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TO: COUNCIL MEMBERS

FROM: David Whitaker, Director
Legislative Policy Division Staff 

DATE: June 13, 2017

RE: Former Herman Kiefer Health Complex Brownfield Redevelopment Plan PA 381
of 1996 10:05 AM PUBLIC HEARING (Recommend Approval)

The following is the Legislative Policy Division's (LPD) Fiscal Section's review of the Former Herman Kiefer Health Complex Brownfield Redevelopment Plan under Public Act 381.¹

The Brownfield Redevelopment Financing Act 381 of 1996

The Brownfield Redevelopment Financing Act 381 of 1996 provides tax incentives (i.e. tax increment financing) to develop brownfields properties in an area at or on which there has been a release (or threat of release) or disposal of a hazardous substance.

Former Herman Kiefer Health Complex

Herman Kiefer Development, LLC² is the project developer of the Former Herman Kiefer Health Complex Brownfield Redevelopment Plan, which involves reuse of the former Herman-Kiefer Health Complex, two adjacent former Detroit Public school buildings and a significant number of residential parcels scattered throughout the surrounding neighborhood.

Herman Kiefer Hospital was a city owned hospital in Detroit Michigan, from 1911 to 2013. Initially, it opened as a hospital for contagious diseases. Due to this fact, it was located on the outskirts of the city of that time period. The first two buildings of the complex were built and opened in 1911. The buildings were designed by renowned Detroit architect George D. Mason³.

¹ In addition to a previously submitted CBO report, we anticipate preparing several other reports pertaining to this significant development project. This nomenclature may help to distinguish this from the forthcoming reports.

² Principal: Ron Castellano, Architect, developer, relocating from NYC

³ George DeWitt Mason was "the dean of Detroit architects". Works include contributions the Masonic Temple and the Detroit Yacht Club. Designed the Grand Hotel on Mackinac Island. Mason taught Albert Kahn how to draft.

Originally the hospital was to be named after Guy Kiefer, a city health official who fought to get a permanent infectious-disease hospital. However, once the hospital became a reality, Kiefer asked that it instead be named for his father, Dr. Herman Kiefer⁴, a physician who was active in civic affairs. By 1919, Herman Kiefer Hospital had grown to include five pavilions. After a voter approved \$3 million bond proposal to expand Kiefer in 1921, Albert Kahn⁵ was hired to design the new brick and cement hospital and a modern powerhouse, which became the main building of the complex which opened in December 1928.⁶

In 1964, pavilions 3 and 5 were demolished for the construction of Sanders Elementary School. By the late 1970s and early '80s, Kiefer became a general hospital and clinic, as well as a drug treatment center. In its last years of operation prior to its closing in 2013, Herman Kiefer served as the home office of the Detroit Health Department.

One of the public buildings involved in the project on the grounds of Herman Kiefer is the former JTPA⁷ Nursing School, which was originally built as Herman Kiefer Pavilion #2, but was later converted into the Nursing School.

When Herman Kiefer Hospital closed its "hospital" operations around 1980, Herman Kiefer Pavilion #2 was purchased by the Detroit Public Schools (DPS). Subsequently, DPS converted the building into a nursing school as a part of the DPS system. The nursing school was known as JTPA Nursing School, because DPS operated the nursing school with the federal JTPA work training program. The JTPA Nursing School closed in 2003 due to low enrollment and it has been abandoned since 2003.⁸

The two adjacent public buildings are the former DPS schools, Hutchins and Crosman Schools. Hutchins, located at 1501 Hazelwood and Crosman School, located at 9027 John C. Lodge (service drive), both closed in the summer of 2007, were conveyed to the City in a land transfer from DPS in 2014. These two schools were included in a deal between the City of Detroit and DPS to exchange \$11.6 million in DPS district debt to the City of Detroit for 57 vacant schools and 20 vacant lots, owned by DPS.

Herman Kiefer Brownfield Redevelopment Plan

The comprehensive redevelopment plan for the Property has not yet been finalized, but according to the current plan, it will likely combine mixed-use, commercial, and office uses at the former Herman-Kiefer Health Complex. Improvements in the residential neighborhood may include select interior and exterior demolition of the existing buildings, sidewalk repair/replacement and streetscaping. The total anticipated project investment is \$143,000,000. The project description provided is a summary of the proposed development at the time of the

⁴ **Dr. Herman Kiefer**, a German immigrant, served on the Detroit Board of Education, the Public Library Commission and was a regent of the University of Michigan. In 1883, President Chester Author appointed him as United States counsel in Stettin.

