



## Import

### Some say Harbor Shores land swap doesn't add up

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BENTON HARBOR — On paper, Benton Harbor residents stand to gain a great deal of recreational opportunities by leasing a portion of Jean Klock Park for three holes of a Jack Nicklaus Signature Golf Course. But opponents of the plan say it does not add up in reality. Developers planning the massive Harbor Shores project are giving the city 38 acres of new park land spread among seven parcels along the Paw Paw River in exchange for 22 acres in Jean Klock Park, Benton Harbor's only park on Lake Michigan. They are also building a \$1.5 million, 12.8-mile trail system to connect the parcels with downtown Benton Harbor and the Lake Michigan shoreline. On top of that, Harbor Shores will pay Benton Harbor at least \$35,000 annually to lease the Jean Klock Park land. Developers will throw in another \$1.5 million for construction of a beachside boulevard and parking area and improvements and maintenance at the park. The new land's market value, assessed at \$999,500, is even worth more than the 22 acres, which was assessed at \$900,000. Despite those numbers, LuAnne Kozma, the Michigan director of Defense of Place, a land preservation group, called the land swap proposal "a sham." Kozma said the acreage along the Paw Paw River is "land nobody else wants," and some of it is contaminated with industrial waste. "It's just a hodge-podge of stuff that is not valuable as park land." "It's nowhere near the usefulness of Jean Klock Park," said Carol Drake, a local resident and vice president of Friends of Jean Klock Park. "It's a trail system. You can't use the land, most of it." Kozma said the parcels are intertwined in the golf course and would not have been developed anyway. She accused developers of offering the land just to avoid paying taxes on it. "What it is, is land they don't want to put golf holes on — that's all," Kozma said. "It's not for the benefit of the public." Approximately 22 acres of the 38 acres offered as mitigation for the Jean Klock Park land are wetlands, and park activists have questioned the utility a wetland has for a park. A document summarizing the Harbor Shores project says, "The public outdoor recreation opportunities to be provided by the mitigation properties exceed the usefulness of the area to be converted within Jean Klock Park." The 22 acres in Jean Klock Park, which has a total of 73 acres, includes a parking area for 306 vehicles, a public access road, forest and grassland on the non-lake side of the park's sand dunes. The park's beach is not within the affected acreage. Wendy Dant Chesser, a Harbor Shores trustee and president and CEO of Cornerstone Alliance, said the riverside parcels will allow residents to observe the wildlife that lives in wetlands. "There's no easy access to observe that nature in today's layout of the park," she said. Previous owners used two of the mitigation parcels as dumping grounds, causing arsenic pollution in the soil. Chesser said Harbor Shores is in the process of having both parcels cleaned up. If the polluted soil is not removed, Benton Harbor has the option of conveying the land back to Harbor Shores. Area residents have never had much access to the Paw Paw River in Benton Harbor, and Chesser thinks a lot of people will be pleasantly surprised by the river's scenery after they discover it. "This area's got a lot of natural beauty," she said, looking out toward the river on what the Harbor Shores site plan refers to as "Parcel F," which is one of the properties contaminated with arsenic. "Yeah, it's going to take some clean-up, but it will be beautiful again." Benton Harbor City Manager Richard Marsh said city leaders for many years have had the goal of building trails to connect Lake Michigan with downtown Benton Harbor and other city parks. The mitigation plan "fits into what our goal would be. In fact, it builds on what we have," Marsh said. "It ties (Jean Klock Park) to Hall Park as well." Drake said Benton Harbor already had a bike trail running along Graham Avenue, Eighth Street and Klock Road that linked downtown with Lake Michigan. Part of Eighth Street is being removed for Harbor Shores construction. What it's worth Harbor Shores will

