

**CHARTER TOWNSHIP OF LYON  
PLANNING COMMISSION  
MEETING MINUTES  
March 28, 2005**

Approved as corrected April 11, 2005.

DATE: March 28, 2005  
TIME: 7:00 PM  
PLACE: 58800 Grand River

Call to Order: Chairman Barber called the meeting to order at 7:00 pm.

Roll Call: Present: Michael Barber, Chair  
Laura James, Secretary  
Jim Dome  
Jim Hamilton  
John Hicks, Trustee (left @ 8:10 PM)  
Laura Williams

Absent: Ted Soper, Vice Chair (vacation)

Also Present: Philip Seymour, Township Attorney  
Chris Doozan, Township Planner  
Alexis Marcarello, Township Planner  
Chris Olson, Township Superintendent

Guests: 41

**1. APPROVAL OF AGENDA**

Mr. Hamilton made a motion to approve the agenda for Monday, March 28, 2005 as written.  
Mr. Hicks supported the motion.

Voice Vote: Ayes: All  
Nays: None  
Absent: Soper

Motion approved unanimously.

**2. APPROVAL OF CONSENT AGENDA  
- Meeting Minutes of February 28, 2005**

Mr. Hamilton noted a typographical error for the Recording Secretary to fix.

Mr. Hamilton made a motion to approve the minutes from the February 28, 2005 meeting as corrected. Ms. Williams supported the motion.

Voice Vote: Ayes: All

Nays: None  
Absent: Soper

Motion approved unanimously.

**3. PUBLIC COMMENTS ON NON-AGENDA ITEMS:**

John Bell, 23113 Currie Road, stated that he is here on behalf of the Library Board. He briefly discussed the density issues. He stated that it is his understanding that a density bonus is associated with doing something on the part of a developer that would be a community benefit. He asked the Commissioners to take into consideration when deliberating future developments density issues, the Library. He stated that a contribution could be made to the Library in exchange for some extra density. He stated that the Library Board would like the Planning Commission to keep this in mind.

**4. PUBLIC HEARINGS: NONE**

**5. OLD BUSINESS:**

**AP-04-32, Lyon Professional Centre**, 58560 Grand River Avenue, west of Township Hall, Site Plan Review (Tabled up to 60 days on January 24, 2005 to allow applicant time to secure variances from the ZBA. Table item an additional 30 days.)

Ms. Marcarello stated that there is no letter in the Commissioner's packets regarding this issue. She stated that they are asking that this issue be tabled for an additional 60 days. She noted that the applicant has received the variances from the ZBA.

Mr. Hamilton made a motion to table AP-04-32, Lyon Professional Centre, for an additional 60 days. Mr. Hicks supported the motion.

Voice Vote:           Ayes: All  
                              Nays: None  
                              Absent: Soper

Motion approved.

**AP-03-27, Meadowcreek of Lyon (Aspen Group) Planned Development**, South of Ten Mile Road, between Milford and Griswold Roads, Public hearing to consider the Preliminary Planned Development Plan (Tabled up to 60 days on February 28, 2005).

Ms. Marcarello reviewed the comments indicated in the McKenna Associates, Inc. letters dated January 31, 2005 and March 23, 2005 regarding this issue.

David Goldberg, Aspen Group, stated that as Ms. Marcarello pointed out, the last time that they were before the Planning Commission they presented a plan that proposed the following:

- a 25% density increase (46 additional lots)
- a park on the south side of Nine Mile Road, dedicated to the public
- pave the entire Nine Mile Road stretch from Griswold Road to the east property line.

He stated that they were asked to go back to the sub-committee to review the plan and decrease the amount of density. He stated that they also discussed the economics of this proposal.

Mr. Goldberg stated that their understanding of the PD Ordinance with respect to the development fronting on a paved road, is that this development does front on a major paved road, Ten Mile Road. Any paving that is to be done on Nine Mile Road would be extra and

considered a public benefit. He discussed some of the other items that they are proposing with this development. He noted that this project is one of the major links in the Southwest Water and Sanitary Sewer SAD.

Mr. Goldberg stated that they feel that what they are presenting now has addressed almost all of the comments from the Planning Commission and the residents with the exception of density. He stated that with respect to density, they have reduced it an additional 7.5% from 25.4% to 17.68%. He stated that all fourteen units that were eliminated came from Lyon Associates parcel. He briefly reviewed the other changes that they have made to the plan.

