

**COPY OF
DISBURSEMENT
LIST
IS AVAILABLE
IN THE
CITY CONTROLLER'S
OFFICE**

January 14, 2014

**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 14th day of January, 2014, 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:

Lot 196 and ½ of vacated alley adjacent thereto, Macomb Gardens Subdivision, according to the plat thereof as recorded in liber 3, page 77 of Plats, Macomb County Records.

Tax Parcel No.: 14-20-376-013

more commonly known as: 25381 Blair, 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 house and accessory structures (garage) have been Ared tagged@ since October 18, 2011; it has ongoing property maintenance issues, including junk and debris violations; 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

John Chirkun, 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 January _____, 2014, 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

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MACOMB COUNTY, MICHIGAN**

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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:

Lot 94, Rose City Park Subdivision, according to the plat thereof as recorded in liber 8, page 19 of Plats, Macomb County Records.

Tax Parcel No.: 14-09-154-010

more commonly known as: 19140 Colorado, 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 house and accessory structures (garage) have been Ared tagged@ since December 19, 2009; it has ongoing property maintenance issues, including board-ups and junk and debris violations; 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.

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NAYS: MEMBERS _____

ABSENT: MEMBERS _____

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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:

South ½ of Lot 54, Roseville Farms No. 2, according to the plat thereof as recorded in liber 2, page 243 of Plats, Macomb County Records.

Tax Parcel No.: 14-17-304-025

more commonly known as: 27503 Edward, 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 house and accessory structures (garage) have been Ared tagged@ since November 2, 2011; it has ongoing property maintenance issues, including board-ups and lawn cutting violations; 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.

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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:

Lot 37, Block G, Gratiot Masonic Park, according to the plat thereof as recorded in liber 7, page 97 of Plats, Macomb County Records.

Tax Parcel No.: 14-04-206-024

more commonly known as: 20115 Lakeworth, 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 house and accessory structures (garage) have been "red-tagged" since July 23, 2013; the house is vacant; the property is dilapidated and has ongoing property maintenance issues, including boarded up windows; 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.

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RESOLUTION DECLARED ADOPTED

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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:

The north 40 feet of Lot 557, Piper's Roseville City Subdivision No. 1, according to the plat thereof as recorded in liber 6, page 52 of Plats, Macomb County Records.

Tax Parcel No.: 14-16-353-048

more commonly known as: 27220 Pinewood, 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 (the house was removed in 2007); the garage on the property is dilapidated; it has ongoing property maintenance issues, including illegal dumping; 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.

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John Chirkun, Mayor

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Richard Steenland, City Clerk

MOTION MADE BY _____

MOTION SECONDED BY _____

TO AMEND THE CITY OF ROSEVILLE’S ZONING ORDINANCE, BY AMENDING ARTICLE 2, GENERAL STANDARDS, SECTION 201 DEFINITIONS, TO PROVIDE FOR THE DEFINITION OF OUTDOOR CAFÉ AND COMPLETE STREETS; TO AMEND ARTICLE 12, B-3 GENERAL BUSINESS DISTRICTS, SECTION 1202 PRINCIPAL USES PERMITTED SUBJECT TO SPECIAL CONDITIONS, TO PROVIDE FOR OUTDOOR CAFES AND INTERNET CAFES, DOG DAYCARE, DOG GROOMING, OR OTHER DOG SERVICE ESTABLISHMENTS, RESIDENTIAL OCCUPANCY OF TWO STRUCTURES ALONG CERTAIN AREAS ALONG GRATIOT AVENUE, AS PRINCIPLE USES PERMITTED SUBJECT TO SPECIAL CONDITIONS; TO AMEND ARTICLE 20, OFF-STREET PARKING, PARKING LAYOUT AND LOADING AND UNLOADING STANDARDS, SECTION 2000 GENERAL PARKING REQUIREMENTS, TO PROVIDE FOR BICYCLE PARKING REDUCTION, GENERAL PARKING REDUCTION; TO AMEND ARTICLE 21, SITE PLAN REVIEW, SECTION 2100 SITE PLAN PROCESS, TO PROVIDE ADDITIONAL SITE PLAN REVIEW GUIDELINES; TO AMEND ARTICLE 23, GENERAL PROVISIONS, TO PROVIDE FOR SECTION 2318 GOVERNING COMPLETE STREET IMPROVEMENTS WITH REGULATIONS AND CERTAIN EXCEPTIONS; TO PROVIDE FOR REPEALER, SEVERABILITY AND EFFECTIVE DATE.

