



DEPARTMENTAL SUBMISSION

DEPARTMENT: Planning & Development
FILE NUMBER: Planning & Development-0520

*** RE:**

Submitting reso. autho. Amended and Restated Development Agreement Brewster Wheeler Recreation Center

*** SUMMARY:**

The City of Detroit is a party to that certain Agreement to Purchase and Develop Land dated December 19, 2017 (the "Development Agreement"), between the City and Spar Bar, LLC, a Michigan limited liability company ("Original Developer"), pursuant to which the City conveyed property located at 2900 St Antoine, Detroit, Michigan 48201, commonly known as the Brewster Wheeler Recreation Center, to Original Developer (the "Property"). The sale of the Property pursuant to the Development Agreement was approved by your Honorable Body on July 16, 2016. This Development Agreement contemplated that Original Developer would construct certain improvements on the Property consisting of a restaurant and bar, catering space, office space, and a community event space, along with a second phase of development that included a residential housing development. In the years since the Development Agreement was executed, the Original Developer has failed to improve the Property as required in the Development Agreement.

MHT Housing Inc., a Michigan nonprofit corporation ("MHT"), is seeking to purchase the Property from Original Developer and proposes to construct four (4) multi-family residential buildings on the Property, each consisting of approximately fifty (50) residential units, which are anticipated to provide a significant number of affordable units in accordance with the requirements of low income housing tax credit financing, financing provided by the Michigan State Housing Development Authority, or other sources of state or federal funds for affordable housing development being pursued by MHT. One of the residential buildings will also provide supportive housing services for persons who have recently aged out of the foster care system, in partnership with Bishop Charles H. Ellis, III and the Greater Grace Temple. MHT also proposes to renovate the Brewster Wheeler Recreation Center building to be operated as an indoor recreation facility.

*** RECOMMENDATION:**

We hereby request that your Honorable Body adopt the attached resolution to authorize the P&DD Director, or his authorized designee, to execute an amended and restated development agreement, a quit claim deed, and such other documents as may be necessary or convenient to permit the transfer of the Property from Original Developer

to MHT, and to provide for development of the Property for the four (4) residential buildings and a renovated recreation center.

*** DEPARTMENTAL CONTACT:**

Name: Julie Schneider

Position: HRD

***=REQUIRED**



November 2, 2023

Detroit City Council
1340 Coleman A. Young Municipal Center
Detroit, Michigan 48226

**RE: Amended and Restated Development Agreement
Brewster Wheeler Recreation Center**

Honorable City Council:

The City of Detroit is a party to that certain Agreement to Purchase and Develop Land dated December 19, 2017 (the “Development Agreement”), between the City and Spar Bar, LLC, a Michigan limited liability company (“Original Developer”), pursuant to which the City conveyed property located at 2900 St Antoine, Detroit, Michigan 48201, commonly known as the Brewster Wheeler Recreation Center, to Original Developer (the “Property”). The sale of the Property pursuant to the Development Agreement was approved by your Honorable Body on July 16, 2016. This Development Agreement contemplated that Original Developer would construct certain improvements on the Property consisting of a restaurant and bar, catering space, office space, and a community event space, along with a second phase of development that included a residential housing development. In the years since the Development Agreement was executed, the Original Developer has failed to improve the Property as required in the Development Agreement.

MHT Housing Inc., a Michigan nonprofit corporation (“MHT”), is seeking to purchase the Property from Original Developer and proposes to construct four (4) multi-family residential buildings on the Property, each consisting of approximately fifty (50) residential units, which are anticipated to provide a significant number of affordable units in accordance with the requirements of low income housing tax credit financing, financing provided by the Michigan State Housing Development Authority, or other sources of state or federal funds for affordable housing development being pursued by MHT. One of the residential buildings will also provide supportive housing services for persons who have recently aged out of the foster care system, in partnership with Bishop Charles H. Ellis, III and the Greater Grace Temple. MHT also proposes to renovate the Brewster Wheeler Recreation Center building to be operated as an indoor recreation facility.

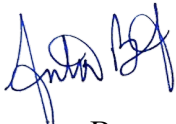
MHT is requesting that the City permit this sale of the Property and transfer of the Development Agreement from Original Developer to MHT, and amend and restate the existing Development Agreement to permit the construction of the proposed four (4) multi-family residential buildings and renovated recreation center.

