



**DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY
REGULAR BOARD OF DIRECTORS MEETING
WEDNESDAY, MARCH 26, 2025
4:00 PM**

BOARD MEMBERS PRESENT:

John George
Amanda Elias
Pamela McClain
Maggie DeSantis
Jose Lemus

BOARD MEMBERS ABSENT:

Raymond Scott
Sonya Mays
Eric Dueweke

OTHERS PRESENT:

Jennifer Kanalos (DEGC/DBRA)
Brian Vosburg (DEGC/DBRA)
Cora Capler (DEGC/DBRA)
Sierra Spencer (DEGC/DBRA)
Sidni Smith (DEGC/DBRA)
Derrick Headd (DEGC/DBRA)
Nasri Sobh (DEGC)
Sean Mann (DCFC)
Ed Siegel (DCFC)
Sara Jo Shipley (PM Environmental)
Brittney Hoszkiw (Mayor's Office, City of Detroit)
Ngozi Nwaesei (Lewis & Munday)



**MINUTES OF THE DETROIT BROWNFIELD
REDEVELOPMENT AUTHORITY REGULAR MEETING
WEDNESDAY, MARCH 26, 2025**

CALL TO ORDER

Vice Chairperson George called the meeting to order at 4:17 pm.

Ms. Kanalos took a roll call of the DBRA Board Members present and a quorum was established.

GENERAL

Mr. George called for a motion approving the agenda of the March 26, 2025 DBRA meeting, as presented.

The Board took the following action:

Ms. DeSantis made a motion approving the agenda of the March 26, 2025 DBRA meeting, as presented. Ms. McClain seconded the motion.

Approval of Minutes:

Mr. George called for a motion approving the minutes of March 12, 2025, as presented.

The Board took the following action:

Ms. McClain made a motion approving the minutes of the March 12, 2025 Board meeting, as presented. Mr. George seconded the motion.

DBRA Resolution Code 25-03-02-345 was unanimously approved.

PUBLIC COMMENT

None.

PROJECTS

Proposed Third Amended and Restated Subordination and Intercreditor Agreement for OSI West End Project

Ms. Vosburg presented the Proposed Third Amended and Restated Subordination and Intercreditor Agreement for OSI West End Project to the DBRA Board.

3820 West End, LLC (the "Developer") is a development team formed in 2019 and led by Roderick Hardamon and George N'Namdi. The Developer is redeveloping an approximately 0.36 acre vacant parcel of land at 3820 Grand River into a mixed-use development that will consist of a five (5) story, 30-unit apartment building with approximately 5,000 square feet of ground floor retail and 23 spaces of surface parking behind the building (the "Project").

To facilitate the Project, an Amended and Restated Brownfield Plan for the Project was approved on October 27, 2021 and November 23, 2021 by the City of Detroit Brownfield Redevelopment Authority ("DBRA") and Detroit City Council, respectively, and an Amended Work Plan for the Project was approved on September 30, 2022 by the Michigan Department of Environment, Great Lakes, and Energy. Approximately \$833,284 in Brownfield TIF revenue will be captured for eligible activities which include



environmental studies and remediation, demolition, site preparation, public infrastructure, green stormwater systems, and brownfield and work plan preparation.

In addition, the Developer has received funding for the Project from various sources, including, but not limited to: Local Initiatives Support Corporation ("LISC") for \$3.78M; City of Detroit ("City") for \$3M; Michigan Strategic Fund ("MSF") for \$1.2M; Detroit AHLF-CDFI Fund LLC ("AHLF") for \$470K; Detroit Investment Fund, L.P. ("Invest Detroit") for \$400K; and \$375K from the DBRA Local Brownfield Revolving Fund (the "LBRF") as follows: \$100K in the form of a grant (the "Grant") and \$275K as a loan to Developer (the "Loan").

As a result of the various funding sources for the Project, the lenders entered into that certain Second Amended and Restated Subordination, Intercreditor and Loan Administration Agreement dated December 21, 2023, to memorialize the understanding between the lenders regarding how the funds would be utilized in the Project.

The Developer is seeking to refinance the Project with a Qualified Low Income Community Investment (QLICI) loan for \$13.095M, which will pay off the LISC, City, MSF, and Invest Detroit loans and provide additional cash-flow to the Project. The AHLF loan and the DBRA LBRF Grant and Loan terms will remain unchanged, with the DBRA retaining a first lien position on the Brownfield TIF revenues as collateral for the LBRF Loan.

