



Public Land Sale Process in Detroit: A Community Perspective

Prepared by the Detroit Food Policy Council

December, 2012

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(as of November, 2012)**

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Introduction

Background

The Detroit Food Policy Council (DFPC) was established by the Detroit City Council in a resolution passed in March, 2008 as a result of two years of community driven and community led efforts to identify challenges and solutions to food access, food justice and food sovereignty issues in the food system in the city of Detroit. The DFPC is governed by a twenty-one member board consisting of six community residents, twelve members from various sector of the food system, one appointee each from the City of Detroit Department of Health and Wellness, the Mayor's Office and the Detroit City Council. The DFPC held its first board meeting in November, 2009.

The DFPC's vision is for a city of Detroit with a healthy, vibrant, hunger-free populace that has easy access to fresh produce and other healthy food choices; a city in which the residents are educated about healthy food choices, and understand their relationship to the food system; a city in which urban agriculture, composting and other sustainable practices contribute to its economic vitality; and a city in which all of its residents, workers, guests and visitors are treated with respect, justice and dignity by those from whom they obtain food.

The Detroit Food Policy Council is committed to nurturing the development and maintenance of a sustainable, localized food system and a food-secure city of Detroit in which all of its residents are hunger-free, healthy and benefit economically from the food system that impacts their lives.

Impetus for this report

On July 5, 2012, the Detroit Free Press published a story entitled "Farm plan close to reality for Detroit" by John Gallagher. The article outlined a pending sale of 1900 city owned lots to Hantz Woodlands that had been negotiated by the Bing Administration. The sale would be accomplished through a purchase agreement rather than the typical development agreement. Purchase agreements have fewer restrictions for the buyer. According to the article, Hantz Woodlands would pay approximately \$300 per lot and had committed to clean up blight, remove trash, cut the grass and plant hardwood trees.

On June 22, 2012, the City Planning Commission issued a four page memo objecting to the sale. (See Appendix C) The memo expressed concerns that the CPC had not been consulted about the project and that a precedent for future land sales would be set if this deal was approved. The CPC also raised concerns that since the city did not have urban agriculture ordinances in place, this project could jeopardize the city's ability to pass ordinances in the future and to exercise home rule. Any agriculture projects initiated before the passage of an urban agriculture ordinance would be subject to state

Right to Farm laws that override any local ordinances that conflict with the state law. They were concerned that residents had not been consulted and that property owners adjacent to those lots had not been contacted and given first right of refusal to purchase those lots.

Following the release of the Detroit Free Press article and the City Planning Commission Memo, the Detroit Food Policy Council members proposed to hold a public listening session to discuss how the city makes land sale decisions and the implications of this process. DFPC wished to address the fact that the administration moved the project to approval without first adopting Urban Agriculture Ordinances. The DFPC also wished to address the lack of public participation and equity in the process: other urban growers have been unsuccessful in purchasing city owned land for agriculture, therefore giving the Hantz project special privilege.

The desired outcomes of the session were to clarify how the administration was proceeding with large scale sale of city owned land, hear the City Planning Commission and Urban Agriculture Workgroup recommendations on the purchase of large tracts of land for urban agriculture or similar uses, and give Detroiters a chance to express their views on this issue.

The public listening session would focus on the process of selling city owned land in Detroit. The DFPC empowered a committee of council members and others to plan and implement the event. The council also agreed that a report and position statement on the land sale process would be issued after the public listening session which was scheduled for August 22, 2012 at Gleaners Community Food Bank.

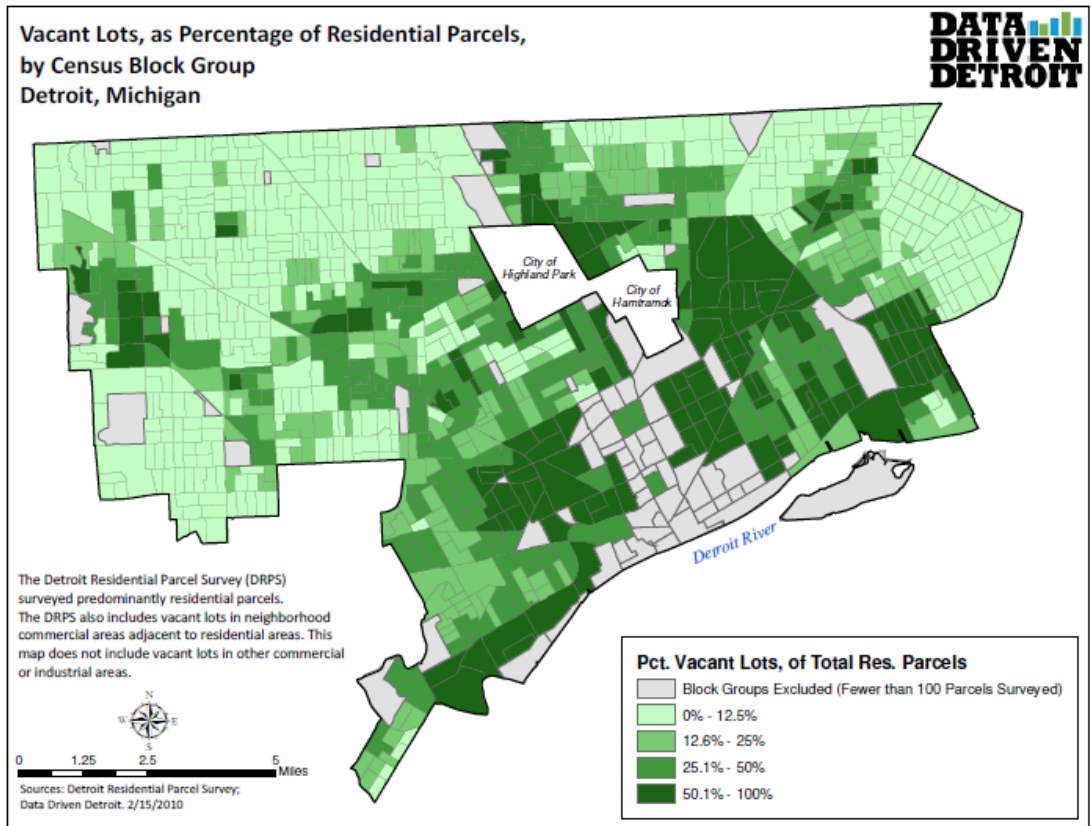
Framing the Land Issue in Detroit

Detroit lost more than half of its population in the sixty years between 1950 and 2010, declining from more than 2,000,000 to 713,000 residents. The geographic footprint of the city has not shrunk. The city still has the same number of streets to plow and lights to repair. This decline in population and investment has negatively impacted the city's tax base. City services, including police and fire, must cover the same footprint as their predecessors 60 years ago but with far fewer resources.

There are currently more than 103,000 vacant lots in Detroit. According the City, it owns about 60% of those vacant lots. Selling City owned land to private owners absolves the City of the responsibility of maintaining the property and puts much needed money into the City's treasury from the sale and from taxes. On the other hand, there are serious considerations to be weighed related to the sale of City owned land.

There is an historical imbalance in economic power based in part on who owns land and who doesn't. Increasingly, land ownership is being concentrated in the hands of a few, while the majority of citizens are landless. Selling large tracts of land to private developers sets a potentially dangerous precedent and will help to define what Detroit looks like for the next hundred years.

There must be a fair, equitable, transparent process for purchasing City owned land, which does not give undue favor to the wealthy. People around the world are beginning to consider how to recreate commons, areas that are publicly owned and utilized for the common good. We have the responsibility of ensuring good stewardship of land and water resources for the health of the planet and for the use of future generations.



¹ <http://datadrivendetroit.org/wp-content/uploads/2010/04/PctVacLotsAllBG.pdf>



**Statement of Position on the Sale of City Owned Land
December, 2012**

The Detroit Food Policy Council (DFPC) views urban agriculture as one of the key elements to developing and sustaining a just, vibrant, local food system for a healthy, resilient, food secure community. Repurposing land within neighborhoods is crucial to the advancement of urban agriculture and to members of households and neighborhoods in the Detroit community realizing its many benefits. Hundreds of Detroit gardens and small farms already produce fresh, healthy food for family consumption and for sale at farmers markets, and more and more people are starting agricultural projects each year. How City owned land is sold is important and critical to continuing that growth. Increasing and sustaining food security demands that policies and processes governing the disposition of City owned land be fair, just and transparent and that they reflect the will and priorities of the community. It is for this reason that the DFPC hosted a public listening session on August 22, 2012 at Gleaner's Community Food Bank and facilitated a dialogue between the community and City of Detroit officials about the current process for selling land owned by the City of Detroit.

This position statement was developed based on a review and analysis of the comments and questions shared by community members and City officials who attended the public listening session on August 22, 2012. The review and analysis was performed by DFPC members, staff and community volunteers who attended the session, debrief meetings and/or reviewed the session transcripts.

The Detroit Food Policy Council encourages the application of the concepts outlined in this position statement to the City of Detroit's public land disposition process. It further encourages evaluation of these concepts to determine if they are applicable to other local governmental or agency led processes for the disposition of public owned land in the city of Detroit.

What does a fair and just process for disposition of City of Detroit owned land look like?

- ***The process is accessible***
- ***The process is written clearly using simple text and graphics, outlines roles and responsibilities and is effective and efficient***
- ***The process is performed in a consistent manner***
- ***The process facilitates equal access and treatment, considers public interest and is transparent***
- ***The process assigns value to equity investments and gives priority to Detroit residents***
- ***The process improves from its own experience and the experiences of others***

The process is accessible

- Everyone can be aware of the process and can engage in the process.
- Information about the process is available in sources that are accessible to everyone, such as on City website(s) (downloadable .pdf's) and in City offices (printed documents)

The process is written clearly using simple text and graphics, outlines roles and responsibilities and is effective and efficient

- Easy to understand terms and graphic images are used to describe the City's process for disposing of public owned land.
- Determining if a vacant lot is owned by the City, including the lot's address, is uncomplicated.
- The types of land acquisition agreements (i.e. lease, purchase agreement, development agreement, etc.) are clearly defined. The definitions include the conditions when it is appropriate to use each type of agreement.
- The roles and responsibilities of purchasers and of the City are clearly defined. Examples of City authorities engaged in the process include Planning and Development Department, City Council, City Planning Commission (Zoning), and the Board of Zoning Appeals.
- How and when the public (community) is engaged in the process is clearly defined and communicated.
- The order of the steps in the process is clearly outlined in text and graphics.
- The time it takes to complete each phase of the process is estimated based on best practices and normal City operations.

The process is performed in a consistent manner

- When staff in City departments, City Council, and Board of Zoning Appeals are contacted in person, by phone or in writing about the sale of City owned land, the information provided about the process is consistent and does not vary based on which staff person(s) is providing the information.
- The steps of the process are performed in a consistent manner by all City staff and officials.

The process facilitates equal access and treatment, considers public interest and is transparent

- All individuals and organizations proposing land purchases are given equal treatment and are given equal access to the opportunities, terms, conditions, benefits, support, etc. offered by the City.
- The review of all site plans, particularly those for large scale projects with a single developer or development group, includes how the project benefits the majority of Detroiters and how well the site plan fits with public plans such as the Detroit Master Plan and Detroit Works Project.
- The process facilitates the review and selection of a diverse mix of projects, small and large scale, community and corporate. The criteria weights small scale and community projects to give them equal parity with large scale and corporate projects.
- The documented results of site plan reviews are accessible to the public prior to facilitation of public hearings (if applicable) and City Council sessions to approval the land purchase.

The process assigns value to equity investments and gives priority to Detroit residents

- The decision-making criteria includes assessing and assigning value to “sweat equity” and “personal investments” of proposed purchasers.
- Priority is given to proposals of purchasers who have documented a history of maintaining City owned property with personal or private resources, the cost for which have not been reimbursed by the City. The maintained properties may or may not be adjacent to the purchaser’s principal residence. Priority is weighted based on the social and economic value of the investment(s).
- Priority is given purchasers who are proposing purchase of land in the neighborhood in which they reside. Priority is weighted based on the number of years lived in the neighborhood.

The process improves from its own experience and that of others

- How well the process is or is not working is monitored and evaluated regularly.
- Feedback is collected about the experiences of people who purchase or attempt to purchase City owned land. Feedback is evaluated and used to resolve issues and to continually improve the process.
- The City resolving issues in a timely manner and continually improves the way the process works.
- Changes to the process are made with community input and engagement. Changes are also based on learning from the experiences of other cities and communities that have existing policies and processes for disposition of land owned by city municipalities.
- Changes are implemented in a timely manner. They are communicated clearly and broadly making them accessible to and known by all who engage in the process.
- Updates about the process are periodically reported to the public.

Recommendations for Improving the Process for Selling City Owned Land

The Detroit Food Policy Council will continue to engage city government, the community development community, the urban agriculture community, developers, community members and others in developing a process for selling city owned land that is just, fair and transparent.

DFPC is requesting city officials ensure the process for selling city owned land continues to improve. The process should be documented in a way that is easy to understand, and published in multiple places so it is easily accessible. All employees of city agencies and entities who have a part in the land sale process should understand the process, and inquiries from prospective purchasers should be given consistent information.

DFPC requests that the city government develop and publish a work plan and timeline on how this will be accomplished. The City should provide a list of in-process land sale proposals, with the status of each proposal, and a report on the final decision with a rationale for denial or approval. When a prospective purchaser is denied, we request the city to supply a rationale for the denial including an analysis of the project's alignment with current land use patterns and future development plans.

DFPC is requesting the City develop a work plan for the implementation and improvement of the Vacant Lot Program. The work plan should include a timeline for implementation, report of land sold to homeowners versus non-homeowners, and status of purchaser when land is sold to a non-homeowner. DFPC will maintain contact with city government agencies and monitor progress of these action items.

DFPC will maintain contact with participants of the Public Listening Session to track positive actions that happen as a result of the Public Listening Session. DFPC will monitor equitable treatment among existing and new residents to ensure that individuals and community groups who have made investments in developing land for the benefit of their community are not overlooked in the process because they do not have access to resources. DFPC will develop an outreach campaign to get input from underrepresented community members in the continued dialog on developing a just, fair and equitable land sale process, and will host additional dialogs with the community on issues related to land ownership.

DFPC will support other organizations with similar interests to facilitate community building and dialog about the culture of neighborhoods in Detroit. DFPC recognizes a need to mitigate conflicts between long time community members and new residents, create a discourse about the values and culture of the existing communities, and dispel the notion that there is a zero sum game in Detroit and residents only experience positive outcomes when there is an influx of new residents into their communities. These actions are particularly important within the urban agriculture community because land ownership is of immediate concern in community projects and many new people are expressing interest in Detroit because of opportunities for urban agriculture. This may involve identifying those who are committed to Detroit, regardless of their residency or the length of their residency.

For more information about the Detroit Food Policy Council, contact us at (313) 833-0396 or detroitfoodpolicycouncil@gmail.com. You may also visit our website at www.detroitfoodpolicycouncil.net and find us on Facebook.

Public Listening Session

The purpose of the Public Listening Session held on August 22, 2012 by the Detroit Food Policy Council was to discuss the process for the sale of land owned by the City of Detroit, gather feedback from citizens about the process, and inform the position of DFPC on the disposition of land owned by the City of Detroit.

The Detroit Food Policy Council decided to host the event and gather information for a position statement at the July 17 DFPC meeting. A committee was formed to plan the session that consisted of DFPC members, staff and volunteers. Members of the committee included Malik Yakini, Myrtle Thompson-Curtis, Ashley Atkinson, Roxanne Moore, Marilyn NeferRa Barber, Myra Lee, Cheryl Simon, Kibibi Blount-Dorn, Renee Wallace, Robbie Moore, Greg Newsome, Sandra Turner-Handy, Nicodemus Ford, Amanda Dentler, and Deborah Williamson. Riverfront East Congregational Initiative (RECI), Gleaners Community Food Bank of Southeast Michigan, and Detroit Food and Fitness Collaborative partnered with DFPC to host the event. The committee met four times between July 17 and August 22 to plan the Public Listening Session. The listening session was held on Wednesday, August 22, 5:30-8:30 at Gleaners Community Food Bank of Southeast Michigan, 2131 Beaufait St., Detroit, Michigan.

The planning committee designed a format for the meeting to allow community members to share their experiences with purchasing land from the city of Detroit, to inform people about the procedures of the City of Detroit for selling land, and to inform city government representatives about the concerns community members have regarding the sale of city owned land. The meeting was designed to give participants several opportunities to share their questions and concerns. People could make comments during the public comments portion of the meeting, submit written comments, or video record their comments. The meeting was audio recorded and transcribed in order to support analysis of the presentations and public comments. (See Appendix A for transcript and comments).

DFPC invited four panel members to participate in a moderated discussion to inform both attendees of the event and our position. Two community members made presentations about their experiences purchasing land from the City of Detroit. A representative from the City Planning Commission, a division of the City Council, and a representative from the Planning and Development Department of the city's administration made presentations about the City's process for selling land and the roles of their respective departments in the process.

Agenda: Public Listening Session, Detroit Food Policy Council, August 22, 2012

- 5:30 PM Registration
 Light Meal
 Gallery open for pre-session dialogue and survey

- 6:00 PM Call to Order and Welcome - Phil Jones, Chair, DFPC

- 6:05 PM Scope and Framework for the Listening Session
 Dan Carmody and Myrtle Thompson Curtis, DFPC Members

- 6:15 PM Panel Presentations - Renee Wallace, Moderator

- 6:20 PM Jerry Anne Hebron, Oakland Avenue Community Garden
 Rosie Sharp, Shipherd Greens

- 6:35 PM Robert Anderson, Director, Planning and Development Department

- 6:45 PM Marcell Todd, Director, City Planning Commission

- 7:00 PM Ground Rules and Introduction of Timekeepers
 Public Comments

- 8:15 PM Conclusion and Next Steps - Phi Jones

- 8:30 PM to 9:00 PM Gallery open for post-session dialogue
 Collection of written and video recorded comments

Community engagement began as people entered the Public Listening Session. After signing in, people were invited to mingle, share a meal, and to share their experiences with the City’s public land sale process. Four questions were posted on flip charts in the gallery to frame and capture the experiences. The questions were designed to promote discussion among participants as they marked yes and/or no for each question. The information captured would convey a picture of peoples’ experiences and help inform the event organizers in drafting a position statement and proposed next steps.

