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August 04, 2016

Steve DeBrabander
Section Manager, Grants Section
Michigan Department of Natural Resources
Constitution Hall, Third Floor
525 West Allegan Street
Lansing, MI 48933

RE: Request for Preliminary Approval of the Partial Conversion of Riverside Park

Dear Mr. DeBrabander:

I write on behalf of the City of Detroit to request preliminary approval by the Michigan Department of Natural Resources to convert a portion of Riverside Park, located in southwestern Detroit.

Riverside Park has served Detroit residents and visitors as an important space for a variety of recreational uses for almost a century. At various points during this time, the Park has been supported by grant funding from the Land and Water Conservation Fund and the Michigan Natural Resources Trust Fund, among other grant programs. The City is currently presented with an historic opportunity to expand the size of the Park, invest additional resources into new and exciting improvements and recreational amenities, and meaningfully increase the Park's overall recreational value to the community. This conversion is an important first step toward achieving those ends and, if approved, will substantially further the City's efforts to expand public outdoor recreational opportunities throughout Detroit.

If you have any questions, or require any further information, please do not hesitate to contact me at (313) 224-1128 at your convenience. Thank you for your consideration of this request.

Sincerely,

David A. Miller
Interim Director
Detroit Parks and Recreation Department



Request for Preliminary Approval of the Partial Conversion of Riverside Park

The following information has been prepared based on the guidance provided in the Michigan Department of Natural Resources publication “Outline of Procedures for Conversion of Grant Assisted Properties” (February 4, 2015).

I. Description of Conversion

The City of Detroit (“City”), through its Parks and Recreation Department, proposes the conversion (“Proposed Conversion”) of the 3.783-acre easternmost portion (“Conversion Parcel”) of Riverside Park (“Park”), to be mitigated by the acquisition and redevelopment for public outdoor recreational use of the 4.71-acre riverfront property located at 3801 West Jefferson Avenue, adjacent to the western boundary of the Park (“Mitigation Parcel”). The Mitigation Parcel is currently owned by an affiliate of the Detroit International Bridge Company (“DIBC”).

The Conversion Parcel consists of the easternmost portion of the Park and is generally bounded by the Ambassador Bridge to the east, the Detroit River to the south, the southerly extension of the western line of 22nd Street to the west, and West Jefferson Avenue to the north. The Conversion Parcel is bisected in an east-west direction by a privately-owned railroad right-of-way (“Private Railroad”), which is not a part of the Park. The northern part of the Conversion Parcel is 2.512 acres in area. The southern part of the Conversion Parcel is 1.271 acres in area. The total area of the Conversion Parcel is thus 3.783 acres.

The Proposed Conversion is envisioned in the Land Exchange Agreement between the City and the DIBC, dated April 29, 2015 and effective as of August 9, 2015 (“Land Exchange Agreement”). A copy of the Land Exchange Agreement is provided in Appendix A. Under the Land Exchange Agreement, the Conversion Parcel will be transferred to DIBC in order to accommodate the possible future construction of a second span of the Ambassador Bridge (“Second Span”), necessarily located immediately west of the existing span. This Second Span has been subject to extensive environmental assessment by the U.S. Coast Guard, which, in consultation with multiple state and federal agencies including the Michigan Department of Environmental Quality (“MDEQ”), the Michigan Department of Natural Resources (“MDNR”), and the U.S. National Park Service (“NPS”), has found that the second span would have no significant impact on the environment. In particular, the Coast Guard determined that the second span would have “no adverse impacts” on the surrounding land use, including the Park.

The purpose of the Proposed Conversion, however, is not simply to accommodate



the possible future development of the Second Span. Rather, under the Land Exchange Agreement, the Proposed Conversion will enable the City to significantly expand the size and increase the recreational value of the Park. First, under the Land Exchange Agreement, the City will retain a 100' deep riverfront easement across the southern portion of the Conversion Parcel to ensure public access to the river along the entire width (approximately 197') of the Conversion Parcel, as well as connect the Park to the planned western extension of the Detroit RiverWalk. Second, the Proposed Conversion will enable the City to expand Riverside Park to the west, with the addition of 4.71 acres of new parkland, including 508 linear feet of new valuable riverfront access. Third, the Proposed Conversion will unlock significant funding to invest in the Park. Under the Land Exchange Agreement, DIBC has committed to contributing \$5,000,000 to the City ("Park Improvement Funding") for the purpose of renovating and reactivating the Park. Of this funding, \$2,000,000 is conditional upon approval of the Proposed Conversion. The Proposed Conversion is therefore crucial to the City's goal of vastly improving the Park's value for public outdoor recreation.