The Developer is seeking approval from the DBRA Board of Directors ("Board") to enter into a Third Amended and Restated Subordination and Intercreditor Agreement (the "Amended Intercreditor Agreement"), which will describe how the funds will be utilized in the Project in light of the new financing. DBRA staff recommended approval of the Amended Intercreditor Agreement, and a resolution was attached for the Board's consideration.

Mr. George called for a motion to approve the Proposed Third Amended and Restated Subordination and Intercreditor Agreement for OSI West End Project, as presented. The Board took the following action:

Ms. DeSantis made a motion to approve the Third Amended and Restated Subordination and Intercreditor Agreement for the OSI West End Project, as presented. Ms. Elias seconded the motion.

DBRA Resolution Code 25-03-277-10 was approved.

20th & Michigan Avenue Brownfield Redevelopment Plan

Mr. Vosburg presented the 20th & Michigan Avenue Brownfield Redevelopment Plan to the DBRA Board.

Project Introduction

402310 Holdings LLC is the project developer ("Developer"). The Project includes the asbestos abatement and demolition of the former United Community Hospital at 2401 20th St, demolition of site improvements for all parcels and preparing the entire site for future redevelopment.

It is currently anticipated that demolition will begin in August 2025, and Eligible Activities will be completed within approximately 12 months thereafter.

The total investment is estimated to be \$6.5 million. The Developer is requesting \$5,922,370.00 in TIF reimbursement.



There are approximately 30 temporary construction jobs, and no permanent jobs are expected to be created by the Developer.

Property Subject to the Plan

The eligible property (the "Property") consists of five (5) parcels: 2201, 2301, 2401 20th Street, 3000 Standish Street and 3050 West Fisher Freeway, bounded by Fisher Freeway/Michigan Avenue to the north, 20th Street and the property boundary to the east, Standish Street to the south, and Fisher Freeway to the west in the Corktown neighborhood.

Basis of Eligibility

The Property is considered "eligible property" as defined by Act 381, Section 2 because (a) the Property was previously utilized for commercial and/or industrial purposes; (b) it is located within the City of Detroit, a qualified local governmental unit under Act 381; and (c) the parcels comprising the Property are determined to be a "facility", as defined by Part 201.

Eligible Activities and Projected Costs

The "eligible activities" that are intended to be carried out at the Property are considered "eligible activities" as defined by Sec 2 of Act 381, because they include exempt (aka pre-approved) activities, department specific activities, demolition, lead and asbestos abatement, site preparation, and the development, preparation and implementation of a brownfield plan and/or Act 381 work plan. The eligible activities are to be financed solely by the Developer. The DBRA will reimburse the Developer for the cost of approved eligible activities, but only from tax increment revenues generated and captured from the Property. No advances have been or shall be made by the City or the DBRA for the costs of eligible activities under this Plan. The eligible activities are estimated to commence within 18 months of approval of the Plan and be completed within 3 years.

Tax Increment Financing (TIF) Capture

The Developer desires to be reimbursed for the costs of eligible activities. Tax increment revenue generated by the Property will be captured by the DBRA and used to reimburse the cost of the eligible activities completed on the Property after approval of this Plan pursuant to the terms of a Reimbursement Agreement with the DBRA.

COSTS TO BE REIMBURSED WITH TIF

Eligible Activities	
1. Work Plan Exempt Activities – Environmental Assessments	\$80,745.00
2. Work Plan Exempt Activities – Due Care Planning	\$51,500.00
3. Department Specific Activities	\$744,245.00
4. Lead, Asbestos, and Mold Abatement	\$500,000.00
5. Demolition	\$3,129,000.00
6. Site Preparation	\$735,000.00
7. Contingency (15%)	\$754,125.00
8. Brownfield Plan Preparation and Implementation	\$60,000.00
Total Reimbursement to Developer	\$5,922,370.00
9. Authority Administrative Costs	\$1,457,252.00
10. State Brownfield Redevelopment Fund	\$448,192.00
11. Local Brownfield Revolving Fund	\$1,887,198.00
TOTAL Estimated Costs	\$9,715,012.00



The actual cost of those eligible activities encompassed by this Plan that will qualify for reimbursement from tax increment revenues of the DBRA from the Property shall be governed by the terms of the Reimbursement Agreement.

Other Incentives

The Developer will be seeking additional incentives, which have yet to be determined.