⁵ **Albert Kahn** (March 21, 1869 – December 8, 1942) was the foremost American industrial architect of his day. He is often referenced as the "architect of Detroit".

⁶ <http://historicdetroit.org/building/herman-kiefer-hospital/>

⁷ Job Training Partnership Act (JTPA) federal funding project to implement, manage and coordinate a variety of employment-related services that helped disadvantaged individuals.

⁸ *Source:* <http://detroit-ish.com/photos/herman-kiefer-nursing-school/jtpa-nursing-school/>

adoption of the Plan. The actual development may vary from the project description provided. However, any changes to the project description are subject to the approval of the DBRA staff and shall be consistent with the overall nature of the proposed development, its proposed public purpose, and the purposes of Public Act 381.

The developer will apply for a property tax abatement under the **PA 146 Obsolete Property Rehabilitation Act**. If approved, this abatement will reduce the property tax, which thereby reduces the amount of tax increment revenues that may be captured under this Plan.

The Eligible Property consists of the former Herman Kiefer Health Complex and associated parcels (five parcels with addresses 1151 Taylor Street, 8700 Byron Street, 1501 Hazelwood Street, 9027 John C. Lodge Service Drive and 1110 Clairmount Street), seven previously-acquired residential parcels, and 503 residential parcels acquired from the Detroit Land Bank Authority (DLBA). The entire eligible property is approximately 84.95 acres.

The Property is considered “eligible property” as defined by Act 381, Section 2 because (a) the Property was previously utilized for a residential or public (most recently, the Detroit Department of Health and Human Services and Detroit Public Schools) purpose; (b) it is located within the City of Detroit, a qualified local governmental unit under Act 381; and (c) the parcels which comprise the Property are determined to be either a “facility” pursuant to Part 201, “blighted” as defined by Act 381, or adjacent and contiguous to either a “facility” or “blighted” parcel.

Facility

- The former Herman Kiefer Health Complex parcels have been determined to be “facilities” pursuant to Part 201 (Environmental Remediation) due to concentrations of contaminants in soil and groundwater discovered on the property during a Phase II Environmental Site Assessment⁹ completed in December 2016.

Blighted

- The 503 residential parcels are tax reverted properties currently owned by either the Detroit Land Bank Authority (DLBA) or the City of Detroit. Eligible activities will be completed on these parcels.

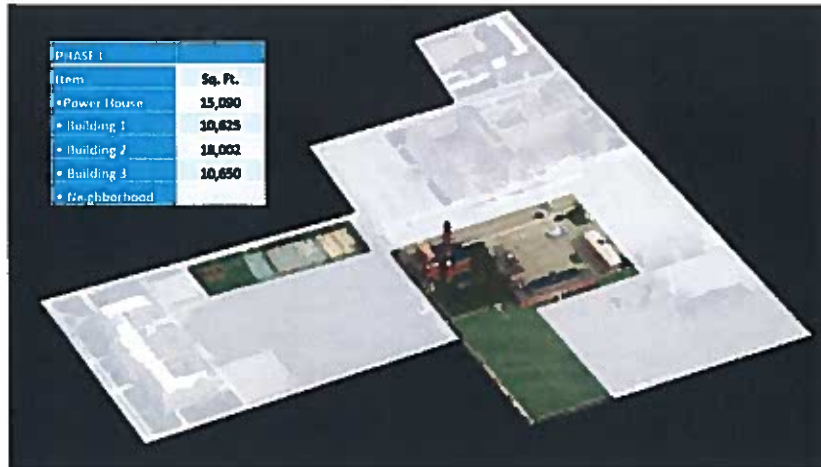
Adjacent and Contiguous

- The parcels currently owned by the Developer are adjacent and contiguous to either a “facility” parcel or a “blighted” parcel. Eligible activities will be completed on the parcels and their inclusion in this Plan as eligible property will support the project.

The “eligible activities” that are intended to be carried out at the Property are considered “eligible activities” as defined by Section 2 of Act 381, include baseline environmental assessment activities, due care activities, additional response activities, environmental insurance, interior/exterior demolition, lead and asbestos abatement, site preparation, infrastructure improvements and preparation of a Brownfield Plan and Act 381 Work Plan(s). The Brownfield plan calls for the estimated cost of each eligible activity to be paid with Tax Increment Revenues.

⁹ The Phase II ESA includes sampling and laboratory analysis to confirm the presence of hazardous materials.

