



Rochester Hills

Minutes - Draft

Planning Commission

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Home Page:
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Chairperson William Boswell, Vice Chairperson Deborah Brnabic
Members: Gerard Dettloff, Julie Granthen, Greg Hooper, Nicholas O. Kaltsounis,
David A. Reece, C. Neall Schroeder, Emmet Yukon

Tuesday, July 21, 2015

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

Chairperson William Boswell called the Regular Meeting to order at 7:00 p.m. in the Auditorium.

ROLL CALL

Present 8 - William Boswell, Deborah Brnabic, Gerard Dettloff, Julie Granthen, Greg Hooper, Nicholas Kaltsounis, C. Neall Schroeder and Emmet Yukon

Absent 1 - David Reece

Quorum present.

Also present: Ed Anzek, Director of Planning and Economic Dev.
Sara Roediger, Manager of Planning
Maureen Gentry, Recording Secretary

APPROVAL OF MINUTES

[2015-0306](#) June 30, 2015 Special Meeting

A motion was made by Yukon, seconded by Schroeder, that this matter be Approved as Presented. The motion carried by the following vote:

Aye 8 - Boswell, Brnabic, Dettloff, Granthen, Hooper, Kaltsounis, Schroeder and Yukon

Absent 1 - Reece

COMMUNICATIONS

A) *Ordinance No. 176*

B) *Letter from C. Burckhardt dated 7-8-15 re: Charter Twp. of Orion Master Plan*

NEW BUSINESS

2008-0302 Request for Recommendation of an Extension of the Final Site Condominium Plan Approval until July 14, 2016 - City File No. 05-005 - Pine Woods Site Condominiums, a proposed 29-unit development on 9.6 acres, located south of Auburn, east of Livernois, zoned R-4, One-Family Residential, Parcel Nos. 15-34-101-073, -074, -075, L&R Homes, Inc., Applicant

(Reference: Memo prepared by Ed Anzek, dated July 17, 2015 and Extensions letter had been placed on file and by reference became part of the record thereof.)

Present for the applicant was Vito Randazzo, L&R Homes, Inc., 2490 Walton Blvd., Suite 103, Rochester Hills, MI 48309.

Mr. Randazzo stated that he was present to ask for an Extension for the Pine Woods Final Site Condos. He noted that it was a 29-unit development on 9.6 acres located east of Livernois and south of Auburn. He explained that they were still going through the process with their Engineer to obtain a Land Improvement Permit, post bonds and get it ready for development.

Mr. Anzek agreed that Mr. Randazzo had been working with the Engineering plans, and Staff did not have anything further to add. He was hopeful that the project would start soon.

Hearing no further discussion, Mr. Kaltsounis moved the following motion, seconded by Mr. Schroeder:

MOTION by Kaltsounis, seconded by Schroeder, in the matter of City File No. 05-005 (Pine Woods Site Condominiums), the Planning Commission hereby recommends that City Council approves an Extension of the Final Plan until July 14, 2016.

A motion was made by Kaltsounis, seconded by Schroeder, that this matter be Recommended for Approval to the City Council Regular Meeting,. The motion carried by the following vote:

Aye 8 - Boswell, Brnabic, Dettloff, Granthen, Hooper, Kaltsounis, Schroeder and Yukon

Absent 1 - Reece

Chairperson Boswell stated for the record that the motion had passed unanimously.

2007-0221 Request for Recommendation of an Extension of the Final Preliminary Plat Approval until July 29, 2016 - City File No. 04-011 - Grace Parc, a 14-lot subdivision on 5.6 acres located north of South Boulevard between Livernois and Rochester Roads, zoned R-4, One-Family Residential, Parcel Nos. 15-34-402-057 and -066, Gwen and Patrick Bismack, Applicants
(Reference: Memo prepared by Ed Anzek, dated July 17, 2015 and Extensions Letter had been placed on file and by reference became part of the record thereof.)

Present for the applicant was Gwen Bismack, 2742 Powderhorn, Rochester Hills, MI 48309.

Ms. Bismack advised that she was one of the owners along with her husband, and they were still in the process and would like to get an Extension of the Final Preliminary Plat. There were a few items they were working on with the City to complete. The Homeowner's Association had been drafted and submitted to the City for approval; the parcel combination had been approved; the Deeds, Covenants and Restrictions were pending approval by the City Attorney; and the new title work should be completed by the end of the week.

Mr. Anzek added that the applicants were dotting the i's and crossing the t's. It was close to the two-year approval date, so they applied for an Extension.

Mr. Yukon clarified the Extension date request, which was until October 15, 2015 in the applicant's letter. Ms. Bismack thought they would be completed by then (and did not realize that one-year Extensions were granted).

