



July 10, 2024

Honorable City Council
City of Detroit
1340 Coleman A. Young Municipal Center
Detroit, MI 48226

Re: Abolishment of the River Park Village Brownfield Redevelopment Plan

Dear Honorable Council Members:

The River Park Village Brownfield Redevelopment Plan (the "Plan") was approved by City Council on July 28, 2004. The legal descriptions for the subject Plan are attached (Exhibit A).

At the regularly scheduled June 12, 2024 DBRA Board of Directors meeting, DBRA staff recommended termination of the Plan on the basis that the project has been completed and the purposes for which the plan was established are accomplished in accordance with Section 14(8)(a) of Act 381. The DBRA subsequently adopted a resolution (Exhibit B) approving the abolishment of the Plan and authorizing the submission of a copy of its resolution to request that City Council adopt a resolution abolishing the Plan.

The DBRA, as authorized by City Council, sent a notification of abolishment of the Plan (Exhibit C) in accordance with Section 14(8)(b).

Authority's Request

The Authority is respectfully requesting the following action from the City Council:

- a.) July 16, 2024
Referral of the resolution abolishing the Plan to Detroit City Council Planning and Economic Development Standing Committee on July 18, 2024.
- b.) July 18, 2024
Consideration of the City Council's Planning and Economic Development Standing Committee to abolish the Plan and opportunity for the Developer to be heard during public comment.
- c.) July 23, 2024
City Council adoption of the Resolution (Exhibit D), abolishing the Plan.

Sincerely,

Jennifer Kanalos
Authorized Agent

C: Detroit City Council
City Clerk
Lakisha Barclift

Jai Singletary
Raymond Scott
Brian Vosburg
Malik Washington

Exhibit A
Legal Descriptions of Plan to be Terminated

II. GENERAL PROVISIONS

A. Description of Eligible Property (Section 13 (1)(g))

The area comprising the eligible property consists of two (2) parcels, with the addresses of 405 and 415 Burns Drive in the City. The parcel at 415 Burns Drive is “functionally obsolete” and the parcel at 405 Burns Drive is adjacent and contiguous to 415 Burns Drive. Note that some documents refer to 405 Burns Drive as 515 Burns Drive (the proposed address for the lot when first legally split).

The River Park Village project, a development of River Park Village Senior Apartments Limited Dividend Housing Association L.P., with the Michigan Elderly Living Corporation as project developer, is proposed in two phases. Phase 1 (the “Senior Towers”) of the project will consist of an extensive renovation of the existing twin mid-rise towers located at 415 Burns Drive. The entire 140 studio, 1 and 2 bedroom senior apartments will be rehabilitated with new heating, ventilation, air conditioning, plumbing and electric. Some units may be reconfigured or combined. The Senior Towers will need approximately \$9 million in investment. It is anticipated that the Senior Towers will be affordable housing due the use of HOME funds. Phase 2 (the “Lofts”) will feature the construction of approximately 25,000 square feet of retail with approximately 60 residential units above the retail on 405 Burns Drive. The Lofts will be market-rate for sale units with the unit configuration dependent on market-demand. It is estimated that the total eligible investment on the Lofts will exceed \$10 million.

Attachment A includes a site map of the eligible property parcel. The eligible property is located on the east side of Detroit, bounded by Jefferson Avenue to the north, Burns Drive to the east, the property line to the south and the property line to the west.

The eligible property will include all tangible personal property to be located on the real property. Parcel information is outlined below.

Address	415 Burns Drive
Tax ID	Ward 17, Item 000001-6
Owner	Currently: River Park Village Senior Apartments Limited Dividend Housing Association L.P.
Legal Description	All that part of Private Claim 27, City of Detroit, Wayne County, Michigan, described as: Commencing at a point on the Southerly line of Jefferson Avenue (120 feet wide) which point is 117.84 feet Westerly of and measured at right angles to the Easterly line of said Private Claim 27; thence along the Westerly line of Burns Drive and parallel to said Easterly Private Claim line, South 28 degrees 16 minutes 30 seconds East 304.94 feet to the point of beginning; thence continuing along said Westerly line of Burns Drive South 28 degrees 16 minutes 30 seconds East 319.76 feet; thence South 61 degrees 43 minutes 30 seconds West 213.10 feet; thence parallel to said Easterly Private Claim line, South 28 degrees 16 minutes 30 seconds East 246.36 feet; thence South 61 degrees 43 minutes 30 seconds West 64.30 feet; thence parallel to said Easterly Private Claim line, North 28 degrees 16 minutes 30 seconds West 566.12

	feet; thence North 61 degrees 43 minutes 30 seconds East 277.40 feet to the point of beginning.
Address	Commonly 405 Burns; formerly referred to as 515 Burns Dr
Tax ID	Ward 17, Item 000001-6
Owner	Currently: Phoenix Communities, Inc.
Legal Description	All that part of Private Claim 27, City of Detroit, Wayne County, Michigan, described as: Beginning at a point on the Southerly line of Jefferson Avenue (120 feet wide) which point is 117.84 feet Westerly of and measured at right angles to the Easterly line of said Private Claim 27; thence along the Westerly line of Burns Drive and parallel to said Easterly Private Claim line, South 28 degrees 16 minutes 30 seconds East 304.94 feet; thence South 61 degrees 43 minutes 30 seconds West 277.40 feet; thence parallel to said Easterly Private Claim line, North 28 degrees 16 minutes 30 seconds West 220.54 feet; thence along said Southerly line of Jefferson Avenue, North 48 degrees 57 minutes 20 seconds East, 76.03 feet, and North 43 degrees 19 minutes 50 seconds East 214.20 feet to the point of beginning.

