

**COPIES OF THE
DISBURSEMENT
LIST
ARE NOW
AVAILABLE IN
THE
CONTROLLER'S
OFFICE**

**CITY OF ROSEVILLE
MACOMB COUNTY, MICHIGAN**

RESOLUTION ON ABATEMENT OF PUBLIC NUISANCE

At a Regular Meeting of the City Council of the City of Roseville, held in the council chambers, 29777 Gratiot Avenue, Roseville, Michigan on the 11th day of August, 2015, commencing at 7:00 p.m.

PRESENT: MEMBERS _____

ABSENT: MEMBERS _____

THE FOLLOWING MOTION WAS MADE:

_____ moved, _____ seconded, to adopt the following resolution:

WHEREAS, the Building Director for the City of Roseville, Mr. Glenn Sexton, has determined that the property at the following location:

North ½ of Lot 542, PIPER’S ROSEVILLE CITY SUBDIVISION NO. 1, as recorded in Liber 6, Page 52, of Plats, Macomb County Records.

Tax Parcel No.: 14-16-353-032

more commonly known as: 27219 Ridgewood St., Roseville, Michigan, has become and does present an immediate and continuous danger and hazard to the health, safety and welfare of the residents of the City of Roseville, for the following described reasons: the property is vacant and has been “red tagged” by the Building Department since April 12, 2011; it is in a dilapidated and eyesore; and the property in its present condition poses a threat to the health, safety and welfare of the general public, and

WHEREAS, the Building Director has notified the owner of the condition of the property and has demanded that same be corrected; and

WHEREAS, the owner has failed, refused and neglected to correct said violations and comply with building and health ordinances of the City of Roseville; and

WHEREAS, the existence of the above described property in its present condition is a present, immediate and continuous danger and hazard to the health, safety and welfare of the residents of the City of Roseville, and must be abated and removed;

NOW, THEREFORE, IT IS HEREBY RESOLVED:

1. That the property at the afore described location for the afore described reasons is a present, immediate and continuous danger and hazard to the health, safety and welfare of the residents of the City of Roseville, and said violations and dangerous conditions must be abated and removed.

2. That the afore-described property be and is hereby declared a public nuisance, and it is hereby ordered that all code violations and dangerous conditions existing on said property be abated and removed.

3. That the Attorney for the City of Roseville and the Building Director for the City of Roseville are hereby authorized to commence all necessary actions to clean up the property pursuant to Section 203-9 of the Code for the City of Roseville, and abate said public nuisances; that all costs incurred by the City of Roseville to abate said nuisances, plus interest at seven (7%) percent per annum, shall become a lien for the benefit of the City of Roseville on all or part of the real property where the violations are located, and such liens shall be of the same character and effect as created by the Roseville City Charter for taxes.

AYES: MEMBERS _____

NAYS: MEMBERS _____

ABSENT: MEMBERS _____

RESOLUTION DECLARED ADOPTED

Robert Taylor, Mayor

Richard Steenland, City Clerk

STATE OF MICHIGAN)
)ss.
COUNTY OF MACOMB)

I, Richard Steenland, the duly qualified and acting City Clerk of the City of Roseville, Macomb County, Michigan, do hereby certify that the foregoing is a true and complete copy of the Resolution adopted by the City Council of the City of Roseville, Macomb County, Michigan on August _____, 2015, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance of the Open Meetings Act being Act 267 of the Michigan Public Acts of 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said act.

Richard Steenland, City Clerk

YORK, DOLAN & TOMLINSON, P.C.
Attorneys and Counselors at law
42850 Garfield, Suite 101
Clinton Township, Michigan 48038
586-263-5050
Fax 586-263-4763

John A. Dolan (jdolan@yorkdolanlaw.com)
Timothy D. Tomlinson (ttomlinson@yorkdolanlaw.com)

July 28, 2015

VIA CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Advance Property Management, LLC
Attn: Brandon McTurner, Resident Agent

RE: **Nuisance Abatement – 27219 Ridgewood, Roseville, MI**

Dear Mr. McTurner:

We are the attorneys for the City of Roseville. Advance Property Management, LLC is the named owner of the above-described property. This property is vacant and was red tagged by the Roseville Building Department in 2011. Please be advised that the Roseville City Council will consider adoption of a resolution to abate the public nuisance on Tuesday, August 11, 2015 at 7:00 p.m. in the City Council chambers at City Hall. A copy of said proposed resolution enclosed herein. Please contact me upon receipt of this correspondence. We remain,

Very truly yours,

~~YORK, DOLAN &~~ TOMLINSON, P.C.