Mr. Schroeder asked if they had heard from the young men who owned the property to the west who showed an interest in developing that property. Mr. Anzek said that he had not seen them for several years.

Mr. Kaltsounis said that it looked as if there had been some work done on the property, specifically, some grading for the road. Ms. Bismack agreed, and said that the road was completed, and they were waiting for a site inspection. Mr. Anzek asked Ms. Bismack if they had been issued a Land Improvement Permit, for which she was unsure, and she asked what it was. Mr. Anzek explained that it was issued by Engineering, and it authorized an applicant to push dirt, cut trees and begin construction. Ms. Bismack asked if that was issued before concrete was poured. Mr. Anzek said that it had to be, and he would check with Engineering. Once an LIP was issued, the applicant was vested and did not need Extensions. Mr.

Anzek said that the Commissioners could still grant an Extension, and if it was determined that Ms. Bismack had gotten an LIP, the matter would not have to go to Council.

MOTION by Kaltsounis, seconded by Yukon, in the matter of City File No. 04-011 (Grace Parc Subdivision), the Planning Commission hereby recommends that City Council approves an Extension of the Final Preliminary Plat until July 29, 2016.

A motion was made by Kaltsounis, seconded by Yukon, that this matter be Recommended for Approval to the City Council Regular Meeting,. The motion carried by the following vote:

Aye 8 - Boswell, Brnabic, Dettloff, Granthen, Hooper, Kaltsounis, Schroeder and Yukon

Absent 1 - Reece

Chairperson Boswell stated for the record that the motion had passed unanimously.

2015-0307

Public Hearing and Request for Conditional Use Recommendation - City File No. 15-010 - Wild Bill's Tobacco, to provide alcoholic beverage sales for on-site consumption at its location in the Rochester Hills Plaza, located on the north side of Walton, east of Rochdale, Zoned B-3, Shopping Center Business, part of Parcel No. 15-09-476-033, Joe Qonja, on behalf of Smoker's Outlet, Applicant (*Reference: Staff Report prepared by Ed Anzek, dated July 17, 2015 and associated application documents had been placed on file and by reference became part of the record thereof.*)

Present for the applicant was Joe Qonja, Smoker's Outlet of Rochester Hills, Inc., 1416 Walton Blvd., Unit B, Rochester Hills, MI 48309.

Mr. Qonja introduced himself, and advised that he was the operating partner of the Wild Bill's Tobacco location on Walton, west of Livernois in the Rochester Hills Plaza. His group was seeking a Conditional Use Recommendation for a liquor license to expand into the adjacent unit, add seating and make a better experience for their customer base.

Mr. Anzek stated that as the Commissioners were aware, the City recently passed an Ordinance that required a Conditional Use for alcoholic beverage sales and consumption on-site. The subject item was the first request for the City, and the process had been followed with regards to notifying people within 300 feet and publishing in the paper. Mr. Anzek summarized that it was pretty straight forward - there would be no exterior renovations, and there was adequate parking. He felt it would help create

energy in the shopping center.

Mr. Schroeder asked Mr. Qonja if there would be food served. Mr. Qonja responded that at the present time, there would not be food served. It would be an extension of their existing business, and it would offer alcoholic beverages. Mr. Schroeder asked if there would be smoking in the building. Mr. Qonja agreed, and said that currently, they had a cigar bar exemption, which allowed their patrons to smoke indoors. Mr. Schroeder asked the hours of operation, and was advised that they would like to be open from 9:00 a.m. to 11:00 p.m. or 12:00 a.m. on weekdays and 1:00 a.m. on the weekends. Mr. Schroeder said that he would like to discuss the 1:00 a.m. time a little further and get a feeling from the other Commissioners.

Mr. Qonja indicated that he was not sure why there would be a concern about the time, because the majority of his clientele was 40-50 years old. They came after work, and it was not an environment where people got loaded. Mr. Schroeder said that he lived right near there, and there were lights on all the time. The rest of the shopping center could be closed, but Smoker's Outlet's lights were on. That suggested that it operated very long hours. Mr. Qonja asked if he was referring to the storefront sign. Mr. Schroeder agreed. Mr. Qonja said that it could be a function of merely changing the timer, which he could do if the Commissioners wished. Mr. Schroeder clarified that it was not an indication that the store was open.

Mr. Kaltsounis agreed it was the first time going through this process. He said that the Commissioners usually had plans to look at, so he was considering how to draw a conclusion. Mr. Anzek pointed out that there was printed evaluation criteria for the consideration of a Conditional Use permit. A lot of it dealt with the City's ability to provide appropriate infrastructure, health, safety and welfare concerns and how it fit in the neighborhood. They were the guidelines that the Planning Commission needed to follow in evaluating the activity and use. He reminded that the whole purpose of adopting the procedure for alcohol consumption on-site was for the City to learn of liquor licenses coming into the community. The City had been removed from being in that process, and it was just an effort to keep track of liquor permits as they came and went in the City. He noted that other communities had adopted similar procedures.