The parcels and all tangible personal property located thereon will comprise the eligible property and is referred to herein as the "Property."

B. Basis of Eligibility (Section 13 (1)(h) and Section 2 (m))

The property at 415 Burns Drive is considered "eligible property" as defined by Act 381, Section 2 because (a) the property was previously utilized for a residential purpose; (b) it is located within the City, a qualified local governmental unit; and (c) the Property is determined to be "functionally obsolete" as defined by Act 381. The property at 405 Burns Drive is considered "eligible property" as defined by Act 381, Section 2 because it is adjacent and contiguous to 415 Burns Drive.

Additional description of the Property at 415 Burns Drive as functionally obsolete:

- Units may be reconfigured or combined to accommodate new systems and market demand.
- The heating and ventilation system must be rehabilitated and portions replaced.
- The plumbing system must be substantially renovated and portions replaced.
- Elevators must be renovated.
- The roof must be replaced.
- Life safety systems must be installed.

The requisite affidavit signed by a level 3 or level 4 assessor certifying the assessor's expert opinion that the Property at 415 Burns Drive is functionally obsolete has been provided by the Developer to the Authority.

C. Summary of Eligible Activities and Description of Costs (Section 13 (1)(a))

The "eligible activities" that are intended to be carried out at the Property are considered "eligible activities" as defined by Section 2 of Act 381, because they include lead and

Exhibit B
DBRA Resolution



CODE DBRA 24-06-76-03

RIVER PARK VILLAGE BROWNFIELD PLAN: RECOMMENDATION TO CITY COUNCIL TO ABOLISH PLAN

WHEREAS, the City of Detroit Brownfield Redevelopment Authority (the “DBRA”) was created pursuant to Michigan Public Act 381 of 1996, as amended (“Act 381”); and

WHEREAS, the City Council of the City of Detroit (“City Council”) is the governing body (as that term is defined by Act 381) of the DBRA; and

WHEREAS, on July 21, 2004, the DBRA Board of Directors approved the River Park Village Brownfield Plan (the “Plan”) and recommended the approval of the Plan to City Council; and

WHEREAS, on July 28, 2004, City Council approved the Plan; and

WHEREAS, on August 10, 2004, the Mayor of the City of Detroit approved the Plan; and

WHEREAS, Section 14(8)(a) of Act 381 of 1996, as amended, permits a governing body to abolish a brownfield plan when it finds that the purposes for which the plan was established are accomplished; and

WHEREAS, on October 10, 2017, City Council delegated developer termination notices to the DBRA; and

WHEREAS, the “developer” for the Plan is Michigan Elderly Living Corporation (the “Developer”); and

WHEREAS, the DBRA has determined that the project identified in the Plan has been completed and the purposes for which the Plan was established have been accomplished; and

WHEREAS, the DBRA Board of Directors desires to recommend abolishment of the Plan to City Council.

NOW THEREFORE, BE IT RESOLVED, subject to the notice authority delegated to the DBRA by the City Council, the DBRA Board of Directors hereby authorizes a written abolishment notice to the Developer; and

BE IT FURTHER RESOLVED, subject to the completion of the notice requirement described in Section 14(8)(b)(i) of Act 381 and the provision to the Developer of an opportunity to be heard at a public meeting pursuant to Section 14(8)(b)(ii) of Act 381, the DBRA Board of Directors hereby recommends abolishment of the Plan to City Council; and

BE IT FURTHER RESOLVED, subject to the abolishment of the Plan by City Council, that the DBRA Board of Directors hereby authorizes the termination of any other agreements or contracts between the Developer and the DBRA that were executed in conjunction with the Plan; and

BE IT FURTHER RESOLVED, that any two Officers, or any one of the Officers and any one of the Authorized Agents or any two of the DBRA's Authorized Agents, shall hereafter have the authority to negotiate and execute all documents with such other terms and conditions that are determined by such Authorized Agents and/or Officers to be customary or appropriate and not inconsistent with this resolution, and to negotiate and execute all other documents, contracts, or papers, and take all actions, necessary or appropriate to implement the provisions and intent of this resolution on behalf of the DBRA.

BE IT FINALLY RESOLVED, that all of the acts and transactions of any officer or authorized agent of the DBRA, in the name and on behalf of the DBRA, relating to matters contemplated by the foregoing resolutions, which acts would have been approved by the foregoing resolutions except that such acts were taken prior to execution of these resolutions, are hereby in all respects confirmed, approved and ratified.