A. Description of Riverside Park

Riverside Park is located in southwestern Detroit, along the Detroit River. The Park is approximately 25.84 acres and is generally bounded by the Ambassador Bridge to the east, the Detroit River to the south, the Mitigation Parcel to the west, and West Grand Boulevard, 24th Street, and West Jefferson Avenue to the north.

The land where the Park is located was initially developed in the mid-nineteenth century for a variety of heavy industrial and transportation uses, including a coal gasification plant, as well as numerous shipping docks and railroad connections as part of the important Great Lakes transportation network. To accommodate this development, the riverfront was stabilized and filled in with landfill material in multiple stages throughout the early part of the twentieth century. The existing riverfront was created by approximately 1920. Continuing this legacy as a significant transportation hub, the area surrounding the Park contains multiple railroad crossings (not included in the Park), and remains the home of the marine service provider the J.W. Westcott Company, which is one of Detroit's oldest businesses, having been established in 1874, is the only boat with its own zip code (48222), and to this day delivers mail by boat to passing freighters.

Riverside Park was established in 1922, upon transfer from the Detroit Public Lighting Department of approximately 10.18 acres, located south of the Private Railroad between West Grand Boulevard and 24th Street. This original parkland constitutes the western-most portion of the present-day Park.



Throughout its history, Riverside Park has been used to provide riverfront access; fishing opportunities and boat launch facilities to the west side of Detroit. Recognizing its value as a key regional location for public outdoor recreation and riverfront access, the City has expanded and improved the Park on several occasions. In 1979, the City purchased two parcels, totaling approximately 9.78 acres, located south of West Jefferson Avenue between 23rd Street and the Ambassador Bridge, from the Michigan Consolidated Gas Company. This acquisition expanded the Park to approximately 19.96 acres and comprises the eastern portion of the present-day Park. In 1987, authority over a 3.09 acre parcel located south of the Private Railroad between 23rd street and 24th Street was transferred by the City from the Detroit Fire Department to its Parks and Recreation Department for incorporation into the Park. In 2015, the City transferred authority over the 2.79-acre parcel addressed at 3401 West Jefferson, generally bounded by 23rd street to the east, the Private Railroad to the south, 24th Street to the west, and West Jefferson to the north, from the Detroit Planning and Development Department to its Parks and Recreation Department to be incorporated into the Park. Thus, since its creation, Riverside Park has more than doubled in size to become an important public outdoor recreational asset in southwest Detroit.

Many of the City's previous efforts to expand and improve the Park have been supported by a variety of funding sources, including grant funding from the Land and Water Conservation Fund ("LWCF") and the Michigan Natural Resources Trust Fund ("MNTRF"), among other grant programs. Specific LWCF and MNTRF grants to support the Park include:

In 1977, the City secured approximately \$800,000 in LWCF grant funding to expand and improve the Park (LWCF Project #26-00700). The City utilized this funding to acquire the two parcels composing the eastern portion of the present-day Park from the Michigan Consolidated Gas Company and to make additional improvements to the Park's boat ramp and playfield between 1977 and 1983.

In 1997, MDNR awarded the City approximately \$500,000 to improve multiple aspects of the Park (MNTRF project # TF 97-223). Specific improvements included renovation of the existing seawall, demolition and reconstruction of the promenade and associated railings, and various landscaping improvements. Additional funding for these improvements was provided by the Great Lakes Fishery Trust ("GLFT") in 2001 (GLFT Project #73).

In 2010, the City secured approximately \$104,000 in funding from MDNR's Waterways Program to improve the Park's boating access facilities (by



agreement dated April 30, 2010, no project number was provided). This project received an additional \$50,000 in 2013.

In total, approximately 23.05 acres of the Park, including the entirety of the Conversion Parcel, has been encumbered by at least one of the above-referenced grants. The 2.79 acre parcel located at 3401 West Jefferson Avenue was incorporated into the Park in 2015 without support from any state or federal grant funding and therefore is not grant-encumbered.

The Conversion Parcel is approximately 3.78 acres in size, such that the Proposed Conversion would convert less than fifteen percent of the Park's total acreage. However, upon incorporation of the 4.71 acre Mitigation Parcel, and upon restoration of the 100' easement across the 197' width of the Conversion Parcel (totaling about 0.45 acres) for public recreational use, the Proposed Conversion would ultimately expand the size of the Park by approximately 1.39 acres to encompass a total of 27.22 acres.