**CITY OF ROSEVILLE
MACOMB COUNTY, MICHIGAN**

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CITY OF ROSEVILLE’S ZONING ORDINANCE, BY AMENDING ARTICLE 2, GENERAL STANDARDS, SECTION 201 DEFINITIONS, TO PROVIDE FOR THE DEFINITION OF OUTDOOR CAFÉ AND COMPLETE STREETS; TO AMEND ARTICLE 12, B-3 GENERAL BUSINESS DISTRICTS, SECTION 1202 PRINCIPAL USES PERMITTED SUBJECT TO SPECIAL CONDITIONS, TO PROVIDE FOR OUTDOOR CAFES AND INTERNET CAFES, DOG DAYCARE, DOG GROOMING, OR OTHER DOG SERVICE ESTABLISHMENTS, RESIDENTIAL OCCUPANCY OF TWO STRUCTURES ALONG CERTAIN AREAS ALONG GRATIOT AVENUE, AS PRINCIPLE USES PERMITTED SUBJECT TO SPECIAL CONDITIONS; TO AMEND ARTICLE 20, OFF-STREET PARKING, PARKING LAYOUT AND LOADING AND UNLOADING STANDARDS, SECTION 2000 GENERAL PARKING REQUIREMENTS, TO PROVIDE FOR BICYCLE PARKING REDUCTION, GENERAL PARKING REDUCTION; TO AMEND ARTICLE 21, SITE PLAN REVIEW, SECTION 2100 SITE PLAN PROCESS, TO PROVIDE ADDITIONAL SITE PLAN REVIEW GUIDELINES; TO AMEND ARTICLE 23, GENERAL PROVISIONS, TO PROVIDE FOR SECTION 2318 GOVERNING COMPLETE STREET IMPROVEMENTS WITH REGULATIONS AND CERTAIN EXCEPTIONS; TO PROVIDE FOR REPEALER, SEVERABILITY AND EFFECTIVE DATE.

CITY OF ROSEVILLE ORDAINS:

Section 1. Preamble. For purposes of the amendments as stated herein, same are pursuant to the authority conferred by the Public Acts of the State of Michigan for purpose of promoting, and protecting the public health, safety, peace, morals, comfort, convenience and the general welfare of the inhabitants of the City of Roseville by protecting and conserving the character and social and economic stability of the residential, commercial, industrial stability of the residential, commercial, industrial, and other use areas; by securing the most appropriate use of land; preventing overcrowding of the land and undue congestion of population; providing adequate light, air and reasonable access; and facilitating the adequate and economical provisions of transportation, water, sewers, schools, recreation and other public requirements.

Section 2. Article 2, General Standards, Section 201 Definitions, A-C are hereby amended by including the definition of “Complete Streets,” to be placed in alphabetical order within said Section which provides as follows:

“Complete Streets” means roadways planned, designed, and constructed to provide appropriate access in a manner that promotes safe and efficient movement of people and goods whether by car, truck, transit, assistive device, foot, or bicycle for all ages and abilities.