During Mr. Goldberg's presentation, he displayed several overheads with information regarding costs of the proposed development. He discussed different scenarios with regard to costs and density for this project.

Mr. Hicks made a motion to approve AP-03-07, Meadowcreek Of Lyon (Aspen Group), as follows:

1. A density of 206 units.
2. The donation of the proposed 68 acre park parcel.
3. Paving of Nine Mile Road from Griswold Road to the eastern property line.
4. The Ten Mile Road view shed will comply with the Ten Mile Road corridor plan.
5. Provide a 200' view shed along Nine Mile Road with native vegetation.
6. Remove the rubbish from the 68+ acre proposed park parcel.
7. Clean out the Yerkes Drain.
8. Keep a hedgerow along the Raney property line.

Ms. Williams supported the motion.

Mr. Hicks felt that the \$30,000 per acre Mr. Goldberg stated for the park land is too high. He stated that the cost of the paving is indeed Oakland County's recommendation, but Mr. Goldberg did mention that he received an actual quote which is considerably less than the County's price per mile.

Mr. Barber stated that he would open this up for public comments for approximately twenty minutes.

Bob Seccombe, 56688 Nine Mile Road, discussed the density. He stated that on the 156 acre parcel on the north side the density will upwards of 35.6%. He stated that the Planning Commission must remember that the park land is not really considered a gift. He stated that the Township is being asked to grant permission for the applicant to relocate 25 homes, that would have been located on the south side of Nine Mile Road, over onto the north side. He stated that the 215 acre on the north side would accommodate approximately 156 units. He stated that just by moving the 25 homes over there, the developer is getting a 16% density bonus on the north side. He stated

that

by agreeing to this, the Township will receive 68 acres of potential park land while the Aspen Group avoids major infrastructure costs which would be incurred to develop the property on the south side.

Mr. Seccombe felt that most residents in the area would agree that this is probably a reasonable exchange, the park property for the ability to move the 25 homes to the north. He stated that it is certainly not a gift. He stated that he does not believe that this is a good enough reason for a density increase over and above 25 homes. He stated that he feels that the residents would agree with him on this.

Mr. Seccombe discussed the requirement of a development being on a paved road. He stated that this development is unique in the fact that he believes that it absolutely needs to have an entrance on Nine Mile Road. He stated that the entire parcel cannot be serviced from Ten Mile

Road. He noted that the ordinance does not address this type of situation. He felt that the Planning Commission should pursue the paving of Nine Mile Road with the developer. He noted that the paving of Nine Mile Road is not only a benefit to the people who live on Nine Mile Road but also to the developer in selling this project.

Mr. Seccombe briefly discussed the wonderful job the Planning Commission did with the Phoenix Group's development. He stated that the residents believe that the Phoenix development was a much more critical situation for the Township than anything that has been offered by the Aspen Group. He noted that after all the discussions, the Phoenix Group only received a 15% density increase. He stated that this project is not nearly as critical as the Phoenix one was in the estimation of the residents. He stated that they do appreciate the work that the committee has done, they appreciate the motion that has been made and they hope that the Planning Commission considers all the facts presented when casting their vote.

Ernest Johnston, 58085 Nine Mile Road, stated that his property is on the west side of Cattails Golf Course on the south side of Nine Mile Road. He stated that his concerns are with the entrance to this development. He discussed site distance problems along Nine Mile Road. He felt that the entrance should be moved further to the west to give site distance clearance.

Jake Hagman, 22851 Clarkshire, concurred with the comments that have been made. He felt that the Planning Commission should look carefully at the generous donation of land that has no tax value. He felt that if you put your hip boots on and walked over this land they would see that it is very wet. He felt that the Planning Commission should be careful on what they are getting because it will cost somebody in the long run.

Diane Roast, 57075 Nine Mile Road, stated that she has lived on Nine Mile Road for the past 33 years. She noted that this past winter they have had some unseasonably heavy rains and very cold. She stated that she had to use Currie Road and Eight Mile Road in order to get into town because Nine Mile Road was in such poor condition. She stated that if the developer does not pave Nine Mile Road, nobody would ever buy a house in this development. She felt that the developer should pave Nine Mile Road, if they are going to build on it, but she does not feel that it is a gift.

Mr. Barber noted that a written statement expressing his concerns with the proposed development was submitted to the Township this afternoon by Joseph Raney, 24003 Raney Lane.