Timothy D. Tomlinson
Roseville City Attorney

/jabh
Enclosure

cc: Scott Adkins, Roseville City Manager (Via Email w/Enclosure)
Glenn Sexton, Roseville Building Director (Via Email w/Enclosure)

NOTICE OF PUBLIC HEARING

CITY OF ROSEVILLE

COUNTY OF MACOMB, MICHIGAN

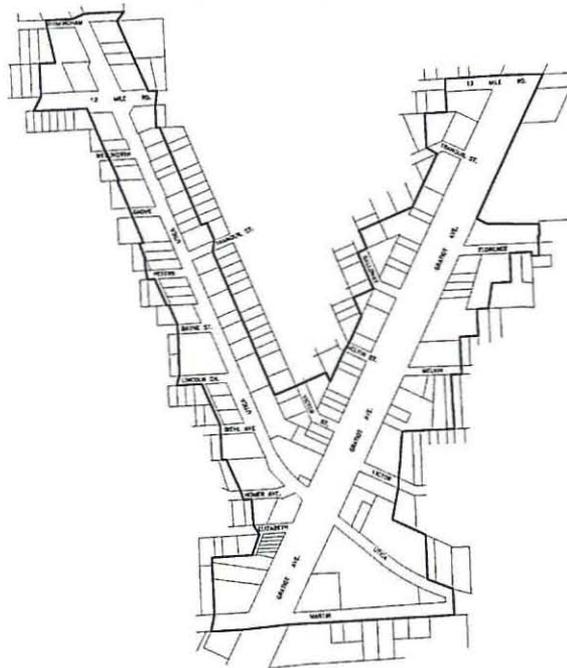
ON THE FORMATION OF A DOWNTOWN DEVELOPMENT
AUTHORITY AND DESIGNATION OF THE DOWNTOWN
DISTRICT BOUNDARIES

TO ALL INTERESTED PERSONS IN THE CITY OF
ROSEVILLE:

PLEASE TAKE NOTICE that the City Council of the City of
Roseville, County of Macomb, Michigan, will hold a public
hearing on the 11th day of August, 2015, at 7:00 PM in the
City Council Chambers, City of Roseville City Hall, 29777
Gratiot Avenue, Roseville, Michigan, to consider the adoption
of an ordinance establishing a downtown development
authority for the City of Roseville and designating the
boundaries of the downtown district in connection therewith,
pursuant to Act 197 of the Public Acts of Michigan of 1975, as
amended.

PROPOSED BOUNDARIES

The boundaries of the proposed downtown district within
which the downtown development authority shall exercise its
powers are generally located along property fronting Gratiot
Avenue and Utica Road from Martin Road to 12 Mile Road.
**Please see the following map or visit the City of Roseville
Clerk's office to view the full legal description of property
located within the proposed boundaries.**



At the public hearing, all citizens, taxpayers and property
owners of the City of Roseville desiring to address the City
Council shall be afforded an opportunity to be heard in regard
to the establishment of the authority and boundaries of the
proposed downtown district.

FURTHER INFORMATION may be obtained from the City's
Department of Community and Economic Development.

This notice is given by order of the City Council of the City of
Roseville, County of Macomb, Michigan.

RICHARD STEENLAND
Roseville City Clerk

planning review

Date: 05.14.2015

From: Benjamin J. Tallerico, AICP, HDFP, NCI, FBCI

To: **Mr. Kurmmell W. Knox, Esq., Chair**
Members of the Roseville Planning Commission
Scott Adkins, City Manager
Glenn Sexton, Building Director
Other interested parties
29777 Gratiot Avenue
P.O. Box 290
Roseville, MI 48066

Project: **RZ - Three parcels north of Masonic Boulevard**
Rezoning request for the above noted parcel

Remarks:

Section 1: Background

Applicant - City of Roseville MI
29777 Gratiot Avenue
P.O. Box 290
Roseville, MI 48066

Owners - City of Roseville
County of Monroe
Marsack

Property - Three parcels located east of Little Mack, north of Masonic, south of 14 Mile,
and west of Interstate 94.