Section 3. Article 2, General Standards, Section 201 Definitions, O-R are hereby amended by including the definition of “Outdoor Café,” to be placed in alphabetical order within said Section which provides as follows:

“Outdoor Café” means a temporary area with removable seats and tables; an extension of the restaurant where food and beverages are served. (*Rooftops are not considered outdoor cafes.*)

Section 4. Article 12, B-3 General Business Districts, Section 1202 Principal Uses Permitted Subject to Special Conditions, shall be amended by adding the following subsections as follows:

13. Outdoor Cafes are allowed by in accordance with the following regulation:
 - a. An Outdoor Café may be set up and used from March 15 through October 31. The permitted hours of operation are from 10:00 a.m. to 12 midnight in B-3 Business Districts unless longer hours are specifically approved by the Planning Commission and the City Council. Noise radiating from an Outdoor Café, which exceeds 50 DBA between 8:00 p.m. and 12 midnight, or other approved hours, or 55 DBA between 7:00 a.m. and 8:00 p.m., shall constitute prima facie evidence that such noise unreasonably disturbs the comfort, quiet and repose of persons in the area. The “DBA” represents the sound pressure level in decibel measured on the “A” scale of a standard sound level meter. Noise level measurements shall be

taken at the zoning district boundary of any residential zoning district, recreation unit district and any planned development as may be appropriate. In all other districts, noise level measurements shall be taken at the property line of an affected property. The City Council may, by resolution, extend the dates of operation or the hours of operation for a stipulated number of days, not to exceed a total of 30 days per calendar year.

- b. A site drawing showing the detailed plan of the Outdoor Café must be submitted to and approved by the Planning Commission. The detailed plan is to include: the design, relevant details and location of all temporary structures such as awnings, planters, landscaping, railing, tables, chairs and other equipment, as well as lighting and electrical outlet locations. The layout shall show all seating, tables and chairs and shall be used to determine maximum occupancy load for the Outdoor Café. The occupancy load shall be posted in a conspicuous location.
- c. Outdoor Cafes, including any canopy or cover associated with such a café, shall be permitted within the required setback.
- d. Outdoor Cafes within the required setback shall not be enclosed, except as specified elsewhere in the ordinance.
- e. Outdoor Cafes shall be exempt from any parking requirement if they have less than thirty seats. Outdoor Café seating areas that have more than thirty seats shall provide one space for each three outdoor seats provided above thirty seats.
- f. If alcohol is being served, it will include a fence subject to approval of the Planning Commission.
- g. No food and beverage preparation would occur in the Outdoor Café. All food and beverage preparation will incur inside the building housing the principal use and brought to the customer or carried by the customer to the Outdoor Café.
- h. All fixtures associated with an Outdoor Café must be portable and related, as well as limited to, food service (e.g. tables, chairs, serving trays). Furnishings of an Outdoor Café shall consist solely of readily removable awnings, covers, canopies, railings, tables, chairs, planters containing plants and accessories. Furnishings may not be attached, even in a temporary manner, to the sidewalk or other public property, except that canopies and railings, if specifically approved by the Planning Commission and the City Council, may be secured by means of flush mounted anchors or other methods approved by the Building Director. No objects which are part of an Outdoor Café, except lighting fixtures, railings, awnings, or other nonpermanent covers or canopies, may be attached, even in a temporary manner, to any building, or structure on which the Outdoor Café abuts.

- i. The Outdoor Café must be part of a licensed restaurant and meet all the requirements of the department of health and any other local, county or state requirements, including the Michigan Liquor Control Commission (if applicable).
 - j. Outdoor Cafes are typically located immediately adjacent to the building housing the principal use.
 - k. Outdoor Cafes do not have to be removed daily or on any regular schedule.
 - l. Outdoor Café's can have heating as long as they are not enclosed and the heating can be removed.
 - m. No signs or any other forms of advertising are permitted in the outdoor dining area with the exception of an identification or menu sign. The name of the establishment may appear on the valance of an umbrella.
 - n. Plans for setting up the Outdoor Café must be approved by the Building Department to provide for the free passage of pedestrians along the sidewalks, by the Police Department to provide for traffic and pedestrian safety, and by the Fire Department for fire-safety issues. If alcohol is served, entrance to the Outdoor Café is required to be from inside the building. An Outdoor Café which is adjacent to residential properties or shares an alley with residential properties shall be screened with a solid fence a minimum of six (6) feet high.
 - o. Lighting requirements subject to the applicable requirements of Article 23, Section 2305.
14. Internet Cafes.
15. Dog Day Care, Dog Grooming or Other Dog Service Establishments, with no boarding or overnight stay, subject to the following conditions:
- a. Overnight stay of animals shall be prohibited.
 - b. The minimum size of dog grooming area shall be fifteen (15) square feet with:
 - Minimum width dimension: three (3) feet
 - Minimum depth dimension: three (3) feet
 - c. Each grooming facility shall be equipped with at least a bath tub, a grooming table, hot and cold running water, a drier, clippers, combs, brushes, and shears. All equipment must be sterilized after each use and kept in sanitary condition.