B. Recreation Opportunities and Uses of Riverside Park Before and After the Proposed Conversion:

The Park's amenities currently include a riverfront promenade, a boat launch, and a baseball diamond. However, due to the City's deteriorating finances, the Park's condition has been in steady decline since the early 2000's. By 2006, the Detroit Recreation Department's strategic master plan described the condition of the Park as "poor". Public recreational use of the Park has been further impaired by closures of certain portions of the Park at various times. Between 2001 and 2011, access to the eastern portion of the Park adjacent to the Ambassador Bridge was restricted due to security concerns following the attacks of September 11, 2001. Additionally, in 2007, the City was forced to close portions of the Park, including the boat launch, due to environmental concerns, which are currently being remediated by DTE Gas Company ("DTE"), the successor in interest to the Michigan Consolidated Gas Company. Without access to the boat launch, and few other amenities, most visitors limit their use of the park to fishing or viewing the river.

As part of the transaction between the City and DIBC outlined in the Land Exchange Agreement, the Proposed Conversion will facilitate multiple significant improvements and enhancements to the Park.

First, the City will have the opportunity to transform an industrial site into new parkland, thereby increasing the total size of the Park by approximately 1.39 acres. The increased size will enable the Park to better serve the need for recreational



space in the community and enhance the Park's standing as a regional hub for public outdoor recreation.

Second, the City will be able to significantly increase riverfront access. In acquiring the Mitigation Parcel, the Park will gain 508 linear feet of additional riverfront access. And because the City will retain a riverfront easement across the entire Conversion Parcel, no riverfront access will be lost in the process. The Park will therefore provide a crucial new link to the Detroit RiverWalk, which when completed will serve the public with over five miles of riverfront access between McArthur Bridge at Belle Isle to the east and the Ambassador Bridge to the west.

Third, DIBC's Park Improvement Funding will enable the City to renovate the Park to include a variety of new features and amenities. The City is currently engaged in a close and collaborative dialogue with the community to identify and design the specific amenities that will provide the greatest benefit to Park users, which, in addition to the re-opening of the boat launch, could include such new or enhanced features as a sledding hill, riverfront promenade, fitness area, bench swings, playground, skate park, volleyball court, picnic shelters, a concession area, and athletic fields.

Overall, following the Proposed Conversion, the Park will be fully restored to provide a variety of outstanding urban recreational facilities for enjoyment by Detroit residents and visitors alike and serve as an important regional hub for public outdoor recreation in the community and along Detroit's riverfront.

C. Why the Proposed Conversion is Necessary

The City is desirous of the Proposed Conversion in order to enable the expansion and improvement of the Park and to better serve the recreational needs of Detroit residents and visitors. For much of its history, Riverside Park has served as the sole point of public riverfront access on the entire west side of Detroit, but as the Park's condition has declined, the public's riverfront access has become increasingly limited. However, DIBC's proposal to develop a Second Span, for which the Proposed Conversion is necessary, has created an historic opportunity to revitalize the Park and provide greater riverfront access and recreational activity than ever before.

The Ambassador Bridge Gateway Project ("Gateway Project"), completed in 2009, which was led by the Michigan Department of Transportation ("MDOT") and funded in part by the U.S. Federal Highway Administration, MDOT, and DIBC, was designed to accommodate increased future border crossing capacity needs and envisioned the potential development of a future second span across the Detroit



River, to be located west of and adjacent to the existing Ambassador Bridge. This siting of the Second Span would enable it to tie directly into the existing plazas in both Canada and the United States without the need to modify their currently approved and permitted configurations. The U.S. Coast Guard's environmental assessment of the proposed Second Span resulted in a "finding of no significant impact," including a determination that it would have "no adverse impacts" on the surrounding land use, including the Park. The Coast Guard issued its federal permit for the Second Span in March 2016, a condition of which is approval of the Proposed Conversion.

Foreseeing this situation, the City and DIBC have entered into the Land Exchange Agreement, under which the City, and in particular the Park, stand to realize substantial benefits through the Proposed Conversion. These benefits, which as discussed above include a net-increase in the size of the Park, 508 feet of new riverfront access, and \$5,000,000 in funding (\$2,000,000 of which is conditional upon approval of the Proposed Conversion) for a complete and community-driven restoration of the Park, represent a unique opportunity to improve the Park's recreational value. The City therefore is seeking approval of the Proposed Conversion in order to realize these benefits and to fully restore the Park to its fullest recreational potential.

