

**AN ORDINANCE TO AMEND MAP 17 OF CHAPTER 61 OF TITLE V
OF THE CODE OF THE CITY OF GRAND RAPIDS,
THE ZONING ORDINANCE**

ORDINANCE NO. 2016 - 20

THE PEOPLE OF THE CITY OF GRAND RAPIDS DO ORDAIN:

Section 1. That Map 17 of Chapter 61 of Title V of the City Code of Grand Rapids be amended to approve a Major Amendment to the Bayberry Point SD-PRD (Special Districts–Planned Redevelopment District) to add the properties at 3281, 3251, 3233, & 3215 Lake Michigan Drive NW and 429 & 439 Maynard Avenue NW to facilitate multiple-family residential and commercial development.

The subject property can be described as follows:

3281 Lake Michigan Drive NW (41-13-20-476-063)
411320476063 PART OF SE 1/4 COM 385 FT N 89D 06M 46S W ALONG S SEC LINE FROM SE COR OF SEC TH N 89D 06M 46S W ALONG SD S LINE 100 FT TH N 0D 03M 41S W 300 FT TH S 89D 06M 46S E 265.0 FT TH S 0D 03M 41S E 300 FT TO BEG * SEC 20 T7N R12W 1.83 A. SPLIT ON 11/07/2006 FROM 41-13-20-476-012, 41-13-20-476-015, 41-13-20-476-025, 41-13-20-476-056, 41-13-20-476-057, 41-13-20-476-058, 41-13-20-476-059

3251 Lake Michigan Drive NW (41-13-20-476-016)
S 483 FT OF W 120 FT OF E 385 FT OF SE 1/4* SEC 20 T7N R12W 1.33 A.

3233 Lake Michigan Drive NW (41-13-20-476-038)
N 400 FT OF S 450 FT OF W 100 FT OF E 265 FT OF E 1/2 SE 1/4 * SEC 20 T7N R12W 0.92 A.

3251 Lake Michigan Drive NW (41-13-20-476-033)
LOT 1* ALBIN PREUSSE PLAT

439 Maynard Avenue NW (41-13-20-476-031)
LOT 3* ALBIN PREUSSE PLAT

429 Maynard Avenue NW (41-13-20-476-032)
LOT 2* ALBIN PREUSSE PLAT

Section 2. As provided in Section 5.12.14.F. of the Zoning Ordinance, that the following provisions are an integral part of this Ordinance:

1. That the application and the plans prepared by Johnson Newhof Associates, Inc., signed, dated and stamped by the Planning Director, shall constitute the approved plans, except as amended in this resolution.

2. That the operation of the proposed uses shall be as described in the application and during testimony. Uses permitted in the building designated for commercial use are subject to the TBA zone district, with the exception of office-use, which is permitted by-right in up to one-third of the available ground floor area. Additional ground floor office space may be permitted with Special Land Use approval.
3. That any signs, lighting, and exterior improvements are subject to applicable regulations and required permits. Signage shall be subject to the requirements of the TBA zone district.
4. That a LUDS permit shall be issued prior to demolition, construction, and occupancy of all proposed buildings.
5. That all contiguous properties shall be combined prior to issuance of a development compliance/LUDS permit.
6. That the site shall conform to the Urban Open Space requirements of Section 5.11.13.
7. That all residential units not occupied by the building's owner shall be registered and certified by the Code Compliance Division prior to occupancy.
8. Tenant space within the building designated for commercial purposes must have direct access from, and be oriented to, Lake Michigan Dr.
9. That this approval shall take effect upon the effective date of City Commission approval.