Pre-Session Questions	Yes	No	Both
Have you ever tried to buy property from the city of Detroit?	61	93	
Were you able to purchase the property?	16	58	2
Were you able to understand the process?	13	69	3
Did you feel that the process was fair and just?	8	65	4

Phil Jones, DFPC Chair, opened the meeting by welcoming attendees and explaining the purpose of the event. DFPC members Dan Carmody, President of Eastern Market Corporation, and Myrtle Thompson-Curtis, Co-Founder of Freedom Freedom Growers, gave an overview of the land sale issue. They discussed the historical context of the imbalance of wealth and land, and the impact on land development in the city. They underscored the complicated process of land transfer and the need for a fair and transparent process in which everyone knows how the process works and can participate. They highlighted the need to consider the health of the economy, the health of communities, creation of common spaces, availability of resources to community members, and stewardship of land and other natural resources in addition to monetary gains in the dispensation of land owned by the city. Carmody and Curtis asked people to participate in a dialogue that was forward-looking, constructive and effective.

They were followed by community garden leaders Jerry Ann Hebron of Oakland Avenue Community Garden and Northend Christian Community Development Corporation, and Rosie Sharp of Shepherd Greens. Mrs. Hebron described her organization's futile efforts over several years to purchase seven lots from the city. This, after they had paid a total of \$68,000 for cutting the grass and other maintenance of the city owned lots between 1990 and 2012, placed \$1,120 in deposit, and submitted three sets of application for the same parcels. They have planted perennials, shrubs, and even installed a sculpture in the community garden, which is regarded as a safe, respectful, and productive community space by neighbors.

Ms. Sharp recounted their group's efforts to purchase two lots on the eastside where the community garden was located. The lots are currently used through the City's annual adopt-a-lot permit program. The garden, a haven for the neighborhood, is the product of thousands of donated hours by neighbors who cleaned up the property, maintain the garden, physically carry water to the plants, and sought funding to build benches and a rain-catching gazebo. Several attempts were made to purchasing the property from the city. Their application was denied by the city and the group continues to take care of and use the land by permit.

Rob Anderson, Director of Planning and Development Department presented on behalf of the administration. He acknowledged problems with the adjacent vacant lot program and vowed to make improvements. He also encouraged attendees who wanted to purchase land through the program to write their names on a list that evening for prompt action by his agency. Mr. Anderson discussed the lack of consistency in the process for purchasing land from the city, and expressed the desire to provide service that is prompt, professional, and predictable to everyone who attempts to purchase land from the city.

Marcel Todd, Director of the City Planning Commission, discussed the role of his department in the city's land sale process, and their concerns. Mr. Todd explained the role of the CPC in surplus land sale decisions and the importance of review by their agency and City Council to ensure that the proposed use of land sold by the city was consistent with the city's master plan and its zoning ordinance.

Following the presentations by the panelists, community members were invited to make comments and state questions about the city's process for selling land. Participants had the option to speak their comments during the public comment portion of the meeting.

Moderator Renee Wallace reviewed the participation guidelines for public comment. Participants who wished to speak were given two minutes to state a question or give their opinion on the topic. People who wished to speak wrote their name, city, and zip code on a speaker card and returned it to a volunteer. The moderator called names submitted on comment cards, and speakers lined up at the microphone to make their comments. People also had the option to submit their comments in writing and video record their comments. Written comments were submitted on comment cards and displayed in the gallery at the end of the meeting. Video recording booth, managed by volunteers from the Earthworks' Youth Farm stand, was open in the gallery to record additional comments.

A total of 240 people attended the Public Listening Session. Attendees represented residents, members of the urban agriculture community, representatives of community development organizations, and private land developers. A total of 58 comments were collected -- 16 people made comments during the public comment portion of the meeting, 32 written comments were received and 10 video comments were recorded. (See Appendix A for transcription of written comments)

Many of the comments, concerns and questions expressed the following:

1. There is a need for an alternative process for selling vacant land; several alternative processes were suggested.
2. Priority should be given to city residents for the purchase of vacant land.
3. It is difficult to understand and/or navigate the process for purchasing vacant land from the city.
4. Vacant land should be available for agricultural use.
5. Corporations that operate or own property in the city and receive benefits from the city should provide community benefits or be accountable to the community.
6. There are many people concerned about the current priorities for the sale of land owned by the city of Detroit.

7. There are many people who desire to purchase land for maintenance or agriculture.
8. The adjacent lot program should be expanded and simplified so homeowners can purchase additional lots within their neighborhoods.

Additionally, comments contained specific questions about the process for purchasing land owned by the city of Detroit, or requests for assistance with individual attempts to purchase land.

The following ideas were expressed by a fewer number of comments:

1. The Hantz Farms project and others like it cause concerns about the scale of the development, concentration of land by a single landowner, nature of the proposed project, or the process for the proposed sale of land owned by the city of Detroit.
2. Some people were worried about personal and environmental safety on vacant and dangerous property.
3. Some people were worried about vacant land in the city being used for agriculture.
4. Commercial farming operations in the city should not be allowed to use Genetically Engineered or Genetically Modified Organisms.
5. When neighbors care for land owned by absentee owners or the city of Detroit, they should be given the option to own the land.
6. The community needs to be empowered to engage in the land sale process.
7. Buildings that are structurally sound should be protected from demolition.
8. Vacant land should be used for large scale tree planting.
9. There is support for the city's current land sale process.
10. A few people were worried that current residents would be displaced by large scale projects.

Following the Public Listening Session, the DFPC shared comments containing specific questions about individual attempts to purchase land with the Planning and Development Department (PDD). The PDD was able to resolve at least one situation as result of the session. In her second attempt to purchase land from the city Jerry Ann Hebron paid the deposit, and then was told her payment was not received. She was contacted after the Public Listening Session and told that PDD found her deposit money and could discuss the terms of the land purchase to be completed once an urban agriculture ordinance is in place.

Post Listening Session Decisions and Actions

At the Detroit Food Policy Council meeting held the week before the Public Listening Session, the administration's appointee and member of the Planning and Development Department (PDD) made a commitment that the city would postpone presenting land sales that involved agricultural projects, specifically the Hantz Farms project, to City Council until the urban agriculture ordinance is adopted. In addition, PDD will offer homeowners in the Lower Eastside community within the footprint of the proposed Hantz Woodlands project, the opportunity to purchase land through the Adjacent Vacant Lot program. PDD sent letters to homeowners to notify them about the program and inform them of how they could purchase land through the program.

In September, the City Planning Commission released a draft of the Urban Agriculture Ordinance. In partnership with the DFPC, a series of community meetings were held to discuss the ordinance. At these community meetings, residents learned about the regulations included in the ordinance and shared feedback on the ordinance. The CPC then revised the ordinance based on the feedback received from residents and other city departments. The revisions to the Urban Agriculture Ordinance were published in late November. The City Planning Commission has scheduled a public hearing on the ordinance Thursday, December 6 at 5:45 p.m. at the Coleman A. Young Municipal Center.

On Thursday, November 8, 2012 at a meeting of the Community and Economic Development standing committee of Detroit City Council held, the PDD proposed a resolution to sell 1,956 parcels of land owned by the city of Detroit to Hantz Woodlands. At that meeting, the City Planning Commission expressed a number of concerns including that some of the land included in the proposal was in a commercial revitalization district and that property owners in the area had not been given notice of the sale. PDD affirmed that any parcels eligible to be purchased by homeowners through the adjacent vacant lot program would be removed from the purchase agreement if homeowners expressed an interest in purchasing an adjacent lot before January 10, 2013. The committee decided to reschedule the discussion for their November 15 meeting in order to allow the concerns of the City Planning Commission to be addressed before a formal discussion of the proposal.

The DFPC submitted a letter to City Council members asking them to include provisions to ensure fairness, justice and transparency in their process for selling land before proceeding with a sale to Hantz Woodlands. The DFPC also encouraged its network of residents to express their views on the process via email, phone calls and letters. (See Appendix B for DFPC's letter to Detroit City Council)

Many people attended the City Council meeting to hear the discussion and make comments on the proposed sale to Hantz Woodlands. Unfortunately, because the public comment portion of the meeting did not take place until the end of the meeting (around noon), many people left before they were called to give their comments. In addition, people who arrived after the council chamber was filled to capacity were not permitted to make comments.

At the November 15 meeting of the Community and Economic Development Committee, the proposed sale of city owned land to Hantz Woodlands was discussed. Representatives of the Planning and Development Department, City Planning Commission, City Law Department, and Hantz Farms made presentations and provided information to the Council. In response to concerns that some of the parcels included in the original proposal were part of a business reinvestment area, PDD reduced the number of parcels in the proposed purchase agreement to approximately 1500 parcels. Marcell Todd, Director of the City Planning Commission raised many concerns about the sale to Hantz Woodlands because the proposed purchase agreement diverged from the accepted practices and procedures of City Council. (See Appendix D for Memo dated Nov. 12, 2012 for more details.)

During the discussion, Council Member Kenneth Cockrel, Jr. expressed concerns that there was not a development agreement for the proposed land sale. He also was concerned that PDD had previously committed to postpone bringing the proposal before City Council until the City had an urban agriculture ordinance in place, and was not proceeding according to that commitment. Council Member Saunteel Jenkins also expressed concerns that there was not a development agreement that would inform the city about what they plan to do with the land and hold them accountable to fulfilling the terms of the agreement. Council Member Kwame Kenyatta was concerned with a lack of details on the plan. He expressed serious reservations about placing ownership of such a large area of land in the hands of a single landowner. He was concerned about provisions in the resolution that give Hantz Woodlands the first right of refusal of additional city owned lots within a 1 mile radius of the current project and require the city to identify additional land for Hantz to acquire. He stated that he is not in favor of the sale. During closing comments, Councilman Kenyatta suggested that a public hearing needed to be held on this sale and other sales over a certain size.

Councilman Cockrel asked about the commitment made by PDD. He also stated that the timing of the urban agriculture ordinances were not a factor in his decision. He was concerned about fairness. He mentioned that other projects, like Recovery Park, were not being moved on and questioned why the Hantz deal is being fast tracked. In the end, he stated support for the sale but by development agreement that provided the city with recourse.

Mike Score, President of Hantz Farms, agreed to purchase the property through a development agreement, and asked if the committee members would move the proposal forward for a vote by City Council if they submitted a sufficient development agreement. The Planning and Development Department and City Planning Commission were directed to work with Hantz Farms to draft a development agreement for the sale that addressed the Council members' concerns. Those concerns included: Ensuring that the city's interests are protected and that there are provisions that allow the city to take the land back if the land does not follow the agreement. The agreement must be available to the City Council by Monday, November 19th at 3:00 p.m. in order to be considered for action at the formal session on November 20th.

The Committee voted to move the proposal forward to the full Council without a recommendation by a 2 to 1 vote. (Jenkins and Cockrel in favor, Kenyatta opposed). The proposal was moved to the City Council's formal session scheduled for Tuesday, November 20th at 10:00 a.m. at the Coleman A. Young Municipal Center. As at the previous committee meeting, many people came to hear the discussion and speak during the public comment portion of the meeting. However, public comment did not start until several hours after the meeting started, several people had to leave. Public comments were made by: Judy Gardner (NW Detroit resident and Garden Resource Program Member), a representative from Gratiot Avenue Business Association, Lindsay Pielak (Detroit resident), Renee Wallace (Detroit Resident), Ocelia Adams (Detroit resident), Phil Jones (DFPC Chair, Detroit resident) and Cheryl Simon (staff member of DFPC, Detroit resident).

At the City Council meeting held Tuesday, November 20, 2012 at 10 a.m., hundreds of residents waited in the hallway outside the City Council chambers during the meeting as there was not space for all who wanted to attend. Public comment was held at the beginning of the meeting and continued until about 12 noon. The Hantz Woodlands proposal was not voted on until after 5 p.m. and City Council members voted to hold a public hearing on the proposal prior to the Council's special session on Tuesday, December 11 where they intend to vote on the proposed sale of land to Hantz Woodlands. The City Council committed to hold the public hearing in order to hear comments and concerns from residents in the foot print of the project, and to hold the public hearing at a time and location convenient for residents in the area.

The City of Detroit's Current Process for Selling Land

There are five ways to acquire land owned by the city of Detroit:

1. Purchase application
2. Adjacent Vacant Lots program
3. Bid sales process
4. Request for proposal (RFP)
5. Garden Permit/Adapt-A-Lot Permit

The City of Detroit Planning and Development Department (PDD) handles applications to purchase land including the City Owned Vacant Lot Program. The Detroit City Council passed a resolution authorizing the City's Planning and Development Department to process applications for the land purchases through the City Owned Vacant Lot Program without further council action. All other land sales must be approved by the Detroit City Council.

Application Process

Surplus property owned by the City of Detroit can be purchased by submitting an application to PDD. Applications are reviewed by the Planning Division of the PDD to ensure compliance with the goals of the Master Plan, Zoning Ordinance or other relevant regulatory frameworks. Applications approved by the Planning Division are forwarded to the Real Estate Development Division. The Real Estate Development Division is responsible for establishing the price of the land (Fair Market Value) and preparing the Offer to Purchase (OTP). Once all documentation requested by the OTP process is received (including a good faith deposit), the Real Estate Development Division prepares a letter to Council requesting authorization of the sale. Sales transactions are heard by the Planning & Economic Development Standing Committee then referred to the Formal Session for vote by City Council. Once approved by City Council, PDD and the applicant close on the property and a quit claim deed is issued.

Some properties are sold with development agreements based on the nature of the development. If there is a development agreement, the agreement is signed and the deed to the property is not transferred until P&DD issues a Certificate of Completion to the purchaser. In the event of default, the land reverts back to the City.

City Owned Vacant Lot Program

The City Owned Vacant Lot Program allows homeowners to purchase vacant lots that are adjacent to their home for a minimal fee. A lot purchased through this program can be used as an accessory lot to the home. This means any use that is allowed on the lot with the residence is also allowed on the adjacent vacant lot.

Bid Sales Process

The Real Estate Development division of PDD sells residential and commercial properties through a bid sales process. Each month PDD publishes a list of properties that are for sale. Prospective purchasers must submit a proposal to purchase the property and a deposit, or full bid amount depending on the amount bid, to the Real Estate Development division. The accepted purchaser must close on the property within 30 days, and a quit claim deed is usually issued. The purchaser must obtain a certificate of completion from the Building Safety and Engineering Department according to the existing ordinances within 12 months of getting the quit claim deed.

Requests for proposals

Requests for proposals are used for the sale or redevelopment of specific parcels. PDD issues the majority of requests for proposals for selling land owned by the city of Detroit. The City of Detroit's General Services Department may use request for proposal to sell property owned by the city that is not classified as surplus property.

Garden Permit/Adopt-A-Lot Permit

Detroit residents may request permission to use vacant land owned by the city through the Garden Permit/Adopt-A-Lot permit. The Garden Permit/Adopt-A-Lot permit allows residents to use vacant lots for gardening, landscaping, or maintenance of vacant property. The Garden Permit/Adopt-A-Lot permit allows limited use of land owned by the city of Detroit and places restrictions on how the lot can be used for food production purposes. The permit allows the permit holder to use the land until mid-November of the year it is issued, and must be renewed every year.

Tools, Resources, and Best Practices for Public Land Disposition

With about 20 of its 139 square miles of land “vacant”, Detroit’s vacancy rate is matched by few if any other cities in the country. This section summarizes tools and resources that are available for cities to acquire, manage and dispose of vacant, tax-reverted properties so that they may be put to productive use in ways that benefit the community in the short and long terms. Lessons exist from communities with experience in this process and the leadership of Detroit would be wise to examine these options

Land Banks

A land bank is an agency that acquires, manages, and disposes of “problem” properties for the purpose of strategic re-use. Land banks’ responsibilities include taking title to tax delinquent properties, securing those properties, and releasing land bank properties to for-profit or non-profit developers with proposals for productive use. Typically, land banks combine the essential oversight of abandoned properties while also offering critical long-term strategic planning; some may even provide services to help prevent property from being foreclosed. In this way, land banks can address not only abandonment issues but also wider social justice issues connected to land use.

The Detroit Land Bank Authority was created in 2009 to facilitate planning and prevent the city’s real estate decline. The Authority’s history and framework documents are here: <http://detroitlandbank.org/history.htm>. In particular, the DLBA’s priorities and policies document, which lays out its property acquisition and disposal process is here: <http://detroitlandbank.org/rfp/adp.pdf>. This document identifies three factors for the disposition of properties: the intended or planned use of the property; the nature and identity of the transferee of the property; and the impact of the property transfer on the short and long term neighborhood and community development plans. Among other community-oriented uses, the document recognizes urban agriculture, green space, and conservation as priority uses. The exact details of how many properties located in what parts of the city are currently controlled by the Authority, how many were disposed of since the DLBA’s establishment and for what purposes, and what properties are currently being processed for acquisition or disposition are unknown.

The Genesee County Land Bank Authority (www.thelandbank.org) is a nationally recognized model and leader amongst land banks. When Michigan passed legislation to set up a “state land bank fast-track authority” in 2004, the GCLBA was enabled to acquire properties in bulk, and the land bank acquired more than 1,200 properties in two tax-foreclosure proceedings. As of 2010, the Genesee County Land Bank Authority owned 12 percent of the property in Flint, Michigan, and encouraged re-use of more than 4,000 residential, commercial, and industrial properties through ten programs: Planning and Outreach, Brownfield Redevelopment, Development, Adopt-a-Lot, Clean

and Green, Demolition, Housing Renovation and Rental, Housing Renovation and Sale, Side Lot Transfer, and Foreclosure Prevention. The land bank helps residents avoid tax foreclosure by granting a one-year foreclosure postponement for families with financial hardship. Vacant property is cleaned, improved, and maintained by community groups and often turned into gardens. Source: Carr, JH and M Mulcahy, 2010, *Rebuilding Communities in Economic Distress: Local Strategies to Sustain Homeownership, Reclaim Vacant Properties, and Promote Community-based Employment*. Washington, DC: National Community Reinvestment Coalition.

Community land trusts

Community or Conservation land trusts (CLTs) are nonprofit organizations that work to acquire land or easements or maintain stewardship of such land or easements. CLTs often work cooperatively with government agencies by acquiring or managing land, researching open space needs and priorities, or assisting in the development of open space plans. Land trusts also work with landowners who are interested in seeing their land put to agriculture or open space use. Urban agriculture groups in select cities nationally work with conservation land trusts to secure land to maintain agricultural operations over the long term, without fear that the land will be sold from under them for development.