At the onset of the approved Brownfield Plan, it was anticipated that rehabilitation activities would begin in the early summer of 2017 and eligible activities will be conducted over ten (10) years. During that time, the development plans had not been finalized and the redevelopment of the Property was planned to occur over four (4) phases. The phases were to be completed within the following timeline from approval of the Plan: **Phase I** three (3) years, **Phase II** five (5) years, **Phase III** seven (7) years, and **Phase IV** ten (10) years as follows:



PHASE III
• HUTCHINS

PHASE IV
• KIEFER MAIN STRUCTURE
• CROSMAN



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¹⁰ Source of images: Former Herman Kiefer Health Complex Brownfield Redevelopment Plan- dated, May 18, 2017

Phase	Description
Phase I and Phase II	The first two initial phases will consist of the rehabilitation of the 7 smaller associated “out buildings” (Buildings 1, 2, 3, 4, and 5, the power house and JTPA) and improvements to the residential homes.
Phase III	Phase III is anticipated to include the rehabilitation of the former Hutchins School and may also involve additional rehabilitation activities of Phase I and II “out buildings”.
Phase IV	Phase IV is anticipated to include the rehabilitation of the Herman Kiefer building and former Crosman School.

JTPA: Job Training Partnership Act School

May 2017 Updates to the Plan

In a report referenced as: OVERVIEW + UPDATES HERMAN KIEFER REDEVELOPMENT, dated May 2017, the developer submitted modifications to the phasing of the plan. The overall bottom line of the project remained the same, but the formation of the phasing has **changed from four to three (3) phases**.

The current overview of the three (3) phases is as follows:

Phase I – Completion: 2019

- South campus + neighborhood
- Bldgs 1-5, power house, JTPA + Hutchins courts
- 94,367sf + 80 neighborhood homes
- Completion
- Neighborhood: 2017: 13 homes // 2019: 30 homes // 2020: 37 homes
- Expected uses
- Restaurant
- BnB Hotel
- Post-production + recording facility
- Artists’ studios + workshops
- Shared office space
- General store
- Cultural center
- Incubator kitchen
- TDC: \$21.75MM

PHASE II – Completion: 2023

- Hutchins
- 131,350sf
- Expected uses:
- Community facilities
- Indoor skatepark (initial iteration online in 2017)
- Woodshop
- Makerspace
- TDC: \$24.3MM

Phase III –Completion: 2024

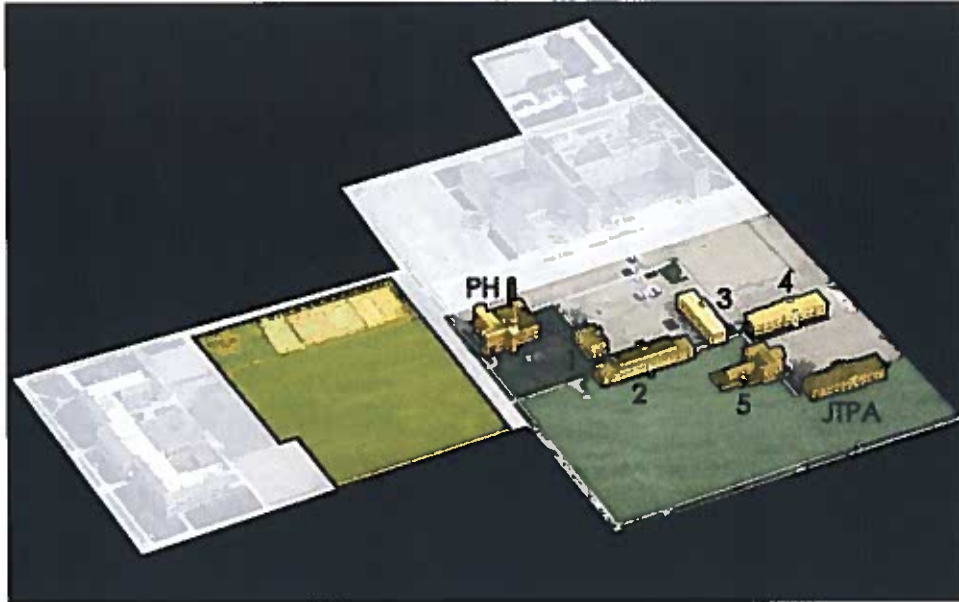
- Kiefer Main Building + Crosman
- 529,355sf
- Expected uses:
- Productive office space
- Workshops/light manufacturing
- Hotel (Crosman)
- TDC: \$98MM¹¹

¹¹ The three phases are estimated to total 753,000 square feet and \$144,000,000 of total dollars committed (TDC).

