

ORDINANCE NO. 30-1008

AN ORDINANCE TO AMEND ORDINANCE NO. 30 OF THE ORDINANCES OF THE CITY OF WARREN, MACOMB COUNTY, MICHIGAN, PURSUANT TO ARTICLE 24, DIVISION 2, OF THE WARREN ZONING ORDINANCE, REZONING WITH CONDITIONS.

THE CITY OF WARREN ORDAINS:

SECTION 1. That Ordinance No. 30 of the zoning ordinances of the City of Warren, Macomb County, Michigan, is amended to provide that the following described property:

Property located east side of Van Dyke Avenue, approximately 222 ft. north of Civic Center Boulevard, Section 10, City of Warren, Macomb County Michigan; Parcel identification numbers 13-10-301-004 and 13-10-301-006, more particularly described as:

Parcel 13-10-301-004: Part of the southwest corner of Section 10, T.1.N., R.12E., City of Warren, Macomb County, Michigan, described as: Beginning at a point on the west line of Section 10, 100 ft. S.00°05'00"E. of the west post of Section 10; thence S.00°05'00"E. along the west line of Section 10, 213.80 ft.; thence N.89°54'00"E. 735.00 ft.; thence N.00°05'00"W. 213.80 ft.; thence S.89°54'00"W. 735.00 ft. to the point of beginning, except the west 60.00 ft. thereof to be used for street purposes. Also the westerly 735.34 ft. of the following described property: Part of the southwest corner of Section 10, T.1.N., R.12E., City of Warren, Macomb County, Michigan, described as: beginning at a point 313.80 ft. S.00°05'00"E. of the west corner post of Section 10; thence N.89°54'00"E. 1,427.34 ft.; thence S.00°17'00"W. 61.00 ft.; thence S.89°54'00"W. 1,426.96 ft.; thence N.00°05'00"W. 61.00 ft. to the point of beginning, except the west 60.00 ft. thereof to be used for street purposes.

Parcel 13-10-301-006: Part of the southwest corner of Section 10, T.1.N., R.12E., City of Warren, Macomb County Michigan, described as: beginning at the west post of Section 10; thence S.00°05'00"E. 313.80 ft.; thence N.89°54'00"E. 735.34 ft. to the point of beginning; thence N.89°54'00"E. 202.01 ft.; thence S.00°17'00"W. 61.00 ft.; thence S.89°54'00"W. 202.01 ft.; thence north 61.00 ft. to the point of beginning. Exception from description of property for street purposes contains 16,486 sq. ft. or 0.38 acres, more or less.

Is conditionally rezoned from the present zoning classification Downtown Center District, City Square Neighborhood Zone, to zoning classification C-2, General Business District, in accordance with the map made a part of this Ordinance, and in accordance with Ordinance No. 30 of the ordinances of the City of Warren, and further, that Ordinance No. 30 be amended in accordance with this Ordinance.

The conditions offered by the Petitioner and accepted by the Warren City Council for the rezoning with conditions include the condition that a proposed dealership be developed in accordance with approved site plans, special land use permits, and a Conditional Rezoning Agreement between the City of Warren, the City of Warren Downtown Development Authority and Jackson Land Holding Company, LLC, which may be available for inspection in the Department of Planning, One City Square, Warren, Michigan, 48093. The rezoning is further in accordance with the attached map, planning commission resolution, Ordinance No. 30 as amended herewith.

SECTION 2. The rezoning with conditions approved herein shall not take effect until there is full compliance with the conditions set forth in the Conditional Rezoning Agreement. Upon the rezoning taking effect, the City Clerk shall record the approved rezoning ordinance, and the Petitioner will record the Conditional Rezoning Agreement, with the Macomb County Register of Deeds.

SECTION 3. The rezoning with conditions runs with the land and is binding upon successors of the land pursuant to Warren Code of Ordinances Section 24.14b.

SECTION 4. All other provisions of Ordinance No. 30 shall remain in full force and effect.