Land trusts can purchase land for permanent protection, or they may use one of several other methods: accept donations of land or the funds to purchase land, accept a bequest, or accept the donation of a conservation easement, which permanently limits the type and scope of development that can take place on the land. In some instances, land trusts also purchase conservation easements. Land trusts are closely tied to the communities in which they operate and understand community and landowner concerns. Land trusts' nonprofit tax status brings a variety of tax benefits to donors of land and other resources and they can be more flexible and creative in conservation options than public agencies can in saving land.

Land trusts are especially useful in rapidly growing areas in which open space and affordable housing are threatened by rapidly rising land values. Their value for Detroit needs careful study, but they could be relevant to preserve long-term gardens in vibrant neighborhoods such as midtown and Southwest Detroit.

For more information, follow this link:

<http://www.community-wealth.org/strategies/tools/clts.html>

Other Detroit, Wayne County, and Michigan related resources

Vacant Property Legal Manual (Community Legal Resources, Detroit, MI)

<http://www.community-wealth.org/pdfs/tools/cross-sectoral/tool-CLR-vacant-property.pdf>

Michigan Land Bank

<http://www.michigan.gov/landbank>

Find vacant parcels in Detroit owned by the MI Land Bank here (for tax-reverted property):

<http://www.mcgi.state.mi.us/mlbfta/QueryResults.aspx>

(for foreclosed property):

http://www.michigan.gov/landbank/0,3190,7-298-52513_52517-207800--,00.html

Wayne County Land Bank

<http://www.waynecounty.com/landbank/>

Appendices:

A: August 22nd Public Listening Session Transcript and Written Comments

B: DFPC Letter to City Council Members regarding the proposed resolution to sell land to Hantz Woodlots

C: City Planning Commission Memo to Detroit City Council dated June 22, 2012

D: City Planning Commission Memo Detroit City Council dated November 13, 2012

Appendix A

August 22nd Public Listening Session Transcript and Written Comments

Transcript

Phil: Okay, we're going to try that one more time. Welcome!

(Audience response)

I thought I was here by myself. My name is Phil Jones. I'm the Chairman of the Detroit Food Policy Council.

(Someone in the audience says something)

My name is Phil Jones. I'm the Chairman of the Food Policy Council. I'm welcoming you here on the behalf of the Detroit Food Policy Council. We have a few of our members here today, and if they could please stand so we can recognize the Food Policy Council members.

(Applause)

We've got a couple more outside taking care of some business out there, but mostly we want to welcome the citizens of Detroit here to this listening session regarding a land sale in the City of Detroit. And we just really want to thank you for coming and getting involved. Because this is about you and your voice, and we really want to hear from you, what your thoughts are, so we can put all this information together and then we can really put together a package of information for our city leaders so we know exactly where your minds are, where your hearts are, where your interests lie. We hear a lot about folks not being represented here in the City of Detroit, and the DFPC really wants to make sure that that's not happening, especially around food issues. So, welcome. And we just want to thank you for joining us this evening.

First, we'd like to acknowledge some of our partners for this event this evening. First, we'd like to thank Gleaners for hosting the event and being a major part of this.

(Applause)

We'd also like to acknowledge the Riverfront East Congregational Initiative, also known as, and much more readily remembered as, RECI.

(Applause)

And the Detroit Food and Fitness Collaborative.

(Applause)

And we could not have done this without the hard work of a lot of people and not just the DFPC, but some of our partners in the work that we do, and that's our planning committee. If they would, please, just take a moment and stand up so we can acknowledge them.

(Applause)

We've got some people that get to work here. Well, I guess they're a little shy. But the first one of us I'd like to introduce, from Gleaners, John Kastler. He's the VP of Information Services and he wants to say a couple words.

John:

Thank you. I just wanted to, again, welcome you to Gleaners. And for those who may not know, that you're convening in a building that's over 100 years old and we've been here at the food bank since 1977. So we're marking our 35th year here. And again, our core mission is food distribution. We distribute food to over 500 different feeding programs – kitchens, and shelters, and pantries, and community organizations – throughout southeast Michigan. And our fiscal year ends this September, and we anticipate providing around 45 million pounds of food this year.

So along with our food distribution we also have a number of programs that we offer the community. To our left is Cooking Matters, a sample kitchen, a training kitchen for nutritional education. And we're also proud of the fact that we do a number of convening events throughout the year. We host a lot of organizations. And we also have over 25,000 people who come to the food bank during the course of the year to volunteer and help sort and pack food, and really help us fulfill our mission.

So again, thank you for coming out this evening. Just a couple matters of housekeeping. The restrooms are beyond the red door against the wall, and if you have an opportunity before you leave, if you peek behind the shades in the window there you can take a look at the Earthworks garden that's on the property behind the food bank here.

So again, thank you for coming out tonight and hope you have a great meeting.

(Applause)

Phil:

Thank you very much.

Right now I'm going to review the agenda for tonight and if you could do me one favor before we get to that, if we have any empty seats next to anybody, could we, please, raise our hands so folks can see where these empty seats are? Just hold them up there for a moment. Anywhere that you see a hand up, that means there's an empty seat nearby it, so please feel free to fill in. And we'll make this request maybe another time or two. Thank you very much.

Well, we're at the call to order and welcome. Very shortly I'll be bringing up Dan Carmody and Myrtle Thompson to discuss the framework and the scope of this listening session. Our moderator today is Renee Wallace and she'll be presenting the panel. We have representatives from Oakland Avenue Community Garden, Shepherd Greens, the city planning commission, the planning and development department. And so they'll be up here making some comments here before you get to the actual comment portion. And the ground rules and all the public comments are going to start approximately at 7:00. We're asking that you take two minutes and limit your comments to two minutes. And then at 8:15 we'll have a conclusion and some of the next steps. Right after that, the gallery is going to remain open because there's going to be an opportunity to continue reporting your thoughts and your comments. So what we do is we invite you to use the gallery throughout the session. But it's a place to share your comments, your questions, reactions, your stories, your thoughts, and your feelings. And you have a couple ways of doing this. You can either use the written comment cards and post them on the areas out here that are for that, or you can get your thoughts videotaped. So you have a couple moments there.

You're going to be using the gold comment cards, or the videotaping for that portion. But one thing is really important is that we're going to be passing out some of these 3x5 cards, and if you want to make public comment, this is where this is going to happen. You're going to have to put your name, the city you reside in, and your zip code, and from there we'll be taking care of the public comments. We're not screening the public comments in any form or fashion, but what we are doing is just trying to do this in such an orderly fashion that we can get everybody's thoughts over as much as humanly possible. We might not have time for everybody, but there's going to be a place that your comments will be recorded. You can take those comments that are not actually able to be asked out here, you're going to post them out here, but we're going to make sure that all your thoughts are recorded. So when we call you to the mic, at that time you'll be making a public comment.

This session is being audiotaped, and once again I'd like to express the fact that the gallery is going to be open until 9:00 today.

I'd like to introduce a couple of my colleagues on the Detroit Food Policy Council who are going to be discussing more in-depth what the scope and the framework of this session is going to be like.

First, we're going to have Dan Carmody. Many of us know Dan from his Eastern Market work. He's got a 30-year career in downtown and neighborhood revitalization, beginning in 1977 in Rock Island, Illinois, where he grew Renaissance Rock Island, a nonprofit with a staff one and a half (*laughs*) and a budget of about \$70. And he built it into one of the leading community-based development organizations in the Midwest. Our 2005 staff increased to 14 with an annual operating budget that exceeded three-million dollars. Since 2007, Dan has served as the president of our Detroit Eastern Market Corporation which is charged with converting one of the nation's oldest public markets into one of the nation's most comprehensive and healthy metropolitan food hubs. He seeks to leverage his quest of local food businesses and crop diversity from Michigan, Ontario, Ohio, by building alternative distribution methods to improve access to healthy food in underserved communities, by nurturing a new generation of niche-food processors to increase food sector employment and create new markets for local food producers, including food grown in the City of Detroit – like we have in the garden right out there – and by enhancing the Eastern Market as a compelling and convivial retail food destination.

You'll also be hearing from Myrtle Thompson-Curtis. Myrtle is a lifelong Detroiter and she's a co-founder and program director for Freedom Freedom Growers, a community organization on the southeast side of Detroit that works to educate Detroiters on the benefits of healthy living through education, farming, and art. So Myrtle is really hands-on. She serves as an at-large member of the Food Policy Council. She is also a board member of the Hope Community Outreach and Development. She is also a member of the Manistee Block Club.

So we'd like to welcome both Myrtle and Dan as they go over the scope of the event.

(Applause)

Dan: Good evening, everybody! It is great to see this turnout. This is... give yourselves a hand, yeah.

(Applause)

So it's been my pleasure to have been in Detroit now going on five years in November. And I'm some relative newcomer to the city. But I've been a lifelong fan of cities, really in the United States and around the world.

And city building takes sometimes centuries to get it right. And if we really look back over the history of Detroit in its relatively short – 100, 150 years – it's been remarkable, the city we've built and unbuilt that really rivals what's taken other civilizations many, many centuries to do than we did. So if you look at those pictures from the forties and fifties and see the densities and see what's happened, it really is something that's beyond just local systems. And one of the reasons that I found Detroit compelling is it really gets at what are some of the systematic failures that we have in the system that we've organized as a country. And that plays out day to day in the City of Detroit in some of the decisions that are made that have unwound such a great city.

So, to me, as we frame the discussion today, we come together and try to reach agreement on how we can build a new great city together again and how we can fix some of the things we've done wrong over the last however many decades, to get it right. So the fact that we take a little bit of time now to try to struggle and get those things right is really important, I think.

The people that work on city staff and city council, they're all struggling too, so let's try to refrain from the blame game and try to figure out new solutions. Keep in mind that when they're talking about repurposing land, you've got to go through some of these titles that are so complicated and so convoluted and so mixed up, it could take a team of attorneys decades to unravel what one single parcel, who the ultimate owner was – the second cousin from the third nephew down in Kentucky that came up and went back, but now is in upstate New York. And on and on and on times 106,000 lots that are around the city. So it is complicated by minutiae, but if we're going to really start to really comment we've got to get some of the big-picture things right and start moving. And so we've got to reach some agreement here to get on with the business of rebuilding this great city.

The city is struggling with how we (unintelligible) Time Stamp 00:11:36 the city. I still think there's a hearty discussion about making this place more welcoming to more people – and maybe not (unintelligible) Time Stamp 00:11:41 it, but that's just me. And so there are serious challenges. We are – as a country, as a city, as a state – I think entering a period of economic austerity that isn't going to last a few weeks or a few years, it's going to be with us for decades to come. We're going to build cities slower as a country than we did during the fifties and sixties and seventies. Maybe we'll look back at an unheralded time of prosperity and affluence and understand it is exactly that affluence that allowed us to make some of the decisions we made that unwound this great City of

Detroit. And so maybe going at it a little bit slower is a better thing to figure out. Figure out where we went wrong.

So from (unintelligible) Time Stamp 00:12:19 perspective, this is the city of great opportunity. We have got to figure out... to me, the fundamentals are good economic development is agreement more than money. If you figure out what you want to do, you come together, you find the money. If you don't agree... we've had the money over the last 50 years and we haven't spent it very wisely. So that transparency, the fairness, and the trust that we have to rebuild are the things I hope we focus on tonight.

Myrtle? What do you got on?

(Applause)

Myrtle: All right. Thank you, Dan.

(Applause)

Those are all my children back there.

(Laughter)

No, thanks. It's always good to be in a room full of positive energy and folks coming together to create and build and not tear down.

Dan really started the framework, and I come from a really grassroots place. I work as a program director of an organization me and my husband helped co-found. Freedom Freedom Growers is an urban agricultural institution. We grow food on the southeast side of Detroit. It's a small organization, but it has deep roots. And as I speak to framing the issues of land, we have had our share of trying to understand what it's like to get things done inside the city from a neighborhood grassroots family almost level.

I want to keep in mind that when talking about city-owned land, it is just that. City-owned land. It does not belong to the mayor, it belongs to the city. Therefore there must be a fair and just transparent process for purchasing city-owned land. It must be a process that does not unduly favor the wealthy. It is more than time to begin to think about the future of Detroit. We do not want to recreate the same models that have always been here. Historically there's been an imbalance in economic power based in part on who owns land and who doesn't. Increasingly, land ownership is being concentrated in the hands of a few while the majority is landless. So more than likely if your grandfather owned land, you will inherit land and therefore and so on. These are serious considerations to be weighed when we talk about the sale of city-owned land.

Selling large tracts of land to private developers sets a potentially dangerous precedent which will help to define what Detroit looks like for the next 100 years. And as I say that, I think about... I can give a scenario. If a single person or entity wants to come in and purchase a lot of land in the City of Detroit for a nominal fee or an exorbitant fee, what will that mean for future folks who do not have any stock, any root, and any heart for Detroit, its land or its people? Will that mean that to the highest bidder, this land goes? I should hope not.

People around the world are beginning to consider how to recreate common spaces. Areas that are publicly owned and are utilized for the common good. And that is just what it sounds like. I can give you an example. The Dequindre Cut. It's a space that is owned by and is enjoyed by everyone.

(Long silence)

Oh! Depending on what is available as far as resource – which, here, would be jobs or land – it becomes consistent on how folks make a living or thrive or sustain themselves. Their neighborhoods, their families, their neighborhoods. We have the responsibility of assuring good stewardship of land and water resources that are publicly owned and utilized for the common good. These resources will ensure the health and the planet for the youth of future generations.

Thank you.

(Applause)

Phil: Thank you, Dan and Myrtle.

I neglected one quick thing. The reason the Detroit Food Policy Council is bringing this issue up – I know it's a land sale. The Detroit Food Policy Council is involved because there's food involved. There's potentially food being grown on these parcels. There's food that is already being grown on these parcels. And so this is why the Detroit Food Policy Council has brought this event together. Because we want to hear your thoughts on all of this and we feel that this is a body that these things can be translated through.

Before I go much further, I want to introduce Renee Wallace. Renee is very special to the Detroit Food Policy Council in a lot of ways because her energy and her passion have been just wonderfully needed. And Renee is the CEO of Doers Consulting Alliance, a Detroit-based company founded in 1989. Doers creates customized strategic execution management solutions that support visionary and operational leaders to

reach their goals through skillful execution of strategic initiatives. Doers has worked with a variety of local health systems, school systems, small businesses, and community organizations. In the last three years they expanded their work to the agribusiness sector and are progressively building capacity to do work locally and internationally. Renee, who has been a Detroiter all of her adult life, actively participates with the Detroit Food Policy Council – and we can all attest to that – and is an urban business advocate, good food eater and good food evangelist. And so we'd like to welcome our facilitator for the evening, Renee Wallace.

(Applause)

Renee: Thank you, Phil. And I want to just say welcome again to everyone here. For the planning committee and the council, we are just absolutely elated that this room contains each and every one of you. This conversation wouldn't matter if you were not here. So I just want you to take a second and just give yourself another hand because we really all need to be here.

(Applause)

Your voice is important. So we want to thank everyone for coming on tonight.

I have the pleasure of introducing to you four representatives from our community and government to talk tonight about the process of selling city-owned land.

The first person that I want to introduce to you is one of our community representatives and her name is... okay. An announcement before we go into that. All of us have our wonderful technologies and we would just ask you if you will, please, set it to vibrate so that your phone doesn't ring in the middle of it, because we are recording this session on tonight. So we just thank everybody for doing that. All right. Thank you.

So I'll go back to our first introduction. Our first panelist is Jerry Ann Hebron. Jerry Ann is very active in our community. She's involved with the Oakland Avenue Community Garden and that garden is a result of the hard work of St. John Evangelistic Church, the Northend Christian CDC, and the residents and the neighborhoods east of Oakland Avenue. They are looking forward to continuing the work that they do to build relationships, to be a place where people come together to get to know one another and to build trusting relationships. Their commitment to the neighborhood is very clear; you take a look at their work. Consider the garden expansion plans that they have, where they are considering

purchasing both a house and a lot that are across the alley from their garden. This year, their garden was a community recipient of the College of Creative Studies Community Arts Program. Let's just give them some applause for that.

(Applause)

So they are being recognized for the great work that they are doing. In their community, it was the artists and the community who built this project called Earth and Sky Repose. And to date this garden is doing a great job of producing good food. They've grown over 1,000 pounds of food already this year. So just put your hands together and welcome Jerry Ann to the mic, please.

(Applause)

Jerry Ann:

Thank you, Renee. I want to thank you for the opportunity to be here to speak on behalf of the St. John's Evangelist Temple of Truth and (unintelligible) Time Stamp 00:22:10 and the Northend Christian CDC who is the overseer of the Oakland Avenue Community Garden.

We were asked to come and talk about the experiences that we have had in our attempts to purchase land from the City of Detroit. I want to just take a minute to give you a little bit of history about when this started.

Looking back it started back as early as 1990, when a building adjacent to the church was torn down. After that building was torn down, the church assumed the responsibility of cutting and keeping those – and there are 10 adjacent lots to the church – clean, free of debris, neatly cut. And the church did this because we thought this was good stewardship. To our surprise, we received a bill from the City of Detroit assessing us for the fee that they pay for cutting the grass. And so it was like, "Oh, hold the phone. Hold up." So we did have receipts and we were able to go down and take those receipts and show that we had, in fact, been paying for the upkeep of that property. So after that we didn't hear too much from them about the maintenance of the property. And I want to say that every two weeks, we cut those lots at a cost of \$175, for over 15 years – or, if you do the math, it's about \$68,000 that the church has paid. We have a membership of 50 members and an operating budget annually of about \$40,000. So that's a big pot.

Today we continue to maintain those lots. We were able to successfully purchase three of them, and the remaining seven we are still in pursuit. The questions that we were asked to address, the other question is, describe the land you purchased or tried to purchase. I just talked about the church and the adjacent properties and the fact that we tried to do the

acquisition as early as 1999. We placed a deposit up of \$1,120. At this time, I think the office was on Michigan, 150 Michigan. We didn't hear anything. We kept calling, but no one returned our calls. 2009 we went back with a second application and again we got no response. So we continued to care for the land and were just continuing to try to acquire the lots. Last year I met our project manager in the elevator and I asked him, I said, "Hey. Remember me? We've been trying to buy these lots." And he says, "Oh, yeah. Resubmit the application."