D. How Control of the Conversion and Mitigation Parcels Will be Conveyed

Under the Land Exchange Agreement, DIBC will shortly deed the Mitigation Parcel to the City, and the City will shortly acquire the Mitigation Parcel in fee simple. Upon approval of the Proposed Conversion, the City will subsequently convey the Conversion Parcel to DIBC in fee simple, subject to a 100' deep riverfront easement for the benefit of the City. Because neither of these conveyances have yet taken place, no associated documentation is available; however, the substantive terms of both conveyances are set forth in the Land Exchange Agreement.

II. Description of Proposed Mitigation Property

The Mitigation Parcel consists of the 4.71 acre site bounded by the Park to the east, the Detroit River to the south, an asphalt-covered parcel owned by the Detroit Wayne County Port Authority to the west, and West Jefferson Avenue to the north. A map of the Mitigation Parcel is provided in Appendix B. The Mitigation Parcel currently contains a shipping dock equipped with two overhead cranes, a single story warehouse that contains a rail spur connecting to adjacent railroad lines, and paved parking areas. The warehouse is vacant and is being demolished under the terms of the Land Exchange Agreement.



The Mitigation Parcel meets all of the basic requirements for acquisition of new property under the LWCF, the MNTRF, and the Michigan Waterways Program. Specifically:

A. Current Ownership

The Mitigation Parcel is not currently in public ownership. The Mitigation Parcel is currently owned by the Riverview Trenton Railroad Company (“RTRR”), a corporate affiliate of DIBC, as indicated by a deed dated January 26, 2010, recorded at L. 48329, P. 110 W.C.R. A copy of this deed is provided in Appendix C.

B. Suitability for Intended Use

Based on the City’s Phase I and Phase II Environmental Site Assessments (“ESAs”), the Mitigation Parcel does not contain levels of contamination that will render it unsuitable for its intended public outdoor recreational use. The City commissioned NTH Consultants, Ltd. (“NTH”) to perform Phase I and Phase II ESAs, as well as a Baseline Environmental Assessment (“BEA”), of the Mitigation Parcel. In its Phase I ESA, dated May 19, 2015, NTH identified the following Recognized Environmental Conditions (“RECs”) in connection with the Mitigation Parcel:

- The property was formerly a part of the Detroit River and was reclaimed to support the current development. No information on the backfill soil used for land reclamation purposes is readily available. As such, the environmental nature and origin of the backfill soil are unknown.
- Past uses of the property include lumberyard, coal yard and warehouse with an oil house. No information is readily available regarding the past occupants’ hazardous material handling, storage or waste disposal practices implemented on the premises.
- Railroad spur is located at the property and railroad ties were noted to be stored east of the building.
- One closed-in-place UST is located inside the building. No documented information was available to evaluate the environmental status of the UST and its impact on the surrounding soils.
- One vent pipe was noted on the north exterior wall of the building. The significance of this pipe could not be determined.
- Based on the information provided by the current property owners regarding a previous subsurface investigation, the property is a “facility” as defined by P.A. 451, Part 201, as amended.



- Soil and/or groundwater contamination was identified on the westerly and easterly adjacent sites.

In its Phase II ESA, dated June 9, 2015, NTH evaluated the above-referenced RECs and identified soil concentrations of certain VOCs, PNAs, and metals exceeding applicable Part 201 Generic Residential Cleanup Criteria (“GRCC”). NTH’s specific findings are summarized in the map provided in Appendix D. Based on these findings, NTH recommended submission of a BEA to the Michigan Department of Environmental Quality (“MDEQ”) and preparation of Documentation of Due Care Compliance for the Mitigation Parcel in accordance with Section 20107a of the Natural Resources and Environmental Protection Act (“NREPA”). The City submitted a BEA report, containing both the Phase I ESA and Phase II ESA reports, to MDEQ on June 30, 2015. As a result of the aforementioned exceedances, the City authorized NTH to evaluate the applicable and relevant cleanup criteria with associated exposure pathways and to draft a Documentation of Due Care Compliance, so that the activities conducted on the Mitigation Parcel will be done in a manner that is protective of public health and safety, based on its intended public outdoor recreational use. The City finalized the Documentation of Due Care Compliance for the Mitigation Parcel on November 2, 2015, a copy of which has been provided to MDEQ.

Therefore, based on the findings contained in the Phase I and Phase II ESAs, as well as the BEA, the Mitigation Parcel does not contain levels of contamination that, under the City’s Documentation of Due Care Compliance, would render it unsuitable for its intended outdoor public recreational use.

C. Acquisition in Fee Simple

As set forth in Section 2 of the Land Exchange Agreement, the City will acquire ownership in fee simple to the Mitigation Parcel.

