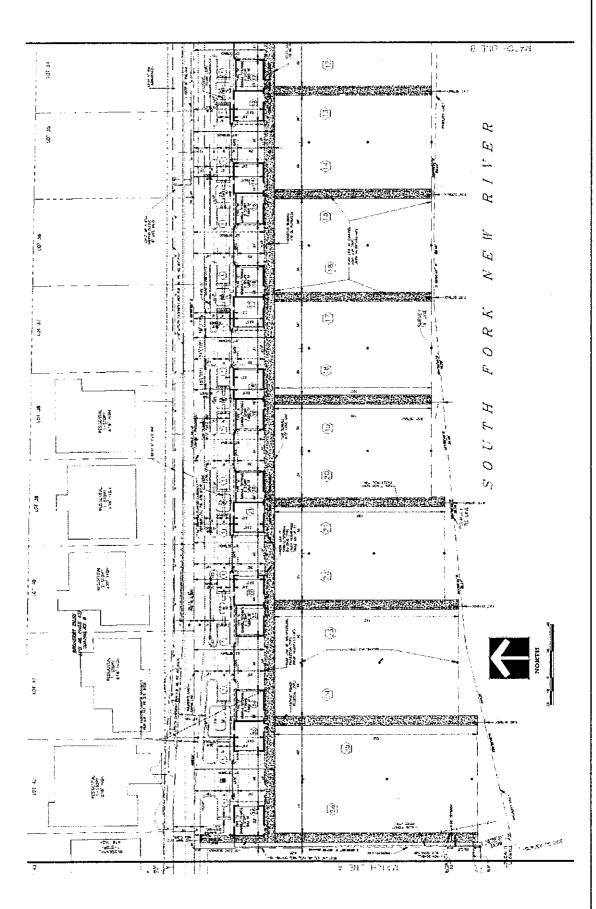


Enlarged Site Plan West Area



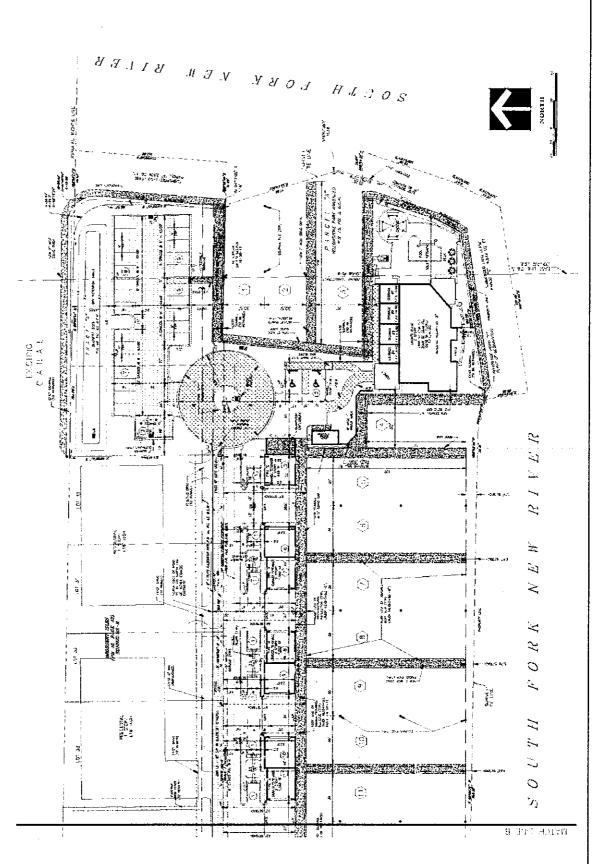
ARCHITECTURAL ALLIANCE

Enlarged Site Plan Center Area



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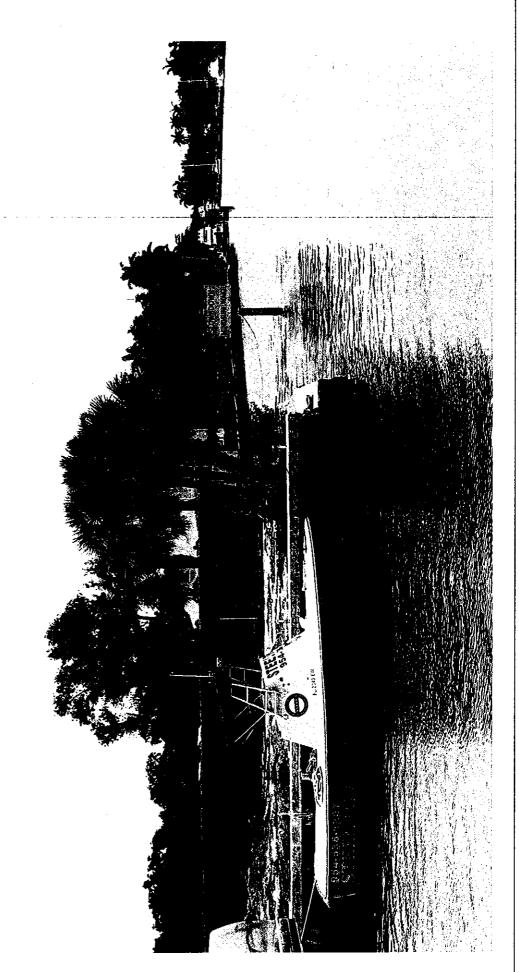
Enlarged Site Plan East Area