Mr. Kaltsounis said that he did find a plan in the packet, so he felt better. He questioned the use of a hookah lounge. He asked Mr. Qonja if he had any crime issues, noting that there was a hookah lounge down the street from him where someone was shot in the parking lot.

Mr. Qonja advised that there would absolutely be no hookah smoking. He was not allowed to have that in the exemption he had. A portion of his existing business was retail, but he wanted to expand into the adjacent unit, which would be for cigar smoking only. His cigar bar exemption from the State was not a tobacco specialty store, and it fell under a different category. Tobacco specialty stores could allow hookah, cigars, and cigarettes. He would offer strictly cigars, because they had the ability to attach a liquor license to the cigar bar exemption.

Mr. Kaltsounis clarified that half of the building would be for the store and half for the cigar bar. He asked again if Mr. Qonja had any issues with crime. Mr. Qonja noted that there had been some petty theft, but no other issues. Mr. Kaltsounis had mentioned hookah lounges because there had been a shooting. Mr. Qonja said that his would be a totally different clientele and operation. He was aware of the hookah lounge, but he stated that was not what he was trying to achieve. His clientele was over 40, and they were people who wanted to relax with a cigar or have a business meeting. His ambience and pricing would discourage twenty year olds.

Mr. Dettloff thought that this operation would be similar to The Godfather Lounge at Papa Joe's. They had seating outside, retail and a bar. He had never experienced any type of crime issues there. He asked if the liquor license had been in escrow, which Mr. Qonja confirmed. Mr. Qonja believed that after the Planning Commission meeting, there would be a technical review and City Council meeting. Mr. Dettloff asked if the license came from another business in Rochester Hills. Mr. Qonja advised that it reverted back to the City's quota after someone failed to use it for three years. He had been after a license for about a year and recently, he was able to move forward with the Caribou space. Mr. Dettloff agreed with the statement in the summary that it would help draw some tenants to that location. It had been challenged since Whole Foods left, and he felt that it would be a plus. Mr. Qonja said that he took over seven years ago, and there needed to be a little "punch in the arm."

Ms. Tina Barton, City Clerk, came forward to correct that the license was not in escrow. It was issued to a restaurant in Rochester Hills. They started the application process but never finished. The license was able to be allocated, and Rochester Hills wanted to give it to the restaurant, but the owner stopped halfway through with the paperwork. The license had been sitting for a while, so they went to the applicant and asked if he was going to complete the process, and if not, if the City could have it back.

The owner filled out the correct paperwork with the State to stop the process, and it came back to the City to allocate.

Mr. Dettloff believed that it originally was going to the Gold Star restaurant on Rochester Rd., which Ms. Barton confirmed.

Mr. Schroeder asked if there were any other establishments that wished to obtain a license. Ms. Barton said that Mr. Qonja was the only applicant at the current time.

Chairperson Boswell opened the Public Hearing at 7:23 p.m. Seeing no one come forward, he closed the Public Hearing.

Hearing no further discussion, Mr. Kaltsounis moved the following motion, seconded by Mr. Dettloff:

MOTION by Kaltsounis, seconded by Dettloff, in the matter of City File No. 15-010 (Wild Bill's Tobacco) the Planning Commission **recommends** to City Council **Approval** of the **Conditional Use** to allow alcoholic beverage consumption on site, based on documents dated received by the Planning Department on June 19, 2015, with the following six (6) findings.

Findings

1. *The expanded use will promote the intent and purpose of the Zoning Ordinance.*
2. *The proposed building has been designed and is proposed to be constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.*
3. *The proposal should have a positive impact on the community as a whole and the surrounding area by further offering jobs and another entertainment option.*
4. *The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, water and sewer, drainage ways, and refuse disposal.*
5. *The proposed development should not be detrimental, hazardous, or*

disturbing to existing or future neighboring land uses, persons, property, or the public welfare.

6. *The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.*

Mr. Schroeder asked if the expanded operation would have more employees. Mr. Qonja said that it absolutely would, probably seven to eight more jobs. Mr. Yukon said that back in April, when the Commissioners were talking with the City Attorney about the Ordinance amendment, one of the criteria talked about when alcohol consumption had already taken place. He clarified that Mr. Qonja was not currently selling alcohol. He asked Mr. Anzek how the amendment fit the request.

Mr. Anzek responded that the Ordinance amendment required a new establishment requesting to bring a license into the City or getting one from the City to go through the Conditional Use process. An existing restaurant could move and sell alcohol and if it already had a license, the owner would not be required to get a Conditional Use permit.