- d. Dogs shall be securely confined. Dogs shall not be allowed to wander at large.
- e. Facilities that keep dogs for grooming for longer than four hours must have an indoor or outdoor dog exercise area. The exercise area must measure at least three feet by eight feet, with a covered top.
- f. Interior building surfaces, including walls, ceilings, and floors shall be constructed so as to be water resistant and capable of being readily cleaned and maintained.
- g. Readily accessible washrooms or sinks shall be provided, convenient to all work areas, to ensure maintenance of personal hygiene by dog caretakers. A sink in good repair shall be provided for washing and sanitizing equipment and utensils. Single service soap and towel dispensers must be available at all hand washing sinks.
- h. All facilities shall be adequately ventilated with fresh or filtered air to minimize drafts, odors and moisture condensation and to provide for the health and comfort of the animals at all times. Ventilation shall be provided by either natural or mechanical means. The necessary equipment or comparable means shall be provided to exhaust the air from the dog area to outside of the building.
- i. The groomer must keep the grooming area, and exercise area if necessary, disinfected, clean, and sanitary at all times.
- j. Dog waste areas, either indoor or outdoor, shall be constructed of a hard surface that is easily cleaned. Such areas shall be connected to a sanitary system.
- k. All dog grooming facilities shall have drying cages, which shall be:
 - 1. Kept clean and sanitary; and
 - 2. Large enough to comfortably contain the dog. The dog shall be able to stand, lie down, and turn around. The recommend dimensions are: 22 inches to 24 inches wide, by 24 to 28 inches high, by 30 to 34 inches deep.
- l. Outdoor areas where animals will be allowed shall:
 - 1. Not be within 300 feet of a residential district;
 - 2. Permitted only in the rear and side yards;

3. Setback a minimum of twenty (20) feet from the property line and landscaped with one (1) canopy tree, one (1) evergreen tree and four (4) shrubs per each thirty (30) linear feet along the property line, rounded upward; and
 4. Fully enclosed by a six (6) foot screening fence or wall providing full containment for the animals in accordance with *Article 22 Screening Devices and Landscaping*.
- m. Hours of operation shall start no earlier than 6:00 a.m. and shall be closed no later than 10:00 p.m. All animals shall be kept indoors from 6:00 a.m. until 8:00 a.m. and from 8:00 p.m. to 10:00 p.m.
- n. A written statement of operating procedures must be submitted, such as those recommended by the Pet Care Services Association or the American Kennel Club. The procedures, which are to be followed for the life of the business, must address, at a minimum, the following items:
1. Identification and correction of dog behavior that impacts surrounding uses, including excessive noise (barking);
 2. The time interval anticipated for waste removal and method of clean up;
 3. Identification of the hours of operation and timing of shift changes, if applicable;
 4. Indication of staffing levels during all shifts and the qualifications of each staff member; and
 5. Membership in the Voluntary Facilities Accreditation program via the Pet Care Services Association is strongly encouraged.
16. To encourage and provide for land use diversity and to promote economic vitality, residential occupancy shall be permitted in buildings of two stories in height or greater located along Gratiot Avenue south of Maryland Street, on Utica from Gratiot to 12 Mile Road (including parcels fronting both sides of 12 Mile Road), and on 10 Mile Road. In buildings used for the mixing of business and residential occupancy the following shall be subject to the conditions hereinafter imposed for each use and subject further to the review and approval of the planning commission at a duly advertised public hearing in accordance with section 2206;
- a. No dwelling unit shall occupy any portion of the floor area of the building at grade level.
 - b. Business uses may occupy any number of total floors in the building, but no business shall be located on the same floor as a residential use.