ARCHITECTURAL ALLIANCE

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Site Photos View North from Site

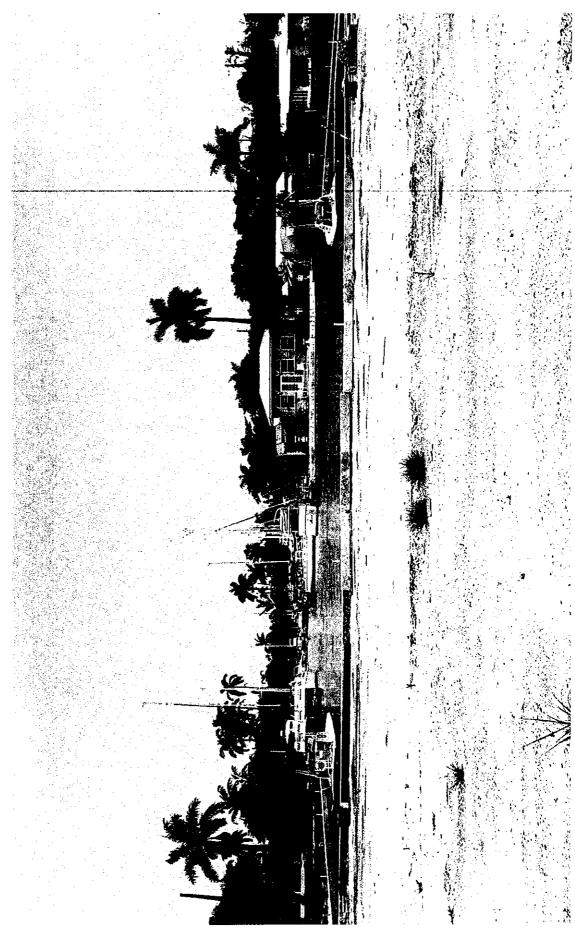


Site Photos View Northeast from Site



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Site Photos View East from Site