Mr. Dettloff noted that Mr. Qonja would not be serving food, but given the fact that he would be open to 1 a.m., if someone wanted some food, he wondered if Mr. Qonja would work out a relationship with a local restaurant so someone could order food to be brought in. That was what the Godfather had done in the past.

Mr. Qonja said that could happen. He had not narrowed down what kind of restaurant or food they might want. He had a relationship with the Churchill's Bistro in downtown Birmingham. They had talked about making prepared cold plates they could store and sell. Currently, in his existing lounge, there were nine chairs. His customers ate next door at the Rochester Diner from eight to ten meals a day, so they already had that relationship going on. It was unofficial, and people were free to bring their own food, smoke and enjoy the environment. Mr. Dettloff wished him good luck.

Mr. Shroeder asked if there were any concerns about the hours of operation, and no one appeared to object.

A motion was made by Kaltsounis, seconded by Dettloff, that this matter be Recommended for Approval to the City Council Regular Meeting. The motion carried by the following vote:

Aye 8 - Boswell, Brnabic, Dettloff, Granthen, Hooper, Kaltsounis, Schroeder and Yukon

Absent 1 - Reece

Mr. Anzek mentioned that he and Ms. Roediger went to the Walton Shoppes site with the owner, Arkan Jonna, to go over the plantings by the smoothie shop drive-through. Mr. Jonna also owned the Rochester Hills Plaza, and he informed them that the Whole Foods lease was up in three months. Whole Foods would not release the lease because they wanted to prohibit any competition from moving in. Mr. Jonna already had it leased to two higher-end businesses, but he did not provide any details. Mr. Anzek maintained that there would be more activity in that center very soon.

Mr. Kaltsounis brought up Mr. Schroeder's concern about the late hours of operation, and observed that it was a high density, commercial area. If it were something that was a half a mile down the road where there was residential all around it, he would definitely have a concern. He would draw the line at certain densities. Mr. Anzek said that was understandable; that was what the Commissioners were challenged to do - look for adverse impacts to a neighborhood. He pointed out that it was in the middle of a shopping center, and there could be a restaurant open until 1 or 2 a.m. as well.

Chairperson Boswell thought that was why a lot of people did not show up. Usually, when alcohol was involved, it brought out a crowd, but he agreed that it was a high density, business area. Mr. Kaltsounis knew of some areas on Auburn Rd. that would be questioned, and he suggested that it could come up in the future.

ANY OTHER BUSINESS

[2015-0308](#) Design Development for Riverbend Park: Commissioner's Input (Design Team +)

Mr. Anzek related that the Commissioners were all probably aware that the City was doing a plan for Riverbend Park. The City went out for bids back in January, and several firms, including national firms, submitted. Mr. Nunez and his group at Design Team Plus were selected, a contract was established, and they started with numerous meetings on site and at City Hall. Mr. Nunez hoped to get the Commissioners' input.

Mr. Nunez stated that it was a pleasure to be in front of his "clients." It had been an honor to be a part of the project, which he and his team had been working on for quite some time. The Park was located on Hamlin Rd.,

east of Adams on 114 acres. When they first started the project with the Lawrence Tech students, there were about 70 acres just south of the Clinton River. The City's Green Space Committee purchased property to the north this year. Mr. Nunez pointed out that the Park had great access from Adams, Crooks, Hamlin and M-59. There was residential to the east, north and west sides. There was a vacant parcel owned by Mr. Paul Aragona to the west, which was zoned for mixed use and currently undeveloped. Regarding the Lawrence Tech students, in 2012, there were 18 students signed up for a Land Studio which had three professors teaching the course over ten weeks. There were four teams, and their grades were based on what they were able to produce. If one was good enough, it would be presented to the Mayor's office and the Planning Commission. What started as a studio project led to the donation by a local resident of about \$1 million for the Park. The donor had been out on site and had installed some plantings in the parking lot area, done some paving, and the Park entrance had been relocated. There was a new pathway from Hamlin Rd. that had not connected to the Trail yet, but it would be a bike and pedestrian pathway. The donor had brought some rockwork to the site, which needed to be scaled up a bit. They had several focus meetings, one with the donor. He wanted a water feature, and he wanted to build it quickly, and they were working on a design for that. There were plans for other portions of the property to hold storm water detention, and it included the adjacent properties. They wanted the water feature to be an amenity and to also function as storm water detention. He showed the current parking lot, which they were looking at potentially for a play area for students with disabilities.

