



July 16, 2025

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

**Re: Termination of the Elevator Building - 1938 Franklin Street Brownfield Redevelopment Plan**

Dear Honorable Council Members:

The Elevator Building - 1938 Franklin Street Brownfield Redevelopment Plan (the "Plan") was approved by City Council on October 9, 2007. The legal descriptions for the subject Plan are attached (Exhibit A).

At the regularly scheduled June 11, 2025 DBRA Board of Directors meeting, DBRA staff recommended termination of the Plan on the basis that the project has failed to occur in accordance with Section 14(8)(b) of Act 381. The DBRA subsequently adopted a resolution (Exhibit B) approving the termination of the Plan and authorizing the submission of a copy of its resolution to request that City Council adopt a resolution terminating the Plan.

The DBRA, as authorized by City Council, sent a notification of termination 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 22, 2025  
Referral of the resolution terminating the Plan to Detroit City Council Planning and Economic Development Standing Committee on July 24, 2025.
- b.) July 24, 2025  
Consideration of the City Council's Planning and Economic Development Standing Committee to terminate the Plan and opportunity for the Developer to be heard during public comment.
- c.) July 29, 2025  
City Council adoption of the Resolution (Exhibit D), terminating the Plan.

Sincerely,

Jennifer Kanalos  
Authorized Agent

C: Detroit City Council  
City Clerk  
Lakisha Barclift  
Keyontay Humphries  
John George  
Brian Vosburg  
Malik Washington

Exhibit A  
Legal Descriptions of Plan to be Terminated

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*(Attached to and becoming a part of document)*

### **EXHIBIT A**

All of Lots 14, 15, 16 and part of Lot 13 of the Subdivision of Lot 2, WITHERALL FARM, according to the plat thereof recorded in Liber 1 of Plats, page 37 of Wayne County Records, beginning at the intersection of the Southerly line of Franklin Street 50.00 feet wide and the Easterly line of Dequindre Street 60.00 feet wide, thence along the Southerly line of Franklin Street on a course North 60 degrees 00 minutes East 186.24 feet distant to a point, said point being the Northwestern corner of the place of beginning of the parcel herein intended to be described, said point also being the Northwestern corner of said Lot 16 and the Northwestern corner of a one-story brick building, thence continuing along the Southerly line of Franklin Street on a course North 60 degrees 00 minutes East 158.68 feet distant to the Westerly face of a three-story brick wall if the same were prolonged Northerly to the Southerly line of Franklin Street, thence South 27 degrees 34 minutes 30 seconds East along the Westerly face of said three-story brick wall and its Northerly and Southerly prolongation 115.38 feet distant to a point on the Northerly line of a public alley 20 feet wide thence along said Northerly alley line on a course South 62 degrees 15 minutes West 161.63 feet distant to the Southwesterly corner of said Lot 16, thence along the Westerly line of said Lot 16 and along the Westerly face of the Westerly wall of a one-story brick building and on a course North 25 degrees 57 minutes West 109.20 feet distant to the place of beginning subject to the right of the owner of the premises situated Easterly of and adjoining the land parcel as above described to hold the land now occupied by certain brick piers attached to Westerly face of the wall now marking the Easterly boundary line of the said parcel as above described, such right to cease upon the removal of the existing wall.

ALSO Lots 13 and 14 of Subdivision of Lot 1, WITHERALL FARM, between Jefferson Avenue and Atwater Street according to the Plat thereof as recorded in Liber 1 of plats on page 76, Wayne County Records, and being situated on the South side of Franklin Street.

Tax Item No. 31-2, Ward 9

File Number: 211769

Exhibit B  
DBRA Resolution



**CODE DBRA 25-06-140-03**

**ELEVATOR BUILDING - 1938 FRANKLIN STREET BROWNFIELD PLAN: RECOMMENDATION TO CITY COUNCIL TO TERMINATE 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 September 6, 2007, the DBRA Board of Directors approved the Elevator Building - 1938 Franklin Street Brownfield Plan (the “Plan”) and recommended the approval of the Plan to City Council; and

WHEREAS, on October 9, 2007, City Council approved the Plan; and

WHEREAS, Section 14(8)(b) of Act 381 of 1996, as amended, permits a governing body to terminate a brownfield plan or plan amendment for an eligible property if the project for which eligible activities identified in the brownfield plan or plan amendment fails to occur with respect to the eligible property for at least 2 years following the date of the resolution approving the brownfield plan or plan amendment, provided that the governing body first does both of the following: (i) Gives 30 days' prior written notice to the developer at its last known address by certified mail or other method that documents proof of delivery attempted, and (ii) Provides the developer an opportunity to be heard at a public meeting; and

WHEREAS, the “developer” for the Plan is The Elevator RDR, LLC (the “Developer”); and

WHEREAS, the DBRA has determined that the project identified in the Plan failed to occur within 2 years of City Council’s approval of the Plan; and