MHT is also requesting a quit claim deed from the City for a portion of the Property, which was subject to a quit claim deed from the U.S. Department of Housing and Urban Development (“HUD”) to the City on February 27, 2018. This deed from HUD was made after the Property was conveyed by the City to Original Developer. The City’s deed to MHT would be provided to remedy this errant conveyance in the chain of title.

The Property is currently zoned PD – Planned Development, in an area that is subject to the City's form based code. The proposed project is proceeding with review by the City Planning Commission to confirm conformance with the Form Based Code.

We hereby request that your Honorable Body adopt the attached resolution to authorize the P&DD Director, or his authorized designee, to execute an amended and restated development agreement, a quit claim deed, and such other documents as may be necessary or convenient to permit the transfer of the Property from Original Developer to MHT, and to provide for development of the Property for the four (4) residential buildings and a renovated recreation center.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Antoine Bryant', is positioned above the printed name.

Antoine Bryant
Director

cc: Malik Washington, Mayor's Office

RESOLUTION

BY COUNCIL MEMBER: _____

NOW, THEREFORE, BE IT RESOLVED, that Detroit City Council hereby approves the execution and delivery of an Amended and Restated Agreement to Purchase and Develop Land (the “Amended and Restated Development Agreement”) between the City of Detroit and MHT Housing, Inc., a Michigan non-profit corporation (“MHT”), amending and restating that certain Agreement to Purchase and Develop Land dated December 19, 2017, between the City of Detroit and Spar Bar, LLC, a Michigan limited liability company, to permit redevelopment of that certain property located at 2900 St. Antoine, Detroit, Michigan 48201 and described on Exhibit A attached hereto (the “Property”) as four (4) multi-family residential developments, each containing approximately fifty (50) residential units, providing a mix of affordable and market rate housing (one of which will provide supportive housing for persons who have aged out of the foster care system), and a renovated indoor recreation facility; and be it further

RESOLVED, that the Director of the Planning and Development Department (“P&DD”), or his authorized designee, is authorized to execute (a) the Amended and Restated Development Agreement, (b) a quit claim deed, quit claiming to MHT the property described in Exhibit B attached hereto to remedy a deed to the City of Detroit by the U. S. Department of Housing and Urban Development appearing in the chain of title for the Property, and (c) such other documents as may be necessary or convenient to complete the transactions contemplated herein; and be it further

RESOLVED, that the P&DD Director, or his authorized designee, is authorized to execute any required instruments to make and incorporate technical amendments or changes to the development agreement and/or quit claim deed (including but not limited to corrections to or confirmations of legal descriptions of the property subject thereto, or timing of tender of possession of particular parcels) in the event that changes are required to correct minor inaccuracies or are required due to unforeseen circumstances or technical matters that may arise, provided that the changes do not materially alter the substance or terms of the transfer and sale; and be it further

RESOLVED, that the Amended and Restated Development Agreement and quit claim deed will be considered confirmed when executed by the P&DD Director, or his authorized designee, and approved by the Corporation Counsel as to form.

(See Attached Exhibit A and Exhibit B)

EXHIBIT A

LEGAL DESCRIPTIONS OF PROPERTY SUBJECT TO DEVELOPMENT AGREEMENT

Real property situated in the City of Detroit, County of Wayne and State of Michigan described as follows:

PARENT PARCEL DESCRIPTION:

Ward 3, Item 003160-70

(Per Record Tax Description)

EAST OF ST ANTOINE, LOTS 172 THROUGH 197, CRANE & WESSON'S SUBDIVISION, LIBER 1, PAGE 9 OF PLATS, WAYNE COUNTY RECORDS, ALSO NORTH OF ALFRED STREET LOTS 1 THROUGH 7, SOUTH OF BREWSTER STREET LOTS 1 THROUGH 7, NORTH OF BREWSTER STREET LOTS 1 THROUGH 7, SOUTH OF WILKINS STREET LOTS 1 THROUGH 7, MORAN FARM, LIBER 1, PAGE 254 OF PLATS, WAYNE COUNTY RECORDS, AND VACATED BREWSTER STREET AND ALLEYS ADJACENT

BREWSTER WHEELER PARENT PARCEL OVERALL LEGAL DESCRIPTION:

(As Surveyed)