- c. No floor in the building may be used for business purposes that is located above a floor used for residential purposes
- d. No dwelling unit shall have more than two bedrooms.
- e. Each dwelling unit shall comply with the minimum applicable floor area requirements set forth in section 1800, Schedule of regulations, in this chapter.
- f. Off-street parking shall be provided for each dwelling unit in accordance with the applicable requirements of Article XX in this chapter unless otherwise excused.

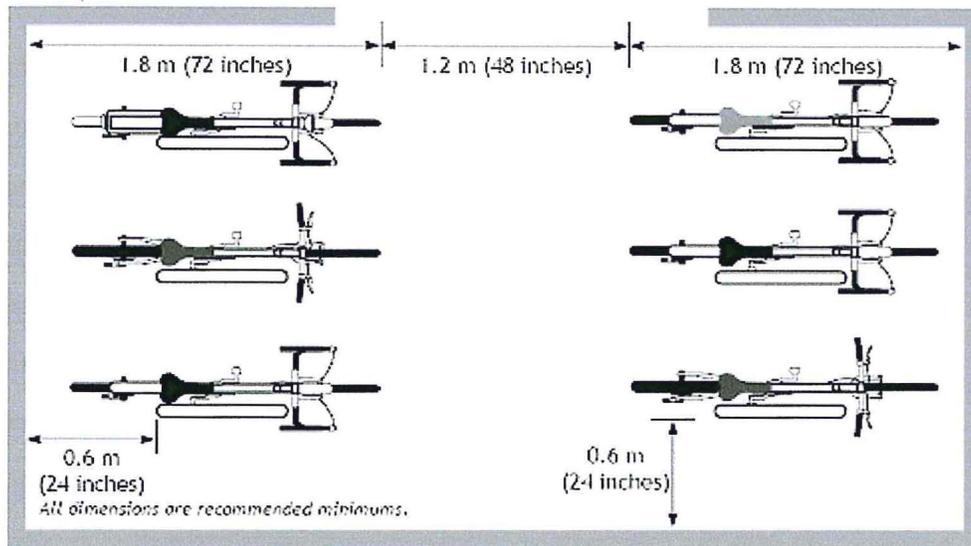
Section 5. Article 12, B-3 General Business Districts, Section 1203 Required Conditions, shall be amended by adding the following subsections as follows:

- 5. In the area noted on Future Land Use Map as Town Center Overlay District, all businesses identified as commercial or quasi public shall have entrances that face the street/sidewalk.

Section 6. Article 20, Off-Street Parking, Parking Layout and Loading and Unloading Standards, Section 2000 General Parking Requirements, shall be amended by adding the following subsections as follows:

- 15. Bicycling Parking Reduction. A reduction in the number of off-street parking spaces required by Section 2001 (excluding parking spaces for persons with disabilities) shall be permitted for the provision of bicycle parking in the B-1, B-2, B-3, and OS districts provided that:
 - a. No fee is required for using the bicycle parking made available;
 - b. When calculation of the maximum number of reduced parking spaces results in a fraction, the resulting number shall be rounded to the next highest number.
 - c. The reduction in the number of automobile parking spaces shall be reduced by no more than one (1) space for each Bicycle Parking Space, but by no more than fifteen (15) percent of the total required spaces.
 - d. Bicycle racks shall be located at least as close to the building entrance as to the nearest parking space (excluding accessible parking spaces).

- e. Bicycle spaces shall meet the minimum Federal Highway Standard noted below:



16. General Parking Reduction. To request a waiver of reduction of up to twenty (20) percent of the full parking requirements of Section 2001, an applicant must submit evidence to demonstrate that the waiver or reduction does not result in any unnecessary hardship on surrounding properties, businesses, and residences, and meets all of the criteria listed in Section 2002. A public hearing shall be held in accordance with Section 2606 of this ordinance.

The Planning Commission may approve such waiver or reduction upon finding that such waiver or reduction does not result in any unnecessary hardship on surrounding properties, businesses, and residences, and meets all of the criteria listed in Article 20.