View Coutbact for

View Southeast from Site

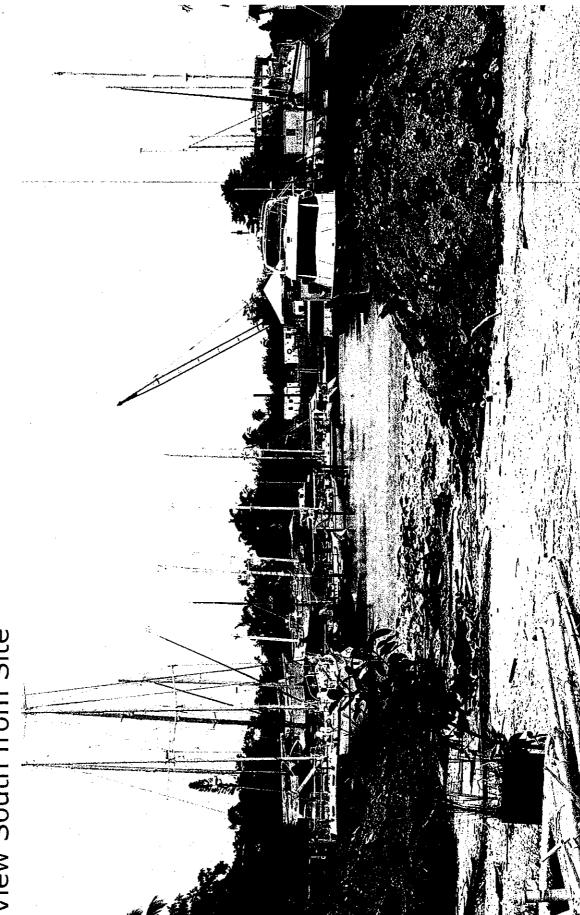




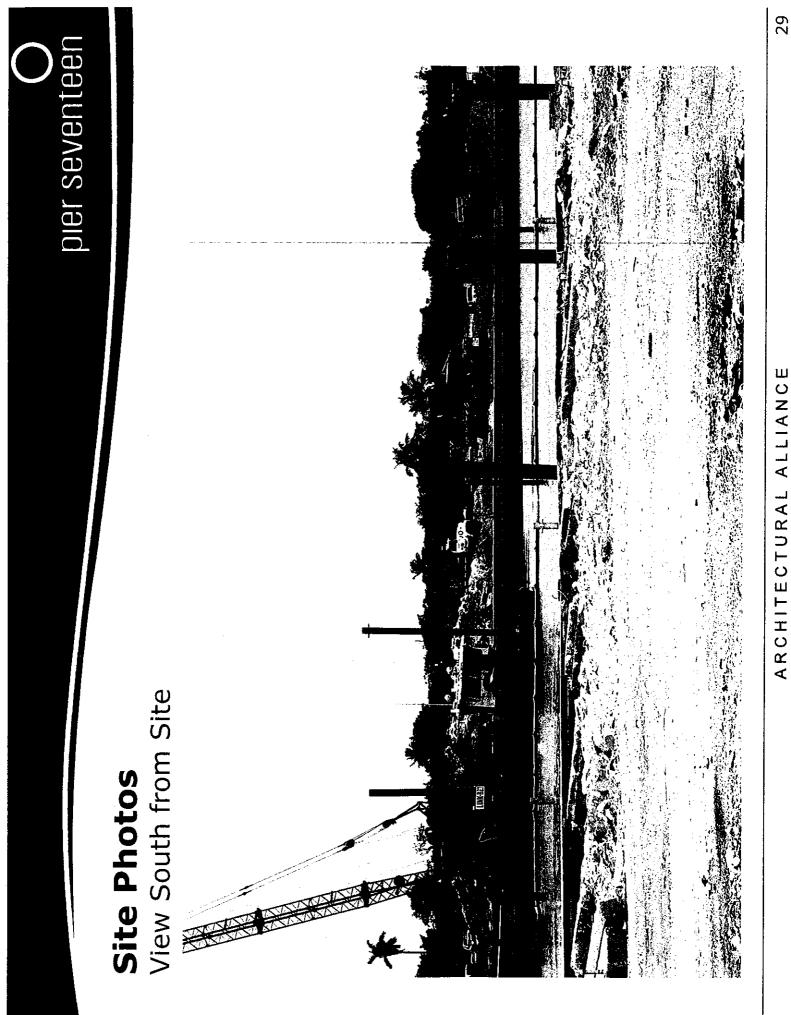
Site Photos View South from Site

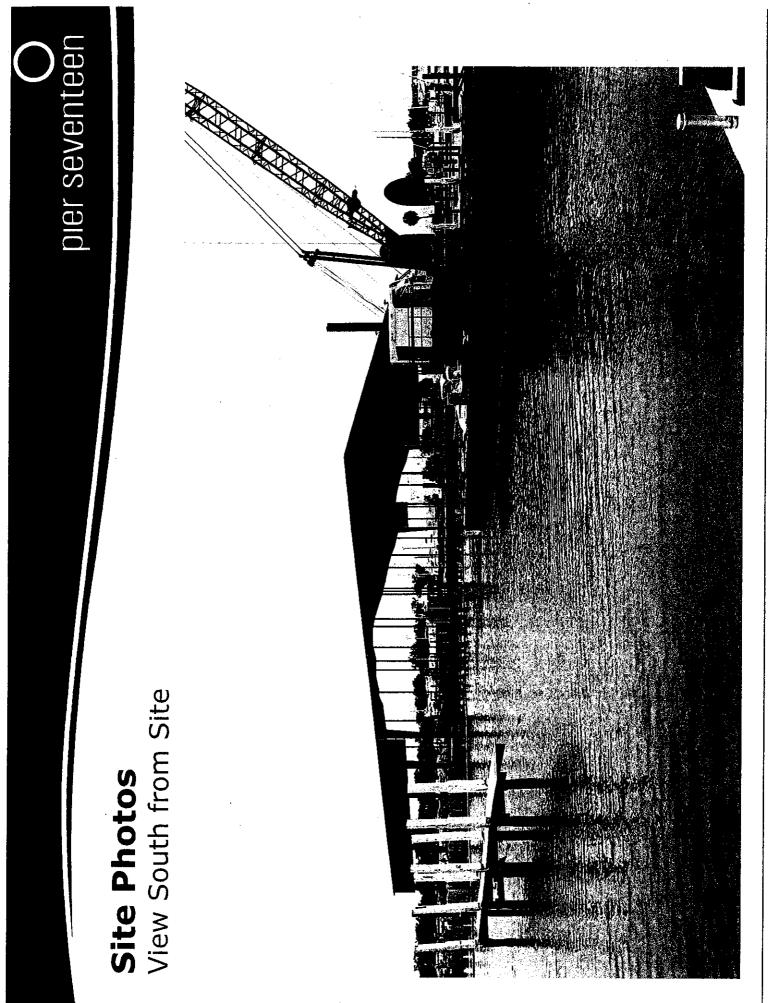