Below, is are illustrations of the current three Phases:¹²

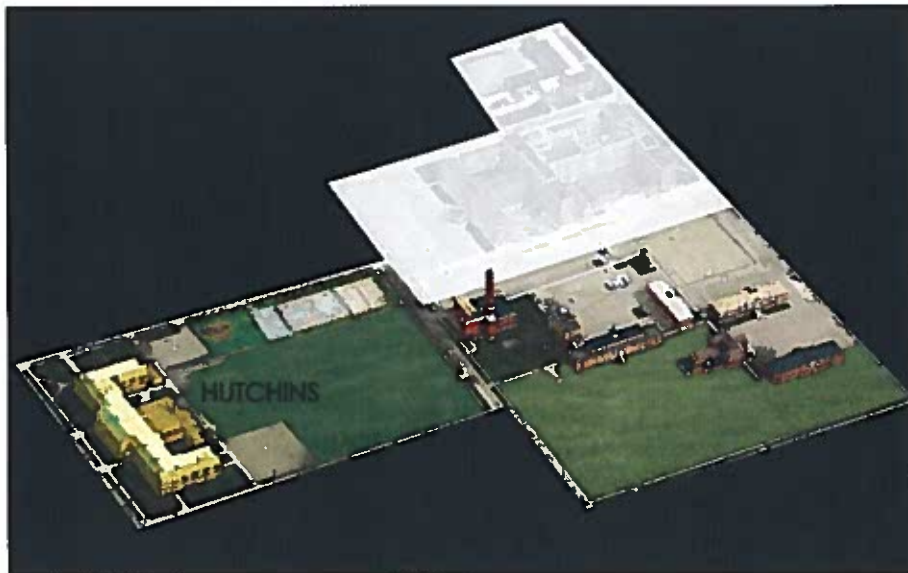
Phase I – Completion: 2019

- South campus + neighborhood
- Buildings 1-5, power house, JTPA + Hutchins courts



PHASE II – Completion: 2023

- Hutchins



¹² Source: *OVERVIEW + UPDATES HERMAN KIEFER REDEVELOPMENT*, dated May 2017

Phase III –Completion: 2024

- Kiefer Main Building + Crosman



Herman Kiefer Project Time To-Date

- **2013 Herman Kiefer closed**
- March 2014
 - City Releases RFP
- **Summer 2014**
 - Developer selected
- **Summer 2015**
 - CPC approves SD2 zoning
- **Fall 2015 Council approves**
 - HK site land sale
 - Neighborhood option agreement
- **Spring 2016 Development agreement signed**
 - Originally: Dec. 2016 closing
 - Now: July 2017 closing expected
 - Closing delayed due to title clearances¹³

Developer Investment To-Date¹⁴

February 2014 - March 2017

38 Months

ITEM	COST
Site Maintenance	\$208,878
Architectural/Project Management	\$401,532
Neighborhood Documentation & Acquisition	\$254,434
Consultants	\$401,047
Misc.	<u>\$121,265</u>
TOTAL INVESTMENT	<u>\$1,387,156</u>

¹³ A small portion of the grounds of HK originally located beyond the earlier borders of Detroit (in Wayne County).

¹⁴ Each item on the list are itemized on a chart on the next page.

Developer Investment To-Date (continued)

Itemized List of Developer Investment To-Date¹⁵

Site Maintenance Detail
Building clean up (Power House + Pavilion) \$35,945
Hutchins playground + court restoration \$9,593
Leak repair in main HK \$39,755
Elevator maintenance \$3,585
Crosman board up \$120,000
TOTAL \$208,878
Architectural/Project Management
Staffing \$296,357
Site model \$21,875
Existing conditions surveying \$56,250
Skate park permit + filing set \$8,500
Pavilion Hotel filing set \$18,550
TOTAL \$401,532
Neighborhood
Acquisitions \$101,527
Maintenance \$50,479
Taxes \$20,848
Document existing conditions \$81,580
TOTAL \$254,434
Consultants
Legal \$299,143
Environmental \$71,200
Financial consultant \$8,203
Planning consultant \$14,000
Engineering \$8,500
TOTAL \$401,047
Misc.
Relocation \$19,093
Travel \$62,499
Accounting \$11,481
Printing/presentation materials \$25,568
TOTAL \$121,265
GRAND TOTAL \$1,387,155