Mr. Nunez advised that there was some erosion happening off of the parking lot. The rain gardens and bio-swales had not been installed, and they were trying to incorporate them into the water feature. There had been some substantial tree removals and paving as part of the donor's plans. They had identified a number of vantage points and some great overlooks. There was major topography, and it was about 50 feet from the high point on Hamlin Rd. down to the low point on the River on the east side, and then it went up another 90 feet to the northwest corner of the property. There were many large, mature trees on site, and they estimated growth on the northern portion of the site to be over 100 years old. There were some existing trails, many started by the deer and people who walked through there. There were three ponds on site, the largest being the Beaver Pond to the east. There was also the Bullfrog Pond with a lot of green algae, and the northern pond had phragmites they needed to get under control.

Mr. Nunez noted that the Clinton River ran through the Park, which the steering committee had kayaked several times. The elevation changed from a slow trickle to white water rapids, and there were impacts to the banks. There were some programs to do bank stabilization in the works. He pointed out a picture of the future boardwalk over the wetlands. They were working on the details to show the donor what it would look like. It would be raised 18" off the ground, so it would not need guardrails, just curbing for wheelchairs. On the northern portion of the site, there were some trails, and the topography there defined the wetlands area. There had been some abuses to the open space on the north side. Cigarette butts could be seen throughout the Park. There was some encroachment where residents had utilized the green space and put in play areas and other structures on the Park property. Along the wetland and steep slope areas, there was a lot of yard waste and Christmas trees dumped. They found an engine block manifold dumped there, as well.

Mr. Nunez continued that they were trying to work off of the E's in Riverbend. That would include Exercise, Ecology, Engagement, Education, Exploration and Experience. They wanted to make sure that the Park evolved over time so it attracted people more than one time. They were looking at functions, orientation and natural systems, such as going to the Park during the Summer Solstice. They were looking at the possibility of some type of hook to get people from one part of the Park to another, so they had been exploring projects around the world. They had downloaded some great ideas, and they were looking at how to apply them to make Riverbend Park unique and a world class attraction. They discussed art, including kinetic art, which people could be a part of. One of the earlier concepts from the students was to have a large bird's nest people could go inside. They had contacted two sculptors who worked in Detroit who had a metal sculpture people could climb and they would be the egg or the bird in the bird's nest.

Mr. Nunez realized that with any projects, there needed to be engagement, so he was before the Commissioners to make sure he got their thoughts. There had been good focus with the steering committee. They met with a group of educators about early learning and kids play and how to make the Park an outdoor classroom. The steering committee had brought some great ideas for team building and making the Park more than just a regular park. The City's environmental consultant, Steve Niswander, who had worked with the City many times, had flagged the different types of vegetation, wetlands and wildlife. One of the issues raised was how to cross the southern portion to the northern portion to the open space. They looked at the floodplain and spoke with

Hubbell, Roth and Clark, the City's engineering consultants as to where the best location would be. Mr. Nunez stated that the width of the floodplain was dramatic. In order to make the crossing accessible to everyone, there would have to be a major, long bridge. They found one location that was narrower, and they could get the bridge across, but it would go to nowhere or into the wetland. It would be costly, and there might not be a benefit, and it was still being explored. They were using software that took photos and mapped their exact location. They would walk the entire Park and have real time location, and they could come back with an extensive trail system. The donor wanted to continue the path paving further than the City advised, but they were looking at putting in trails all through the back areas. He showed a photo of the Beaver Pond, and recalled that when they were out in 2012, there were three beavers living there.

Mr. Nunez concluded that it was the first phase. The donor wanted to do an exercise/fitness area, and they found a location in what they called the active part of the Park toward Hamlin. Towards the water, they wanted to keep it more natural. He invited everyone to a brainstorming session in the Resource Room at City Hall on July 28th. They would be sketching, and any ideas or input would be welcomed. They would also like to have another open meeting, with more notice for the public, but in the meantime, the session next week would be to respond to some of the drawings and make recommendations for others. He noted that he had given the Commissioners a summary report of all the focus meetings to date, and he offered to give out his email if anyone had suggestions.

Mr. Anzek also noted that in his memo, it talked about getting input from the Commissioners to get them starting to think about the project. If anyone had ever worked with Mr. Nunez, they would know that it was fun because as they sat and talked about an idea, he would draw while they were talking. It was a great skill. Mr. Anzek also encouraged the members to get on the internet and start looking for unique "wow" things. The strategy was to identify wow things and seek corporate sponsorship to get them built. There had been discussions with members of the business community who would very much like to be sponsors of elements of the Park, such as a bird's nest. Mr. Anzek joked that would be great for a kid to climb into a bird's nest and have a big worm drop on them. He indicated that they should not hold back, and think about how to bring the education about and what tricks and keen things could go into the Park that would help interest a child in science or ecology or the environment. The City had challenged Mr. Nunez to find that wow factor, and they wanted things that would bring people to the Park over and over.

