



March 10, 2022

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

Re: Termination of the Eddystone Brownfield Redevelopment Plan

Dear Honorable Council Members:

The Packard Administration Building Brownfield Redevelopment Plan (the “Plan”) was approved by City Council more than two years ago on March 23, 2005. The legal descriptions for the subject Plan are attached (Exhibit A).

At the regularly scheduled February 9, 2022 DBRA Board of Directors meeting, DBRA staff recommended termination of the Plan on the basis that the projects had failed to occur with respect to the eligible property for at least two (2) years following the date of the Plan 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.) March 15, 2022
Referral of the resolution terminating the Plan to Detroit City Council Planning and Economic Development Standing Committee on March 17, 2022.
- b.) March 17, 2022
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.) March 22, 2022
City Council adoption of the Resolution (Exhibit D), terminating the Plan.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Kanalos". The signature is written in a cursive style with a large initial "J" and a stylized "K".

Jennifer Kanalos
Authorized Agent

C: Detroit City Council
City Clerk
Kamal Cheeks
Irvin Corley, Jr.
Malinda Jensen
Raymond Scott
Marcel Todd
Emberly Vick
Brian Vosburg
David Whitaker

Exhibit A
Legal Descriptions of Plan to be Terminated

Parcel ID	Owner	Legal Description
2/002053	C&EDD	E CASS 29 S 10 FT 30 E SIBLEYSSUB L1 P296 PLATS, W C R 2/122 60X 120
2/001969-70	Hill's Street Blues, Inc.	W PARK 20&19 BLK 76 SUB PT PARK LOTS L53 P196 DEEDS, W C R 2/100 62 X 105
2/001968	Hill's Street Blues, Inc.	W PARK 21 BLK 76—SUB PT PARK LOTS L53 P196 DEEDS, W C R 2/100 31 X 105
2/001967	C&EDD	W PARK S ½ 23 22 BLK 76—SUB PT PARK LOTS L53 P196 DEEDS W C R 2/100 46.5 X 105
2/000639	Hill's Street Blues, Inc.	N SPROAT E 15 FT OF 28 27 THRU 25 E SIBLEYS SUB L1 P296 PLATS, W C R 2/122 105 X 176.10

Exhibit B
DBRA Resolution



CODE DBRA 22-02-87-04

EDDYSTONE 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 February 2, 2005, the DBRA Board of Directors approved the Eddystone Brownfield Plan (the “Plan”) and recommended the approval of the Plan to City Council; and

WHEREAS, on March 23, 2005, City Council approved the Plan; and

WHEREAS, on April 4, 2005, the Mayor of the City of Detroit 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 Eddystone Development, L.L.C. (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.
February 9, 2022

Exhibit C
Notice of Termination



February 10, 2022

SENT VIA CERTIFIED MAIL

James Wickenheiser
Eddystone Development, LLC
78 Watson, Suite 200
Detroit, MI 48201

RE: Notice of Intent to Terminate Brownfield Plan for the Eddystone Redevelopment Project

Mr. Wickenheiser:

Per Act 381 of 1996 Section 14 (8)(b)(i), 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 Eddystone Redevelopment Project (the "Plan") will be considered in no less than thirty ("30") days.

On February 2, 2005 the DBRA adopted and on March 23, 2005 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 at the Coleman A. Young Municipal Center, 2 Woodward Avenue, 13th Floor, Detroit, MI 48226 regarding the termination of the Plan where, should you desire, you will also have an opportunity to be heard. Due to ongoing COVID concerns, the public is encouraged to attend virtually via Zoom:

- Thursday, March 17, 2022 at 11:00 AM – Detroit City Council Planning & Economic Development Standing Committee
- Tuesday, March 22, 2022 at 10:00 AM – Detroit City Council of the Whole Meeting

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
Cora Capler, DEGC/DBRA
Ngozi Nwaesei, Lewis & Munday
Brittney Hoszkiw, MEDC
Lisa VilleMonte, Redevelopment and Restoration Consultants
Stefan Stration, Eddystone Development, LLC/ODM

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

S.P. Stratton
Eddy Stone Development, LLC
c/o Olympia Develop. of MI
2216 Woodward Ave.
Detroit, MI 48201

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
Walter Moore Addressee

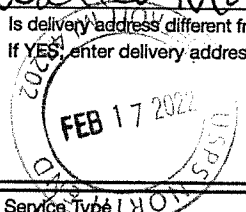
B. Received by (Printed Name) *Walter Moore* C. Date of Delivery *2-17-22*

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type: Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number *78200640 0001 7182 7883*
(Transfer from service label)



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

CERTIFIED MAIL®



7020 0640 0001 7182 7871



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48226

**RETURN RECEIPT
REQUESTED**

AK

Lisa VilleMonte
Redevelopment and Restoration Consultants
ary, Suite 31
MI 48226

*name not
on box*

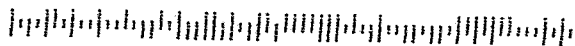
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Detroit Brownfield Redevelopment Authority
500 Griswold, Suite 2200
Detroit, MI 48226

CERTIFIED MAIL®



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48201

**RETURN RECEIPT
REQUESTED**

James Wickenheiser
Eddystone Development, LLC
78 Watson, Suite 201XIE
Detroit, MI 4

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8692

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

ANK

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Exhibit D
City Council Resolution

**RESOLUTION
TERMINATING THE BROWNFIELD PLAN
OF THE CITY OF DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY
FOR THE EDDYSTONE 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 March 23, 2005, City Council approved the Brownfield Plan for the Eddystone 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 February 9, 2022, 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 March 17, 2022.

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

NAYS: Members

RESOLUTION DECLARED ADOPTED.

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 _____, 2022, 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