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

NOW THEREFORE, BE IT 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 termination of the Plan to City Council; and

BE IT FURTHER RESOLVED, subject to the termination 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 FINALLY RESOLVED that any two Officers, or any two of the Authorized Agents of the DBRA, shall hereafter have the authority to negotiate and execute any and all documents, contracts, or other papers necessary to implement the provisions and intent of this resolution on behalf of the DBRA.  
June 11, 2025

Exhibit C  
Notice of Termination



June 17, 2025

**SENT VIA CERTIFIED MAIL**

The Elevator RDR, LLC  
26300 Northwestern Hwy., Ste. 300  
Southfield, MI 48076

AKT Peerless  
333 W Fort St #1410  
Detroit, Michigan 48226

**RE: Notice of Intent to Terminate the Elevator Building - 1938 Franklin Street Brownfield Redevelopment Plan**

To whom it may concern:

Per Act 381 of 1996 Section 14 (8)(b), this letter is to inform you that the Detroit City Council has authorized this notice to inform you that termination of the Brownfield Plan for the Elevator Building - 1938 Franklin Street Redevelopment Project (the "Plan") will be considered in no less than thirty ("30") days.

On September 6, 2007 the DBRA adopted and on October 9, 2007 the Detroit City Council approved the Plan.

It is our understanding that the project as described in the Plan has failed to occur. Because the project failed to occur, the Brownfield Plan will be terminated for the subject project per Act 381 of 1996 Section 14 (8)(b). Because no Eligible Activities have been submitted, a new Brownfield Plan may be established in the future.

While you are welcome to speak at any public meeting of City Council regarding the proposed termination, the following public meetings have been tentatively scheduled via Zoom regarding the termination of the Plan where, should you desire, you will also have an opportunity to be heard:

- Thursday, July 24, 2025 at 10:00 AM – Detroit City Council Planning & Economic Development Standing Committee
- Tuesday, July 29, 2025 at 10:00 AM – Detroit City Council of the Whole Meeting

Both meetings will be held at the following Zoom link: <https://Detroitmi.gov/Online-CC-Meeting> To join via phone, please use one of the phone numbers below and enter the Meeting ID when prompted: US: +1 312 626 6799 +1 301 715 8592  
+1 253 215 8782 +1 213 338 8477 +1 267 831 0333 +1 346 248 7799  
Meeting ID: 330 332 554

In no event would any termination be effective until at least 30 days after the date of this notice.

Sincerely,

Jennifer Kanalos  
Authorized Agent

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

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

The Elevator RDR, LLC  
 26300 Northwestern Hwy., Ste. 300  
 Southfield, MI 48076

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<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

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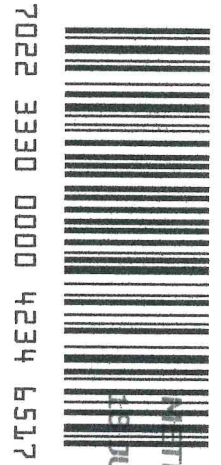
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PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

AKT Peerless  
 333 W Fort St #1410  
 Detroit, Michigan 48226

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etroit Brownfield Redevelopment  
 Authority  
 500 Griswold Street, Suite 2200  
 Detroit, MI 48226



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Exhibit D  
City Council Resolution

**RESOLUTION  
TERMINATING THE BROWNFIELD PLAN  
OF THE CITY OF DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY  
FOR THE ELEVATOR BUILDING - 1938 FRANKLIN STREET PROJECT;**

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City of Detroit  
County of Wayne, Michigan

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**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 October 9, 2007, City Council approved the Elevator Building - 1938 Franklin Street 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)(b) of Act 381 permits a governing body to terminate a brownfield plan or plan amendment for an eligible property if the project for which eligible activities were identified in the brownfield plan or plan amendment fails to occur with respect to the eligible property for at least two (2) years following the date of the resolution approving the brownfield plan or plan amendment, provided that the governing body first does both of the following: (i) gives 30 days’ prior written notice to the developer at its last known address by certified mail or other method that documents proof of delivery attempted, and (ii) provides the developer an opportunity to be heard at a public meeting; 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 no eligible costs for the project have been submitted pertaining to the eligible activities identified in the Plan within two (2) years of City Council’s approval of the Plan; and

**WHEREAS**, on June 11, 2025, the Board of Directors of the Authority adopted a resolution recommending termination 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**, the required notice of the termination 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 24, 2025.

**NOW, THEREFORE, BE IT RESOLVED, THAT:**

1. The Plan is hereby terminated by City Council in accordance with Section 14(8)(b) 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

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NAYS:           Members

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RESOLUTION DECLARED ADOPTED.

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

WAIVER OF RECONSIDERATION IS REQUESTED

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 \_\_\_\_\_, 2025, 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.

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