D. Encumbrances

Upon acquisition by the City, the Mitigation Parcel will not be encumbered in any way that would impair its use for public outdoor recreation. Pursuant to Section 2.A of the Land Exchange Agreement, the DIBC is required to ensure that the Mitigation Parcel must be free and clear of all liens and encumbrances prior to the City’s acceptance of property. Indeed, according to a title commitment issued by First American Title Insurance Company on May 25, 2015, the Mitigation Parcel is free of encumbrances that would impair its use for public recreation.

E. Exclusive Public Outdoor Recreational Use



The Mitigation Parcel will not have any uses other than for public outdoor recreation. As described above, the Mitigation Parcel is currently improved with a shipping dock equipped with two overhead cranes, a single story warehouse that contains a rail spur connecting to adjacent railroad lines, and paved parking areas, none of which are intended for public outdoor recreational use. Prior to the City's acquisition of the Mitigation Property, all of these existing improvements will be removed and the entire Mitigation Parcel will be graded and seeded to become suitable for passive outdoor recreational use. Thus, upon transfer to the City, the Mitigation Parcel will not contain any uses that are not compatible with public outdoor recreation. Further, all future redevelopment of the Mitigation Parcel by the City as part of its restoration of the Park will ensure that the Mitigation Parcel will be utilized solely and exclusively for public outdoor recreation purposes.

III. Alternatives to the Proposed Conversion

The City has considered and rejected all practical alternatives to the Proposed Conversion, as no such alternative would confer comparable benefits to the community or provide the Park with as much added recreational value.

First, an alternative of "no action," whereby the City would not seek conversion of any portion of the Park, is not preferable to the Proposed Conversion. As outlined in the Land Exchange Agreement, the Proposed Conversion is an integral component of a broader transaction between the City and DIBC that will provide the Park with numerous benefits that the City has no capacity, either currently or in the foreseeable future, to secure by any other means. These benefits include the transformation of currently industrial property into new parkland, the expansion of the Park's size by approximately 1.39 acres, the addition of 508 linear feet of riverfront access, and the Park Improvement Funding, which will be crucial for funding the City's restoration efforts, thereby adding substantial recreational value to the entire Park, including the Mitigation Parcel. The City has no capacity to capture similar benefits, or to add equivalent levels of recreational value to the Park by any means other than the Proposed Conversion.

Second, the City has confirmed that no practical alternative exists to the location or size of the Conversion Parcel. Because the Second Span must be located adjacent to the west of the existing Ambassador Bridge, given the existing permanent location of the bridge plaza, the adjacent road alignments, and other constraints imposed by MDOT's Gateway Project, the Conversion Parcel must consist of the eastern portion of the Park, extending between West Jefferson Avenue to the Detroit River. Further, after extensive deliberation with DIBC, the City has confirmed that the Conversion Parcel is the minimum size necessary to accommodate the Second Span.



Third, no alternative to the Mitigation Parcel would add as much recreational value to the Park as the Proposed Conversion will provide. The Mitigation Parcel is unique in many aspects, including its location adjacent to the Park, its extensive river frontage, and its current ownership and industrial use. All other properties adjacent to the Park are either already owned by the City and therefore are not eligible for mitigation purposes or are subject to various railroad rights-of-way and other encumbrances that impair their use for public recreation purposes. No other property, if utilized for mitigation purposes, could increase the contiguous area of the Park, provide public access to new lengths of river frontage, and transform so much acreage from industrial use to public parkland. All alternatives would be separated from the Park by significant distances and no identifiable possible alternative would expand access to the Detroit River.

In sum, because the Proposed Conversion will provide numerous benefits for the Park that the City could not otherwise secure, because the Conversion Parcel cannot be moved from its current location or reduced any further in size, and because no other property eligible for mitigation purposes would add as much recreational value as the Mitigation Parcel will create, no practical alternative exists to the Proposed Conversion.

IV. Before and After Site Plans for the Conversion

Site plans depicting the entire Park, both in its current condition and as envisioned upon approval of the Proposed Conversion, are provided in Appendix E.

As depicted in the “pre-conversion” site plan, the Park is bisected by the Private Railroad. The northern portion of the Park, generally located between the Private Railroad and West Jefferson Avenue, currently contains a baseball diamond to the east and a paved, vacant parcel to the west. The baseball field has fallen into disrepair and is not currently subject to regular use. The vacant parcel, addressed at 3401 West Jefferson Avenue, was recently incorporated into the Park in 2015 and is not grant-encumbered and is not currently open for public outdoor recreational use. The southern portion of the Park, generally located between the Private Railroad and the Detroit River, contains a paved parking area to the east, a boat launch facility, and grassy open space, along with additional parking capacity, to the west. The eastern parking area is in generally poor condition, and significant portions of this space, including public access to the boat launch, has been closed, pending environmental remediation by DTE. The riverfront to the west of the boat launch is open to the public, and is utilized by the J.W. Westcott Company as part of its marine delivery services. The portion of the Park west of 24th Street is maintained as an open grassy field that is utilized for passive recreational purposes, as well as a



riverfront promenade, which is used as a walking path and access point for fishing in the Detroit River. The associated parking area is in generally poor condition and is not currently in use.