Joseph Raney, 24003 Raney Lane, stated that the Aspen Group did address his concerns with to landscaping along his property line.

Ms. James stated that the hardest part of a proposal is figuring out the density. She stated that it is a much easier process when they look at the density bonuses that they have given out in the past and what the Township was provided for those bonuses. She discussed a displayed overhead with density bonus information on it. She stated that she does not feel that they should vote on this issue tonight and grant approval until they see revised plans. She felt that once they grant approval, the Planning Commission loses all their bargaining power.

Ms. James stated that the State Law says that it is the Planning Commission's job to prevent overcrowding. She briefly discussed the roads around this development, noting that several are virtually impassable. She noted that the school district is already over crowded.

Ms. James stated that if the developer wants her to consider 10%, then she feels that they need to work on this a little more. She felt that the developer also needs to work with the neighbors more.

Ms. Williams stated that she would like to hear from the committee members. Mr. Hamilton stated

that Mr. Hicks covered what they discussed in his motion. He stated that the density was the biggest concern and discussion.

Mr. Olson stated that with regard to the 68 acre park land parcel, the McKenna Associates, Inc. staff had taken a look at this parcel very closely approximately 1-1/2 years ago. Mr. Doozan stated that this land was also looked at by the Oakland Land Conservancy. He noted that this is a very nice piece of property with a significant amount of upland (approximately 35 acres) that could be used for recreation purposes.

Mr. Hicks restated his motion for the Commissioners.

Roll Call Vote:           Ayes: Barber, Hicks  
                              Nays: Dome, Hamilton, James, Williams  
                              Absent: Soper

Motion failed.

There was discussion with regard to a alternative motion. Mr. Olson pointed out that one aspect of what the developer has said does have a time line to it, the sewer link to the southwest. He asked the Commission to render some sort of decision tonight with respect to the density level. He noted that the sewer and water issue is slated to be on the Board's April 4, 2005 agenda. He stated that if the Planning Commission had a density level in mind, perhaps it would be something that they could put forth tonight so that this could proceed.

Ms. James stated that she would be willing to make a motion for 10%, but would really prefer to see revised plans beforehand. She stated that she would rather not commit to 10% until they see what the plans are.

Ms. James made a motion to table AP-03-07, Meadowcreek of Lyon (Aspen Group) for 30 days to allow the developer to revise and submit their plans. Mr. Hamilton supported the motion.

Voice Vote:            Ayes: Barber, Dome, Hamilton, James  
                              Nays: Williams  
                              Absent: Hicks, Soper

Motion approved.

**AP-05-02, Quadrants Industrial Building, KFM Industries**, Helene Drive, south of Grand River, Conceptual Industrial Plan Review (Tabled March 14, 2005 up to 60 days.)

Mr. Doozan reviewed the comments indicated the McKenna Associates, Inc. letter dated January 31, 2005 regarding this issue.

Mr. Olson questioned the impervious surface on this site. He noted that the Township Board recently approved new impervious surface standards. Mr. Doozan stated that this may come into play with this proposal.

Karen Saffron, Attorney, briefly explained the proposal. She noted that this proposal will bring in 83 new jobs to the area. She stated that since this is only conceptual, they are looking for comments and/or direction from the Commission.

Mr. Doozan questioned if KFM currently exists. Ms. Saffron responded that they do. Mr. Doozan questioned KFM's current location. Chad McCormick, Quadrants, responded it is a small operation in Birmingham.

Ms. James questioned what KFM does. Ms. Saffron responded that they fabricate metal products, machinery, transportation equipment. She noted that KFM will have 20 office employees and approximately 60 manufacturing employees. Ms. James questioned if the 83 jobs are going to be for current employees or are they going to be for new employees. Ms. Saffron responded that the 83 jobs are new jobs that they are bringing into the Township.

Mr. Olson felt that they needed more specificity as to what KFM makes. He felt that they need more information with regard to the history of the company. Mr. Barber noted that he would like to take a ride and see the current facility that KFM is in. Mr. McCormick stated that KFM is not currently up and running. He stated that KFM is just now getting things together.

Ms. James questioned who the principals of KFM are. Mr. McCormick responded that he does not know. Ms. James requested that he bring this information with him when they come back. She noted that with regard to a tree survey, she would only be interested in seeing a survey that has been signed by the Arborist who did the survey. She stated that an unsigned and undated copy will not suffice.