Mr. Hartner (Director of Parks and Forestry) had been fond of saying that in the past six months there had been more visitors to the Park than there had been in the last six years. They took the steering committee through the Park, which included people from SEMCOG and Oakland County, and none had been to the Park before. They were amazed and had not seen anything like the Park in all of Oakland County. Standing in the Park, someone would not know they were in the middle of a City. He asked the Commissioners to have fun with it.

Mr. Nunez asked the Commissioners who had been to the Park, and about half had. Mr. Kaltsounis said that he probably lived the closest, but he did not even know people could go there. He saw the gate, but he did not know about the parking lot. Chairperson Boswell said that he went there the day before and walked the path. He probably saw more deer than he saw when he went up to his cabin up north for a long weekend. As soon as he got back to his car, he called his daughter and told her to get the kids and nieces and nephews there and start to explore and watch it evolve over the years. Mr. Nunez agreed that the deer were not shy. Chairperson Boswell said that when he got to the end of the Trail by the River, he did hear some trucks on M-59, but other than that, it was like he was out in the wilderness. He commented that it was very nice.

Mr. Nunez said that he went to the Park on June 21, which was the Solstice. He did not hear any traffic, and he wanted to see the angles from the sun. A lot of what they were trying to do involved that type of orientation so that things happened at a certain time of the year. For the kid's area, they were looking at a solar clock, and the kids would be the timepiece. There could be art that changed from the way light or wind hit it. He asked the Commissioners if they had any ideas.

Mr. Kaltsounis suggested having little areas to rent out for parties or meetings. He noted that he was at the meeting where the Lawrence Tech students came, and there were a lot of good ideas presented. He wondered what had been gleaned from those conversations. Mr. Nunez advised that there were four ideas. He and one of the students, who was also his associate, were going through and picking the best of the four. Mr. Kaltsounis said that he would like to see that highlighted, because it was the future. There was a younger group with fresh, new ideas, and he thought they could help bring out different generations to the Park. He also suggested having rally races with go karts, although he wondered if it was passé. Mr. Anzek asked Mr. Kaltsounis to ask his daughters to make sure he took them to the Park. They had the ideas the City wanted to hear.

Ms. Granthen noted that she had visited the Park that day in the afternoon, and there were two men in the parking lot smoking. She thought about the City of Dearborn, which was considering banning smoking in their parks. She wondered if that was something the City could do if it was feasible. Mr. Anzek said that they could make a rule, but enforcement was always difficult. Mr. Nunez acknowledged that Dearborn was considering the ban because of health reasons. His concern was that in a drought situation, especially in the northern area, if there was a fire there would be no access in the back. There were homes on three sides, and the wind with a fire could create major damage. He liked the idea of a non-smoking park.

Ms. Granthen said that she was at Oakland University earlier in the day, and she was in the parking structure where students were skateboarding. In her subdivision, kids loved to skateboard down the hill. She wondered if there would be any areas that might be conducive for skateboarding, noting that it was a popular leisure activity. Mr. Nunez wrote all the ideas down.

Mr. Schroeder asked if the donor was still onsite. Mr. Nunez agreed. Mr. Schroeder asked if his project was ongoing. Mr. Nunez said that the donor was asked to hold off from paving. The City said that he could pave a certain area, but he was not allowed to go through the woods where he wanted to pave. He wanted to make a road the whole way through and tear up the site. The donor's answer to Mr. Nunez was that it was for exercise, to walk, jog and bike. The donor did not want to see skateboards or motorized vehicles. He could care less about the deer or turtles. Mr. Nunez reminded that the three ponds and the River were very environmentally sensitive, and if they could create deep water in the front, they had the ability to do some things with it, more so than in the regulated wetland areas. They were trying to come up with ideas for that.

Mr. Schroeder asked if it would get to a point where the donor felt it was complete. Mr. Nunez said that the City hoped to continue to keep the donor engaged. The problem was that there was one donor. They would like to come up with visions and graphics that would attract other donors who would have an equal say.

Mr. Schroeder stated that he would very much like to see an invasive species removal program for the different types of species. He knew that the Road Commission had started one in Rochester Hills. Mr. Anzek said that a program for that had been started with some of the reserve

money from the Open Space Millage. Money had been set aside for maintenance and land stewardship. The City had retained the services of Niswander and Associates, and Mr. Niswander had started a plan of action on how to deal with the invasive species on all the green space properties. He would concentrate on the worst first. They hoped that the fund would generate sufficient interest annually to maintain all the open space in perpetuity. The northern piece would apply, since it was purchased with open space funds. The southern piece would probably not apply, but he was sure there was a way to finance and take care of it.