Following approval of the Proposed Conversion, the Park will be completely redeveloped, substantially supported by the DIBC's Park Improvement Funding. Starting early this year, the City has closely engaged local residents and neighborhood organizations to collaboratively identify the features and other amenities that will best serve the recreational needs of the community. This engagement process remains ongoing, such that the final design of the Park therefore remains subject to further input; however, based on the input that the City has received so far, the Park is anticipated to include:

- New soccer and baseball/softball athletic fields in the northern portion of the Park.
- Basketball court, beach volleyball court, skate park, fitness, and playground spaces.
- Redeveloped public boat launch facilities, along with a lift station and new parking areas.
- Picnic shelters.
- Open lawns and other grassy areas, primarily located in the southern portion of the Park, suitable for a variety of passive recreational activities.
- Pathways for walking, bicycling, and other non-motorized use.
- Redeveloped riverfront promenade along the entire southern boundary of the Park, to provide direct riverfront access for walking, bicycling, fishing, and sightseeing.

Additionally, upon incorporation into the Park, the Mitigation Parcel is envisioned to include a number of features and amenities that the community has specifically requested, including a sledding hill, a bioswale rain garden and other features to capture storm water and provide additional natural landscaping, and a soft shore to foster native fish populations in the Detroit River. The riverfront promenade will be extended along the shoreline of the Mitigation Parcel to further improve riverfront access.

Site plans depicting the Conversion Parcel, both in its current condition and as envisioned upon approval of the Proposed Conversion, are provided in Appendix F.

As depicted in the "pre-conversion" site plan, the Conversion Parcel is bisected by the Private Railroad. The northern area, defined on the site plan as Parcel A, is currently a vacant lot with unusable remnants of a paved area and an inactive baseball field. The southern area, defined on the site plan as Parcel B, consists of a



parking lot, park benches, and a paved section of river walk along the waterfront for fishing, along with trees and natural vegetation. However, in general these facilities are substantially deteriorated and well beyond their usable lifespan. Moreover, this portion of the Park has been closed to the public since 2007 while its environmentally hazardous condition is being addressed by DTE.

As depicted in the “post-conversion” site plan, the existing Park infrastructure will be removed from the Conversion Parcel. Upon development, the Second Span will occupy the airspace above the eastern portion of the Conversion Parcel, providing a substantial buffer between the western edge of the Second Span and the eastern edge of the Park. This buffer is expected to be approximately 73’ near the riverfront, increasing to approximately 109’ at West Jefferson Avenue. This buffer will ensure that the development and operation of the Second Span will in no way interfere with the public’s recreational use and enjoyment of the Park. Only a small portion of the ground surface of the Conversion Parcel will be occupied – primarily by the Second Span’s supporting tower and associated footings and foundation. These structures will be located in the southern portion of Parcel B, approximately 30’ – 50’ inland from the riverfront. Although its design is not definite, the Second Span is required by the Land Exchange Agreement to be no less than 50’ above any adjacent roadway, and is expected to be at least as high above the Conversion Parcel.

The City will retain a 100’ deep waterfront easement across the southern portion of the Conversion Parcel, including the riverfront, which will be developed as a public promenade to eventually connect with the Detroit RiverWalk. Under the Section 5.A of the Land Exchange Agreement, if any portion of this waterfront easement area is occupied by the structure of the Second Span, DIBC will provide the City with a mutually acceptable alternate route around the structure, ensuring that the Second Span will not reduce the recreational value of the easement or interrupt any future connection to the Detroit RiverWalk. The City anticipates that the Conversion Parcel north of the waterfront easement will be improved with grassy turf and, along with the Second Span’s support structure, will be secured with fencing. Through its permitting process, the City will work with DIBC to ensure that any such fencing will be designed to sufficient aesthetic standards so as to not detract from the recreational use and enjoyment of the Park.