An applicant may request a reduction in parking requirements pursuant to Section 2001, provided that certain findings are met. If the applicant is unable to meet these findings, a variance is required.

Although not necessary, an applicant may elect to apply for a reduction in parking requirements for projects located in Business and Office Districts. This application is not applicable for projects located in zoning districts other than the B-1, B-2, B-3, and OS.

In approving a reduction in off-street parking requirements authorized by this Code, the Planning Commission shall consider and apply the following criteria:

- a. The reduction in the parking requirement is justified by the reasonably anticipated automobile usage by residents of and visitors to the project;
- b. The reduction in the parking requirement will not be detrimental to the health, safety, convenience, or general welfare of persons residing in or working in the vicinity;
- c. The minimization of conflict of vehicular and pedestrian movements;
- d. The availability of transportation modes other than the automobile;
- e. The pattern of land use and character of development in the vicinity; and
- f. Such other criteria as the Planning Commission deems appropriate in the circumstances of the particular case.

Pertaining to parking tradeoffs, a growing trend has been to facilitate and encourage the use of electric vehicles and to expedite the establishment of a convenient, cost-effective electric vehicle infrastructure that such use necessitates. For all Non-Residential areas:

Electric vehicle means any vehicle that is licensed and registered for operation on public and private highways, roads, and streets; either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board via a battery for motive purpose. "Electric vehicle" includes: (1) a battery electric vehicle; and (2) a plug-in hybrid electric vehicle.

In order to proactively plan for and accommodate the anticipated future growth in market demand for electric vehicles, it is strongly encouraged, but not required, that all new and expanded non-residential development parking areas provide the electrical capacity necessary to accommodate the future hardwire installation of Level-2 electric vehicle charging stations. It is recommended that a typical parking lot (e.g., 1,000 or less parking spaces) have a minimum ratio of 2% percent of the total parking spaces be prepared for such stations. (The following definitions would have to be included if adopted: Level-1 is considered slow charging. Voltage including the range from 0 through 120. Level-2 is considered medium charging. Voltage is greater than 120 and includes 240. Level-3 is considered fast or rapid charging. Voltage is greater than 240.)

It is noted and understood that large-sized parking may require less electric vehicle charging stations than recommended above to accommodate the anticipated market demand.

Pertaining to parking in side or rear lots only, we suggest the following language for all Non-Residential areas identified on the Future Land Use Map as Town Center Overlay District:

1. Parking lots shall be placed in rear and/or interior side yards.
2. Parking spaces shall not be located within five (5) feet of a right-of-way
3. Rear yard setbacks are not required provided that dimensional requirements for screen walls are accommodated.
4. New drives shall not be sited directly adjacent to an existing driveway.
5. Any area not required for parking shall be landscaped.

Section 7. Article 21, Site Plan Review, Section 2100 Site Plan Process, subsection (5)[sic], shall be amended by adding the following subsections as follows:

5. Site Plan Review Guidelines

* * *

- h. All developments must provide a sidewalk on all Right-Of-Way (ROW) frontages.
- i. All developments must provide clear, accessible pedestrian walks from the ROW sidewalk to the entrance of the business.

Section 8. Article 23, General Provisions, shall be amended by adding Section 2318 Complete Streets to provide as follows:

Section 2318 Complete Streets:

Complete Streets Improvements.

1. The City of Roseville shall plan, design, construct, operate and maintain street improvements to provide reasonable and appropriate accommodation for all potential users of the public right-of-way, in accordance with the City of Roseville Non-Motorized Transportation Plan and as funding priorities permit. In furtherance of that policy:
 - (a) The City Planning Commission will draft a Non-Motorized Transportation Plan: Complete Streets for Roseville. This amendment to the City's Master Plan will set forth long-range plans for providing Complete Streets in the City.
 - (b) The Non-Motorized Transportation Plan shall be reviewed at least every five years or at the same time as the master plan, whichever is more frequent.