(Laughter)

So we intend to do that within the next few weeks. We have copies of our tax bills and things like that, which is one of the requirements.

When they talk about how we care for the land, we did receive a grant through the Center for Creative Studies, the Community Arts Project. We have planted many perennials, shrubs. We have a sculpture landscaping. It's virtually a place where people in the community can come and hang out and feel safe, non-threatened. They are respectful, clean, and they support everything that we do. So our plans, if we are able to successfully acquire these properties, is to enhance our economic efforts that we had started in 2011 through our farmers market. The Oakland Avenue Farmers Market is one of the Detroit community markets supported by the Eastern Market. And we are developing a local marketplace where artisans and producers can bring their produce to help support the need for fresh fruits and vegetables in the community. And that's really why we need that land.

So we thank you. My time is up, but that's our story.

(Applause)

Renee:

We want to thank Jerry Ann. And that's just an example of the kind of things that are going on in the city and why this issue is so important.

Our next member of the community is Rosie Sharp. And Rosie's garden, the Shepherd Greens Community Garden, is located on the east side of Detroit. And they have been very active in growing for the last five years in West Village. They initially founded their garden as a tree nursery and most of the original infant sugar maples have all made their way to permanent homes now. So they've been doing good work for a while.

Today they're really cultivating their agricultural repertoire and sinking their roots into the community with food from the garden, and it's free for the taking. So they really operate in a true community garden. They serve as a garden which is a gathering space where people come, and a

place where they also grow hope and not just vegetables. What they intend to do is to grow connectivity among the residents in West Village.

So put your hands together and let's welcome Rosie Sharp.

(Applause)

Rosie: Hi. Thanks for having me. Thanks, Renee.

I guess when I talk about my experience with trying to help Shepherd Greens buy the lots – it's just two lots, it's a small community garden. We've been there for a while and there was kind of this moment of trying to formalize the garden and make a little more progress with it. There were no structures on the property. It was hard sometimes to tell there was a garden there. *(Laughs)* And one of the first things that we did that was important was to form an LLC to represent the garden. Because for the last five years we've been working that land under the Adopt-A-Lot policy with the city, which makes whoever signs that form personally liable for anything that happens on these lots. Well, there are no fences. There's no restriction to access to those properties. And so if somebody litigiously-minded wanted to twist an ankle on the property, that puts somebody at personal risk for that. This doesn't seem totally fair as far as a community enterprise. So we formed that corporation and then I went to the city planning department to make a land sale inquiry.

Another one of the stumbling blocks that I encountered right away is that nobody can tell me what these properties might cost, which, we're a donation from neighbors and neighborhood groups organization. We don't represent a commercial interest. We don't have a lot of capital. So if it costs \$20,000 to buy these lots, we're not going to buy the lots. But members of the garden have had to front a lot of time into just making the inquiry, and getting a lot of support for that inquiry, without any idea whether we're talking about raising a couple hundred dollars, a couple thousand dollars – we just don't know. That was sort of a frustrating first obstacle.

But we put the land sale application in and we garnered a lot of support for it. We got letters of endorsement from the neighbors, people who owned the adjacent plots. I live in the neighborhood, but around the corner. But we got letters from all of the people who come up against the properties, as well as community groups, some local churches, and our state representative, Maureen Stapleton. And at the point where I received the letter assigning us an actual name of somebody working on our case, I became probably a real pain in the side of Ms. Helen Sharpley, who was really gracious and I talked to her a lot, and I gave her these letters.

Our garden really runs on volunteer work. And so one of our members is a structural engineer. I wrote and the garden received a Neighborhood Beautification Grant. Part of those funds were earmarked to create a gazebo on the property which would help us do a couple of things. One would be to set up a rain catchment system; there's no water on the property. And so for the last five years it's been hauling water or running hoses. I think everybody's been enjoying our really intense 100-degree weather over the summers. Trying to get volunteers out to have fun in the sun is one thing; trying to get volunteers to haul gallons and gallons of water in 100-degree heat twice a day is another. And so that's been a big challenge. And the gazebo also, the way that we had designed it was a real simple bandstand format that would enable us to maybe do some movies in the park if you hang a sheet, to have some music there. The West Village block party happens in the garden every year.

I've found that having some formal structures in the garden really invites people into the property and has been really helpful. And using some of the funds that we received from Genesis Hope Lutheran, we built benches. We had some raised beds that we got through participation in the Garden Resource Program with Greening of Detroit, and we also supplemented those with some of the Beautification Grant. And we've noticed a real uptick in participation and just recognition. We put some trash cans on the property; there were some problems with kind of trash on the street. And just a number of things. We put in a pallet fence on one side, not really to restrict access, but to act as a trellis, enhance the growing space.

It's hard for me to quantify really how much investment the community has made because so much of it has been a real volunteer effort. People take it upon themselves to mow those properties. People come together on the community work nights, but they also just come in there to hang out, to work on their own. And as Renee mentioned, access to the food in our garden is free for the taking. So aside from the core of regular gardeners that I would say ranges between 8-20 people that regularly show up and participate, there's any number of dozens of people who come through the garden and take food that they use to supplement their household comestibles.

I guess in terms of our vision for the garden, one of the things is that the West Village has been making some really encouraging moves towards developing and we would like to preserve a space in there for a community garden. And part of the board structure that we implemented with our LLC was to make so that you needed a majority consensus really to make any sort of choices about the property if we were to be able to purchase them. The other thing would be to put a water source on there.

(Laughs) It's really kind of hampered our ability to make a real flourishing garden, without having any regular access to water. And I think in general just to kind of continue to make that a place for people to come together, for kids to play, for people to learn how to garden, and to meet their neighbors.

So thank you for your time.

(Applause)

Oh. Sorry. My application was denied. I have since submitted another application. It was suggested that we continue to lease the lots and as many...

(Someone in the audience says something)

Sorry?

(Repeats)

Because those two lots are zoned as residential. So I suppose the thinking being that people are just chomping at the bit to build some brand new houses on these lots that have sat empty for...

(Someone in the audience says something)

I mean, it seems to me within a four-block shouting radius there are maybe a dozen other empty properties that are not being used as a community garden, but those ones seem to represent some kind of specific interest.

Thank you.

(Applause)

Renee: Thank you, Rosie and Jerry Ann.

So we've heard the importance of having access to this land and being able to do the kinds of things that we do as community, to be community and then also to meet our goals and be healthy and have healthy food and healthy food access in our community. So we want to thank Jerry Ann and Rosie for those perspectives.

So what we'll hear next is the process that currently exists that the city uses for the sale of land. So there are two representatives with us who will share that process with us.

The first of those is Rob Anderson, who is the Director of Planning and Development. He has 25 years' experience in both the private and the public world in terms of planning and development work. He currently carries responsibility for a myriad of tasks that are affecting the city in a very broad way. This city is the fifth city in three states that he's worked and served in his current capacity. So he brings with him a history of making government more responsive, effective, and efficient. So as a city planner and a former residential builder and mason, he has a passion for the connection between the family, the home, and the community. He's a native of Saginaw, Michigan. He earned his Bachelor's degree in General Studies from the University of Michigan; and he has a Master's of Public Administration degree from Harvard University.

So, we'll welcome Rob Anderson to share with us about the process the city uses to sell public land.

(Applause)

Rob: Thank you very much. Rosie, you remember the bike tour a couple of weeks ago? Where there was a guy who was asking about, "How's this Adopt-A-Lot thing working for you?" That was me.

(Laughter)

It's not working. I don't think it's working for anybody. You probably want to plant a tree or some grapevines and know that they're going to be around for you later on. This isn't working.

I was asked to address a number of questions; we'll get to that in just a moment. The first thing I want to point out is there is way too much to talk about to get it done in 10 minutes, so I really hope that we can have another conversation. There's a lot of work to do here together.

I want to acknowledge a couple things here. Number one, one of the things in *Getting to Yes*, the book on negotiations, is to separate the people from the problem. And I'm going to say some things tonight that sound like I'm picking on staff or city officials or whatever the case may be. So we really need to focus on the problems. I don't mean to say that anybody on staff is bad people, good, whatever the case is, but the other thing I want to point out is the solution that's in the works right now is really the brainchild of Kathryn and her colleagues – Marcell and others – at the CPC. They've put an enormous amount of work into...

(Applause)

...something that will be a solution that can carry this community forward for the things that will actually change the character of the community. And I'm really grateful for the work that they're doing.

I'm grateful for the opportunity to speak with you all tonight. I've been a change agent in every city I've been in and that's why I'm here. And I can tell you that trying to effect change in the City of Detroit can be maddening from the inside as well. So this is going to take all of our efforts collectively to achieve this.

(Someone says, "Closer.")

Closer? It's ringing back at me. I thought I was too close. So, okay, sorry about that.

A couple things that came up. How much is the land going to cost? Right now we're authorized to sell adjacent vacant lots already authorized by city council for \$200. We don't have to go to city council to approve that. The problem is it still takes weeks and months to get it through the system. One of my colleagues, Greg Holman, has actually gotten about 120 properties through the system, or partway through. Some he's delivered deeds, some still in process. We have to automate what we do. We have to change our thinking. This gets back to the staff. There is so much obsolete thought in this community across the board. Whether it's...

(Applause)

...land sales, whether it's development goals. Just how we do things. We have to get too many signatures for everything we do. Five signatures for the adjacent vacant lot that's already approved by city council is killing us. We're down to about five staff people in real estate. Was it about eight years ago, Margie, we had like 30 or 35? We've got to find a way to get this done efficiently. We've got to remove the impediments and get this stuff going.

Some of the changes that you'll see. We're looking forward to seeing the results of the Detroit Works long-range plan. I can tell you, there's enough land in this city for everybody. Lots of land. This isn't about big or small or medium-sized. This is about everybody. It has to be if we're going to be successful. There's room for everyone. We want to emphasize that.

So one of the things that I try to do when I manage a department like this, my goal is always my three P's. I want to be prompt, I want to be professional, and I want to be predictable. Very few of the things that we

do we achieve any two of those three, let alone all three. We're not prompt. The only thing that's predictable is we'll probably lose the paperwork.

(Laughter)

Which is very unprofessional.

(Laughter)

So again, we've got a lot of work to do.

So let me look at some of these questions.

What is the role of PDD in the sale of city-owned land? The charter says we sell land. It's our responsibility.

How does the process of selling city-owned land work? I could put Greg up here for about 45 minutes and we still wouldn't know. It's too convoluted. It's not worth talking about right now. I look at the sticky notes outside the hall here; people have tried to buy land. People that were actually able to buy land, people that understand the process. I don't think I could walk you through the process. So we have to get better at communicating and we have to get better at implementing some of these things. The process doesn't work, obviously. I think we're all here to agree on that.

Criteria used to review, prioritize, approve or deny purchases. What land uses... I hate to say it, but money talks, okay? If we've got a big project and a plant's going to go in, it's going to create jobs; it's going to enhance the community, which gets our attention. It finds its way to the top. But we have to have a mechanism so you don't have to wait in line for somebody that's doing that. And that's what we're trying to do right now. In fact, I don't know how to get everybody's contact information, if we can get it through the organization here or whatever. But we need to reconstitute our list of people that are interested in buying property. Right now, as I said, if you are looking to buy an adjacent vacant lot, leave your name and contact information here. We'll get it from the organizers of the event. We'll create that database and we'll get you an application. Actually, I think Greg has some applications, but probably not enough for tonight. So we'll want to get your contact information and get you started in the process if you are an adjacent vacant lot purchaser.

Is the process different for city residents versus non-residents, current property owners versus non-owners, foreclosure property? Foreclosure property is handled by Wayne County. That's a quick, easy one. There's

really no difference between a city resident or a non-city resident, with the exception if you're a property owner then one of the rules says we have to make sure you're current on all your taxes on all your property in the city. So those are more of the hurdles, okay?

Criteria used to review. When we have the Detroit Works project long-range plan available to us, I think that that will give us some guidance. And it's really in the long-term interest of the city to have some coordination with what we're doing. Especially some of the larger projects where we require scrutiny. The new zoning code will tee us up for how to evaluate some of these things, how to manage some of these things. But we've got a lot to learn together.

How does PDD inform residents about the process? We're going to do a better job of getting information on our website. I ask staff not to really promote it for the last couple of months because we can't handle it. I mean, right now, Greg's struggling with it, the ones that he's got in process. But let's get you on the list. Let's start working through that list and find ways to batch lots of signatures. If we've got to get legal and budget and finance and everybody else to sign this stuff, let's do 20 at a time or something so that we can really get some stuff through the system.

Why is the administration proceeding with the sale of land to Hantz in the way that they are? I've been here for 18 months. When I got here I began engaging in the process of negotiating a development agreement with Hantz Farms. Over the course of many months of discussion, corporate counsel, when they got involved, they looked at it, what we were doing, and they said, "Well, why are you bothering with a development agreement? Why don't you just sell them the land?" And to me that makes a lot of sense. And we probably have to have another conversation about that later. But I'm confident that the zoning ordinance that my colleagues are putting in place is going to give us the tools to manage whatever they perceived or they desire to do. But what we have to do also – and where the city loses its credibility – is in the area of serving the people in this room. And if we don't do that well, it doesn't matter what we do with the John Hantzes or anybody else of the world.

So I guess I'm eager to hear more comments tonight. I appreciate the opportunity to learn from you. Like I said, I hope this is not the last conversation we have. Please provide us your contact information if you're ready to proceed with an adjacent vacant lot purchase. And love what you're doing, honestly. If I weren't up here, I'd probably be out there. So, thank you.

(Applause)

Renee:

Alrighty, thank you, Rob. The second city official that we'll hear from is Mr. Marcell Todd. He is the Director of the City Planning Commission. He's a native Detroit and a graduate of Cass Tech. There is where he nurtured his interest in art, architecture, and planning. Mr. Todd received his Bachelor's of Science degree in Architecture in 1991 from Lawrence Tech University. So he's a local. Prior to graduating he was offered a position by the City Planning Commission when he was just an intern at that time. So through the years he's worked his way through the ranks in the Commission and in 2006 the City Council recommended that he become the director. And so as he sits here today, he has assumed that responsibility. So he's been involved in many projects here in the city. The GM Ren Cen renovation, the Campus Martius Park, the Detroit RiverWalk, the casino development, the Jefferson Chalmers and art center communities, and the Detroit River International Crossing Study. So presently he also serves as a member of the Board of Directors of the Detroit Land Bank Authority.

And so I'd like you to welcome Mr. Todd.

(Applause)

Marcell:

Thank you, Renee, and good evening again, everyone. I join Robert, really all of the panelists here, in sharing my joy in this incredible turnout. Is anyone from the media here? Okay, we have one, two, three media representatives. Okay, four. All right. Great. We need more because this is a good story. This is the sort of thing, as we all know, that needs to be better told here in the city.

(Applause)

Again, thank you for this opportunity. Thank you, Rob, for your openness and your graciousness. Thank you for creating an environment whereby we can work through some of these issues and we can be of assistance to you and vice-versa.

With respect to the issue at hand, let me first begin with just a little bit of background in discerning between the Commission and the Planning and Development Department. The Commission itself is a nine-member body, appointed by the City Council. It is served by a staff, of which I'm the director. Miss Underwood is also one of the members of the staff. Kathryn. And that body itself then serves in an advisory capacity to City Council. Its primary function is to serve as the Zoning Commission. We are stewards of the zoning ordinance, that document that regulates the use of land across the city. We have a number of other roles. We process amendments and revisions to the city's master plan as they are prepared by the Planning and Development Department and forward to

us. But again as an advisory body to City Council, we pretty much do any and all other things they ask us to do along with the Research and Analysis Division and the Fiscal Analysis Division in order to carry out the checks and balances responsibility of the legislative branch.

One of the things that we do is to review land sales. And we've doing that since the seventies. As the administration has prepared and sent over those land sales, we've been involved as staff reviewing it. There are some situations where the land sales before even going to the City Council will go to the Planning Commission itself. If it's an urban renewal area... saw Miss Harvey, Janice Harvey here earlier. If it's an urban renewal area, those properties are to be sold by development agreement and have to be consistent not only with zoning ordinance but, in fact, overarching, they have to be consistent with the terms or provisions of the Urban Renewal Project Plan that sits over that area. Those properties will often come to the Commission itself before going to City Council. Sometimes if there are some other properties that are going to be sold by development agreement, or if there's an anticipation that there's going to be some controversy, we'll get that information in advance, working with the DEGC, with the Planning and Development Department, and we'll have the opportunity to work on it prior to it being formally presented to the Commission or the City Council. But most land sales, the vast majority of land sales that come through the City's process, after everything that the Planning and Development Department has had to go through in order to ready a sale – the intake of the land, ensuring that there is a good title, that we've actually got the proper legal description, etc. – once the properties come over for a surplus land sale – these are just properties that don't have any other attachment to them, if you will. The vast majority of them would be tax-reverted properties. They come to the City Council to its Planning and Economic Development Standing Committee. And just prior to the Committee receiving those properties, our staff will review. We will review to check for consistency with the master plan, with the zoning ordinance. We'll look to make sure, as Mr. Anderson indicated; that the property taxes have been paid if that is the case for any of the properties that the purchaser happens to own within the city. We'll do that review and we'll make a recommendation.

In the early nineties, this review was not quite as structured; it was a little bit more loose. And there was a particular case that came up in '94 wherein a property was sold for a use that was not permitted by the city zoning ordinance. This was an instance where there wasn't clear communication between City and purchaser in making sure that they understood that what it was that they wanted to do, they couldn't just purchase the land and up and do. As a result of legal action or the threat of legal action, so on and so forth, all that resulted from this poor

communication and the results and approval of the land sale, the City Council, after working with the Law Department, City Planning Commission, and the Planning and Development Department, passed a resolution – which I believe some of you have seen – which mandated certain requirements for land sales from that point forward.