LAND REFERRED TO HEREIN IS SITUATED IN THE CITY OF DETROIT, WAYNE COUNTY, MICHIGAN AND IS DESCRIBED AS FOLLOWS:

EAST OF ST. ANTOINE LOTS 172 THROUGH 197, INCLUSIVE, PART OF CRANE AND WESSON'S SECTION OF THE ANTOINE BEAUBIEN FARM NORTH OF ELIZABETH STREET, LIBER 1, PAGE 9 OF PLATS, WAYNE COUNTY RECORDS, ALSO ALL OF LOTS 1 THROUGH 7 NORTH OF ALFRED STREET, INCLUSIVE, ALSO ALL OF LOTS 1 THROUGH 7 SOUTH OF BREWSTER STREET, INCLUSIVE, ALSO ALL OF LITS 1 THROUGH 7 NORTH OF BREWSTER STREET, INCLUSIVE, ALSO ALL OF LOTS 1 THROUGH 7 SOUTH OF WILKINS STREET, INCLUSIVE, SUBDIVISION OF THE CHARLES MORAN FARM BETWEEN GRATIOT AND INDIANA STREETS, LIBER 1 PAGE 254 OF PLATS, WAYNE COUNTY RECORDS, ALSO, INCLUDING THE REVERSIONARY INTEREST IN BREWSTER STREET AND ALLEYS INCLUDED WITHIN THE FOLLOWING DESCRIBED BOUNDARY, ALL BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 175 OF PART OF CRANE AND WESSON'S SECTION OF THE ANTOINE BEAUBIEN FARM NORTH OF ELIZABETH STREET, SAID POINT BEING AT THE INTERSECTION OF THE NORTHERLY LINE OF ALFRED STREET (50 FT WIDE) AND THE EASTERLY LINE OF SAINT ANTOINE STREET (50 FET WIDE); THENCE N.27°04;01"W., 470.00 FEET ALONG SAID EASTERLY LINE OF SAINT ANTOINE STREET TO A POINT ON THE SOUTHERLY

LINE OF WILKINS STREET (86 FT WIDE), SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 194 OF SAID PART OF CRANE AND WESSON'S SECTION OF THE ANTOINE BEAUBIEN FARM NORTH OF ELIZABETH STREET; THENCE N.63°00'01"E., 582.02 FEET ALONG THE NORTHERLY OF SAID WILKINS STREET TO A POINT ON THE WESTERLY LINE OF CRYSLER DRIVE (VARIABLE WIDTH), SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 1 OF SAID SUBDIVISION OF THE CHARLES MORAN FARM BETWEEN GRATIOT AND INDIANA STREETS; THENCE S.26°57'53"E., 470.00 FEET ALONG SAID WESTERLY LINE OF CRYSLER DRIVE TO A POINT ON THE NORTHERLY LINE OF ALFRED STREET (50 FT WIDE), SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 1 NORTH OF ALFRED STREET OF SAID SUBDIVISION OF THE CHARLES MORAN FARM BETWEEN GRATIOT AND INDIANA STREETS; THENCE S.63°00'01"W., 581.18 FEET ALONG THE NORTHERLY LINE OF SAID ALFRED STREET TO THE POINT OF BEGINNING AND CONTAINING 6.27 ACRES.

Common Address: 2900 St Antoine, Detroit, Michigan 48201

Parcel ID: Ward 03, Item 003160-70

EXHIBIT B

LEGAL DESCRIPTIONS OF PROPERTY SUBJECT TO QUIT CLAIM DEED

Real property situated in the City of Detroit, County of Wayne and State of Michigan described as follows:

Lots 1, 2, 3, 6 and 7 of the South Side of Wilkins Street of Plats of the Subdivision of the C. Moran Farm between Gratiot and Indiana Street, Liber 1, Page 254 of Plats, Wayne County Records, together with all vacated alleys.

Lots 1 and 2 of the North Side of Brewster Street of Plats of the Subdivision of the c. Moran Farm, between Gratiot and Indiana Street, Liber 1, Page 254 of Plats, Wayne County Records, together with all vacated alleys.

Lots 186 through 197 of the Cranes and Wesson's Section of the Antoine Beaubien Farm, North of Elizabeth Street Liber 1, Page 9 of Plats, Wayne County Records, together with all vacated alleys.

Common Address: 2900 St. Antoine Street, Detroit, Michigan 48201

Parcel ID: Ward 03, Item 003160-70