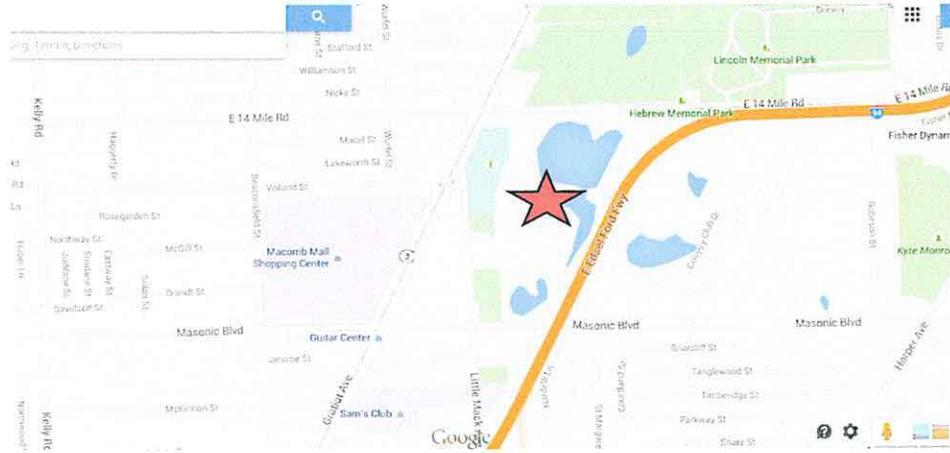
Permanent Parcel Numbers: 14-03-151-012
14-03-151-007
14-03-151-006

Zoning - The subject parcels are zoned I-1, Light Industrial. Properties to the south
and northwest are zoned B-3 General Business. To the southwest is I-1. The
City of St. Clair Shores is located to the east on the other side of Interstate
94. To the north is Clinton Charter Township.

Proposal - The City has requested to rezone the property to E-1 Extractive.

planning review

The photographs below show the subject parcels. *Photo's credit: Google maps*



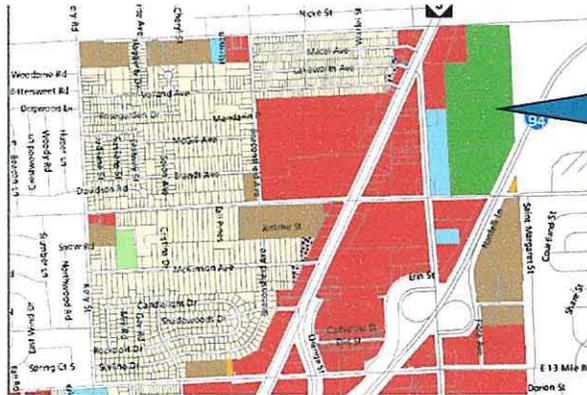
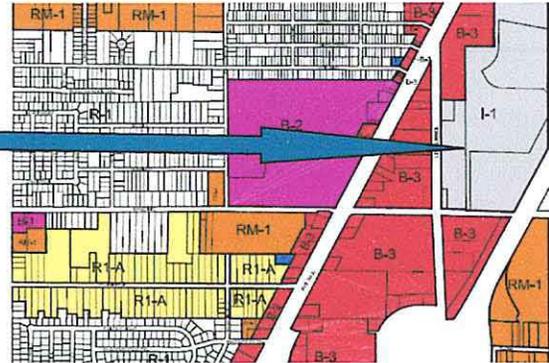
Arial view of subject parcels



View of 14 Mile Road entrance to subject parcels

planning review

Zoning map of subject and surrounding properties.



Future Land Use Map of subject and surrounding properties.

A site visit was performed on March 11, 2015.

Section 2: Submission Materials

- There were no submission materials

Section 3: Action Items

The following items are addressed below.

Requirements	Compliance
The legislative body of a local unit of government may provide by ordinance for the manner in which the regulations and boundaries of districts or zones shall be determined and enforced or amended or supplemented.	The applicant has requested a rezoning to amend the zoning district.
The Planning Commission shall give notice of the rezoning request	The Planning Commission will hold a public hearing.

Section 4: Details

Applicant Status.

The Applicant is the City of Roseville.

Applicant's Request.

The City requests rezoning the property from I-1 Light Industrial to E-1, Extractive district.

planning review

Purpose of the Request.

The applicant notes that the present use is finite and the new Extractive district is made for finite uses.

Site Characteristics.

The three parcels are irregular in shape.

Master Plan Recommendation.

The City of Roseville Master Plan for Future Land Use proposes the subject parcels as Park land.

Section 5: Analysis (Census and SEMCOG data)

The current master plan that was adopted in 2010 is being reviewed by the Planning Commission. This is one area that the Commission has considered for change.