So in April of 1995 this resolution was passed and it required that no city-owned land be sold unless it is found to be consistent with the city zoning ordinance. So what does that mean? You've either got to come forward with a use that is permitted by right – meaning that in a particular area of the city, where the zoning district may be B4, General Commercial – that the use that the purchaser wants to ultimately make use of the land for has to be consistent with the ordinance. It can be done as a matter of right. So if they want to do a retail store, you can do that matter of right, no additional approval's needed. You can go to the Building and Safety Engineering Department and get a permit. But if you wanted to do something, say, fast food restaurant with a drive-through. That drive-through would require that you go and have a hearing, because while we might want the restaurant – it might be fine in that B4 – there's a question as to whether or not the drive-through would be appropriate. So in those instances we have instances where either the use or the accessory activities are conditional. They're not permitted by right, but they require a public hearing. So what we'll say to City Council in such an instance is, "This land sale needs to be held back until such time that the zoning issue has been addressed." It used to be in the case of uses that were prohibited that you could go to the Board of Zoning Appeals and get a Use Variance. That provision has been removed from the zoning ordinance; you can no longer do that. So where a use is prohibited, you would come back to the Planning Commission and you would seek a rezoning. You would seek to rezone the property from the use that is not currently allowed to a zoning district that would allow the use. So, in short, that's how the process goes. We'll advise City Council accordingly, they will hold up a land sale, send it back to the Planning and Development Department or the appropriate place for the necessary approvals before it can go forward.

In the case of the Hantz proposals, being involved in earlier dialogue with the Planning and Development Department we became aware of this proposal being advanced soon and we stepped out in order to inform the City Council of what may be coming down the line in light of the regulations that we've been working and the various discussions that have been taking place around urban agriculture. So as Mr. Anderson indicated, we are in fact preparing the appropriate regulations so that sales of this type can come forward. Some agriculture uses are able to go forward on an accessory basis. So in other words, if you want to have

a garden in your back yard, you can do that as an accessory use to the primary use which is your home, your residence. The residential use is the primary use. The same would apply if you purchased the adjacent lot. You can do agricultural uses on that adjacent lot on an accessory basis. Again, it's not the primary use. But where it is the primary use, or more importantly, where someone wants to do commercial agricultural activity, that's where it's all the more important, that's where it is imperative based upon that resolution that City Council passed and the practices of the City Planning Commission, that in order to protect the public at large and to ensure that what the developer himself or herself wants to do is properly regulated, we want regulations to be in place before such a sale would take place.

So as Mr. Anderson's indicated, that's the direction that we working toward now as it concerns that particular sale and as it concerns land sales in general. We're trying to find a way to streamline the process. We're trying to find a way whereby there can be equity so that more and more purchasers, whether it be those individuals who want to use the land for agricultural purposes or whatever, can have better access to the land. One way whereby that may also be achieved, but we've yet to actually utilize it is through the Detroit Land Bank. When the land bank was first conceived of, it was thought that a large number of the vast properties that exist in the city's inventory could be transferred to the land bank, whereby they could have the opportunity to convey it and put together parallel programs to the city. That's still an option and still one of the things that we're looking to explore.

And I will end there. I'm sure you have lots of questions that we can expand upon this issue with. Thank you.

(Applause)

Renee: Alrighty, we want to thank our panelists for their presentations and sharing experiences with the purchasing of land and the process.

Now we're at the point in our evening where we get to hear your voices and your thoughts and your experiences. Going to share a few things in terms of some guidelines because we're a very large group and we want to be conscious of the number of people who would like to share their ideas. So while they're getting the lights up, I'm going to share some ground rules with you in terms of how this part, the public comment part, is going to work on this evening.

The ground rules include just being respectful. We're all here together. We're all very passionate about the issue, so we want to be mindful to be respectful of one another when we're making our comments. All

comments are valued and will be captured. You probably noticed in the room that the event is being taped. So that we will have the benefit, you also have cards to write your questions and comments down on, which can also be posted. When you came in everybody got yellow cards. And if you don't have a yellow card, just raise your hand. We'll make sure that you get one because you can write your questions on the card.

Other things to have in consideration while we're doing the session is, if you would like to speak publicly just as our panelists have, there are index cards being passed around and if you raise your hand you can get one of these index cards. And on the index card we need you to put your name, the city that you reside in, and your zip code. And so if you want to make a public comment, just raise your hand with the card with that information on it, and people in the room that are circulating will pick those cards up and you will be called to the mic to make your public comment. Those who are called to the mic will have two minutes to share your comments and you want to start in the same way, with your name, the city you reside in, and your zip code. Because we wanted to get a sense of who's in the room on today.

And to ensure that as many people as possible – because we have a lot of people in the room and everybody's voice is important – we're asking that you watch the timekeepers who are right here in front of the mic. And actually we may have to have the timekeeper turn around, but you will be assisted. There are team members on our team who will have the mics and as I call you forth to the mic, you will have up to two minutes to make your comments. And so that we give as many people as possible the opportunity, we ask that you would respect that.

When speaking we would ask that you speak your truth. So speak from your experiences. If you have permission to speak with someone else, please acknowledge who it is that you're speaking for so we really get a sense of the voices in the room. Because you may be a part of a community and you're sharing ideas, but we need to know who you're speaking for if you have permission to speak for someone else.

And last but not least, we ask that we allow every comment to live in the room without judgment so that everybody gets the opportunity to share from their perspective and that we honor the diverse ideas and thoughts that we have in the room.

And now we have those posted behind me, so we'll keep those up as a reminder. So as we start the process, we have cards – so you're still handing out cards. So if you want to come to speak publicly, make sure we get your card. And what I'm going to do is I'm going to call two names. That first person comes and Malik Yakini, here with the mic, is

going to assist you as you give your comments. So I'm going to call two names. If the first person would come to the mic and the second person would be ready when that first person comes, then we'll just proceed in that way so we can move through this process fairly smoothly. Is that clear for everybody? Is that clear? Is everybody good in terms of how this is going to flow? Okay, are we agreed? Can we all agree to our guidelines tonight so that we get a chance for everybody really to hear what each other has to say? Because you came out tonight and we really want to give you as much time as possible.

So if you would come to the mic as I call your name. Ryan Anderson? If you will come forth. And also Bobbie Burnham, if you would be prepared to come after the two minutes that Ryan shares. Ryan, are you in the room? Oh, there's Ryan. Okay. All right.

Ryan: Hi. My name is Ryan Anderson. I live in North Corktown, 48216.

I moved to Detroit to start a farm, and we started a for-profit farm this year in North Corktown. Right now we're renting land because, as Mr. Todd has pointed out, they don't want to sell land if the stated purpose is not within the zoning code. And agriculture is not mentioned anywhere in the code. I've seen circulated online from the Detroit Food Policy Council sort of draft information about recommendations on what zoning policies might look like to include urban agriculture.

My question for you is, one, how much detail can you give us about what those policies might look like the future; and when will the City Council be taking action on that zoning policy so that I can buy land and grow my business?

Renee: One of the things that I didn't mention – just a reminder, because it is a listening session tonight. So you may have a comment, but your comment may be in the form of a question. So those will get recorded, but we're basically taking that information in so we have a sense of the kinds of things people have an interest in. But tonight's session is primarily listening, so we'll be recording questions and comments, but there won't be any responses to that. Those responses will come later in terms of writing when this information goes forth not only to the Food Policy Council, but also to the representatives here from our city government. Okay?

Rob: Just a clarification on the adjacent lot program. You can grow adjacent to your property if you purchase it. It's an accessory use. For the standalone use is what's not allowed. So if you purchased an adjacent vacant lot, agricultural gardening is allowed.

Renee Thanks. We appreciate that. Bobbie Burnham? You're Bobbie? Okay, Malik, right here, will assist you.

Bobbie: Hello. My name's Bobbie Burnham. I'm from the 48209 area of Springwells Village.

I came to find out about the vacant lots. I have two vacant lots on one side, and one vacant lot that just became vacant yesterday. They tore down the building.

In 2006 I tried to buy the two lots that were on one side of me and they had been sold to a man in Brooklyn, New York. He has never mowed the grass. I have mowed the grass. I put a fence around it. It doesn't belong to me, but he's going to have a hard time taking it back.

(Laughter and applause)

But how is it that they sold to someone in Brooklyn, New York – and they mow the grass on one lot. I can only mow it on one. It costs me \$100 a month and I'm disabled. So my income is not very much. And I still pay to take care of that lot. And I just want to know how come I can't buy those lots. And he has never paid taxes since 2006. Online it says "due to be foreclosed" or "could be foreclosed," but it hasn't happened yet. He hasn't paid taxes. I'm willing to pay taxes. I'm already taking care of it. Why is it so difficult? Why is the City making things so difficult for people to...

(Laughter and applause)

(Issue with mic; the following is off-mic)

Renee: And while we're waiting for that, we'll take the next three individuals, if you will prepare to come forward.

(Someone in audience says they can't hear the speaker)

I'm going to talk louder. Can you hear me now? I'll use my entire voice. Is that better?

Okay, the next three people are Judy Gardner, zip code 48228; Lila Cabbil, 48221; and John (unintelligible) Time Stamp 01:07:54. If you will prepare to come to the mic as soon as we have power here.

And there's lots of extra room over here. (Unintelligible) Time Stamp 01:08:06. Help yourselves.

(Mic issue is resolved)

Renee: Okay, our next person is Judy Gardner, followed by Lila Cabbil, followed by John (unintelligible) Time Stamp 01:08:29.

Judy: I have two minutes. Hello, everybody. One of the major ways in which corporations have advantage over the rest of us as citizens is a question of access. This is the first public listening session on this topic – which is vital, to look at all these people who showed up on a Wednesday night – and I want to thank the Food Policy council for having this session. I'm very sorry that nobody in the city government has taken it upon themselves to do it. But I am sure that anytime John Hantz calls the City and says, "I want to talk about buying land from the city at a discount and with tax breaks," then he's invited into the City Council, into the mayor's office, into anyplace he wants to go. That kind of favoritism to corporations is one of the things that's gotten us where we are today. The City...

(Applause)

The City has kowtowed to corporations for as long as there's been manufacturing in this area. We give them tax breaks. We give them breaks on buying land. We give them access to anything they want access to. We applaud and congratulate ourselves when they decide to come in, and then when they decide to pick up their marbles and go home, we are standing there whimpering, looking at the empty buildings, looking at the brown fields, and looking at the ways in which they've destroyed neighborhoods. Preferences should be given to the people who are using the land, who live in the neighborhoods, and not to the corporations.

(Applause)

Renee: Thank you. Next we'll hear from Lila Cabbil. And we're just going to ask for one other small little teeny-weeny ground rule, because we really want to kind of maximize the time. Let's give our applause to our community voice at the end of their comments because we want to let them get their full two minutes in. Because it goes by really fast, okay? Can we do that? Thank you very much. We'll make sure they get a resounding...

Lila: Okay. Thank you, Judy, for the corporate piece. I just wanted to emphasize the concept of corporate welfare and how the tax breaks, if you do the history on it, some of the financial shape that we're in is because of what we've given away and what we haven't gotten back.

When we talk about corporations coming in and there's the promise of jobs, we need to be able to have a system of accountability that looks at what really happens in terms of jobs. Because I can tell you that I am

aware of jobs that have been promised. For instance, in the midtown area, the three largest employers in our city are Wayne State University, Detroit Medical Center, and Henry Ford Hospital. More than 78% of the jobs are held down by suburbanites, not Detroiters. So when you promise jobs... and we talk about people who are qualified for certain jobs; like there's this concept of low-skill jobs. So there's the concern that people in Detroit aren't qualified for the jobs. But 60% of Detroiters go out of the city to work for minimum wages, so that their job costs them money to hold their job. So we need to have there be accountability about the promise of jobs.

The other thing that we need to look at is property that came from foreclosure from predatory lending. And we need to really look at how that property is being sold for development. Because there should be reparations for the people who lost their homes. And we need to hold the banks accountable for that.

(Applause)

And the last thing is economic equity. That is a terminology that is being thrown around with fluff, and the terminology of community engagement. There is no such thing as community engagement if it doesn't include community empowerment. So we have to life our voices and be aware that it's our voices that need to be looked and be heard instead of the corporations.

Renee: Thanks, Lila.

(Applause)

Alrighty. The next three individuals, John (unintelligible) Time Stamp 01:13:09, Ann Burn, and Riet Schumack.

John: Yeah, my name's John (unintelligible) Time Stamp 01:13:22 and I'm here to say that this is a joke. Yeah, this is a joke. I've been trying to get home ownership since I can remember. They had the (unintelligible) Time Stamp 01:13:36 programs and this, that, and others so-called help us to get a house for a dollar. I hadn't did much of my research right, but I think this program is over. Now we've got people squatting in the houses, that they become home ownerships, but if you don't have the squatter's laws and this, that, another, the people who live in New York and everywhere else that owes these homes can take them from you. When we go to the City Council and all these other places to find out about this, they give us the runaround on what they can and can't do and they don't help us.

So I'm going to keep this short. Just help us, do what you can, to get us to get these places and stop giving us the runaround.

Male Speaker: Thank you, brother.

(Applause)

Ann: Ann Burn. Lifelong Detroiter, northwest Detroit. Born and bred, southwest, for 12 years. Urban gardener for 29 years. Before anybody knew what it was.

We need to very definitely expand what an adjoining property owner is, to include the people who have sweat equity in the land. If you've secured it, you've maintained it, it's yours. If you live across the alley and you've maintained it, it's yours. If you lived across the street and you maintained it, it's yours. If no one adjoining it maintained it and you live down the street, it's yours. We need to fix that. We need to allow neighborhood groups that are established and have relationships with the City of Detroit – you come to us for everything else – to be the vetters for who gets the land. Who has the best use of the land, who has the most long-term plan for the land, and whose plan will most benefit the neighborhood.

We also need to look at our politics for land use. I love all our new urban gardeners – Ryan, I love ya. But people who've been here a long time, through three and four administrations with the same nonsense, are owed the land for staying. That's how it has to be.

(Applause)

For 30 or 40 years, they've been telling us to farm the lot next door, and for 30 and 40 years, they've not put in clean fill. We are now getting fill that is rocky from the redo of the Southgate sewage system. We are already contaminated. We don't need anybody else's e coli.

Male Speaker: Thank you.

(Applause)

Renee: Riet Schumack? The next two people after her are Osceola Adams and Cindy (unintelligible) Time Stamp 01:16:29.

Male Speaker: (unintelligible) Time Stamp 01:16:30.

Renee: (unintelligible) Time Stamp 01:16:21? Okay. Thank you.

Riet: Good evening, everybody. My name is Riet Schumack. I'm from Brightmoor, 48223, Detroit.

Brightmoor has 45 gardens and pocket parks in our area, 15 streets. We have been very creative about coming up with solutions. Very creative. Not all of them are legal. Actually, most of them are probably not legal. So I'm asking, why, if we can be this creative with so little money, why can't the City be a little bit more creative? The state comes knocking at our door, "Please, buy the land." We bought three lots from the state. They never asked us what we wanted to do with them. "Here Take it. \$200. Whatever you want." Wayne County sold us two lots. They didn't ask us what we wanted to do with it. So I'm thinking, if the City is so bound by rules, why don't they donate the money to the state? Have some kind of ombudsman between you and me. And you go to that ombudsman and say, "I want that land for farming." And the City can't do that officially, right? You can't. But you can donate it to the state maybe. Find somebody at the state. And that state person can come up to you and say, "Here I'll sell it to you." The City is off the hook. We all are free.

(Applause)

Female Speaker: One minute.

Riet: Oh, I still have one minute? Wow. *(Laughs)* So I'm just asking for creativity. Can't we change rules? Who determines the zoning? Where are those rules made? Why isn't there anybody here...

Female Speaker: 30 seconds.

Riet: Why isn't there anybody here from City Council? We all need to be creative together. Thank you. I've got 10 seconds left.

(Applause)

Renee: Ocelia Adams, Cindy (unintelligible) Time Stamp 01:18:23, and Dee from zip 48207, if you two can prepare to come to the mic.

Ocelia: Hello. My name is Ocelia Adams and my zip code is 48207.

Male Speaker: Hold it closer and speak louder.

Ocelia: My zip code is 48207.

I'm here against Hantz Farm project. The residents of the Mack, East Jefferson, St. Jean, in that area, deserve better than that. No one wants a commercial forest in their area. To sell that large amount of parcels to an individual is not wise. If it is a not-for-profit group, it can be changed to a for-profit and still the resident will lose out. They can do whatever they feel like it. This was once a beautiful area for working families. I know. This is my home. I lived here. I've seen in it in its best days; I've seen it

in its worst days. It has made me almost cry. But it can be again. If anyone has a chance to purchase these parcels of land, those who live there should be given a fair to clear chance. I know the City is having a hard time, but Hantz Farm is not the answer. If they want a commercial farm, they need to go out by the airport where no one lives, where there's lots and lots of land, and they can farm and build what they want, and raise all the trees. No one has clearly explained what type of jobs will be created, what the qualifications would be, how the citizens of Detroit would benefit. Just who would and how would Detroit benefit. What input would Detroit have? And just what in detail is the research hydroponic center going to do for the average out-of-work Detroit resident?

(Applause)

Male Speaker: Thank you.

Cindy?: I'm just going to comment on an earlier comment and a little bit of my own.

Some of the things, I think adverse possession. It used to be seven years and if you, like the woman who fenced in that property, she's taking it without permission and not hiding it. It seems to me that my friend who practices law, he's not a lawyer, he mentioned maybe putting a mechanics lien on the file.

And one thing I'd like to say, I've always been against demolition. And if you have these houses next to this, how are you going to have adjacent property if you tear down all the houses? We could attract people that might want to live in the house, start taking the adjacent lands and farming it. And I'm from Kansas. In western Kansas, before they had the drought back in the thirties, they had a farmhouse I think on every quarter or every section, this farmer told me. So if you're going to do organic farming, I think that you need to have these houses close to where you're farming. And we'll need to have this food because there's going to be more and more of a drought with the global warming. And we've got wonderful land and water up here that they don't have down in Kansas. They're having a bad drought.

Also if you have the water in the house, you can come off of that maybe with water to water your plants. And if we're going to tear down a house, maybe you need to keep track of where the water is so you can just come off that line. It might be cheaper than going into the main again.

Also I'd like to see us do switchgrass, and maybe get small equipment, and plant that everywhere on lots so we can make some money. At least enough money to cut the grass and we could grow something that would

made into fuel. And have eating clubs. I'd like to have eating clubs. Because people gave me some produce last week and I still haven't used it.

And the trees for Hantz Farm should be a windbreak. They ought to plant trees everywhere in the city, not just a certain place. But that would benefit the residents.

Male Speaker: Thank you.

