



CITY OF PONTIAC
OFFICE OF THE EMERGENCY MANAGER
LOUIS H. SCHIMMEL

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3133
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Dated: August 12, 2013

ORDER NO. S-321

RE: Adopt ordinance to amend appendix B of the municipal code of the City of Pontiac to amend Article 2, Zoning Districts and Permitted Uses, section 2.103 Zoning Map, to change the zoning classification for a specific parcel at the northeast corner of N. Telegraph and Kennett Road to conditionally rezone for heavy manufacturing use.

**TO: Sherikia Hawkins, City Clerk
Charles Smith, Project Manager, Wade Trim**

The Local Financial Stability and Choice Act (Act 436 of 2012/MCL 141.15411, et. seq.) in Section 10 empowers an Emergency Manager to issue orders to the appropriate local elected and appointed officials and employees, agents, and contractors of the local government a Manager considers necessary to accomplish the purposes of the Act and any such orders are binding on the local elected and appointed officials and employees, agents, and contractors of the local government to whom they are issued.

Section 12(1) of the Act provides that “[a]n emergency manager may take 1 or more of the following additional actions with respect to a local government that is in receivership, notwithstanding any charter provision to the contrary: (dd) [e]xercise solely, for and on behalf of the local government, all other authority and responsibilities of the chief administrative officer and governing body concerning the adoption, amendment, and enforcement of ordinances....”

WHEREAS, Emergency Manager Schimmel introduced the attached ordinance at a public meeting on August 1, 2013; and,

WHEREAS, the proposed ordinance was distributed to each member of the Council and the Mayor by the Clerk; and,

WHEREAS, a summary of the proposed ordinance and time and place of consideration by the Emergency Manager was published in the Oakland Press on August 9, 2013; and,

WHEREAS, the Emergency Manager at a public meeting on August 12, 2013 announced that he is adopting the proposed ordinance.

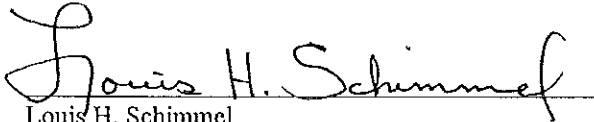
It is hereby ordered:

1. That the attached Ordinance No. 2310, an ordinance to amend appendix B of the municipal code of the City of Pontiac to amend Article 2, Zoning Districts and Permitted Uses, section 2.103 Zoning Map, to change the zoning classification for a specific parcel at the northeast corner of N. Telegraph and Kennett Road to conditionally rezone for heavy manufacturing use, is adopted.
2. That the City Clerk shall take all actions required under the law to reflect the attached ordinance changes on the City books and records, including publication of the adopted ordinance.

The Order shall have immediate effect.

Copies of the documents referenced in this Order are to be maintained in the offices of the City Clerk and may be reviewed and/or copies may be obtained upon submission of a written request consistent with the requirements of the Michigan Freedom of Information Act and subject to any exemptions contained in that state statute and subject to any exemptions allowed under that statute (Public Act 442 of 1976, MCL 15.231, et. seq.).

This order is effective as indicated and is necessary to carry out the duties and responsibilities required of the Emergency Manager as set forth in the Local Financial Stability and Choice Act (Act 436 of 2012/MCL 141.15411, et. seq.) and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Manager.



Louis H. Schimmel
City of Pontiac
Emergency Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council

CITY OF PONTIAC
ORDINANCE No. 2310

AN ORDINANCE TO AMEND APPENDIX B, OF THE MUNICIPAL CODE OF THE CITY OF PONTIAC TO AMEND ARTICLE 2, ZONING DISTRICTS AND PERMITTED USES, SECTION 2.103 ZONING MAP, TO CHANGE THE ZONING CLASSIFICATIONS FOR A SPECIFIC PARCEL AT THE NORTHEAST CORNER OF N. TELEGRAPH AND KENNETT ROAD TO CONDITIONALLY REZONE FOR HEAVY MANUFACTURING.

The City of Pontiac ordains:

Section 1. Amendments.