SECTION 5. This ordinance shall become effective and said property rezoned with conditions as approved and set forth in this ordinance and the Conditional Rezoning Agreement on November 19, 2014

BOUNDARY OF DISTRICT AS AMENDED

SECTION 10 CONDITIONAL REZONING

PROPERTY LOCATED EAST SIDE OF VAN DYKE AVENUE, APPROXIMATELY 222 FT. NORTH OF CIVIC CENTER BOULEVARD, SECTION 10, CITY OF WARREN, MACOMB COUNTY MICHIGAN. PARCEL IDENTIFICATION NUMBERS 13-10-301-004 AND 13-10-301-006, MORE PARTICULARLY DESCRIBED AS:

PARCEL 13-10-301-004: PART OF THE SOUTHWEST CORNER OF SECTION 10, T.1.N., R.12E., CITY OF WARREN, MACOMB COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT A POINT ON THE WEST LINE OF SECTION 10, 100 FT. S.00°05'00"E. OF THE WEST POST OF SECTION 10; THENCE S.00°05'00"E. ALONG THE WEST LINE OF SECTION 10, 213.80 FT.; THENCE N.89°54'00"E. 735.00 FT.; THENCE N.00°05'00"W. 213.80 FT.; THENCE S.89°54'00"W. 735.00 FT. TO THE POINT OF BEGINNING, EXCEPT THE WEST 60.00 FT. THEREOF TO BE USED FOR STREET PURPOSES. ALSO THE WESTERLY 735.34 FT. OF THE FOLLOWING DESCRIBED PROPERTY: PART OF THE SOUTHWEST CORNER OF SECTION 10, T.1.N., R.12E., CITY OF WARREN, MACOMB COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT A POINT 313.80 FT. S.00°05'00"E. OF THE WEST CORNER POST OF SECTION 10; THENCE N.89°54'00"E. 1,427.34 FT.; THENCE S.00°17'00"W. 61.00 FT.; THENCE S.89°54'00"W. 1,426.96 FT.; THENCE N.00°05'00"W. 61.00 FT. TO THE POINT OF BEGINNING, EXCEPT THE WEST 60.00 FT. THEREOF TO BE USED FOR STREET PURPOSES.

PARCEL 13-10-301-006: PART OF THE SOUTHWEST CORNER OF SECTION 10, T.1.N., R.12E., CITY OF WARREN, MACOMB COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT THE WEST POST OF SECTION 10; THENCE S.00°05'00"E. 313.80 FT.; THENCE N.89°54'00"E. 735.34 FT. TO THE POINT OF BEGINNING; THENCE N.89°54'00"E. 202.01 FT.; THENCE S.00°17'00"W. 61.00 FT.; THENCE S.89°54'00"W. 202.01 FT.; THENCE NORTH 61.00 FT. TO THE POINT OF BEGINNING. EXCEPTION FROM DESCRIPTION OF PROPERTY FOR STREET PURPOSES CONTAINS 16,486 SQ. FT. OR 0.38 ACRES, MORE OR LESS.

FROM DOWNTOWN CENTER DISTRICT, CITY SQUARE NEIGHBORHOOD ZONE, TO C-2, GENERAL BUSINESS DISTRICT
CONDITIONS OF THE REZONING ARE FILED

**AMENDED ZONING MAP NO. 30-1008
OF CITY OF WARREN ADOPTED BY
THE COUNCIL OF THE CITY OF WARREN, MICHIGAN
September 23, 2014**

MAYOR CLERK	JAMES R. FOUTS PAUL WOJNO
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I HEREBY CERTIFY that the foregoing Ordinance No. 30-1008 was adopted by the Council of the City of Warren at its meeting of September 23, 2014.

PAULWOJNO
City Clerk

I, Anika Jackson of Jackson Land Holding Company, LLC, certify that Jackson Land Holding Company, LLC is the Developer of the property described herein; that Jackson Land Holding Company, LLC voluntarily offered the conditions for rezoning incorporated into this rezoning ordinance; and Jackson Land Holding Company, LLC hereby consents to the conditions and all provisions contained in this rezoning with conditions.

Anika Jackson

Jackson Land Holding Company, LLC

STATE OF MICHIGAN)
)SS.
COUNTY OF MACOMB)

The foregoing certification was acknowledged before me this 7th day of November, 2014, by Anika Jackson, on behalf of Jackson Land Holding Company, LLC, the Developer of the property as described in this ordinance

LINDA LEE ALEXANDER
Notary Public, State of Michigan
County of Wayne
My Commission Expires Feb 21, 2016
Acting in the County of Macomb

Linda Lee Alexander

Notary Public
Wayne County, Michigan

Acting in the County of Macomb
My commission expires February 21, 2016

When recorded return to:
City Clerk
City of Warren
One City Square, Suite 205
Warren, Michigan 48093-2393

Prepared by:
Ronald F. Wuerth, A.I.C.P.
Planning Director
One City Square, Suite 315
Warren, Michigan 48093-5283