DBRA-CAC Letter of Recommendation

The DBRA-CAC recommended approval of the Plan at the March 12, 2025 CAC meeting. Attached is the DBRA-CAC's letter of recommendation for the DBRA Board's consideration.

Public Comments

The DBRA public hearing for the Plan was held on Monday, March 24, 2025. The results of the DBRA public hearing were attached.

Attached for the Board's review and approval was a resolution approving the 20th & Michigan Avenue Brownfield Redevelopment Plan and its submittal to Detroit City Council.

Mr. George asked the developer to provide a quick refresher on what was being addressed in the project.

Mr. Mann explained that the goal of the Brownfield Plan was to demolish the former Southwest Detroit Hospital and complete the remediation of the site.



Mr. George called for a motion to approve the 20th & Michigan Avenue Brownfield Redevelopment Plan and its submittal to Detroit City Council as presented. The Board took the following action:

Ms. McClain made a motion to approve the 20th & Michigan Avenue Brownfield Redevelopment Plan and its submittal to Detroit City Council, as presented. Ms. Elias seconded the motion.

DBRA Resolution Code 25-03-332-02 was approved.

Recommendation to City Council to Terminate the Brenton & Dean Brownfield Plan

Mr. Vosburg presented the recommendation to City Council to Terminate the Brenton & Dean Brownfield Plan to the DBRA Board.

Section 14(8)(b) of Act 381 of 1996, as amended, states:

“A brownfield plan or plan amendment may be abolished or terminated according to this subsection subject to all of the following:

(b) The governing body may 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 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.
- (ii) Provides the developer an opportunity to be heard at a public meeting.”

Over the years, the DBRA has approved Brownfield Plans which describe projects that have failed to come to fruition (the “Plan(s)”). These Plans, particularly Plans that involve TIF revenue, create an administrative burden for the City and the DBRA with multiple annual accounting and reporting requirements for each Plan. Additionally, a stalled Plan prevents a new proposed development from being able to use and/or take full advantage of Brownfield TIF. Terminating a Plan allows new proposed developments to make full use of Brownfield TIF financing through a new Brownfield Plan that is in line with the new proposed development.

Brenton & Dean Homes is a Plan approved by Detroit City Council on June 20, 2003. The project, developed by Weber Block L.L.C., proposed the redevelopment of 23 parcels in Detroit. The project failed to occur within two (2) years of City Council approval of the Plan. Section 14(8)(b) of Act 381 of 1996, as amended, allows City Council to terminate the plan as a result.

It is the opinion of DBRA staff that the Brenton & Dean Homes Plan should be terminated due to the fact that the project described in the Plan has failed to occur, and more than 2 years have passed since City Council approval of the Plan. DBRA staff, upon City Council approval, will send a notice via certified mail to the developer no less than 30 days before the date City Council is scheduled to terminate the Plan.

A resolution recommending the following actions for the Plan is attached for your review and approval:

1. Recommendation to terminate the Plan to City Council.



2. Upon City Council approval, issue a certified letter notification to the Developer of the intent to terminate the Plan in no less than 30 days as well as the opportunity to be heard at a public meeting.
3. Authorization to the DBRA to terminate the Reimbursement Agreement and any other agreements or contracts between Developer and the DBRA executed in conjunction with the Plan upon termination of the Plan by City Council.

The Plan will be formally terminated upon adoption of a Resolution for the Plan by City Council and following the signing of the Resolution by the Mayor.

Recommendation to City Council to Terminate the Belle Harbour Estates Brownfield Plan

Mr. Vosburg presented the Recommendation to City Council to Terminate the Belle Harbour Estates Brownfield Plan.

Section 14(8)(b) of Act 381 of 1996, as amended, states:

“A brownfield plan or plan amendment may be abolished or terminated according to this subsection subject to all of the following:

(b) The governing body may 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 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:

- (iii) 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.
- (iv) Provides the developer an opportunity to be heard at a public meeting.”

Over the years, the DBRA has approved Brownfield Plans which describe projects that have failed to come to fruition (the “Plan(s)”). These Plans, particularly Plans that involve TIF revenue, create an administrative burden for the City and the DBRA with multiple annual accounting and reporting requirements for each Plan. Additionally, a stalled Plan prevents a new proposed development from being able to use and/or take full advantage of Brownfield TIF. Terminating a Plan allows new proposed developments to make full use of Brownfield TIF financing through a new Brownfield Plan that is in line with the new proposed development.