V. Map and Site Plan for the Mitigation Parcel

The Mitigation Parcel is 4.71 acres and is adjacent to the Park to the west. The Mitigation Parcel is generally bounded by West Jefferson Avenue to the north, Riverside Park to the east, the Detroit River to the south, and an asphalt parcel owned by the Detroit Wayne County Port Authority to the west. The specific



boundaries of the Mitigation Parcel are more specifically identified in the ALTA Survey, dated August 20, 2015, provided in Appendix G.

The survey identifies the warehouse building and associated parking, shipping and loading areas. Consistent with the City's Documentation of Due Care Compliance, all of these existing improvements will be demolished and the Mitigation Parcel will be redeveloped with clean top-soil, graded and seeded prior to its transfer to the City. Thus, upon acquisition by the City, the Mitigation Parcel will be suitable and available for passive public outdoor recreational uses, and will be ready for the development of further recreational features and amenities by the City, to be funded with the portion of the Park Improvement Fund available upon approval of the Proposed Conversion

VI. Comparison of the Recreation Usefulness

The recreational usefulness of the Mitigation Parcel, upon redevelopment, will exceed the recreational usefulness of the Conversion Parcel. Further, the overall recreational usefulness of Riverside Park will increase under the Proposed Conversion.

A. Recreational Usefulness of the Conversion Parcel

The Conversion Parcel has been closed to the public since 2007. In this time, the Conversion Parcel's general condition has progressively deteriorated, such that even if it was to be reopened, it would be generally unusable to most Park visitors. Further, the City currently does not have the resources to restore the Conversion Parcel to anything near its full recreational potential. Therefore, the Conversion Parcel has little to no recreational usefulness.

B. Recreational Usefulness of the Mitigation Parcel

The Mitigation Parcel provides significantly more recreational usefulness than the Conversion Parcel. First, the Mitigation Parcel is 4.71 acres, approximately 0.93 acres larger than the Conversion Parcel. Second, the Mitigation Parcel contains substantially more public riverfront access. Third, given its configuration and dimensions, the Mitigation Parcel lends itself well to future park development, with a seamless transition from the western edge of the existing Park. Upon acquisition by the City, the Mitigation Parcel will be remediated in accordance with the City's Documentation of Due Care Compliance, graded, and seeded for grass, thereby providing readily available public open space for Park users. Further improvements to the Mitigation Property will be completed as part of the restoration of the Park, which is currently being planned through an in-depth community engagement



process. The funds for these improvements will be provided by DIBC upon approval of the Proposed Conversion, consistent with the Land Exchange Agreement.

C. Recreational Usefulness of Riverside Park Under the Proposed Conversion

The Proposed Conversion is an integral aspect of the transaction between the City and DIBC that will result in the following enhancements to the recreational value of the Park:

- The Park's total size will increase by 1.39 acres;
- The Park will retain a waterfront easement across the Conversion Parcel, measuring approximately 100' deep by 197' wide and totaling 0.45 acres, which will be maintained for public recreational use;
- The Park will gain 508' of additional riverfrontage along the length of the Mitigation Parcel;
- The City will obtain \$5,000,000 through DIBC's Park Improvement Funding, including \$2,000,000 that is conditional upon approval of the Proposed Conversion, to support the restoration and revitalization of the Park, including the installation of a variety of recreational features and amenities, potentially including: a sledding hill, riverfront promenade, fitness area, bench swings, playground, skate park, volleyball court, picnic shelters, a concession area, and athletic fields.

VII. **Local Recreation Plan Compliance for Mitigation Property**

The City's Parks and Recreation Department oversees the planning, development, and maintenance of city parks. Earlier this year, the City issued the "2016 Parks and Recreation Improvement Plan, Expanding Recreation Opportunities in Detroit Neighborhoods" ("Parks Improvement Plan") for public comment. The Parks Improvement Plan outlines the Parks and Recreation Department's overarching vision and guiding principles, along with its corresponding goals, strategies, and initiatives for Detroit parks and other recreational facilities. The Plan is organized into four broad categories:

- Public Health
- Green Infrastructure and Natural Landscapes
- Economic Development and Neighborhood Stabilization
- Park Access and Connectivity

The incorporation of the Mitigation Property into the Park as part of the Proposed Conversion would advance the City's strategy in each of these categories. Specifically:



A. Public Health

The Park Improvement Plan identifies public health as the City's top priority for its parks. The primary goals in this area are to (1) promote recreational activities to curb obesity, (2) encourage healthy lifestyle choices, and (3) improve environmental health.

The addition of the Mitigation Property and its improvement using the portion of the Park Improvement Fund that will become available upon approval of the Proposed Conversion will increase access to open play fields, walkways, and other recreational amenities, thereby enabling Park users to become more active and adopt healthier lifestyles. Additionally, the transformation of the Mitigation Property from industrial use to parkland will substantially improve the environmental health of the community.