¹⁵ Source: OVERVIEW + UPDATES HERMAN KIEFER REDEVELOPMENT, dated May 2017

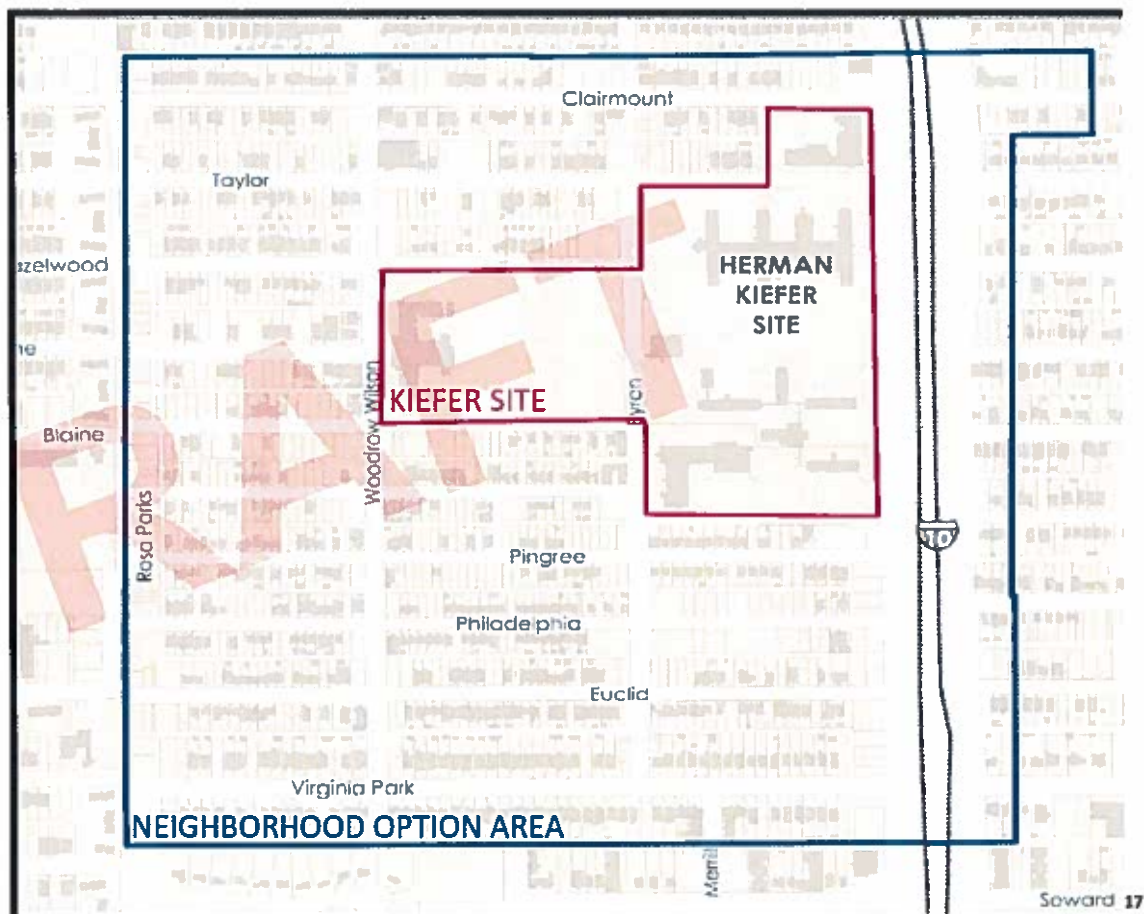
Overview of Kiefer Campus & Neighborhood Deal¹⁶

KIEFER CAMPUS DEAL

- Site being redeveloped as a commercial campus, no demo
 - Preserving all buildings on site
- Anticipated development costs exceed \$144MM
- HKD investment requirements
 - Invest minimum of \$1MM / year
 - Invest \$20MM or activate 35% of site by yr. 5
 - Invest \$75MM or activate 80% of site by yr. 8

NEIGHBORHOOD DEAL

- Option to purchase vacant DLBA owned properties in the option area
 - 20% of homes to be developed by or with a local partner
 - Approx. 100 structures + 400 lots
 - Option lasts 18 months from closing on Kiefer
 - Must obtain certificate of occupancy (CofO) within 18 months from exercising option
- HKD must board up DLBA properties within 90 days of closing
- DLBA land maintained within 90 days of closing + stewardship plan to be implemented