June 12, 2024

Exhibit C
Notice of Abolishment



June 13, 2024

SENT VIA CERTIFIED MAIL

Melvin Washington
Michigan Elderly Living Corporation
4150 Grand River Avenue
Detroit, MI 48208

Corey Leon
Development Incentives & Consulting, LLC
P.O. Box 15619
Detroit, MI 48215

RE: Notice of Intent to Abolish Brownfield Plan for River Park Village Project

To Whom it May Concern:

Per Act 381 of 1996 Section 14(8)(a), this letter is to inform you that the Detroit City Council has authorized this notice to inform you that abolishment of the Brownfield Plan for River Park Village Project (the "Plan") will be considered in no less than thirty ("30") days.

On July 28, 2004 the Detroit City Council approved the Plan.

It is our understanding that the project as described in the Plan has been completed, the associated Single Business Tax Credit has been utilized, and the purposes for which the plan was established have been accomplished. Because the project has been completed, the Brownfield Plan will be abolished for the subject project per Act 381 of 1996 Section 14(8)(a). While you are welcome to speak at any public meeting of City Council regarding the proposed abolishment, the following public meetings have been tentatively scheduled at the Coleman A. Young Municipal Center, 2 Woodward Avenue, 13th Floor, Detroit, MI 48226 regarding the abolishment of the Plan where, should you desire, you will also have an opportunity to be heard:

- Thursday, July 18, 2024 at 10:00 AM – Detroit City Council Planning & Economic Development Standing Committee
- Tuesday, July 23, 2024 at 10:00 AM – Detroit City Council of the Whole Meeting

In no event would any abolishment be effective until at least 30 days after the date of this notice. Should you have any questions please feel free to contact Brian Vosburg at (313) 237-4612 or bvosburg@degc.org.

Sincerely,

Jennifer Kanalos
Authorized Agent

CC: Rebecca Navin, DEGC
Brian Vosburg, DEGC/DBRA
Ngozi Nwaesei, Lewis & Munday

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Melvin Washington
Michigan Elderly Living Corporation
4150 Grand River Avenue
Detroit, MI 48208

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Corey Leon
Development Incentives & Consulting
P.O. Box 15619
Detroit, MI 48215

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Exhibit D
City Council Resolution

**RESOLUTION
ABOLISHING THE BROWNFIELD PLAN
OF THE CITY OF DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY
FOR THE RIVER PARK VILLAGE REDEVELOPMENT PROJECT;**

City of Detroit
County of Wayne, Michigan

WHEREAS, pursuant to 381 PA 1996, as amended (“Act 381”), the City of Detroit Brownfield Redevelopment Authority (“Authority”) has been established by resolution of the City Council of the City of Detroit (the “City Council”) for the purpose of promoting the revitalization of eligible properties in the City of Detroit; and

WHEREAS, on July 28, 2004, City Council approved the Brownfield Plan for the River Park Village Brownfield Redevelopment Plan (the “Plan”); and

WHEREAS, the eligible property described in Exhibit A, attached hereto, is the eligible property subject to the Plan; and

WHEREAS, Section 14(8)(a) of Act 381 permits a governing body to abolish a brownfield plan or plan amendment for an eligible property if finds that the purposes for which the plan was established are accomplished; and

WHEREAS, the City Council is the governing body (as that term is defined by Act 381) of the Authority; and

WHEREAS, the Authority’s staff has confirmed that the project has been completed and the purposes for which the plan was established are accomplished; and

WHEREAS, on June 12, 2024, the Board of Directors of the Authority adopted a resolution recommending abolishment of the Plan; and

WHEREAS, on October 3, 2017, City Council authorized the Authority, on behalf of City Council, to manage and/or administer the notices required by Act 381 in connection with any brownfield plan or plan amendment terminations; and

WHEREAS, a notice of the abolishment of the Plan was given in accordance with Section 14(8)(b)(i) of Act 381, a copy of which is attached as Exhibit B; and

WHEREAS, in accordance with Section 14(8)(b)(ii) of Act 381, the developer identified in the Plan was provided with an opportunity to be heard at a public meeting on July 18, 2024.

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The Plan is hereby abolished by City Council in accordance with Section 14(8)(a) of Act 381.
2. City Council hereby ratifies the termination, if any, of any agreements or contracts between the developer of the Plan and the Authority that were executed in conjunction with the Plan, including, but not limited to, the reimbursement agreement.

The City Clerk is requested to submit one (1) certified copies of this Resolution to the DBRA, 500 Griswold Street, Suite 2200, Detroit, MI 48226

AYES: Members

NAYS: Members

RESOLUTION DECLARED ADOPTED.

Janice Winfrey, City Clerk
City of Detroit
County of Wayne, Michigan

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Detroit, County of Wayne, State of Michigan, at a regular meeting held on _____, 2024, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 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.

Janice Winfrey, City Clerk
City of Detroit
County of Wayne, Michigan