B. Green Infrastructure and Natural Landscapes

Prior to its acquisition by the City, the Mitigation Property will be cleared of the existing warehouse building and associated infrastructure and will be graded and seeded to provide a natural grass field. The removal of the 87,650 square foot building, as well as 22,550 square feet of impervious surfaces (collectively constituting forty six percent of the Mitigation Parcel's total area) will immediately return the Mitigation Parcel toward a more natural landscape, including additional river walk access, trees and grassy hills, providing passive, nature-based recreational opportunities. The redevelopment of the Mitigation Parcel will also enable further development of green infrastructure, potentially including storm water retention facilities, wetlands, and naturalized shoreline areas to encourage the growth of native fish populations in the Detroit River.

C. Economic Development and Neighborhood Stabilization

Parks provide significant benefits to the local economy. Conversely, the contribution of inactive parks to the larger problem of blight within the City is a significant concern. Recognizing the impacts that parks can have on the local economy, the Park Improvement Plan identifies investments in immediate park improvements as a key approach to help stabilize neighborhoods where Detroit residents work and live.

By providing additional amenities and public park services, the substantial investment in the Park made possible through the Proposed Conversion will



contribute to the stabilization of the community in southwest Detroit and add to the economic vitality of the City as a whole.

D. Park Access and Connectivity

The location of Riverside Park in many ways is perfectly located with its scenic vistas of the Detroit River, Windsor, Ontario, the Ambassador Bridge, and the Detroit skyline. It is a natural location for a park.

Unfortunately, the development of industrial uses along the riverfront, compounded by the siting of rail and interstate freeway corridors, has disconnected Riverside Park from the surrounding community. However, as shown below, the Proposed Conversion will restore the community's access and connectivity to the Park.

To the south, the Proposed Conversion will improve direct access to the Detroit River, with 508' of additional publicly accessible riverfrontage along the Mitigation Parcel.

To the east, the City's waterfront easement across the Conversion Parcel will enable it to eventually connect the Park to the western extension of the Detroit RiverWalk and through it to the downtown central business district and multiple riverfront recreational spaces all the way to Belle Isle, over five miles to the east.

To the north and west, the Proposed Conversion will improve connectivity to the surrounding neighborhoods of southwestern Detroit. Currently, the I-75 expressway and surrounding industrial areas create physical barriers to Riverside Park. Expanding the Park to the west through acquisition of the Mitigation Parcel will improve connectivity to the local communities of Southwest Detroit via West Grand Boulevard. Additionally, restoring the Park with new recreational improvements and programming is anticipated to transform the Park from an underutilized neighborhood park into a bustling hub for a variety of recreational activities that attracts users from across Detroit and throughout the region.

VIII. Request

Based on the information provided above and in the enclosed appendices, the City requests MDNR's preliminary approval of the Proposed Conversion of Riverside Park.



Request for Preliminary Approval of the Partial Conversion of Riverside Park

Summary of Appendices (Available Electronically)

- Appendix A:** Land Exchange Agreement Between the City of Detroit and the Detroit International Bridge Company
- Appendix B:** Mitigation Parcel Map
- Appendix C:** Riverview Trenton Railroad Company Deed for the Mitigation Parcel
- Appendix D:** Mitigation Parcel Phase II Environmental Site Assessment Findings
- Appendix E:** Site Plans of Riverside Park Prior to and Following Approval of the Proposed Conversion
- Appendix F:** Site Plans of the Conversion Parcel Prior to and Following Approval of the Proposed Conversion
- Appendix G:** ALTA Survey of Mitigation Parcel



Request for Preliminary Approval of the Partial Conversion of Riverside Park

Summary of Reference Documents (Available Electronically)

US Coast Guard environmental assessments of the proposed second span (Sections I and I.C)

1977 LWCF grant documentation (Section I.A)

1997 MNTRF grant documentation (Section I.A)

2010 waterways program grant documentation (Section I.A)

2013 waterways program grant supplement documentation (Section I.A)

Legal description / map of the grant-encumbered portion of the Park (Section I.A)

Recreation Department 2006 strategic master plan (Section I.B)

US Coast Guard bridge permit (Section I.C)

Phase I ESA of the mitigation parcel (Section II.B)

Phase II ESA of the mitigation parcel (Section II.B)

BEA of the mitigation parcel (Section II.B)

Due care plan for the mitigation parcel (Section II.B)

First American title commitment for the mitigation parcel (Section II.D)

2016 parks and recreation improvement plan (Section VII)