TO CONDITIONALLY CHANGE THE ZONING DISTRICT CLASSIFICATION FOR PARCEL #14-18-301-002 FROM R-1 ONE-FAMILY DWELLING DISTRICT AND M-1 LIGHT MANUFACTURING TO M-2 HEAVY MANUFACTURING DISTRICT AND ALLOW THOSE CONDITIONALLY APPROVED USES FOR THE PARCEL DESCRIBED AS:

LAND IN THE NW, NE AND SW ¼ OF SECTION 18, TOWN 3 NORTH, RANGE 10 EAST, CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN DESCRIBED AS: COMMENCING AT THE WEST ¼ CORNER OF SAID SECTION 18, THENCE S01°23'08"W, ALONG THE WEST LINE OF SECTION 18, 288.88 FEET TO THE POINT OF BEGINNING; THENCE THE FOLLOWING NINE COURSES ALONG THE SOUTHERLY LINE OF TELEGRAPH ROAD (WIDTH VARIES); 1) ALONG THE ARC OF THE CURVE TO THE LEFT 347.51 FEET, SAID CURVE HAVING A RADIUS OF 1077.00 FEET, A CENTRAL ANGLE OF 18°29'14", LONG CHORD BEARS N33°57'42" E, 346.00 FEET; 2) N24°43'11"E, 283.13 FEET; 3) ALONG THE ARC OF A CURVE TO THE RIGHT 751.17 FEET, SAID CURVE HAVING A RADIUS OF 817.00 FEET, A CENTRAL ANGLE OF 52°40'45", LONG CHORD BEARS N51°03'33"E, 724.99 FEET; 4) N77°23'56"E, 531.88 FEET; 5) ALONG THE ARC OF A CURVE TO THE LEFT 458.96 FEET, SAID CURVE HAVING A RADIUS OF 967.00 FEET, A CENTRAL ANGLE OF 27°11'39", LONG CHORD BEARS N63°48'06"E, 454.67 FEET; 6) N50°12'16"E, 592.37 FEET; 7) ALONG THE ARC OF A CURVE TO THE LEFT 582.85 FEET, SAID CURVE HAVING A RADIUS OF 2033.00 FEET, A CENTRAL ANGLE OF 16°25'35", LONG CHORD BEARS N41°59'26"E, 580.86 FEET; 8) N33°46'36"E, 94.98 FEET; 9) ALONG THE ARC OF A CURVE TO THE RIGHT 482.44 FEET, SAID CURVE HAVING A RADIUS OF 2856.96 FEET, A CENTRAL ANGLE OF 09°40'31", LONG CHORD BEARS N39°42'20"E, 481.87 FEET; THENCE S27°55'16"W, 967.00 FEET TO A POINT ON THE WESTERLY LINE OF THE GRAND TRUCK WESTERN RAILROAD RIGHT OF WAY; THENCE ALONG SAID RAILROAD RIGHT OF WAY S50°11'21"W, 917.12 FEET; THENCE CONTINUING ALONG SAID RAILROAD RIGHT OF WAY, ALONG THE ARC OF A CURVE TO THE LEFT 926.88 FEET, SAID CURVE HAVING A RADIUS OF 988.00 FEET, A CENTRAL ANGLE OF 53°45'05", LONG CHORD BEARS S24°25'22"W, 893.26 FEET TO A POINT ON THE EAST & WEST ¼ LINE OF SECTION 18; THENCE CONTINUING ALONG SAID RAILROAD RIGHT OF WAY, S01°25'21"W, 1550.28 FEET TO A POINT ON THE NORTH LINE OF KENNETT ROAD (86 FEET WIDE); THENCE ALONG THE NORTH LINE OF SAID KENNETT ROAD, N81°45'44"W, 1481.72 FEET TO A POINT ON THE

WEST LINE OF SECTION 18; THENCE ALONG THE SAID WEST LINE, N01°23'08"E,
1015.61 FEET TO THE POINT OF BEGINNING.

CONTAINS 3,197,518.77 SQUARE FEET OR 73.405 ACRES.

MORE COMMONLY KNOWN AS TAX ID NUMBER 14-18-301-002.

Section 2. Severability.

If any section, clause, or provision of this Ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any Court of competent jurisdiction, such section, clause, or provision declared to be unconstitutional, void, or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

Section 3. Repealer

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Effective Date

This Ordinance shall be effective ten days after adoption by the Emergency Manager and one day after publication of this Ordinance by the Clerk in a newspaper of general circulation.