Site Photos View South from Site



ARCHITECTURAL ALLIANCE

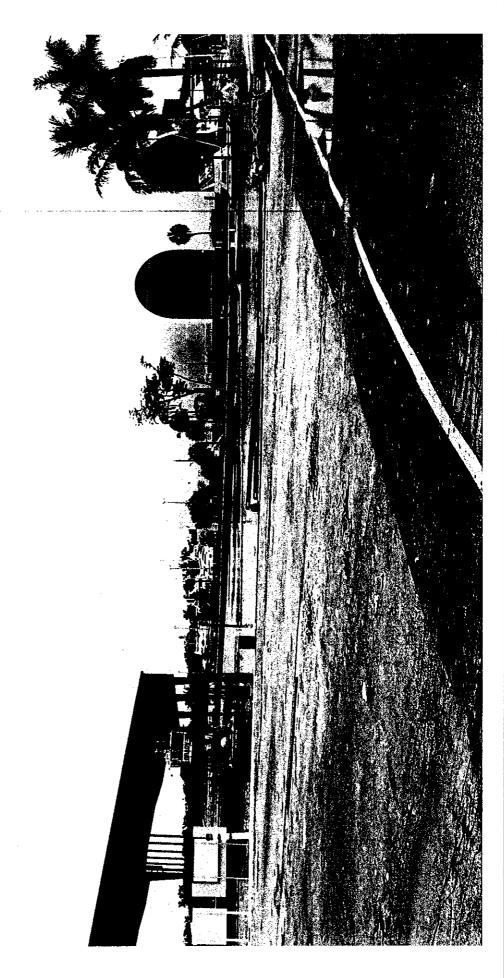




ARCHITECTURAL ALLIANCE

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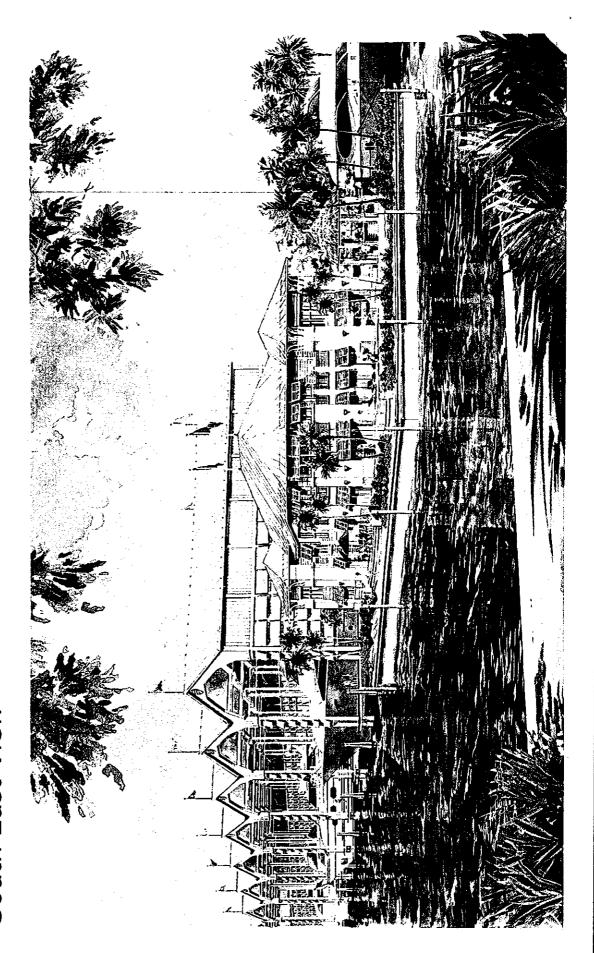