SEMCOG predicts manufacturing jobs will decrease from 2,843 in 2010 to 2,385 in 2040, a decrease of 458 jobs.

The activities taking place on site are activities allowed in an Extractive district.

Section 6: Conclusion

From the foregoing information we have concluded that from a planning perspective consideration should be given to a zoning change for the subject parcels to E-1 Extractive District at this time. Our conclusion is based on the following determinations:

1. The current activities of the subject parcels are consistent with uses permitted in an Extractive District.
 2. E-1 Extractive Districts are finite in nature, as are the activities that are taking place on the subject parcels.
 3. Rezoning of the subject parcels would not be inconsistent with other adjacent uses in the area.
 4. Current light industrial activities can continue to take place on the subject parcels.
 5. Industrial uses have been decreasing in the City. Once extraction activities are complete on the subject parcels, an appropriate and permanent zoning district can be established.
-

Section 7: Next Steps

Planning Commission, after public hearing and consideration of the factors for rezoning, may recommend approval or denial of the rezoning to the legislative body of the City.

We will be prepared to discuss the foregoing concerns with you at your convenience.

MOTION MADE BY _____

MOTION SECONDED BY _____

TO AMEND ARTICLE 11, SECTION 1102, OF THE CITY OF ROSEVILLE ZONING CODE TO PROVIDE FOR AN ADDITIONAL USE PERMITTED SUBJECT TO SPECIAL CONDITIONS ALLOWING PERMITTED AND SPECIAL USES ALLOWED IN THE B3 AND OS DISTRICTS TO BE ALLOWED ON PROPERTY CONTAINING AN ENCLOSED MALL ON AT LEAST 40 ACRES OF LAND, TO PROVIDE FOR THE BUILDING DIRECTOR OR HIS OR HER DESIGNEE REVIEW, OR ALTERNATIVELY, REQUEST A PUBLIC HEARING AT THE PLANNING COMMISSION LEVEL, TO PROVIDE FOR REPEALER, SEVERABILITY AND EFFECTIVE DATE.

**CITY OF ROSEVILLE
MACOMB COUNTY, MICHIGAN**

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ARTICLE 11, SECTION 1102, OF THE CITY OF ROSEVILLE ZONING CODE TO PROVIDE FOR AN ADDITIONAL USE PERMITTED SUBJECT TO SPECIAL CONDITIONS ALLOWING PERMITTED AND SPECIAL USES ALLOWED IN THE B3 AND OS DISTRICTS TO BE ALLOWED ON PROPERTY CONTAINING AN ENCLOSED MALL ON AT LEAST 40 ACRES OF LAND, TO PROVIDE FOR THE BUILDING DIRECTOR OR HIS OR HER DESIGNEE REVIEW, OR ALTERNATIVELY, REQUEST A PUBLIC HEARING AT THE PLANNING COMMISSION LEVEL, TO PROVIDE FOR REPEALER, SEVERABILITY AND EFFECTIVE DATE.

CITY OF ROSEVILLE ORDAINS:

Section 1. Article 11, Section 1102, is hereby amended by adding subsection G which shall provide as follows:

- G. Permitted and special uses allowed in the B3 and OS Districts shall be allowed on property containing an enclosed mall on at least 40 acres of land, subject to the conditions set forth in the appropriately noted District. The Building Director or his or her designee may request a public hearing at the Planning Commission level.

Section 2. Repealer. All ordinances or parts of ordinances in conflict herewith are repealed only to the extent necessary to give this ordinance full force and effect.

Section 3. Severability. If any article, section, subsection, sentence, clause, phrase, or portion of this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of remaining portions of the ordinance, being the intent of the City that this ordinance shall be fully severable.

Section 4. Effective Date. Provisions of this Ordinance shall become effective twenty (20) days following adoption.

AYES _____

NAYS _____

ABSENT _____

ROBERT TAYLOR, Mayor

Attested:

RICHARD STEENLAND, City Clerk

CERTIFICATION

I, Richard Steenland, City Clerk of the City of Roseville, Macomb County, Michigan, do hereby certify that Ordinance No. _____ was adopted by the City Council of Roseville, assembled in regular session on August _____, 2015. Said Ordinance was posted in the following places:

- Roseville Police Station, 29753 Gratiot Avenue
- Roseville Public Library, 29777 Gratiot Avenue
- Roseville Civic Center, 29777 Gratiot Avenue

Notice of said posting was published in *The Macomb Daily* on August _____, 2015.

Richard Steenland, City Clerk