use the acreage in Jean Klock Park to provide golfers with panoramic views of Lake Michigan, but Kozma and others have asked how those 22 acres so close to the lake can be worth only \$900,000. Maturen and Associates, the firm that Harbor Shores hired to assess the value of the properties, explained why the Jean Klock Park acreage was assessed at a value lower than what some expected. "The park has a restriction against development for anything except 'public' use," the firm wrote in a document summarizing the Harbor Shores project. "This has a major impact on its value and restricts it from residential development, which would have been its highest and best use absent this restriction." Kozma said the residential value of Jean Klock Park was considered five years ago when Benton Harbor sold four acres of the park for homes on Grand Boulevard. She added that no park land has ever been offered as mitigation for that lost acreage. The legality of that land sale was challenged in court and the resulting settlement in 2004 forbid the city from further privatizing any portion of Jean Klock Park. Drake and Clellen Bury, a Benton Harbor resident, are suing the city and Harbor Shores for allegedly violating that settlement. More than 70 percent of the value of the mitigation property lies in a 1.47-acre parcel appraised at \$714,000. The property is located on the west bank of the Paw Paw River near its confluence with the St. Joseph River, south of Whitwam Drive in St. Joseph. Although the property is in St. Joseph, it will be owned by Benton Harbor. The same goes for a parcel on the north shore of the Paw Paw River in Benton Township. When asked how park parcels located in Benton Township and St. Joseph benefit Benton Harbor residents, Marsh answered, "The overall plan is a benefit to the city. I've seen the benefit to date, and we'll see it down the road." Harbor Shores is spending \$18 million to build the golf course and another \$67 million to acquire land, build infrastructure, pay for marketing and cover interim financing, according to the developer's documents. The golf course is the centerpiece of the 530-acre development, which is projected to stimulate a total of \$430 million in investment and be a major boon to Benton Harbor's tax base. The course will be open to the public but will charge \$65-\$225 per round. Harbor Shores is a partnership of three nonprofit organizations — the Alliance for World-Class Communities, Cornerstone Alliance and the Whirlpool Foundation — so any profit realized from the project will need to be reinvested in the community. "People say (Harbor Shores) is a social injustice, an environmental injustice," Marsh said. "It would be a social and environmental injustice if it didn't happen." Public input Most citizens in Southwest Michigan seem to agree with Marsh. Roughly 360 of the some 400 letters citizens sent to the city during a 45-day public comment period in April and May favored the Harbor Shores project and its presence in Jean Klock Park. Some of the most common sentiments among supporters were that Jean Klock Park is currently in poor condition, rarely used and difficult to access. Many supporters also expressed enthusiasm for more recreational opportunities, including better access to the Paw Paw River and the 12.8-mile trail system proposed by Harbor Shores. Roughly 25 of the comments said the park is great as it is or are worried Harbor Shores will ruin the beach and actually result in fewer park amenities. Four people claimed the city has intentionally allowed Jean Klock Park to become run down as a way to promote Harbor Shores. The National Park Service approved the Jean Klock Park lease Friday. The NPS has jurisdiction over Jean Klock Park because the federal agency gave the city a \$50,000 grant for park improvements in the 1970s. The park service rejected Harbor Shores' first application last October, partly because none of the parcels offered in exchange for the 22 acres were deemed "self sufficient as a viable park or recreation unit." Nine parcels totaling more than 47 acres were offered with that first application. Benton Harbor has had trouble keeping up with maintenance and repairs at Jean Klock Park. Broken glass, fast-food wrappers and other garbage are strewn about the parking lot. Bathrooms at the concession stand are not connected to the city's sewer system. Shifting sands pose a constant challenge for the city's public works department. Two of Harbor Shores' stated goals are to enhance the physical condition of Jean Klock Park and improve the public's access to and use of the park's beach. The park's existing parking lot is more than 100 yards from the beach. Chesser said her opinion is that Jean Klock Park is not used more because the parking is too far away for families with small children. Harbor Shores developers hope to correct that by building an access road with 298 parking spaces in front of the sand dunes along the historic footprint of the park's original beachside boulevard. Drake said moving the parking area to the lake side of the sand dunes will eat up more park land, destroy the foredunes on the beach and "aesthetically ruin the site." She also is skeptical of Benton Harbor leaders' claims that the city does not have enough money for upkeep at the park, noting that the city made money on the Grand Boulevard sale and has taken in more revenue by charging for parking at park events. "They act like they don't have the money to take care of it, when they have the money to take care of it. It's intentional," she said. Drake said the city should do more to promote Jean Klock Park, including placing better signs along Michigan 63. As a matter of fact, she said publicity from the Harbor Shores controversy has been "a shot in the arm" for park visitation. "The publicity has actually caused more park usage," she said. "I was shocked after watching the park be deserted for so many years." If the golf course stops operating, Marsh said the

22 acres will return to being part of Jean Klock Park. When John Klock donated the park to Benton Harbor in 1917, he required in the deed that the land always be used for public recreation. The lease conditions between Benton Harbor and Harbor Shores reads: "Upon the termination or expiration of the lease, Harbor Shores is required to return the leased area to the city in its original state and fill in sand traps, remove tee boxes and holes, reseed, etc." Kozma does not believe it is possible to build a golf course on the park land and later restore the natural environment. "It's a one-way street. Development always destroys it," Kozma said. "You just can't get that back." Drake said Jean Klock Park "needs some sprucing up, no doubt about it." But she does not think building a golf course there is the answer. "The park deserves the time and opportunity to evolve and return to the destination it used to be," Drake said. "We're not against Harbor Shores. We're just pro park." Contact Kevin Allen at [kallen@TheH-P.com](mailto:kallen@TheH-P.com).

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