Belle Harbour Estates is a Plan approved by Detroit City Council on September 15, 2004. The project, developed by Phoenix Development Group, proposed the redevelopment of one parcel in Detroit. The project failed to occur within two (2) years of City Council approval of the Plan. Section 14(8)(b) of Act 381 of 1996, as amended, allows City Council to terminate the plan as a result.

It is the opinion of DBRA staff that the Brenton & Dean Homes Plan should be terminated due to the fact that the project described in the Plan has failed to occur, and more than 2 years have passed since City Council approval of the Plan. DBRA staff, upon City Council approval, will send a notice via certified mail to the developer no less than 30 days before the date City Council is scheduled to terminate the Plan.



A resolution recommending the following actions for the Plan is attached for your review and approval:

4. Recommendation to terminate the Plan to City Council.
5. Upon City Council approval, issue a certified letter notification to the Developer of the intent to terminate the Plan in no less than 30 days as well as the opportunity to be heard at a public meeting.
6. Authorization to the DBRA to terminate the Reimbursement Agreement and any other agreements or contracts between Developer and the DBRA executed in conjunction with the Plan upon termination of the Plan by City Council.

The Plan will be formally terminated upon adoption of a Resolution for the Plan by City Council and following the signing of the Resolution by the Mayor.

Recommendation to City Council to Terminate the Whittier Tower and Regatta Brownfield Plan

Mr. Vosburg presented the Recommendation to City Council to Terminate the Whittier Tower and Regatta Brownfield Plan to the DBRA Board.

Section 14(8)(b) of Act 381 of 1996, as amended, states:

“A brownfield plan or plan amendment may be abolished or terminated according to this subsection subject to all of the following:

(b) The governing body may 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 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:

- (v) 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.
- (vi) Provides the developer an opportunity to be heard at a public meeting.”

Over the years, the DBRA has approved Brownfield Plans which describe projects that have failed to come to fruition (the “Plan(s)”). These Plans, particularly Plans that involve TIF revenue, create an administrative burden for the City and the DBRA with multiple annual accounting and reporting requirements for each Plan. Additionally, a stalled Plan prevents a new proposed development from being able to use and/or take full advantage of Brownfield TIF. Terminating a Plan allows new proposed developments to make full use of Brownfield TIF financing through a new Brownfield Plan that is in line with the new proposed development.

Whittier Tower and Regatta is a Plan approved by Detroit City Council on September 15, 2004. The project, developed by Phoenix Development Group, proposed the redevelopment of two parcels in Detroit. The project failed to occur within two (2) years of City Council approval of the Plan. Section 14(8)(b) of Act 381 of 1996, as amended, allows City Council to terminate the plan as a result.

It is the opinion of DBRA staff that the Brenton & Dean Homes Plan should be terminated due to the fact that the project described in the Plan has failed to occur, and more than 2 years have passed since City



Council approval of the Plan. DBRA staff, upon City Council approval, will send a notice via certified mail to the developer no less than 30 days before the date City Council is scheduled to terminate the Plan.

A resolution recommending the following actions for the Plan is attached for your review and approval:

7. Recommendation to terminate the Plan to City Council.
8. Upon City Council approval, issue a certified letter notification to the Developer of the intent to terminate the Plan in no less than 30 days as well as the opportunity to be heard at a public meeting.
9. Authorization to the DBRA to terminate the Reimbursement Agreement and any other agreements or contracts between Developer and the DBRA executed in conjunction with the Plan upon termination of the Plan by City Council.

The Plan will be formally terminated upon adoption of a Resolution for the Plan by City Council and following the signing of the Resolution by the Mayor.

Recommendation to City Council to Terminate the River Pointe Terrace Brownfield Plan

Mr. Vosburg presented the Recommendation to City Council to Terminate the River Pointe Terrace Brownfield Plan to the DBRA Board.

Section 14(8)(b) of Act 381 of 1996, as amended, states:

“A brownfield plan or plan amendment may be abolished or terminated according to this subsection subject to all of the following:

(b) The governing body may 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 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:

- (vii) 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.
- (viii) Provides the developer an opportunity to be heard at a public meeting.”

Over the years, the DBRA has approved Brownfield Plans which describe projects that have failed to come to fruition (the “Plan(s)”). These Plans, particularly Plans that involve TIF revenue, create an administrative burden for the City and the DBRA with multiple annual accounting and reporting requirements for each Plan. Additionally, a stalled Plan prevents a new proposed development from being able to use and/or take full advantage of Brownfield TIF. Terminating a Plan allows new proposed developments to make full use of Brownfield TIF financing through a new Brownfield Plan that is in line with the new proposed development.