(Applause)

Renee: All right. Thank you very much. Our next three speakers are Dee from 48207 – don't have a last name. But Dee from 207. Greg Robinson, and Nuvia from 48207. So if Dee would come forth and then the other two prepare to come to the mic.

Male Speaker: Is Dee in the house?

Renee: Greg Robinson.

Male Speaker: Okay, Greg Robinson, followed by Nuvia. On deck.

Greg: Hi, I'm Greg Robinson. I want to applaud the organizers for this event and the City officials that decided to show up.

My family and I moved into the Detroit area five years ago. Roughly two to three years ago we attempted to purchase six lots on the east side at \$300 apiece. We were informed in writing that we could not purchase these properties for agricultural purposes. I don't see the logic in that and that's the reason why I'm speaking here this evening. I was so happy to hear that this event was occurring.

Anyway, I'm going to request that the City officials present set a deadline as to get back with the group or a similar group to this one, and that a decision be made with regard to individual commercial agriculture activity. I think that's what's owed from an outing like this.

I'm also going to ask that the real estate planning and zoning department, groups, whatever, need to change their paradigm with regard to what they envision as effective land usage for the City of Detroit.

And I'm also going to ask that those that are in charge streamline the bureaucracy. The system is riddled with self dealers, and for you and I who are just average, everyday citizens, it is just way too difficult to ascertain who owns property, to purchase property, and to acquire property. Thank you.

(Applause)

Nuvia: Greetings. A lot of my comments and questions have been answered because of people are just so knowledgeable here. But one of the things... my name is Nuvia and I live in 48207.

My first question is, we have a huge, large plot of land across from us and we're not able to use it. And that I know someone in this room put those "No Mow Zone" signs up. I don't know who you are, but I know you're here. And it's okay. But the thing is, as they were saying, when I'm going and I'm approaching people to use it for farming and gardening, they're saying we can't.

The other thing is how properties are being taken away from people. Homes and land properties. There is a couple of people that are monopolizing property. My personal story is a property that me and my husband bought, my ex-husband, years ago, 25 years ago. And the property was deeded over to my daughter. He was behind in taxes. He was very ill. And it was brought by this person, Michael Kelly, who is monopolizing a lot of properties in the City of Detroit. There's been all kinds of literature about him. There's been all kinds of media about him. But there's been nothing done about monopolizing these properties.

He has been also doing a lot of really dirty tactics. Putting manure on people's property. Having people inside the City of Detroit and inside Wayne County that are obviously paid off. When my daughter tried to call down and see about the properties, she was not given all the options that she had a property owner as far as these programs that are put in place so that you can pay little by little. Payment programs and things like that.

So again, there's all kinds of tactics that are used to keep us, the people of Detroit, from having these small lots of land as well as getting us out of our homes. Now who they want to replace us in the homes and properties, I don't know. But they do want someone.

All right. (Unintelligible) Time Stamp 01:27:09 we do.

Male Speaker: Thank you.

(Applause)

Renee: Okay, our two next speakers would be Tahira Ahmad and Cornell Squires, and if you would come to the mic.

Tahira: Good evening, everyone. I'm glad we had this forum today.

I have a couple of concerns. One is that the area on Outer Drive that's around the Fellowship Baptist Church. I mean, I think a lot of people know about it, how the houses were destroyed and a lot of vacant land now. And I don't know which corporations bought it; I don't know if Fellowship bought it. But it's been 10 years that all of that land has been vacant. I don't know how that can be fixed. Is there pressure that can be put on Henry Ford Hospital? Is it a conglomerate? What's happened? Because bodies have been found over there, dead bodies. There are houses that are burnt out. I see old women and children walking to the store in that area. It's very large – Murray Hill Street, Outer Drive, 6 Mile, up to the Southfield Freeway. I'd be very concerned to know who owns that property, because they have fenced it off one time over by Gilchrist. And now the fence is gone and deer are hanging out in the area. *(Laughs)* It's a shame. And it's dangerous for the elderly and for the children, and for people in general.

The second thing I'm concerned about is how the City is allowing people like Bobby Ferguson... I know on my block he was dumping all kind of trash. He had mountains of gravel and trash on this one vacant lot that's in our community. And I staked him out, because I'm going to do that. I live there, I'm going to take you out. If you're dumping, I'm going to take a picture of you. I'm going to get your license plate. I'm going to confront you. And we have to be proactive in our community. They don't expect you to say anything to them. But it was his company, and when I complained to the ombudsman, he acted like he didn't get my first complaint. They lost my number and they covered up for him. So we need to stop the corruption that's helping to destroy our community.

(Applause)

And then finally, I think that the school system should be a partner in the land for growing and for helping grow food for the community. The children should be allowed to own a plot of land, should be taught how to do that. They should be taught how to maintain it. It needs to be shown. The youth are the future. If they are given the right and the ability to own the land and learn how to do this, they are our future. They will take care of business.

And the final point is Monsanto. Monsanto, I think it has been a rumor that the Bing administration is allowing them to have land. I hope that's not true because we don't need genetic modification. Thank you.

(Applause)

Renee: Hi. We have two speakers. Cornell Squires and Gina Peeples.

Cornell:

Good afternoon, everybody.

I'm a lifelong resident of the City of Detroit. I grew up in southwest Detroit. 48217. I used to work for the City of Detroit Fire Department EMS and I know about the politics that goes on in the City dealing with anything we do. I was originally a whistleblower about the EMS trucks in '93. Filed a complaint to the state and told them about the unsafe trucks and they made an attempt to try to fire me from the job.

Now I've been outspoken about these problems dealing with the land. I bought a house in 2007 that was burnt out. It was only valued at \$10,000. We brought it from our brother who was sick, but he originally died. And me and my mom bought it. We fixed it up. The house was valued at \$10,000. Our taxes were \$1,600 and the next year it went up to \$3,500. Right now my taxes is \$1,700; it's on the foreclosure list. I done wrote letters to Dave Bing. I done wrote to every City official. I wrote it to Wayne County Treasurer. And the letter explains this house is only valued at \$10--, the tax is a rental.

But the politics that goes on in the City is going on right now. So we as a group of people must form our complaints, lodge them with this organization, where we can start our own criminal investigation and get this... because there's a lot of criminal activity inside the City as well as the County. And like the lady just before was just telling you about her house and how they're doing deals, there's some criminals that's working for the City, but we have to form our own criminal task force and make sure that we get the land. We must demand that this land go to the residents first. We have a right. The land belongs to the people. It don't belong to the state and it don't belong to the City. So we as a group of people, we've got to go a step farther, file our complaints with these issues when you're trying to get these lots. Because right now, I've got a lot adjacent to me, I can't even buy it because of my taxes. I can't afford... I've got \$17,000 in taxes. I'm right now has appealed my case in U.S. Appeal Court and waiting on to hear from that. But I don't have any money. I'm on a fixed income. The City never paid me my pension so I've got a pension due since '93. A non-duty pension. They granted me a pension (unintelligible) Time Stamp 01:32:44. So the politics in Detroit is widespread. It's in every department. But we as a group of people, we've got to come together. We've got to lodge our complaints with one another so we can work together and resolve these issues that's going on in the City of Detroit. Because it's nothing but criminal activity. And they want to take the land give it to the corporations, and it shouldn't happen.

(Applause)

Renee:

Gina Peebles? Are you still here? Okay. All right.

Gina: Hi. I'm a native Detroiter. Born and raised in Detroit. I'm a baby boomer.

And I just want to know, when did an industrialized city become an agricultural city? We went backwards. How about this is the City of Detroit. I don't want to see corn growing all up and down the streets. I'm not used to that. I'm used to houses and buildings and apartments and people. I mean, if you want to grow farms, go back to Itta Bena, Mississippi. That's where that's done. This is a city. We need homes. We need people.

And another thing. I've seen some farms in the neighborhood where the products is not kept up. There are rodents and rats and all kind of things running through there. They're not keeping them up.

And furthermore, the land should be available for the people to purchase. Okay, if you're going to grow a garden, that's okay. But commercial, I don't understand this commercial. Who's making the money? Who are you selling the products too? People are just coming here just to grow food? Do they really care about the community or just making a profit?

And then another thing. There is a house next door to me that's been dilapidated for a long time. And I wanted to buy the property. But trying to get business done with the City, it's a joke. They have not called me back. So how can I buy the property? I want to build a garage and attach it to my house. But I've got to look at a dilapidated house where they are in there selling crack.

So, come on. Let's get together. We need the City to get together. They need to hire people that can take care of business. If not, they all need to be fired.

(Applause)

Renee: Alrighty. Well, we don't have any other cards in our hands, so at this point we ask that we have applause at the end of the community's comments because we wanted to give everybody their time. So, please, just acknowledge all of our neighbors for the things that we have shared at this time.

(Applause)

So we've heard a lot about our interests as it relates to the use of land in the city as well as the process for selling land in the city.

A couple things before we close out this particular session. Mr. Anderson provides the information for people who have questions for the Planning and Development Department. When you signed in at the registration

and you checked Yes about being added to the mailing list, they will get that information so that you'll be on their information list as well. And there'll be information about that after this session.

But by way of closure, we're going to ask our two City representatives, Mr. Todd and Mr. Anderson, if you'll just take a couple minutes to just kind of close out and then we'll give the floor back to our Chair, Phil Jones.

Marcell:

Thank you again. This sort of wrap-up session was added, recognizing some of the questions that were raised. We're not going to attempt to answer everything, but just sort of deal with some of the low-hanging fruit. And we hope that there'll be additional opportunities in the future and we can provide greater clarity.

With respect to some of the questions that were presented, the regulations that we're putting forward. We've been working on those regulations for well over three years. And what we anticipate is that there will be a public hearing before the City Planning Commission on October 4th. Prior to that there will be at least three informational sessions whereby you'll have an opportunity such as this to come and hear a full presentation of those draft regulations. Why are they necessary? They're not just necessary in order to begin to permit properly agricultural activities in the city. From the individual small community garden all the way up to some form of commercial agriculture of urban farming, it will define, in fact, what those uses are, where they should go. Define, well, what in fact is a farm? When is it a farm? What makes it a farm? What types of activities can take place and where? But one of the other things that those regs will do is not simply permit those activities, but it will look to protect the adjacent property owners, the surrounding property owners, the existing uses, the traditional urban uses. One of the reasons why we can't just implement this now is because of the Right To Farm Act. If we do it now, it would place those sorts of activities under state control, which means that the regulations, the parameters that they would be operating under would be no different than in a rural setting. This is why it is important for us to have the ability to properly regulate whatever is done here. Because if you allow it and it goes forward, then you have issues with pesticides, with use of heavy equipment. Because you would have those things that are more or less traditional to farming. What we're talking about is trying to allow for urban farming, urban agriculture. Something that is appropriately scaled in order to allow for an expansion of that industry here within the city, in order to feed and to build a new food system that is independently, in some instances, operated based upon what someone may be doing in their back yard all the way up to something that could be commercial. Those things do need to be defined and properly regulated.

With respect to the land sale itself, I want to make two comments and then I'm going to pass it over to Mr. Anderson. We are concerned about how all land is used in the City of Detroit. One of the things that Detroit Works is looking at... the vision that is being developed for the city that will be coming forward and presented in the next few weeks. There'll be more public engagement sessions on that as well beginning next month. When it comes to public land we have the opportunity to advance that agenda via the control that we have of public land. DPS is a participant. I believe that DPS is actually looking at augmenting or, in fact, have maybe already begun to augment their own lunch program through fresh produce. There are programs within the school whereby they are teaching our youth and they're actively involved with agriculture within the urban setting. And again, that's possible because it's an accessory use to the school. The school being the primary use, the agriculture being done as an accessory use. A complement to it.

But we are concerned as you are. A number of you have expressed, "What is happening with the land?" "Who's going to get the land?" This is why we want to... and P&DD agrees, there needs to be equity in terms of the access to the property so that all of you who are interested who are adjacent property owners can have that same access and not feel as though there is this favoritism out there for suburban or for corporate entities. We want to make sure that that opportunity is there.

With respect to property ownership in general, I'll say this – a larger philosophical issue that Commission staff, the Commission and City Council are concerned about. Because of tax foreclosure, because of mortgage foreclosures, by and large Detroiters no longer own land. And when we say Detroiters don't, that also means that African-Americans, that minorities who have had a great deal of property ownership – which is power, which is your own economic concern – that is being lost. So it is certainly one of the many concerns that we're trying to weigh as we look at all of the policies. This is a concern. This is something that CPC, P&DD will be addressing and that you'll see within Detroit Works. And again, it is one of the many factors that we use in trying to evaluate some of the City's policies and practices.

So we hope, we understand that you have some well-founded concern, I guess sometimes in certain instances, not to trust the City. But we're trying to get your trust back and make sure that we are responsive, that we're addressing a lot of these issues. We hope to earn that trust. Thank you.

(applause)

Rob: Well, most of all, I want to thank all of you for coming tonight. I learned a lot tonight. We've got a lot of work to do. Get on our list. We'll do our very best to process you for the adjacent lot program. After the new code is adopted, then we'll figure out how to go forward with the other components. This is clearly about... I always use this phrase in this work I do. This is a question of balance. This isn't about big versus small or whatever the case may be if we do this right, if we have the right code, we have the right master plan for the community through Detroit Works and other efforts. There's a lot of local planning that's going on. I think if we collaborate, communicate, we can create some really great stuff.

So please get on our list if you're interested in purchasing adjacent vacant lots. We'll do our very best to get you processed. And when the new code comes into place, we'll see what we can do on the next steps of this.

Thank you very much.

(applause)

Renee: Okay. We all want to thank you very much. We appreciate the time that was spent to talk about both the process and our current experiences. We've heard a lot in terms of opportunities to change the process. We encourage everyone in the room to stay involved. The information that was shared today, we captured it, so it's going to be transcribed. But we still need to hear your voices. So I'm going to turn the mic back over to Phil Jones to close us out, but we do encourage you – you have those yellow cards – please, if you didn't use the opportunity to come to the mic, put your questions on those cards and post them on the wall there or hand them to one of the team members that are floating in the room. And the video in the gallery will be going until 9:00, so take advantage of that opportunity as well.

Phil: First and foremost I want to take just a moment to thank all of the citizens, all the folks that came out here tonight to participate. Participation is the key to this issue right now. We hear a lot of times that you don't get your voices heard and we hope that you don't feel that that was the case this evening. We want to make sure that your thoughts, your feelings, your positions are being heard and recognized. So this wasn't an exercise about the Food Policy Council telling you what we think about land sales, we wanted to find out what you want as a policy and what your thoughts are. And then we're going to compile all of this. We're going to compile what's been presented here tonight, we're going to put together a report, and we're going to get the report in the proper people's hands. These are empty words. We've got City representatives here. We have City representatives on our Council. So your thoughts are going to go somewhere. They're not just going to languish and just be discarded.

All the public comments are being transcribed in some form or fashion, so if you didn't get a chance to speak publicly, please, make sure that you leave your cards here and we're going to make sure that they get into the proper hands.

Like I said we're going to issue a report on the process and we're going to come up with some recommendations as a Council. Just as you all here are a bunch of different folks with different thoughts and different minds, the Detroit Food Policy Council is the same. We are going to come together and make some recommendations based on your needs. And so this is what this exercise has been about. And we ask you to continue to follow the issue. Don't just leave it here. Keep checking back with us. We're going to put it out there in a bunch of different formats, in a bunch of different ways. But if you don't feel like you're getting answers from us, come back. But the biggest thing we need from you is your involvement. We need for you to participate and we need for you to come to our meetings, check our website out, and find out and be a part of what's going on. Don't just stand out on the sideline because we're trying to be a conduit for you, for your thoughts and your ideas.

So, monthly, the Detroit Food Policy Council, DFPC, meets the second Tuesday of the month at 5:30 p.m. in the Eastern Market offices. This is a public meeting so you all are very welcome to come in and join it. And we also post our minutes online so what we're talking about is there. It's very transparent.

But another way you can be involved is we have four work groups. And someone mentioned the schools, the school issue. We have a workgroup that deals directly with schools and institutions. There's a chance for you to get involved directly because some of the things that were brought up in that conversation, we're dealing with, we're talking about, and this is a way to get even further involved. We also have an Agriculture Advocates workgroup which is dealing with a lot of these urban ag issues. We have a Community Food Justice work group. And we also have a Healthy Food Access work group. So these four work groups are doing the real work with the Council. And so we want you to get involved. Check out our website for the days of these work groups and meetings. We also have a Summit Planning work group because next year we're going to have the Detroit Food Summit in April, which is going to be a great, wonderful event, educational, bringing us together in a celebration of Detroit, and also dealing with some of the issues. But you can get involved and have your voice heard there. And we also encourage you to sign up for emails. When you signed in, if you can make sure that you're on our mailing list, it'll be great and it was wonderful.

I neglected to thank a couple people earlier and I just want to make sure that we acknowledge them. The Detroit Food Policy Council is a volunteer organization, but we do have a staff. We have a staff of two. And our staff of two is like a staff of 10 to me. Our executive director is Cheryl Simon. I'm not sure where Cheryl's at.

(applause)

Cheryl. And our program manager is Kibibi Blount-Dorn.

(applause)

And today, largely through their efforts and a lot of the work that we put forward is due to them and I just want to say thank you. I want to thank the folks from Capuchin Soup Kitchen for providing us with this great, great meal.

(applause)

And I want to thank our panelists one more time for coming out and speaking with us but, more importantly, listening to you all and listening to your comments. Because that's what this evening was about. So thank you all.

(applause)

And once again, thank you for joining us. And, please, this is not the end. There will be more listening sessions and there are a lot of opportunities for you to get involved.

So thank you and have a safe trip home.

End of listening session in this .mp3 audio file.

Transcribed Written Comments (identifying information not included)

Working on food security in Flint, I have purchased land from Genesee County land bank and assisted many others in the process. There is no clear policy regarding use of the land for production of food, urban ag and other related alternative uses by residents to improve the health and well-being of their community. As a result, the land acquisition process varies based on discretion of land bank staff. Land is not made available for all to see for unsubstantiated plans for development. Given the extremely high amount of vacant land, residents should have clear access to land for purchase if they demonstrate the capacity and plan for land development especially for improving, maintaining vacant land for the production of food. The urban food system is fundamental to sustainability and should be allowed to grow as a measure to decrease carbon, buffer against food insecurity, create healthy public spaces and fit as an important water shed and waste stream element. Land held by public entities should NOT require access to politically elite groups, economic developers and planners in order to get information and get favored access to land. The rest of the state is watching you! and some of us want to support you. Call on Us!