¹⁶ Source: OVERVIEW + UPDATES HERMAN KIEFER REDEVELOPMENT, dated May 2017

¹⁷ Map Source: OVERVIEW + UPDATES HERMAN KIEFER REDEVELOPMENT, dated May 2017

CURRENT TENANT INTEREST

- Indoor skatepark 10,000sf
- Airplane seat upholsterer 30,000sf
- Comedy performance space 10,000sf
- Creative business incubator 12,000sf
- Hand-made goods manufacturing 18,000sf
- Artists’ collective/studio space 2,000sf
- Talent agency 5,000sf
- Recording + post-production facility 5,000sf
- Film studio 8,000sf
- Radio station 1,500sf
- Youth graphic design studio 3,000sf
- Hotel operator 67,000sf

Total 174,500sf

PROJECT OVERVIEW

- Phased 7-year re-development
- 100% commercial on the campus
- Generating est. 1k jobs (temp. + permanent)
- Re-introduce commercial amenities to the neighborhood
- Rehab vacant, DLBA owned homes
- Immediate activities + community programming to bring life back to Kiefer
- Workforce development + local hiring, starting in the neighborhood

DUE DILIGENCE + PRE-DEVELOPMENT TO DATE

- Phase I + II environmental completed
- Working with DTE + engineer to convert site to DTE
- Architectural drawings
- Infrastructure engineering
- Developing workforce training program with local trade school teachers
- Train neighbors + hire as locally as possible

The developer is planning to apply for an **Obsolete Property Rehabilitation Act (OPRA) tax abatement (PA 146 of 2000)**, which would coincide with the building rehabilitation and redevelopment phases. The developer also anticipates to apply for a **Neighborhood Enterprise Zone (NEZ)** to be formed in the residential neighborhood. After the NEZ (zone) is established, individual home owners could apply for NEZ certificates, which would abate a significant portion real property taxes on the residential parcels.

The total investment for the project is estimated at \$143 million. The duration of the Brownfield capture period for Councils consideration is for 30 years.

Tax increments are projected to be captured and applied to (1) reimbursement of eligible activity costs and payment of DBRA administrative and operating expenses, (2) make deposits into the State Brownfield Revolving Fund (SBRF), and (3) make deposits into the DBRA’s Local Site Remediation Revolving Fund (LSRRF), as follows:

COSTS TO BE REIMBURSED WITH TIF

1. BEA Activities	\$100,605.00
2. Due Care Activities	\$912,000.00
3. Additional Response Activities	\$1,151,000.00
4. Environmental Insurance	\$274,101
5. Demolition	\$9,890,611.00
6. Lead & Asbestos Abatement	\$4,299,475.00
7. Site Preparation	\$12,962,703.00
8. Infrastructure Improvements	\$8,862,172.00
9. Brownfield Plan & Act 381 Work Plan	\$96,000.00
10. Contingency – (15%)	\$5,735,470.00
11. Interest – (5% simple after OPRA Expiration)	\$3,883,336.00
Total Reimbursement to Developer	\$47,767,473.00
12. Authority Administrative Costs	\$7,068,179.00
13. State Brownfield Redevelopment Fund	\$2,356,152.00
14. Local Site Remediation Revolving Fund	\$8,581,074.00
TOTAL Estimated Costs	\$65,772,878.00

Source: Detroit Brownfield Redevelopment Authority

Allocation of Tax Revenue (30-year life of the plan)

	Millage Rate	Abatement Value	Developer Reimbursement	BRA Admin. Reimbursement	State Revolving Fund LSRRF	Taxing Jurisdiction
School Capture						
State Education Tax (SET)	6.0000	\$ 528,509	\$ 4,456,379		\$ 2,356,152	\$ 813,059
School Operating Tax	18.0000	\$ 1,585,526	\$ 13,369,137			\$ 2,439,176
Local Capture						
General City	19.9520	\$ 7,584,281	\$ 15,191,635	\$ 3,586,178		\$ 2,703,691
Library	4.6307	\$ 1,760,251	\$ 3,525,857	\$ 832,323		\$ 627,505
W County Tax	5.6483	\$ 2,147,068	\$ 4,300,667	\$ 1,015,227		\$ 765,400
Wayne County	0.9897	\$ 376,211	\$ 753,567	\$ 177,889		\$ 134,114
WC Jails	0.9381	\$ 356,597	\$ 714,278	\$ 168,614		\$ 127,122
WC Parks	0.2459	\$ 93,473	\$ 187,231	\$ 44,198		\$ 33,322
WC HCMA	0.2146	\$ 81,575	\$ 163,398	\$ 38,572		\$ 29,080
WC RESA	0.0965	\$ 36,682	\$ 73,476	\$ 17,345		\$ 13,077
WC RESA Sp Ed	3.3678	\$ 1,280,190	\$ 2,564,274	\$ 605,329		\$ 456,370
WC Comm College	3.2408	\$ 1,231,914	\$ 2,467,575	\$ 582,502		\$ 439,160
Total Non-Capturable Taxes						
Debt Service	9.8237	\$ 3,284,918				\$ 11,829,517
School Debt	13.0000	\$ 4,347,032				\$ 15,654,358
School Judgment	0.3415	\$ 114,193				\$ 411,228
W C Zoo	0.1000	\$ 33,439				\$ 120,418
W C DIA	0.2000	\$ 66,877				\$ 240,836
TOTALS		\$ 24,908,736	\$ 47,767,473	\$ 7,068,179	\$ 2,356,152	\$ 8,581,074