Mr. Olson stated that he does not necessarily believe that this complies with the Master Plan, certainly not the draft plan that the Commission has been working on. He stated that the Planning Commission has some information regarding this that he provided with regard to other possibilities on this site.

Todd Wyett, Lyon Township DDA, briefly discussed what the DDA envisions for this parcel. He stated that about a year ago he approached Bill Clark, Quadrants, with regard to rezoning this parcel to multiple family.

Mr. Barber felt that they have so little information with regard to KFM that they really could not make any type of decision.

Mr. Doozan questioned why KFM needs so many parking spaces. Ms. Saffron responded that they are trying to comply with all the Township requirements. Mr. Doozan noted that the amount of parking spaces provided goes beyond the requirements. Ms. Saffron stated that she will look into this. Mr. Doozan questioned how they are going to deal with the access drive issue, which is not wide enough to meet the Township requirements. Mr. McCormick noted that they will probably do a cul-de-sac. Mr. Doozan questioned if the applicant will be acquiring more property. Mr. McCormick stated that the neighbor next door is in the process of possibly letting them purchase more property.

Mr. Olson noted that a portion of this parcel is zoned heavy industrial, but also noted that this current proposal does not comply with the current Master Plan. He expressed concern on how trucks delivering materials will get in and get out of this site.

Mr. Barber noted that Quadrants does have more suitable land that this proposal would fit into. He stated that this proposal is too big for the location and it would be better suited in another location.

It was noted that this issue was put on the agenda as a conceptual review and for the Planning Commissioners to provide comments. There was no formal action taken.

## 6. **NEW BUSINESS:**

**AP-03-34, Lyon Ridge Planned Development**, South side of 10 Mile Road, between Chubb and Johns Roads, Final PD plan.

Ms. Marcarello reviewed the comments indicated in the McKenna Associates, Inc. letters dated February 28, 2005 and March 21, 2005 regarding this issue.

Representing Lyon Ridge Planned Development:

- Andy Milia, Principle, Franklin Properties
- Patrick O'Leary, Principle, Hometowne Builders
- Karen Stutzman, Vice President, Franklin Properties

Mr. Milia thanked the Planning Commission for the process that they have gone through and felt that they have developed a good plan. He thanked Ms. Marcarello and Mr. Doozan for all their hard work that they did on this plan. He stated that the reason that they had two review letters is that they did address most of the conditions cited in the first letter. He noted that there are only a couple conditions left, which they are in agreement with and will comply with.

Mr. Milia noted that they are only removing approximately two trees per acre and that they are replacing approximately 10 trees per acre.

Mr. Milia stated that they are very pleased with the plan and the process that they have gone through. He noted that he does not have a presentation, but is available to answer any questions the Commissioners may have.

Ms. Williams referred to the March 23, 2005 letters from Giffels-Webster Engineers which indicates that the Township may not be able to provide water to this development. Mr. Olson briefly explained what is happening with the water and sewer.

Ms. Williams questioned what kind of liability could the Township incur if they knowingly approve a development that the Engineers have indicated that the Township cannot guarantee water. Mr. Olson responded that the Township does not have liability constraints. He stated that if they were to state that they could guarantee delivery of water tomorrow and then don't deliver, this would be a problem. He stated that they have informed Copperwood and this development that there is no guarantee for water. He noted that they are still negotiating this with the MDEQ.

Mr. Milia stated that they will be providing water for their development. He stated that they were disappointed to learn of the water situation in the Township. He stated that they do understand and that they are not going to develop the parcel without water. He stated that since they have learned of this, they have spoken with their Engineers and have come up with a interim solution until Township water is available.

Mr. Milia stated that they would like the Planning Commission to grant conditional approval of this project. He stated that they also understand that the Commission will want to add a condition with regard to the water situation. He stated that the also understand that if the Commission wants to add a condition with regard to the Township's liability, it is fine with them. He stated that what they don't want is a delay in the approval process while the water situation is being worked out.

Mr. Dome questioned if the developer is doing rough grading on the property right now. Mr. Milia responded that they are not. He noted that they have not touched the property yet. He stated that there is work being done on the property next to theirs.

Ms. James made a motion to recommend final approval to the Township Board for AP-03-34, Lyon Ridge Planned Development, subject to the conditions outlined in the McKenna Associates, Inc. letter dated March 25, 2005 and the added condition that the developer will provide potable

water to residents prior to occupancy. The potable water condition is for the reason that the Township is unable to guarantee public water supply for the site and may not be able to in the future. Ms. Williams supported the motion.