Residents of city should have preference for land purchasing. Small (less than 2 acres) should be allowed by right. There needs to be a way for those not caring for lots to be foreclosed on and ownership transferred to those who are. I want to show my love for the city through caring for the land and growing food for Detroiters.

Want to buy land to revitalize the city with a focus on urban ag-feeding neighborhood, community and teaching and gardening. Also interested in support of urban ag in Detroit and strategies for social and political success. Would like to have heard any details on purchasing processes that work e.g. adjacent lots was well addressed, but what about other options?

I would like to know why I as a homeowner was not told that the lot next to me was for sale in 2006. A man from Brooklyn NY bought two lots next to my house and has never mowed the grass. I cleaned off one of the lots and put a fence around it to keep people from driving through from the alley. I have kept the lot mowed since 1994 at a cost of \$100 a month from Apr to Oct. The man from Brooklyn NY bought the lots in 2006. The city mows the other lot. Do they send him a bill? He has not paid taxes since 2006. How do I buy these lots? 1242 N. Solvay, 48209

I was born and raised in Detroit, 12 yrs. in SW, resident co-chair Springwells Village Quality of Life, Housing and Land WG. Getting land into the hands of residents as expeditiously as possible is essential and something we must view as "owed" to residents that have stuck it out for the last 3-4 city administrations. Just because a "new" resident or profit motivated realtor has recently purchased an adjoining lot should not automatically entitle them to equal purchase rights of long-time residents especially those who have tended the abandoned properties and fought to secure them (frequently without admin back up). When multiple residents want to develop a lot, local community groups must be employed to use a vetting process to determine who has the most sweat equity invested, who's plan is the best suited for the surrounding neighborhood

and who's plan is the most long term. There should be a moratorium on bulk sales of multiple lots by investment realtors and some overzealous nonprofits that does not impact neighborhood realtors selling single homes. "Adjoining lots" must include the lot directly across the street or across the alley. Residents who are renters or purchasing on land contract should have equal purchase rights to those who own or we revert to carpet bagging policies that favor the Haves and fail to empower the have-nots. Beyond the purchasing of lots, we must all look to healing our land. Raised beds and prefab buildings are temporary solutions that do not deal with disproportionately contaminated urban soil. The carbon footprint of raised beds and erosion is far more wasteful than starting with real clean fill. (not rocky sewage contaminated fill hauled from the repairs of the Southgate sewage system) and using non strip/vertical and space conscious farming techniques. If you grow it organically, those who value what they eat and where it comes from will follow. We must politic and plan now for the return of a more dense populous. We must value both farm and people and other land use that directly benefits residents esp. in the long term. At no time should city, state, county admin or others plan residents' future.

Equity is necessary for Detroit citizens. What/so much has been stolen/given away and co-opted by Corporations and we deserve equity not balance. Citizens should be consulted via public forum as to what equity and reparations for foreclosure would/should look like. Banks should be held accountable and citizens should have some "advantage" (handicap) that is not based on money but citizenship/residency in the city. Organizations should not be allowed to speak for the entire community. Many times their membership base is limited and not necessarily representative of the everyday citizen whose voice they displace. The city must vet these groups with more accountability re: their claims to "community" LEAP is a good example of misrepresentation. The data they claim should be published for accuracy. The Hantz project is an example of money talks and oppression of long term citizens. Nothing short of a public hearing can balance the favoritism that he has been afforded. More not said!!!!!!

Is church owned lots, gardens for food sale property tax exempt? Hantz trees-trees are cheap from Ag Conservation Dept. (fed). Tax free and things needed to grow tax free; Form co-op farm institute to help be more effective, efficient, and productive; neighborhood eating clubs so food doesn't get wasted; composting; water for gardens should not be charged sewage charge or else allow wells. All property needs > transparency e.g. payment plans on back taxes that go back for years. In old days, property tax sale in Detroit only gave ward and item number and no address till 2nd reading so certain people had advantage on 1st reading. Thesis- capitalism; Antithesis: communism. Detroit= new synthesis. Communal gardens that motivate work and sharing. Grow marijuana, great cash crop; lets grow weed outdoors as well as indoors; Russian style farms, communes, housing prepared for basement living in winter.

What is the procedure when the adjacent property is owned by PD&D? How is that property purchased?

One of the ways in which corporations are given preference over citizens and community groups is that this is the first public listening session on this topic. Whereas John Hantz can get private access to city officials any time he wants it. We citizens are given only two minutes to express our opinions. Favoritism to corporations is one of the major sources of the problems we face today. We kowtow to them, give them breaks on taxes and land acquisition and feel that we have made progress when they agree to come and take advantage. Our contracts with them have no teeth and then we stand by whimpering when they pick up their marbles and walk away, leaving brownfields, empty houses and shattered neighborhoods. In my opinion, real live human beings who live in the neighborhoods in which they wish to purchase land should be given preference-- in access and price-- such preferences should not be given to those fictive "persons" also known as corporations.

To bring back information to my neighborhood (Cody Rouge). Also interested in school food, buy local and urban ag.

Lots of people in attendance, great food, ample time for community speaking. Rob Anderson brushed off the questions and hardly answered anything. Ask them to take the time to fully explain the process for selling land with charts, etc. in the next session and hold them to it. Maybe they will figure out how to improve it in preparing. Moderator should put more pressure on the city officials?

Adjacent property program has not worked for me. They have had my check to purchase adjacent lot at 14902 Lamphere for 11 mos. Still no deed. I'm told to wait. Then, I'm told it's been found and will be mailed. Still no deed. 11 mos. Is too long.

To learn more about the city's policy regarding vacant/abandoned buildings. How can we revitalize our neighborhoods?

Will Hantz Farms be allowed to use pesticides in the city of Detroit? Will areas zoned for urban ag be allowed to have livestock? Bees? Chickens? Ducks? Pigs?

1. Mr. Carmody alluded to the problem of cloudy title to transfer of ownership. However, the city is not and has not warranted marketable title and can remove city land from inventory with a quit claim deed. 2. Highest bidder is an effective way to clear an unsustainable inventory. 3. The bridge is a higher priority to residences, parks or food production. 4. Change real estate taxes to a flat based on sq. footage instead of assessed value to make holding vacant land expensive, eliminate the admin. costs of assessment and assessment review and encourage development. 5. Maintaining another's' land is a gift or squatting and does not establish ownership interest. 6. Robert Anderson gives me hope. How long before he is ready to accept not adjacent vacant lot sales? I'm concerned that more restrictions will be sought in the name of justice that will further frustrate entrepreneurs and individuals. Also interested in: The effect of food stamps usage in Detroit on our independent grocers

Why can't lots that are not adjacent be purchased?

I think residents' sales should be processed first. Any urban ag should be organic. Residents shouldn't be exposed to chemicals. Hantz Farms needs to be near city airport to stabilize the area.

As urban ag has gotten more prevalent over the past couple of years, the residents looking to purchase property for food production has grown. I own and operate a 2 acre farm in downtown Flint and have dealt with a lot of conflict and controversy over the acquisition of land. We've run into vaguely defined obstacles like "best use" and "development potential" Most of Flint's land is owned by the land bank. We are here in solidarity and to gather information to put together our own public input session on land use policy. I wanted to support the process of gaining public input to create policy for land use and acquisition. I also wanted to learn more about the Detroit process to compare with Flint's land use policy. Also interested in hoop houses, livestock, healthy food access and retail, restaurant purchasing, prices and EBT. Good set up for listening, supportive atmosphere, love the public comment. City officials could have been more prepared. Even though the process is complex, there is criteria and current process that exists. Too often is a process not explicitly because its "complicated." We need accountability.

Land banking has destroyed the city. So has land speculation. Why isn't land trust being used as a model to remake and rebuild neighborhoods?

How do I purchase the lot next door at 2173 Meldrum, 48207? When I go down, they can't locate the lot but I can online. We keep all the lots next to us down to Waterloo clean with the help of MEBCA community assoc. so I can't understand why we can't purchase it.

I want to City of Detroit property organizer to contact me about how to receive home and land ownership in the City of Detroit.

Interested in purchasing land for urban farming and expanding my home's footprint. Adjacent to structure/land? Across the alley? White picket fence program? Vacant v. occupied lot? Also interested in distribution networks and large tool cooperatives (tillers, tractors, etc.) 2126 Pierce, Detroit 48207

I would like to know how to buy land in our neighborhood to make a community garden. There's land, but not next to our house. We are 1st year Garden Resource Program. We needed a garden. My husband is retired and I'm laid off. We have a garden at St. Anthony's Cathedral off Gratiot community garden. We drive several miles to get to the garden. Everyone thinks it's a good idea to have a community garden near our home. The neighbor next to vacant property is not interested in buying lots or community gardens. They don't mind it being there, let someone else (me) do it...Now, what? I have the vision and time and am an experienced gardener, to devote to this project I am not a native Detroiter, but I married and moved to the city 10/12/02. I raised 3 children in Ohio, garden produced 500 quarts/pints of food for winter every year while they were growing. Raised on a farm in Ohio, 4H and showed at County Fair every year. I am a DPS teacher on layoff. I am an organizer and love working with people.

Accountability is paramount. I am interested in community benefit agreements when development plans (such as Hantz) are being entertained by city council. Measures of accountability are important if city hopes to gain citizen trust.

Boarded up and dilapidated houses need to be torn down so I can and others can purchase the property. Urban farming: who's getting paid and tax revenue for the city being generated. Rodents. Who is the food sold to. I don't want farming in the city. No to urban commercial farming. The city needs housing and jobs. Wanted to know about the land property ownership process. Interested in obtaining land in the city. Good sound board to get knowledge and to be able to express our opinions. The forum was very positive. Needed to have individuals at the meeting that can get through the red tape.

I am still not clear on the difference between the City Planning Commission and Planning and Development Department. It sounds like a wasteful redundant bureaucracy. The listening session was great but what is the next step. There will not be any change until we organize ourselves for action. What is the next step DFPC?

Will there be a limit to where farms can be placed? Food was perfect, not too heavy. A variety of voices were heard. Room was a bit warm and needed more cold beverages.

Transparency and access to information regarding land sales, policies, etc is essential. Because of the scale involved, online and public friendly and low cost information is essential. Wants to better understand how the sale process actually functions. To learn about possible legal or policy changes that might improve the process.

Can we please investigate Northwest Detroit Development Corporation led by John O'Brien. He owns 926 lots in Brightmoor, hasn't paid taxes on 80% of them and is still able to acquire properties. In 2008 he was "promised" an adjacent property (someone else's) and the neighbor could not buy it. Can you use law school volunteers to prosecute for blight some of these large landowners? How does cooperation between city and county and state work when it comes to land use? Can you use volunteers to manage

Wants to buy adjacent lot at 4039 Neff. We need new agriculture regs in place. If we declare Detroit an all organic, GMO free zone, We will be heroes of planet earth!!!

I'm interested in hearing what other locals had to go through in trying to purchase land in Detroit. I want to know what opinions are out there about this. Great selection of speakers. The format was very good for handling the size of the crowd. And the food was quite generous. Thank you very much for doing this. With such a large room, it is important for speakers to speak correctly into the mic or they cannot be heard well. When the mic is mounted, it should be moved for speakers of different heights. Speakers shouldn't move their heads and keep the mic stationary. The most important part of the meeting is to be heard and informed. Overall, a great job tonight, though.

Needed more info from city officials.

Interested in buying land in Detroit to turn into usable green space. Also interested in perma culture and its practical application in the city.

3380 Electric, Detroit MI 48217. What city dept. handles issues with taxes? I would like to purchase a lot next door. Every citizen of city of Detroit should be able to purchase any lot next to their home. Residents should get first choice of the land if they are going to use land to grow food for themselves and neighbors. Fair market value given to all residents.

One early report said new regs would allow raising chickens and two other animals in the city of Detroit. Please allow small to medium size herd of goats. My dream: Goats, not lawn mowers, can cut grass on soil tested vacant lots producing milk, cheese, meat. Instead of paying lawn services, the city would charge a nominal fee for access to these grassy lots. In summary, please don't define a "farm" too narrowly or specifically.

Like to buy lot next to me.

What is considered adjacent?

Considering buying property which is not adjacent. Also interested in new laws, how to attract grocery stores of higher quality food to Detroit



November 13, 2012

The Honorable Charles Pugh
President
Detroit City Council
Coleman A. Young Municipal Center
Two Woodward Avenue-Suite 1340
Detroit, Michigan 48226

Dear Council President Pugh,

Over the past few months, the Detroit Food Policy Council and interested residents have been working in good faith with the Planning and Development Department of the City of Detroit on the development of a land sale process that is just, fair and transparent. During this time, a Public Listening Session on the sale of city owned land was held. Commitments were made by the Planning and Development Department and City Planning Commission on how to proceed. Soon, the Detroit Food Policy Council will publish a report on the listening session that will include recommendations for the development of a fair, just and transparent land sale process.

However, on Wednesday, November 7th, we became aware that a discussion on the proposed sale of 1,956 city owned lots to Hantz Woodlands was scheduled to take place the following day, Thursday, November 8th at the Planning and Economic Development Committee and that PDD would be asking the Committee to approve a resolution related to that sale.

The Detroit Food Policy Council and the residents of the city of Detroit were assured by PDD over the past few months that the sale of these lots would not be proposed until after the urban agriculture ordinances were passed and property owners in the area contacted about their right to purchase adjacent lots. In meetings held November 13th, DFPC members and PDD Director Rob Anderson discussed land use and land sales in the City of Detroit. At the DFPC monthly meeting, community members also shared their thoughts about the importance of a fair and transparent land sale process in general and about the Hantz Woodlands project in particular.

As a result, the Detroit Food Policy Council, on behalf of the residents of the City of Detroit, is asking the Planning and Economic Development Committee to take the following actions:

- That the Planning and Economic Development Committee hold off on considering the proposed sale of land to Hantz Woodlands until such time that the urban agriculture ordinances are passed.
- That this proposed sale and other large scale sale of city owned land be subject to public hearings.
- That the proposed development or purchase agreement (or whichever legal instrument is used) for the Hantz project be made public before the Council votes on it.
- That evidence be provided that property owners adjacent to all of these lots have been adequately informed of their right and the process to purchase adjacent lots as well as given adequate time to respond before any sale is approved. The DFPC is willing to assist in engaging and informing residents in this process.
- That an independent analysis on the economic, environmental and policy implications of selling large quantities of land to one entity be conducted and shared with the public.

As stated earlier, a full report and recommendations on the development of a fair, just and transparent process for selling city owned land will be published shortly. *See next section for Background and Rationale for this request.*

Background and Rationale

The Detroit Food Policy Council was established by the Detroit City Council in a resolution passed in March, 2008 as a result of two years of community driven and community led effort to identify challenges and solutions to food access, food justice and food sovereignty issues in the food system in the city of Detroit. The City also adopted a Food Security Policy which includes the following language:

- *The City of Detroit should support the efforts of the Detroit Black Community Food Security Network and others to identify and turn into production, multiple acres of City land on a long term lease with an option to purchase.*
- *Update city codes and laws to allow urban agriculture, food production, and farmers markets on a neighborhood scale.*
- *The City should acknowledge the importance of community gardens and protect them as resources that will not be taken over for other types of development.*

On July 5, 2012 the Detroit Free Press published a story entitled “Farm plan close to reality for Detroit” by John Gallagher. The article outlined a pending sale of more than 1,900 city owned lots to Hantz Woodlands that had been negotiated by the Bing Administration. The story reported that the sale would be accomplished through a purchase agreement rather than the typical development agreement. According to the article, Hantz would pay \$300 per lot and had committed to removing blight, planting trees, etc.

On June 22, 2012, the City Planning Commission issued a four page memo objecting to the sale. The memo stated that the CPC had not been consulted about the project and that a precedent for future land sales would be set if this deal was approved. The CPC raised concerns that since the city did not have urban agriculture ordinances in place, this project could jeopardize the city’s ability to pass ordinances in the future and to exercise home rule via the State of Michigan’s Right to Farm law. They were also concerned that residents had not been consulted, that property owners adjacent to those lots had not been contacted and given first right of refusal to purchase those lots.

Following the release of the Detroit Free Press article and the City Planning Commission memo, the Detroit Food Policy Council received calls from residents asking about the land sale process. In response to citizen concerns, the DFPC decided to hold a public listening session to discuss how the city makes land sale decision and the implications of this process.

The desired outcomes of the Public Listening Session were to clarify how the administration was proceeding with large scale sale of city owned land, hear from the City Planning Commission and Urban Ag Workgroup on the impact of the purchase of large tracts of land for urban agriculture or similar uses, and give Detroiters a chance to express their opinions on this issue.

At the August 14 meeting of the DFPC and at the August 22nd Public Listening Session, the Director and Deputy Director of PDD assured residents that it would not to put forth a proposal to sell land to Hantz Woodlands until the urban agriculture ordinance is passed. They also stated that they intend to work with residents to allow them to have priority to purchase vacant lots that were adjacent to their property.

More than 240 residents attended the August 22nd Public Listening Session. The panel included two residents who had attempted to purchase land, Robert Anderson, Director, Planning and Development Department and Marcell Todd, Director, City Planning Commission.

During his remarks at the public listening session, PDD Director Rob Anderson acknowledged that the the Adopt-A-Lot program is not working for anybody. He discussed his goal that PDD be prompt, professional and predictable. And that it's really in the long-term interest of the city to have some coordination with what we're doing especially with some of the larger projects where we require scrutiny. He said, "The new zoning code will tee us up for how to evaluate some of these things, how to manage some of these things. But we've got a lot to learn together. He said that what we have to do also – and where the city loses its credibility – is in the area of serving the people in this room. And if we don't do that well, it doesn't matter what we do with the John Hantzes or anybody else of the world. "

We agree with Mr. Anderson that this is an issue of credibility and public trust. Residents responded positively to the public listening session and were engaged in talking about solutions. We all agreed that we must have a land sale process that is fair, just and transparent. The Detroit Food Policy Council stands ready to work with the Administration and City Council toward this goal. As a first step, we ask the Planning and Economic Development Committee to take the actions listed above. If you have any questions, please contact the DFPC Coordinator, Cheryl A. Simon at detroitfoodpolicycouncil@gmail.com or 313.833.0396. Thank you.