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Feasibility of the Brownfield Approval

AKT Peerless completed a Baseline Environmental Assessment²¹ (BEA) (dated November 1, 2016) for the property located at 9027 John C. Lodge Service Drive in Detroit is a “facility” based on the sampling and analysis that was confirmed from groundwater and soil samples.

¹⁸ Totals subject to rounding.

¹⁹ Abatement Totals- School Capture:\$2,114,035; Local Value: 14,948,242. Non-Capturable Taxes: \$7,846,459

²⁰ Source: Detroit Brownfield Redevelopment Authority

²¹ Baseline Environmental Assessment (BEA) is an evaluation of environmental conditions for a portion of property or facility prior to being purchased. A BEA focuses on the contamination of hazardous substances on the piece of property.

Summary of MDEQ Residential Cleanup Criteria (RCC) Exceedances.

Hazardous Substance	CAS #	Hazardous Substance	CAS #
Arsenic	7440-38-2	Chromium (total)	7440-47-3
Mercury (total)	7439-97-6	Selenium	7782-49-2
Silver	7440-22-4	Phenanthrene	85-01-8

Source: Detroit Brownfield Redevelopment Authority (AKT Peerless BASELINE ENVIRONMENTAL ASSESSMENT dated, January 26, 2017)

CAS Number: is a unique numerical identifier assigned by Chemical Abstracts Service (CAS) to every chemical substance described in the open scientific literature

**Herman Kiefer Redevelopment Project
Estimated Jobs by Phase**

PHASE	Anticipated Completion	Total Investment	Comm. Sq Ft	Construction				Post-Construction			
				Professional	Non-Prof.	Skilled	Non-Skilled	Professional	Non-Prof.	Skilled	Non-Skilled
PHASE I	2018	\$ 11,000,000	54,367	2	6	6	7	20	20	9	9
PHASE II	2019	\$ 10,000,000	40,755	2	5	5	6	15	15	7	7
PHASE III	2023	\$ 56,000,000	131,350	11	28	28	34	49	49	21	21
PHASE IV	2024	\$ 66,000,000	529,355	13	33	33	40	199	199	85	85
Subtotal		\$ 143,000,000	755,827	29	72	72	86	283	283	121	121
Total				257				810			
Grand Total				1,067							

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Conclusion Recommendation

This complex project, planned over three phases and contingent on the success of each preceding phase. If approved by Council and implemented as planned, this project has the potential to rejuvenate a historically significant area of the city that has suffered from blight and disinvestment for fifty years. Approximately 810 permanent full time equivalent jobs and 257 temporary construction jobs are expected to be created as a result of the project and a \$143 million investment.

Therefore, given the development of a locally significant blighted and abandoned facility, the extensive land remediation activities which abates a highly contaminated brownfield area, LPD **recommends approval** of Former Herman Kiefer Health Complex Brownfield Redevelopment Plan.

Please contact us if we can be of any further assistance.

²² Earlier chart which was based on four, not three phases.