Mr. Olson questioned if the trees that were removed by Curtis for the entrance to Kirkway are going to be handled by Curtis on their site. Mr. Milia responded that this is correct. Mr. Olson noted that there was premature tree removal on this site as part of the installation of water and sewer that Curtis development needs to handle. The Commissioners acknowledged this fact.

Voice Vote:           Ayes: All  
                              Nays: None  
                              Absent: Hicks, Soper

Motion approved unanimously.

**AP-03-40, Shoppes at Lyon**, 10 Mile and Milford Roads, Site Plan Review.

Mr. Doozan reviewed the comments indicated the McKenna Associates, Inc. letter dated February 28, 2005 regarding this issue.

Representing Shoppes at Lyon:  
- Todd Wyett, Attorney  
- Dana Rosenthal, Matthew Ray Architects

Ms. James questioned the 50' wetland setback with respect to the Yerkes Drain. Ms. Marcarello noted that the ordinance states a 50' setback from wetlands and watercourses. Mr. Doozan stated that the ordinance is not clear as to whether the 50' construction setback applies to parking lots or not. There was further discussion with regard to the setback.

Mr. Olson suggested using the area in between the back two buildings for deliveries rather than the rear of the buildings because the pavement goes 24' into the wetland setback. Mr. Wyett stated that there is no retail operation that will want to do this.

Mr. Wyett stated that the building is at 50' and that there is a 25' vegetative setback.

Mr. Barber questioned where all the snow will be put if there is a 12" snowfall. Mr. Wyett responded all over the place.

Mr. Wyett stated that with respect to the wetlands ordinance, it is subject to interpretation. Ms. James disagreed. Mr. Seymour stated that the ordinance reads that there is not supposed to be any building with 50', and that he would consider an asphalt road as a structure and should not be within the 50'. Ms. James briefly explained why the reasoning behind the creation of the wetlands ordinance.

Mr. Wyett stated that if they moved the asphalt in another 25' then they would not be able to do the campus style plan, which the Planning Commission liked in lieu of the "L" shape plan.

Mr. Olson stated that with respect to the design, it looks like there are alternatives. Mr. Wyett questioned where.

Ms. James stated that this cannot be accommodated without compromising some of the Township's ordinances. Mr. Wyett stated that they could go back to the "L" shape, but nobody really wants that.

There was discussion with regard to fire safety. It was noted that there is not a fire truck that will go back behind the buildings with the possibility of being trapped. It was also noted that this statement was made by a former Planning Commissioner who was an officer with the Fire Department.

Mr. Olson suggested that they leave the back area as green space. Mr. Wyett stated that they need that area for deliveries. He stated that the last thing that they want to do is build something that nobody wants to move into because they cannot operate in it. Mr. Doozan noted that a service drive is a requirement of the ordinance.

Ms. James suggested that the applicant reduce the square footage. Mr. Wyett stated that he can build more square footage with the "L" design. Mr. Olson noted that the "L" shape has been turned down twice now. Mr. Wyett stated that he cannot be denied reasonable use of his property.

Ms. Williams questioned the amount of impervious surface coverage with this plan and if it complies with the Township's ordinance. Ms. Marcarello noted that she will look in her notes. Mr. Doozan stated that in December, 2004 the impervious surface amount was at 63%. He noted that this is not based on the current plan. He stated that the maximum that the Township adopted was 60%.

Mr. Wyett stated that they have two separate tenants for the out lots, one a bank and the other a CVS store. He stated that they have had more interest in the other buildings then they can handle.

Mr. Dome made a suggestion, which Mr. Wyett noted that it would make it look too much like the "L" design. Mr. Wyett stated that it is unfortunate, but people just don't want to walk any great distances these days. Mr. Dome felt that the only solution would be to reduce the square footage of the development. He questioned the size of the back buildings. Mr. Wyett responded that they are each 11,200 square feet. He noted that they could certainly reduce each building by 200 square feet so that they meet the impervious surface requirements, but that they could not reduce them any further.

Ms. Marcarello gave a brief history of this project. She stated that they really don't have to reduce the size of the buildings, because they are over parked. She noted that they could lose a few parking spaces. She briefly discussed the advantages and disadvantages of the campus style plan.

Using a displayed overhead of the plan, Mr. Doozan pointed out a few suggestions. Mr. Dome questioned why the whole thing could not be shifted to the south. Mr. Wyett responded that it would not fit.