River Pointe Terrace is a Plan approved by Detroit City Council on September 15, 2004. The project, developed by 8344 East Jefferson LLC, proposed the redevelopment of one parcel in Detroit. The project failed to occur within two (2) years of City Council approval of the Plan. Section 14(8)(b) of Act 381 of 1996, as amended, allows City Council to terminate the plan as a result.



It is the opinion of DBRA staff that the Brenton & Dean Homes Plan should be terminated due to the fact that the project described in the Plan has failed to occur, and more than 2 years have passed since City Council approval of the Plan. DBRA staff, upon City Council approval, will send a notice via certified mail to the developer no less than 30 days before the date City Council is scheduled to terminate the Plan.

A resolution recommending the following actions for the Plan is attached for your review and approval:

10. Recommendation to terminate the Plan to City Council.
11. Upon City Council approval, issue a certified letter notification to the Developer of the intent to terminate the Plan in no less than 30 days as well as the opportunity to be heard at a public meeting.
12. Authorization to the DBRA to terminate the Reimbursement Agreement and any other agreements or contracts between Developer and the DBRA executed in conjunction with the Plan upon termination of the Plan by City Council.

The Plan will be formally terminated upon adoption of a Resolution for the Plan by City Council and following the signing of the Resolution by the Mayor.

Recommendation to City Council to Terminate the Russell Street Brownfield Plan

Mr. Vosburg presented the Recommendation to City Council to Terminate the Russell Street to the DBRA Board.

Section 14(8)(b) of Act 381 of 1996, as amended, states:

“A brownfield plan or plan amendment may be abolished or terminated according to this subsection subject to all of the following:

(b) The governing body may 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 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:

- (ix) 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.
- (x) Provides the developer an opportunity to be heard at a public meeting.”

Over the years, the DBRA has approved Brownfield Plans which describe projects that have failed to come to fruition (the “Plan(s)”). These Plans, particularly Plans that involve TIF revenue, create an administrative burden for the City and the DBRA with multiple annual accounting and reporting requirements for each Plan. Additionally, a stalled Plan prevents a new proposed development from being able to use and/or take full advantage of Brownfield TIF. Terminating a Plan allows new proposed developments to make full use of Brownfield TIF financing through a new Brownfield Plan that is in line with the new proposed development.



Russell Street is a Plan approved by Detroit City Council on November 24, 2004. The project, developed by Russell Street Development, LLC, proposed the redevelopment of three parcels in Detroit. The project failed to occur within two (2) years of City Council approval of the Plan. Section 14(8)(b) of Act 381 of 1996, as amended, allows City Council to terminate the plan as a result.

It is the opinion of DBRA staff that the Brenton & Dean Homes Plan should be terminated due to the fact that the project described in the Plan has failed to occur, and more than 2 years have passed since City Council approval of the Plan. DBRA staff, upon City Council approval, will send a notice via certified mail to the developer no less than 30 days before the date City Council is scheduled to terminate the Plan.

A resolution recommending the following actions for the Plan is attached for your review and approval:

13. Recommendation to terminate the Plan to City Council.
14. Upon City Council approval, issue a certified letter notification to the Developer of the intent to terminate the Plan in no less than 30 days as well as the opportunity to be heard at a public meeting.
15. Authorization to the DBRA to terminate the Reimbursement Agreement and any other agreements or contracts between Developer and the DBRA executed in conjunction with the Plan upon termination of the Plan by City Council.

The Plan will be formally terminated upon adoption of a Resolution for the Plan by City Council and following the signing of the Resolution by the Mayor.

The Board took the following action:

Ms. McClain made a motion to tie-bar the resolutions for the Recommendation to City Council to Terminate the Brenton & Dean Brownfield Plan, the Recommendation to City Council to Terminate the Belle Harbour Estates Brownfield Plan, the Recommendation to City Council to Terminate the Whittier Tower and Regatta Brownfield Plan, the Recommendation to City Council to Terminate the River Pointe Terrace Brownfield Plan, and the Recommendation to City Council to Terminate the Russell Street Brownfield Plan. Ms. DeSantis seconded the motion. The motion was approved.