Mr. Schroeder asked if there was a way to handle the encroaching happening on the border, such as putting in a berm or plantings to take the property back. Mr. Nunez said that part of the problem was that it was privately owned previously and, as a result, if a landowner never looked at it, people had encroached. There was a large encroachment into the Park where a gentleman had constructed structures and irrigation, cleared it out and mowed trails throughout the Park. The City had taken action against that, and the gentleman was sent a letter informing that he had to be off the property. Now that the City owned that open space, it would take education to enlighten people about where the property ended and if needed, the City would remove something at the homeowner's expense. They saw quite a bit of that from the subdivision on the east side. They had not gone to the north end of the property. One of the surveyors who mapped the area had difficulty with the neighbors, because it was the only place someone could actually walk because of the severe slopes. When wooden stakes were put in, the surveyor came back the next day, and they were all gone. Eventually, a bunch of false stakes were put in, and the real ones were buried. One of the steering committee members, who lived in the neighborhood, polled a number of the residents around him and gave the City a list of do's and don't's the neighbors wanted. They did not want access from the roadways coming into the Park. There were five access roads, and they did not want signage or parking on their streets or parking in the Park. They wanted their own private entrance, but they did not want it publicized. They did not want the trails to be marked, but that would not work. If there were trails, there would be a map to show people where to walk and where vehicles or bikes were not allowed. They also wanted to have some non-paved trails.

Mr. Schroeder recalled that the City had a lot of problems at Spencer Park when they first acquired the property and started developing. He would like to see the deer herd maintained. He asked Mr. Nunez if he thought that the deer were overpopulated or if the deer could be maintained. Mr. Nunez was not sure, but the City's environmentalist,

Lance DeVoe, was more knowledgeable about the wildlife, and they could pose that question to him. Mr. Schroeder said that he had deer on his property all the time, and he lived in a very densely populated subdivision. He wondered how the neighbors reacted to deer eating their flowers. He wondered how they could interact with the neighbors and still maintain the deer. Mr. Nunez thought they could put some fiberglass signage along the property lines that pointed out the edge of someone's property.

Mr. Nunez mentioned that the steering committee had talked about keeping the Park on the south side of the River. It was very steep on the north, and it would be hard for someone in a wheelchair to access the area. They Mayor wanted a bridge, and they were talking about ways to get across - perhaps using zip lines or a gondola. There was concern about the non-regulated depth of the water. It could be six inches or six feet. Mr. Schroeder said that Pontiac emptied its treatment system there, and it was amazing how high the water could rise. He asked if someone was now taking a boat to get to the other side. Mr. Nunez said that at the low water points, someone could just cross on foot, or someone could use a kayak. Mr. Schroeder felt that one of the big concerns was maintaining the property line between the residents and the Park. He advised that in a park in Troy, there were woods, and they cut a path through the woods and put in a berm all the way around the perimeter with trees on the berm. Mr. Nunez said that on either side, there was vegetation and large trees right to the property lines, and people's rear yards were already draining toward that direction. If they put in a berm, it would compound the water, because it was natural drainage. He was not sure if the berm would be best, because they would lose a lot of trees. He thought that people could be educated, and the area could be cleaned out of the neighbors' encroachments, and they could see how the enforcement went from there. Mr. Schroeder suggested that the simplest thing would be to plant a row of pine trees along the edge of the property to delineate it. He indicated that it had been a problem in every park he had been involved.

Ms. Brnabic commented that there were a lot of good ideas submitted. She wondered if there had been any vision for a senior citizen playground or what that might include.

Mr. Nunez stated that there was. They were looking at an area that was originally part of the storm water detention basin from the Suburban Softball property to the south. It had been substantially graded for the basin. They were looking at a separation of zones and uses and the potential for a play area for kids with special needs with a live, growing

fence out of willows on one side. On the other side, they could have the adult senior play area. It could also include the exercise course. Seniors, with young kids in tow would have stairs or they could take a trail to the area. They were focusing those types of activities at the front of the Park. They were looking at autism effects and senior exercise. They started to identify all the users, from individuals walking their dogs, to couples of all ages to young teenagers, families and caregivers. They would have to have bathrooms and a covered meeting area. The education group recommended hiring a teacher who was an environmentalist to be stationed at the Park. They would work with the kids teaching about rain gardens, wind and solar power, and things like that. They talked about putting a turbine generator into the Clinton River that would generate power.

Mr. Kaltsounis mentioned that he had just returned from far away lands where he took a lot of pictures. He noticed that Park WiFi was on the list, and he thought that was very important. It gave people the chance to brag and show many beautiful views of the Park. Perhaps they could get donations for web cams and a weather station. He suggested having a Trail Art Fair once a year. People could walk down a path and visit various booths. It would bring people to the site. They could also have small concerts or bands.