Site Photos View South from Site



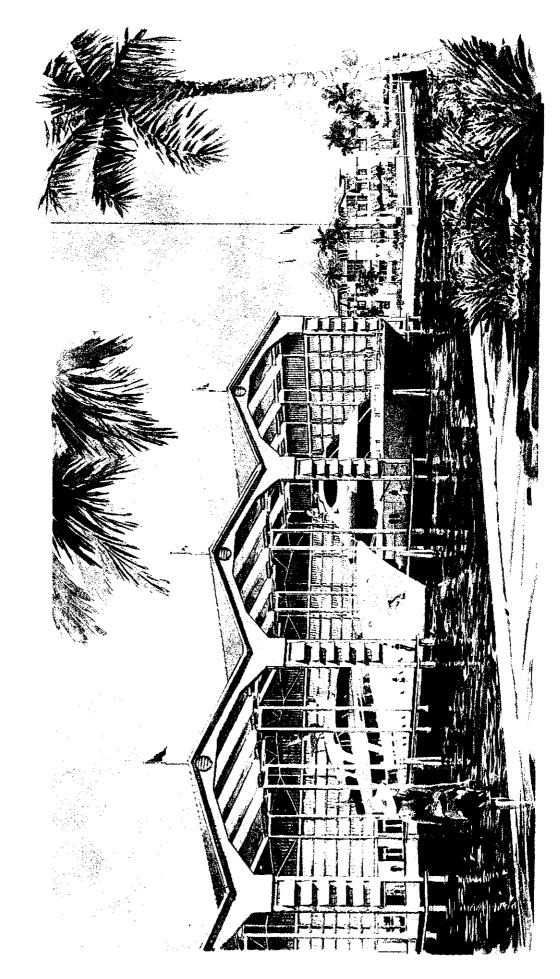
Site Photos View South from Site



Rendering South East View



Rendering South West View



Rendering North East View