Sincerely,

Phil Jones

Phil Jones
Chair
Detroit Food Policy Council

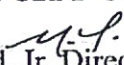
Cc: Council President Charles Pugh, Council Members: Gary Brown, Brenda Jones, Kenneth V. Cockrel, Jr., Saunteel Jenkins, Kwame Kenyatta, Andre Spivey, James Tate, Joann Watson, PDD Director Robert Anderson, Deputy Director Marja Winter, CPC Director Marcell Todd, Detroit Food Policy Members: Ashley Atkinson, NeferRa Barber, Dan Carmody, Myrtle Thompson Curtis, Lisa Johanon, Myra Lee, Minus Longiaru, Roxanne Moore, Suezette Olaker, Kmai Pothukuchi, Willie Spivey, Olga Stella, Kathryn Underwood, Pam Weinstein, DeWayne Wells, Betti Wiggins, Marja Winters, Malik Yakini

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Dr. Darryl Totty
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TO: HONORABLE CITY COUNCIL
FROM: Marcell R. Todd,  Jr. Director
RE: Proposed Hantz Farms project and the City of Detroit policy regarding land sales
DATE: June 22, 2012

It has come to our attention, due to inquiry from the media, and communication from a representative from Hantz Farms that the Administration is proposing to sell property to Hantz Farms or some subsidiary for a project on the east side of Detroit. Our office has not received any formal information from the Administration regarding such proposal; therefore, we do not know with certainty the scope of the project or whether or not it complies with current zoning and/or other City codes.

What little we do know stems from conversations and meetings going back to the summer of 2011 and telephone conversations just over the last two days. Last year, Hantz Farms proposed the purchase of a vast number of predominantly vacant scattered City lots in an area generally bounded by Mack, St. Jean, E. Jefferson and Van Dyke for the purpose of starting a hardwood tree-farming operation. CPC staff was a participant in these early exchanges and raised a number of concerns as did P&DD, Law and DEGC. The draft development agreement Hantz Farms submitted was deemed untenable as it presented several disadvantages to the City. CPC staff was not included in any of the discussions that occurred subsequently.

Over the past two years CPC staff has indicated that the City does not have regulations in place whereby such activities could be permitted and regulated as a principal use of the land. Therefore, land cannot be sold for such expressed purposes without potential disadvantage to the City. While the City is working on such regulations, we are hampered by the implications of the Right Farm Act (RTFA), which would displace Home Rule in this instance and place commercial agricultural activities of this type under State control. Given that RTFA is geared to protect traditional farming in the rural context, many conflicts with the regulation, use and enjoyment of the abutting and adjacent land would be created in the urban context. Various approaches to resolving this most significant issue are currently being sought at the state level.

Recognizing the above challenges with the development agreement and the regulatory deficiencies, it appears that the administration is now seeking to sell the land as surplus, without benefit of a development agreement, time limit, reverter clause or a specifically proposed use of the land. The use of the land would be limited only by the provisions of zoning. The land sale would convey to Hantz an excess of 1900 lots for an estimated \$300 each, placing the lots back on the tax rolls and relieving the City of associated burdens of maintenance and management. This presents some clear financial benefit to the City, but the public policy implications must be also be assessed and addressed.

What are the implications of giving a single entity this type of real estate advantage in a concentrated area without additional controls? Has the host community been apprised of the transaction and made aware of the potential development? Have adjacent property owners, who maybe tending some of these City lots, been offered the chance to purchase the property? Is this a shift in real estate policy and practice that will/should be extended to all parties interested in purchasing City land; if so, what mechanisms will be needed to manage this new process? These and other questions must be asked and answered.

Attached is a copy of the resolution passed by City Council in April of 1995 (JCC, 4/5/1995, Pg. 814) that states in part:

“...Whereas, in recent years the Planning and Development Department and City Planning Commission staff have endeavored to ensure that land and property are sold in a manner consistent with land use laws embodied in the Official Zoning Ordinance, and

“Whereas, Citizens of the City of Detroit have expressed concern over City-owned land and property being sold for uses prohibited or greatly restricted by the Zoning Ordinance;...”

”... the Detroit City Council requests that the Planning and Development Department, in the course of processing land and property sales, identify the zoning district classification of any land or property to be sold, and identify the proposed use of said land or property, and whether said proposed use is permitted as a matter of right, permitted with approval, or prohibited by the Official Zoning Ordinance...”

Where a public hearing might be required for a proposed land use, Council's practice has been to decline the authorization of a land sale until after the public has had its chance to speak at a public hearing, whether the hearing is at the Buildings, Safety Engineering and Environmental Department (for conditional uses), at the Board of Zoning Appeals (for certain variances), or at the City Planning Commission and City Council (for rezonings or text amendments).

Although our information is admittedly unverified, the CPC staff is bringing this to the attention of Your Honorable Body in the event you are contacted about the proposed Hantz project about which the legislative branch has not been formally apprized. We are

trying to get more concrete information and set up a meeting with the administration in order to get a complete handle on what is being proposed and to begin to vet the issues broached above. We would hope to avoid bad press and embarrassment for the legislative branch or city as a whole through better communication and public policy. Please contact our office if you have questions or concerns.

cc: Robert Anderson, PDD
Timothy Beckett, Law
Brian Holdwick, DEGC

City Planning Commission
March 31, 1995

Honorable City Council:
Re: Planning and Development Department Land Sales (Submitting Resolution for Approval).

City Planning Commission (CPC) staff is in full support of the Planning and Development Department's recommendation for processing land and property sales involving special zoning approval.

In place of the resolution submitted by CPC staff with the correspondence of 16 March 1995, please find the attached resolution which incorporates the recommendations of the Planning and Development Department.

Respectfully submitted,
MARSHA S. BRUHN
Director

By Council Member Everett:

Whereas, The Planning and Development Department of the City of Detroit has the responsibility of selling city-owned land and property; and

Whereas, In recent years the Planning and Development Department and City Planning Commission staff have endeavored to ensure that land and property are sold in a manner consistent with land use laws embodied in the Official Zoning Ordinance; and

Whereas, Citizens of the City of Detroit have expressed concern over City-owned land and property being sold for uses prohibited or greatly restricted by the Zoning Ordinance; and

Whereas, The Planning & Development Department has recommended a suitable procedure for land and property sales involving special zoning approval in its letter of 27 March 1995;

Now Therefore Be It Resolved, That the Detroit City Council requests that the Planning and Development Department, in the course of processing land and property sales, identify the zoning district classification of any land or property to be sold, and identify the proposed use of said land or property, and whether said proposed use is permitted as a matter of right, permitted with approval, or prohibited by the Official Zoning Ordinance; and

Be It Further Resolved, That land and property sales for land uses permitted as a matter of right shall continue to be forwarded directly to City Council for authorization; and

Be It Further Resolved, That land and property sales for land uses permitted with approval first be referred to the Buildings and Safety Engineering Department for processing with respect to zoning; and

Be It Further Resolved, That land or property proposed to be sold for a land use prohibited in the zoning district where it is proposed first be referred to the Board of Zoning Appeals for processing with respect to zoning; and

Be It Further Resolved, That the Planning and Development Department furnish the purchaser with such documentation as to accord him or her standing before the Buildings and Safety Engineering Department or Board of Zoning Appeals for purposes of a zoning hearing; and

Be It Further Resolved, That upon issuance of a zoning grant by the Buildings and Safety Engineering Department or Board of Zoning Appeals, the Planning and Development Department shall provide City Council with a report and resolution for the authorization of the sale of land or property to the zoning grant holder; and

Be It Finally Resolved, That a copy of this resolution be forwarded by the Clerk to the Planning and Development Department, City Planning Commission, Buildings and Safety Engineering Department, and Board of Zoning Appeals.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Everett, Hill, Hood, Ravitz, Scott, Tinsley-Williams and President Mahafley — 9.

Nays — None.

Lesley C. Carr, Esq.
Chairperson
Frederick E. Russell, Jr.
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Brenda Goss Andrews
Regina R. Banner
Thomas Christensen
Lisa Whitmore Davis
Arthur Simons
Dr. Darryl Totty
Roy Levy Williams

November 13, 2012

HONORABLE CITY COUNCIL

RE: Planning and Development Department (P&DD) request to sell 1,956 scattered lots to Hantz Woodlands LLC (RECOMMEND DENIAL OF PURCHASE AGREEMENT)

CITY PLANNING COMMISSION STAFF CONCLUSIONS AND RECOMMENDATION **City Planning Commission staff acknowledges and applauds:**

- Hantz Woodlands LLC's readiness to remove the considerable blight from 1,956 lots on the lower eastside of Detroit.
- Hantz Woodlands LLC's commitment to maintaining the 1,956 properties, relieving the City of that responsibility.
- The real property tax revenue that the City will realize from Hantz Woodlands LLC.

City Planning Commission staff asserts:

- The proposed land sale by purchase agreement would be a speculative land deal, contrary to established land sale policies.
- The departure from established land sale policies is not recognized or justified in the land sale narrative or authorizing resolution from P&DD.
- The proposed land sale authorization would be the largest land sale to a single party for speculative purposes in the city's history, setting an inequitable precedent for future land disposition without benefit of an updated land sale policy or impact analysis.
- The urgency to securing land sale authorization for an ostensibly urban agricultural project without benefit of an urban ag ordinance has not been explained.
- Inclusion of 179 parcels zoned B4 (General Business) in the proposed land sale is a significant under-valuation of commercial property. (Eight and a half cents (\$.085) per square foot may be appropriate for adjacent residential vacant lot property, but not for business-zoned land on Jefferson and Mack Avenues, and perhaps Kercheval.)
- The open-ended purchase agreement would implicitly pre-authorize any use of the land permissible in the respective zoning districts—not just tree planting—affording Hantz Woodlands an advantage over any other developer, who would have to first secure specific zoning approval for any conditional use or variance after a BSEED or BZA public hearing.

City Planning Commission staff recommends:

- It would be premature to authorize the proposed purchase agreement land sale at this time; tree farming on the lower east side, if that is really the goal, is better ensured by sale by development agreement, authorized subsequent to adoption of an urban agriculture ordinance.

REQUEST

The Planning and Development Department (P&DD) has formally submitted for Your consideration the request to authorize the sale of 1,956 scattered lots to Hantz Woodlands LLC in the area generally bounded by Van Dyke, Mack, St, Jean and East Jefferson Ave. Since the June 22, 2012 City Planning Commission (CPC) staff memo alerting your Honorable Body to this proposed land sale, a number of the previously stated concerns have been addressed, while others remain and new ones have arisen.

LAND USE CONTROL

Zoning Regulations

The primary concern of CPC staff is rooted in the requirements established by the provisions of the attached resolution passed by City Council in April of 1995 that states in part:

“... Whereas, in recent years the Planning and Development Department and City Planning Commission staff have endeavored to ensure that land and property are sold in a manner consistent with land use laws embodied in the Official Zoning Ordinance, and

Whereas, Citizens of the City of Detroit have expressed concern over City-owned land and property being sold for uses prohibited or greatly restricted by the Zoning Ordinance;...”

”... the Detroit City Council requests that the Planning and Development Department, in the course of processing land and property sales, identify the zoning-district classification of any land or property to be sold, and identify the proposed use of said land or property, and whether said proposed use is permitted as a matter of right, permitted with approval, or prohibited by the Official Zoning Ordinance...”

Where a public hearing might be required by the Zoning Ordinance for a proposed land use, Council’s practice has been to decline the authorization of a land sale until after the public has had its chance to speak at a public hearing, whether the hearing is at the Buildings, Safety Engineering and Environmental Department (for conditional uses), at the Board of Zoning Appeals (for certain variances), or at the City Planning Commission and City Council (for rezonings or text amendments).

Hantz Woodlands has stressed for months its desire to establish a tree farm on these properties. Prior to this particular pursuit, the focus was on large scale innovative commercial farming at another site. As the Council is well aware, the City of Detroit does not currently have zoning regulations in place whereby urban agricultural activities are permitted as principal use of the land. While we are working on such regulation, an urban agricultural ordinance will not be ready for Your consideration until early in the new year.

Given that urban agriculture ordinance is not yet in place Hantz Woodlands continued its pursuit of this land sale indicating the desire to purchase the land whether they are ever able to establish a tree farm or not. Without the requisite zoning regulations it would be necessary to contractually control or limit the use of the subject property in order to secure the City’s best interests. Previously, when land was sold to Hantz Farms in the area of its offices at Mt. Elliott

and E. McNichols, the development agreement included terms prohibiting the purchaser from engaging in commercial agriculture. Hantz Woodlands has agreed to placing a similar provision in the purchase agreement should this sale be authorized.

Zoning Designation

Since Hantz will not be able to engage in commercial agriculture, they intend to landscape and maintain these properties or otherwise limit activities to that which is permissible under zoning. The table below depicts the zoning of lots currently included in the land sale request.

Zoning District Classification	Parcels	Square Feet	Acreage
B4 (General Business District)	179 parcels	818,650 sq. ft.	18.79 acres
P1 (Open Parking District)	1 parcel	10,629 sq. ft.	0.24 acres
R1 (Single-Family Residential District)	12 parcels	50,792 sq. ft.	1.17 acres
R2 (Two-Family Residential District)	1,547 parcels	5,969,951 sq. ft.	137.05 acres
R4 (Thoroughfare Residential District)	122 parcels	520,444 sq. ft.	11.95 acres
R5 (Medium-Density Residential District)	95 parcels	359,165 sq. ft.	8.25 acres
Total	1,956 parcels	7,729,631 sq. ft.	177.45 acres

By our calculations there are 179 lots or 18.79 acres that bear a B4 (General Commercial) zoning designations and one lot that carries a P1 (open Parking) designation. Generally, we have focused our discussion on residentially zoned land, which comprised the remaining 158 or so acres. These B4 parcels can be found on E. Jefferson, Charleviox, Kercheval and the vast majority along Mack. We did not envision that significant commercial frontage would be used for tree farming.

EDC and Urban Renewal Project Plan

The land sale request also includes properties that fall within the confines of an urban renewal project plan and an Economic Development Corporation (EDC) project plan. The earlier version of the request that was shared with CPC staff did not include the western frontage of St. Jean and Defer Place where the berm sits that separates the community to the west from the Chrysler Jefferson North plant on the east. Assuming these properties can even be sold, it would seem that they would come with additional restrictions. We are currently reviewing the project plan to ascertain the limitations on this land.

As it concerns the urban renewal properties in the Kercheval-McClellan project area, CPC staff had previously indicated, with concurrence from the Law Department, that these properties cannot be included in the sale at this time since they cannot be conveyed without a public hearing, development agreement or compliance with the provisions of the project plan. Hantz Woodlands, in response to this, expressed the desire to explore the urban renewal properties separately.

LAND SALE POLICY AND PRACTICES

Equitable Access to City Land

CPC staff previously expressed the concern that smaller, community-based interests in urban agriculture (and other property interests) were/are not being granted the same level of access to City-owned land as Hantz Woodlands. Further, we indicated that the Adjacent Vacant Lot program could be compromised in this instance if lots were sold without first giving current property owners the opportunity to purchase lots adjacent to their property. P&DD Director Robert Anderson agreed and indicated the City's land disposition policies as a whole need to be revised. He stated the same at a Community Forum on the City's land disposition policy held in August by the Detroit Food Policy Council and committed to making outreach to the adjacent property owners.

To date P&DD has contacted 108 parties concerning their desire to purchase 118 adjacent vacant lots within the footprint of this proposed sale. Should any of these purchases be realized the department can do so under Your Honorable Body's pre-authorization of such land sales via the Adjacent Vacant Lot Program. However, since it is the Department's intent to also include these properties under the blanket authorization to Hantz, any approving resolution should be worded to reconcile the joint authorizations if this matter is to be approved in its current form.

Pricing and Scale of Project

The total land mass encompassed by this proposed land sale is estimated at 179 acres. Based upon that estimate, the \$600,000.00 purchase price yields a per-square-foot purchase price of just over eight cents. The total purchase price is based on a charge of \$300.00 per lot, which is \$100.00 more per lot than the base \$200.00 purchase price through the Adjacent Vacant Lot Program. Given that commercial properties are generally priced at a higher there should be some breakdown of the purchase price to reflect the different pricing scheme.

Lack of New Policy

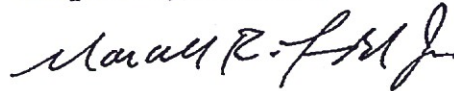
The sale of this amount of property, under the proposed purchase agreement is unprecedented and is a fundamental shift in public policy that will have both short and long term consequences. The Administration should justify the efficacy of this approach through an analysis including implications to future planning; relation to the current Master Plan of Policies; relation to the Detroit Works Strategic Framework; how this does, or does not, facilitate land speculation; how this impacts issues of equity with regard to other urban agriculture projects as well as other types of development projects; and possibly other land use and related issues.

Further, the draft purchase agreement includes two particular provisions which need further explanation. The first is a right of first refusal given to the purchaser on any properties the City should acquire within the land sale area. This would require the City to offer any property acquisitions in that area over a five year period to Hantz before they could be offered to others. If the City does not acquire land in the area over the five-year period this may not be an issue. The agreement also requires P&DD to identify an additional 180 acres of land within a one mile radius of the land sale area to be conveyed to Hantz. These provisions seem, once again, to

impact the equitable access to City-owned land for the individual purchaser, community based interests and other developers. The resolution before Council does not authorize the sale of anything more than the listed properties, but the intent and implications of these provisions must be fully explained.

What is needed for this proposal at present is clarity as to what is being conveyed and for what purpose. A clear and thorough explanation of what is before Council has yet to be produced. Whether a tree farm is realized or not, only 5 jobs are anticipated to be created. This is not a land development deal, it is a land purchase with no guaranteed performance by the developer. This is land speculation and land banking. There are residential and commercial properties with and without structures where demolition, mothballing or redevelopment may take place, but that is not spoken to with any specificity. This is not the basis upon which land has been disposed of in the past. Departure from past practices is desirable and necessary, but we should establish the new land disposition policy first before we try to implement one. The City should look to create a level playing field for all parties—one that secures the City's best interest.

Respectfully, submitted,



Marcell R. Todd, Jr., Director
M. Rory Bolger, Deputy Director
Kathryn Underwood, Staff

Attachments

cc: Robert Anderson, PDD
Timothy Beckett, Law