Mr. George called for a motion to approve the resolutions for the Recommendation to City Council to Terminate the Brenton & Dean Brownfield Plan, the Recommendation to City Council to Terminate the Belle Harbour Estates Brownfield Plan, the Recommendation to City Council to Terminate the Whittier Tower and Regatta Brownfield Plan, the Recommendation to City Council to Terminate the River Pointe Terrace Brownfield Plan, and the Recommendation to City Council to Terminate the Russell Street Brownfield Plan, as presented. The Board took the following action:

Ms. DeSantis made a motion to approve the tie-barred resolutions for the Recommendation to City Council to Terminate the Brenton & Dean Brownfield Plan, the Recommendation to City Council to Terminate the Belle Harbour Estates Brownfield Plan, the Recommendation to City Council to Terminate the Whittier Tower and Regatta Brownfield Plan, the Recommendation to City Council to Terminate the River Pointe Terrace Brownfield Plan, and the Recommendation to City Council to Terminate the Russell Street Brownfield Plan, as presented. Mr. Lemus seconded the motion.



DBRA Resolution Codes 25-03-44-03, 25-03-77-03, 25-03-78-03, 25-03-79-03, and 25-03-82-03 were approved.

ADMINISTRATIVE

OTHER

Ms. Desantis praised Mr. Vosburg for his work on the ongoing seminars related to Housing TIF.

ADJOURNMENT

Citing no further business, Mr. George called for a motion to adjourn the meeting.

On a motion by Ms. McClain, seconded by Mr. Lemus, the meeting was adjourned at 4:24 PM.



CODE DBRA 25-03-02-346

APPROVAL OF MINUTES OF MARCH 12, 2025

RESOLVED, that the minutes of the regular meeting of March 12, 2025 are hereby approved and all actions taken by the Directors present at such meeting, as set forth in such minutes, are hereby in all respects ratified and approved as actions of the Detroit Brownfield Redevelopment Authority.

March 26, 2025



CODE DBRA 24-03-277-10

OSI WEST END PROJECT: THIRD AMENDED AND RESTATED SUBORDINATION AND INTERCREDITOR AGREEMENT

WHEREAS, 3820 West End, LLC, (the “Developer”) is redeveloping vacant land located at 3820 Grand River into a new-construction mixed-use commercial development (the “Project”); and

WHEREAS, an Amended and Restated Brownfield Plan for the Project was approved by the DBRA on October 27, 2021 and Detroit City Council on November 23, 2021 and an Amended Work Plan was approved on September 30, 2022 by the Department of Environment, Great Lakes, and Energy; and

WHEREAS, on October 27, 2021, the Detroit Brownfield Redevelopment Authority (“DBRA”) approved \$375,000.00 from the Local Brownfield Revolving Fund (the “LBRF”) for the Project as follows: \$100,000 in the form of a grant (“Grant”) and \$275,000.00 as a loan to Developer (the “Loan”); and

WHEREAS, the Developer also received funding for the Project from other sources, including, but not limited to: Local Initiatives Support Corporation (“LISC”) for \$3.78M; City of Detroit (“City”) for \$3M; Michigan Strategic Fund (“MSF”) for \$1.2M; Detroit AHLF-CDFI Fund LLC (“AHLF”) for \$470K; and Detroit Investment Fund, L.P. (“Invest Detroit”) for \$400K; and

WHEREAS, as a result of the various funding sources for the Project, the lenders entered into that certain Second Amended and Restated Subordination, Intercreditor and Loan Administration Agreement dated December 21, 2023, to memorialize the understanding between the lenders regarding how the funds would be utilized in the Project; and

WHEREAS, the Developer is seeking to refinance the Project with a Qualified Low Income Community Investment (QLICI) loan for \$13.095M, which will pay off the LISC, City, MSF, and Invest Detroit loans and provide additional cash-flow to the Project; and

WHEREAS, the AHLF loan and the DBRA LBRF Grant and Loan terms will remain unchanged, with the DBRA retaining a first lien position on the Brownfield TIF revenues as collateral for the LBRF Loan; and

WHEREAS, the Developer is seeking approval from the DBRA Board of Directors to enter into a Third Amended and Restated Subordination and Intercreditor Agreement (the “Amended Intercreditor Agreement”), which will reflect how the funds will be utilized in the Project in light of the new financing; and

WHEREAS, the DBRA Board of Directors has reviewed the terms of the Amended Intercreditor Agreement and determined that entering into the Amended Intercreditor Agreement is in the best interest of the DBRA and the Project.