- (c) The City will draft a Non-Motorized Transportation Improvements Program (NMTIP), and after appropriate public review and consideration, City Council will approve that program and update it on an annual basis.
 - (d) The Non-Motorized Transportation Plan will include, at a minimum, accommodations for accessibility, sidewalks, curb ramps and cuts, trails and pathways, signage, bicycle routes, bike lanes, transit facilities and shall incorporate principles of complete streets and maximize walkable and bikeable streets within the City of Roseville.
 - (e) Infrastructure improvements made under the NMTIP will be designed, constructed, and operated in substantial conformance to the latest guidelines promulgated by the American Association of State Highway and Transportation Officials, Institute of Transportation Engineers, Michigan Department of Transportation, Road Commission for Macomb County, and the Americans with Disabilities Act of 1990, as amended.
 - (f) It will be the goal of the City to reasonably fund the implementation of the Non-Motorized Transportation Plan, which shall include expending State Act 51 funds received by the City annually in accordance with Public Act 135 of 2010, as amended.
2. Exceptions. Infrastructure improvements specifically intended for pedestrians, bicyclists, and transit riders need not be planned nor made where the City Administrator recommends and City Council approves exceptions. Such exceptions should generally be considered where:
- (a) Where their establishment will be contrary to the public health and safety;
 - (b) Where the cost would result in an unacceptable diminishing of other city service;
 - (c) Bicycles and/or pedestrians are prohibited by law;
 - (d) Where there is no identifiable long term need;
 - (e) Transit operation is not present or likely to occur in the foreseeable future;
 - (f) The cost would be excessively disproportionate to the need or potential use;
 - (g) The project segment length would not result in a meaningful addition to the non-motorized network;

- (h) There is no identified long-term need; and/or
- (i) The public works project in question is due to an emergency that requires near term action.

Section 9. 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 10. 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 11. Effective Date. Provisions of this Ordinance shall become effective twenty (20) days following adoption.

AYES _____

NAYS _____

ABSENT _____

JOHN CHIRKUN, Mayor

Attested:

RICHARD STEENLAND, City Clerk

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 January _____, 2014. 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 January _____, 2014.

Richard Steenland, City Clerk



Recreational Authority of Roseville-Eastpointe
18185 Sycamore, Roseville, MI 48066
586-445-5480



December 18, 2013

Mr. Scott Adkins, City Manager
City of Roseville
29777 Gratiot Ave.
Roseville, MI 48066

Dear Mr. Adkins,

The term for Mr. Michael Switalski on the Recreational Authority of Roseville & Eastpointe Board expires January 1, 2014. Please consider this request to place on the next Roseville City Council meeting agenda the reappointment of Mr. Michael Switalski to the Recreational Authority of Roseville & Eastpointe Board for a three-year term.

The Recreational Authority of Roseville & Eastpointe has made much progress in serving the recreational needs of the residents of Roseville and Eastpointe since its inception in November, 2011. Much of this progress is due to the guidance and leadership of Mr. Switalski as a board member. His reappointment to our board will assure that the Recreation Authority continues to serve our residents as effectively and efficiently as possible.

Please let me know if you need more information regarding this request.

Sincerely,

Anthony J. Lipinski, Executive Director
Recreational Authority of Roseville & Eastpointe

CC: Recreational Authority Board

Memo

To: Scott Adkins, City Manager
From: Paul VanDamme, Purchasing Assistant
Date: December 12, 2013
Re: Demolition of 28109 O'Neil

Attached are Purchase Requisition BLDG1153 from Glenn Sexton and Court Judgment from Tim Tomlinson. Informal bids were sent to four demolition contractors and three responded. The lowest bid was submitted by Oakwood Building Company, Inc. in the amount of \$7,675.

This demolition was court ordered and time line set. The amount of the bid exceeds \$7,500 for contractual services so City Council must approve this demolition. Oakwood Building Company Inc. has done demolition work in the City in a satisfactory manner.

Therefore, it is recommended that we accept the bid submitted by Oakwood Building Company Inc. for the amount of \$7,675 for the demolition of 28109 O'Neil. If you have any questions please contact Glenn Sexton or myself.

/pv

attachment