Mr. Nunez noted that the Center for Creative Studies, Cranbrook, Lawrence Tech and others with art programs had artists looking for places to display their work. Donors could buy or donate an art piece. Regarding the WiFi, they were determining where the dead zones were. People could use QR codes to identify different things in the Park that tied into the City's website. He mentioned an Australian article where people were concerned about the health of their trees. They gave the trees an email address thinking that a citizen could report a broken branch or a tree down. They started to get emails to the trees and had hired someone to respond to the emails. As far as the web cams, there was much vegetation in the Park that would be nice to display. Someone could snap a picture at the Park and submit it to the City and maybe once a month, it could be presented at a City Council meeting. People would take ownership of the Park. Mr. Kaltsounis advised that he did photography on the side, and he would be willing to go there and take pictures.

Mr. Schroeder said that Troy had a nature center on Coolidge which had woods and a creek on it and a lot of deer. It had a pond and people took kids there to do different things. There were tables and animals were

brought in. When the crunch came, everyone was laid off and it was all volunteers now, but he suggested that the steering committee might want to take a look at it. As far as trees, when they first looked at the property, there were two trees that were wrapped around each other. He liked looking at it, but one day he went out there and it was cut down. Mr. Nunez said that Mr. Anzek suggested cutting a dead tree and looking at the rings to see what happened during different times in history, and the educators liked that idea. Mr. Schroeder added that Troy also had a community garden which was farmed, although he did not think they wanted that for Riverbend. Mr. Nunez agreed, maintaining that the deer would eat everything.

Mr. Kaltsounis asked Mr. Schroeder how Troy's Frisbee Park worked out. Mr. Schroeder responded that it was pretty popular, and it was used a lot. There was a resident he knew, Mike Labadie, who lived adjacent, and Mr. Schroeder said that he could ask him. Mr. Kaltsounis thought that a lot of people liked that activity. Mr. Nunez agreed, and said that there was one on the campus at Lawrence Tech (and Mr. Kaltsounis added Oakland University). Chairperson Boswell asked about the one at Wabash Park, and Mr. Anzek advised that it was taken out because no one used it.

Ms. Granthen said that with respect to the adjacent neighbors, she wondered if there could be any adverse possession claims. She did not understand the yard waste issue, because Rochester Hills offered yard waste pick-up. It seemed odd that people might need to be reminded that they did not need to dump things, because people could use the recycle bank. She also believed the recycle bank took Christmas trees during a certain time period.

Mr. Nunez said that another thought they had with the educators was to do a community compost, where people could bring waste to the Park and make topsoil. They did that in Birmingham, and any residents or businesses could get free, clean topsoil.

Ms. Granthen suggested having sleigh rides in the snow, commenting that there were plenty of deer that would look like reindeer. She thought that would be fun to do during the holidays. Mr. Schroeder said that SOCCRA used to do topsoil, and he asked if that was still available. Mr. Anzek believed that it was, but he would check. Regarding adverse possession claims, he advised that it could not be done against a sovereign community. That question had been raised about the homeowner that encroached and whether he could claim adverse possession, but it could not be done against City-owned property. If it was

not claimed while the property was private, someone had no right to it now.

Mr. Nunez thought that winter sledding was a great idea. They were also looking at cross country skiing, snowshoeing and things like that. Ms. Granthen thought that the Park might be a place to dump snow if needed. Mr. Anzek said that it was really all the Park had been used for previously.

Mr. Anzek mentioned the water feature, and he and Mr. Nunez had talked about the calmness of a lake and how to wrap it around trees to make it look bigger. Mr. Anzek suggested having model sailboat regattas for kids. There were winds coming out of the southwest heading north, and it might be a fun activity a couple of times in the summer. They could have fun with the signage around the private entrances. It could say something like, "Please trespass and enjoy the Park." He claimed that they had to be very open-minded, because everything was on the table. He asked the Commissioners to email any ideas to him or Ms. Roediger. They would decide what would work and what could be fun. He added that they could have leaf walks where Mr. DeVoe took kids around the Park to identify various leaves.

Mr. Nunez reminded about the gathering next Tuesday. He said that he appreciated all the ideas, and that he looked forward to coming back with a status report as they moved forward.

NEXT MEETING DATE

Chairperson Boswell reminded the Commissioners that the next Regular Meeting was scheduled for August 18, 2015.

ADJOURNMENT

Hearing no further business to come before the Planning Commission, and upon motion by Mr. Kaltsounis, Chairperson Boswell adjourned the Regular Meeting at 8:34 p.m.

William F. Boswell, Chairperson
Rochester Hills Planning Commission

Nicholas O. Kaltsounis, Secretary