NOW, THEREFORE, BE IT, RESOLVED, that the DBRA Board of Directors hereby approves of entering into the Amended Intercreditor Agreement in accordance with the terms stated herein.

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 the Amended Intercreditor Agreement together 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.

March 26, 2025



CODE DBRA 25-03-332-02

20TH & MICHIGAN AVENUE BROWNFIELD REDEVELOPMENT PLAN

WHEREAS, pursuant to 381 PA 1996, as amended ("Act 381"), the City of Detroit Brownfield Redevelopment Authority (the "DBRA") 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 environmentally distressed areas in the City of Detroit; and

WHEREAS, under Act 381 the DBRA is authorized to develop and propose for adoption by City Council a brownfield plan for one or more parcels of eligible property; and

WHEREAS, in accordance with the policies, procedures and bylaws governing the DBRA, the DBRA has submitted a proposed Brownfield Plan for the **20th & Michigan Avenue Redevelopment Project** (the "Plan") to the Community Advisory Committee for its consideration and comment and has solicited comments by the public by publication of notice stating that the proposed Plan has been submitted to the Community Advisory Committee and by conducting a public hearing in the area to which the proposed Plan applies; and

WHEREAS, the Community Advisory Committee has considered the proposed Plan and approved a resolution recommending the approval of the proposed Plan by the DBRA and the City Council as presented by the DBRA; and

WHEREAS, in accordance with the provisions of Act 381, the Board of Directors of the DBRA has considered the proposed Plan and desires to approve the proposed Plan and to request that City Council call a public hearing to consider and adopt a resolution approving the proposed Plan.

NOW, THEREFORE, BE IT RESOLVED:

1. The Board of Directors of the DBRA has determined that the adoption of the Brownfield Plan for the **20th & Michigan Avenue Redevelopment Project** is in keeping with the purposes of Act 381 and recommends submittal of the Plan to City Council for approval.

2. The Board of Directors of the DBRA approves the Plan substantially in the form attached hereto and on file with the Secretary of the DBRA.

3. Any Authorized Agent of the DBRA is authorized and directed to submit a certified copy of this Resolution and the Plan to the City Clerk, together with a request that the City Council call a public hearing concerning the Plan and to take all other actions required to approve the Plan in accordance with Act 381.

4. That any one of the officers and any one of the Authorized Agents of the DBRA or any two of the Authorized Agents of the DBRA shall hereafter have the authority to negotiate and execute all documents, contracts, or other papers, and take such other actions, necessary or appropriate to implement the provisions and intent of this Resolution on behalf of the DBRA.



5. 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.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are rescinded.

March 26, 2025



CODE DBRA 25-03-44-03

BRENTON & DEAN HOMES 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 May 7, 2003, the DBRA Board of Directors approved the Brenton & Dean Homes Brownfield Plan (the “Plan”) and recommended the approval of the Plan to City Council; and

WHEREAS, on June 20, 2003, 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 Weber Block 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.

March 26, 2025



CODE DBRA 25-03-77-03

BELLE HARBOUR ESTATES 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 July 21, 2004, the DBRA Board of Directors approved the Belle Harbour Estates Brownfield Plan (the “Plan”) and recommended the approval of the Plan to City Council; and

WHEREAS, on September 15, 2004, 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 Phoenix Development Group (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.

March 26, 2025



CODE DBRA 25-03-78-03

WHITTIER TOWER AND REGATTA 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 July 21, 2004, the DBRA Board of Directors approved the Whittier Tower and Regatta Brownfield Plan (the “Plan”) and recommended the approval of the Plan to City Council; and

WHEREAS, on September 15, 2004, 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 Phoenix Development Group (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.

March 26, 2025



CODE DBRA 25-03-79-03

RIVER POINTE TERRACE 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 July 21, 2004, the DBRA Board of Directors approved the River Pointe Terrace Brownfield Plan (the “Plan”) and recommended the approval of the Plan to City Council; and

WHEREAS, on September 15, 2004, 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 8344 East Jefferson 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.

March 26, 2025



CODE DBRA 25-03-82-03

RUSSELL 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 October 6, 2004, the DBRA Board of Directors approved the Russell Street Brownfield Plan (the “Plan”) and recommended the approval of the Plan to City Council; and

WHEREAS, on November 24, 2004, 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 Russell Street Development, 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.

March 26, 2025