Ms. James stated that the bottom line is at least a few Commissioners don't feel that they should have to compromise on the environmental laws to squeeze this big commercial plan onto this small amount of acreage. She feels that the plan needs to be modified. She stated that there is a lot of square footage being put on this ten acre site.

Mr. Wyett stated that 15 months ago the Planning Commission directed him to go with the campus style plan and now they are directing him to go back to the "L" shape design. Ms. Williams stated that they are not directing him to go back to the "L" shape. She stated that there are options that are available, go to the ZBA and try for a variance, go back and possibly re-work the plan, etc.

Mr. Wyett questioned if they would go to the ZBA after they receive approval from the Planning Commission contingent on the ZBA. Mr. Doozan stated that the applicant could always go to the ZBA for an interpretation of the ordinance section. Mr. Wyett stated that he does not want to go to the ZBA for an interpretation, if this is not the plan that the Planning Commission wants.

Ms. Marcarello stated that they met on or about January 6, 2005 and it was her interpretation that construction and wetland setbacks means that nothing can occur within 50'. She stated that it was Mr. Wyett's interpretation that the actual structure should be at 50'. She stated that it was determined that they would point out both facts in the review letter and leave it up to the Planning Commission to interpret or it could possibly go to the ZBA. Mr. Wyett stated that this is mostly correct. He believed that Mr. Doozan overruled Ms. Marcarello and agreed that the correct interpretation is the one that he had.

Mr. Olson stated that he was one of the people who pushed for 50' because of the problems they had at the Lyon Trails development. He noted that he was not asked his opinion. He felt that the definite intent of the ordinance is not to have anything at all within the 50' area.

Mr. Dome felt that the campus style is nice. He felt that if the applicant polished it a little more it could meet everybody's concerns. He stated that it looks like the buildings in back are of a much higher quality than the bank and the CVS. He stated that the developer may want to put some pressure on the bank and CVS to see if they will do the same quality development like the rest of the buildings. Mr. Olson felt that one of the problems with the CVS building is the lack of a pitched roof.

Mr. Olson briefly discussed and made some suggestions with regard to the signage on the buildings.

After further brief discussion, it was determined that the applicant would go to the Zoning Board of Appeals to seek a variance.

Ms. James made a motion to table AP-03-40, Shoppes at Lyon, for up to 60 days to allow the applicant time to redesign the plans seeking ZBA variance. Mr. Hamilton supported the motion.

Voice Vote:           Ayes: All  
                              Nays: None  
                              Absent: Hicks, Soper

Motion approved unanimously.

**AP-05-05, Quadrants Industrial Research Centre**, South side of Grand River Avenue, west of Napier Road, 7th Amendment to Condominium.

Mr. Doozan reviewed the comments indicated in the McKenna Associates, Inc. letter dated March 8, 2005 regarding this issue.

Ms. James questioned if a developer makes a contribution to the bike path fund, is the Township legally obligated to putting a bike path on their property. Mr. Doozan responded that they are not.

Ms. James asked if the developer would be willing to make a donation to the bike path fund in lieu of constructing the bike path along Lot 8. Chad McCormick, Quadrants, responded that he cannot make this decision himself, but will inquire about this.

Mr. McCormick stated that with regard to the McKenna Associates, Inc. review letter, they have no problem making the changes noted.

Mr. Olson questioned if Lot 8 will have its own access onto Grand River. Mr. McCormick responded that it will. Mr. Olson noted that there are still some issues with regard to signage on Automation

Boulevard. Mr. McCormick stated that he will look into this issue and take any signs down that should not be there.

Ms. James made a motion to recommend approval of the proposed amendments for AP-05-05, Quadrants Industrial Research Centre, to the Township Board subject to two conditions:

1. In lieu of building a bike path, the developer will make a corresponding donation to the Bike Path Fund.
2. The developer will reduce signage issues at this location and come into compliance forthwith for the entire industrial research center.

Ms. Williams supported the motion.

Voice Vote:                   Ayes: All  
                                      Nays: None  
                                      Absent: Hicks, Soper

Motion approved unanimously.

**7. MISCELLANEOUS DISCUSSION                   NONE**

**8. ADJOURNMENT:**

Mr. Barber adjourned the meeting at 10:12 PM.

Respectfully Submitted,

*Deby Cothery*

Deby Cothery  
Recording Secretary