Herman Kiefer Hospital complex



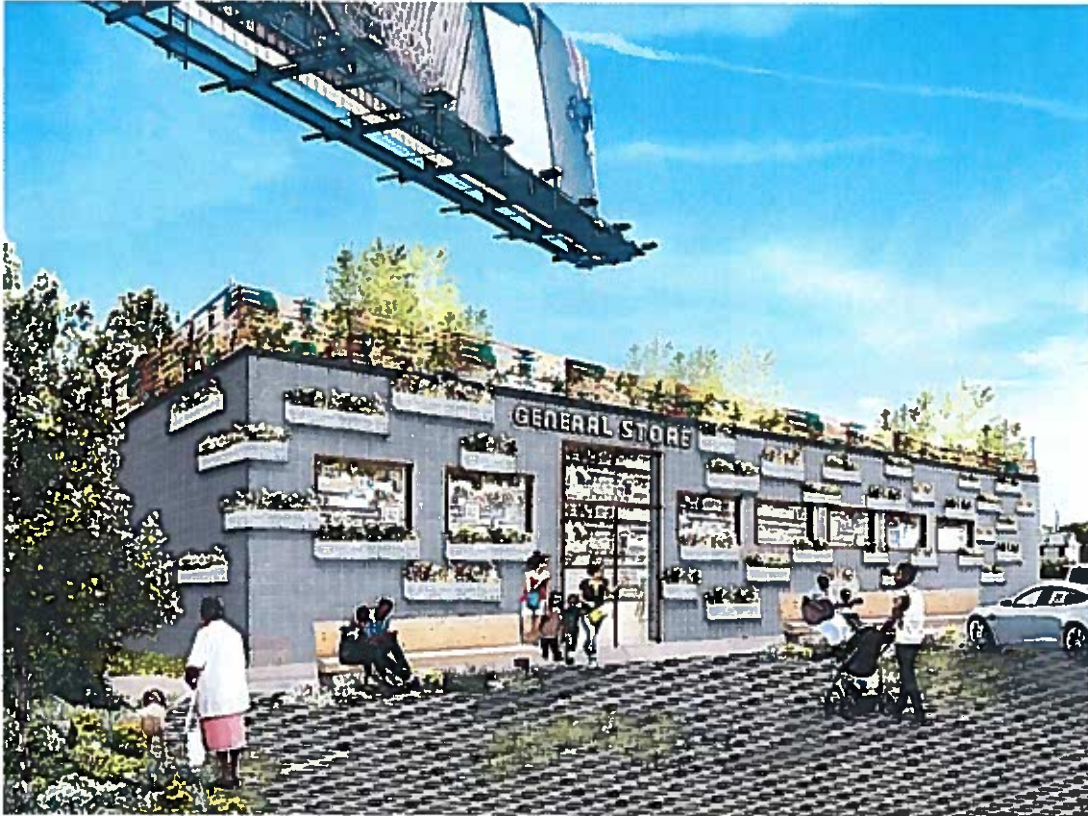
Future campus vision for the Herman Kiefer buildings. *Studio Castellano via The Detroit News*



Proposed indoor skate park at the Hutchins School - Studio Castellano via The Detroit News



Corner of Clairmount and the Lodge October 2016 – Google maps



Proposed general store at the corner of Clairmount and the Lodge. - Studio Castellano via The Detroit News

Attachment: ESTIMATED COSTS OF ELIGIBLE ACTIVITIES

cc: Auditor General's Office
Maurice Cox, Planning and Development Department
Arthur Jemison, HRD
Dinah Bolton, Planning and Development Department
John Saad, Planning and Development Department
Stephanie Grimes Washington, Mayor's Office
Jennifer Kanalos, DEGC
Brian Vosburg, DEGC
Malinda Jensen, DEGC
Kenyetta Bridges, DEGC

Table 1. Eligible Activities
Former Herman Kiefer Health Complex
1151 Taylor St and Assoc. Parcels
Detroit, MI
AKT Peerless Project No. 10854F
As of March 17, 2017

ELIGIBLE ACTIVITIES COST SUMMARY				
				Estimated Cost of Eligible Activity
BEA Activities				\$ 100,605
Due Care Activities				\$ 912,000
Additional Response Activities				\$ 1,151,000
Environmental Insurance				\$ 274,101
TOTAL ENVIRONMENTAL ELIGIBLE ACTIVITIES				\$ 2,437,706
Demolition				\$ 9,890,611
Lead and Asbestos Activities				\$ 4,299,475
Site Preparation Activities				\$ 12,962,703
Eligible Infrastructure Improvement Activities				\$ 8,662,172
TOTAL NON-ENVIRONMENTAL ELIGIBLE ACTIVITIES				\$ 35,814,961
Total Environmental and Non-Environmental Eligible Activities				\$ 38,252,667
15% Contingency on Eligible Activities				\$ 5,735,470
Brownfield Plan & Act 381 WP Preparation Activities				\$ 96,000
Total Eligible Activities Cost with 15% Contingency				\$ 44,084,137
Interest (calculated at 5% simple, after expiration of OPRA Abatements)				\$ 3,683,336
Total Eligible Activities Cost, with Contingency & Interest				\$ 47,767,473
BRA Administration Fee				\$ 7,068,179
State Revolving Fund				\$ 2,356,152
Local Site Remediation Revolving Fund (LSRRF)				\$ 8,581,074
Total Eligible Costs for Reimbursement				\$ 65,772,878